

## Road Traffic (Amendment) Ordinance 2010 to take effect tomorrow

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The Road Traffic (Amendment) Ordinance 2010 (Amendment Ordinance) will be gazetted tomorrow (December 17) to substantially increase the penalties for drink driving and other serious traffic offences. The Amendment Ordinance will come into operation on the same day.

A spokesman for the Transport and Housing Bureau said the purpose of the Ordinance was to introduce new measures to further combat drink driving and other inappropriate driving behaviour with a view to enhancing road safety.

Followings are the key measures introduced by the Amendment Ordinance:

- (a) Introducing a 3-tier penalty system with a sliding scale. The more a driver exceeds the prescribed limit for alcohol, the longer will be his driving disqualification period. The Amendment Ordinance will significantly increase the minimum disqualification periods for drink drivers on a first conviction from three months, to six months to two years; and on a subsequent conviction from two years, to two to five years.
- (b) The penalties for offences including driving under the influence of drink or drugs to such an extent as to be incapable of having proper control of the motor vehicle, refusing to perform a screening breath test or provide specimens for analysis, will be aligned with penalties for drink driving at tier 3.
- (c) Lengthening the minimum disqualification periods for drivers on a subsequent conviction of dangerous driving offence or dangerous driving causing death offence from 18 months and three years, to two years and five years respectively. On the other hand, if at the time of committing any dangerous driving offence, the driver's alcohol concentration is tier 3; or any amount of the specified illicit drugs (viz. heroin, ketamine, "ice", cannabis, cocaine, or MDMA) is present in his/her body, they will be caught by the aggravating circumstance and subject to 50% higher penalties in terms of fine, imprisonment, and minimum disqualification period for the offence concerned.
- (d) If a driver is convicted of a subsequent serious traffic offence (which carries 10 Driving-offence Points), regardless of whether that conviction is for the same of a

different offence, the court must direct that the disqualification period be commenced at the conclusion of imprisonment sentence, unless the court for special reasons decides not to make such a direction.

(e) Introducing a new offence of "causing grievous bodily harm by dangerous driving". A driver convicted of the offence is liable to a fine of \$50,000, imprisonment for seven years, a minimum driving disqualification period of two years on a first conviction and five years on a subsequent conviction.

The spokesman said that by introducing these new measures in the Amendment Ordinance, the Government had already struck a balance between different views of the community, and had fully taken into account the road safety concern of the public.

"Through introducing a 3-tier penalty system with a sliding scale, the Government has brought out a very clear message, that is, the more a driver exceeds the prescribed limit, the heavier will be his penalty," he said.

"We shall work with the Road Safety Council to publicise the message - 'If you drink, don't drive'; as well as the 3-tier penalty system."

Details of the measures in the Amendment Ordinance are listed in the Annex.

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