



Australian Capital Territory

# Road Transport Legislation Amendment Act 2013 (No 2)

A2013-24

## Contents

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		Page
<b>Part 1</b>	<b>Preliminary</b>	
1	Name of Act	2
2	Commencement	2
3	Legislation amended	2
<b>Part 2</b>	<b>Road Transport (Alcohol and Drugs) Act 1977</b>	
4	Meaning of <i>special driver</i> New section 4B (1) (ea)	3
5	Section 4B (3), new definitions	3

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	Page	
<b>Part 3</b>	<b>Road Transport (Driver Licensing) Act 1999</b>	
6	Offence against this Act—application of Criminal Code etc Section 5A, note 1	4
7	When road transport authority may issue or renew driver licences Section 10 (5)	4
8	Driver licensing system New section 28 (2) (u) to (x)	4
9	New section 33A	5
10	Dictionary, definition of <i>probationary licence</i> , new paragraph (aa)	6
<b>Part 4</b>	<b>Road Transport (Driver Licensing) Regulation 2000</b>	
11	Offences against regulation—application of Criminal Code etc Section 4, note 1	7
12	Basic kinds of driver licence Section 5 (2), note, definition of <i>probationary licence</i> , new paragraph (ab)	7
13	Driver licence condition codes Table 10, item 4, column 2	7
14	When probationary licence must be issued New section 52 (2A)	7
15	Section 52 (3) and note	8
16	Driver licence condition codes and explanatory notices Section 57 (3)	8
17	Duties of holders of conditional licences Section 59 (3) and (5)	9
18	Conditional licence holders to comply with conditions Section 60 (2) and note	9
19	Eligibility to apply for licence if disqualified or licence suspended Section 66 (4) and note	9
20	Application—div 3.13 Section 73A	10
21	Section 73B heading	10
22	Section 73B, definition of <i>alcohol-related disqualifying offence</i>	10
23	New part 3A	11
<hr/>		
contents 2	Road Transport Legislation Amendment Act 2013 (No 2)	A2013-24







Australian Capital Territory

# Road Transport Legislation Amendment Act 2013 (No 2)

A2013-24

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An Act to amend road transport legislation

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The Legislative Assembly for the Australian Capital Territory enacts as follows:

## Part 1 Preliminary

### 1 Name of Act

This Act is the *Road Transport Legislation Amendment Act 2013 (No 2)*.

### 2 Commencement

- (1) This Act commences on a day fixed by the Minister by written notice.

*Note 1* The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

*Note 2* A single day or time may be fixed, or different days or times may be fixed, for the commencement of different provisions (see [Legislation Act](#), s 77 (1)).

- (2) If this Act has not commenced within 12 months beginning on its notification day, it automatically commences on the first day after that period.
- (3) The [Legislation Act](#), section 79 (Automatic commencement of postponed law) does not apply to this Act.

### 3 Legislation amended

This Act amends the following legislation:

- [Road Transport \(Alcohol and Drugs\) Act 1977](#)
- [Road Transport \(Driver Licensing\) Act 1999](#)
- [Road Transport \(Driver Licensing\) Regulation 2000](#)
- [Road Transport \(General\) Act 1999](#)
- [Road Transport \(General\) Regulation 2000](#)
- [Road Transport \(Offences\) Regulation 2005](#).



## Part 3 Road Transport (Driver Licensing) Act 1999

### 6 Offence against this Act—application of Criminal Code etc Section 5A, note 1

*insert*

- s 33A (Contravening interlock condition).

### 7 When road transport authority may issue or renew driver licences Section 10 (5)

*substitute*

- (5) Subsections (1) and (4), as far as they require a person to be a resident of the ACT, do not apply to—
- a person who lives temporarily outside the ACT; or
  - a person who is the holder of a foreign driver licence who is eligible to apply for, or be issued with, a probationary licence because of the regulation, section 103AA (Overseas drivers—eligibility criteria).

### 8 Driver licensing system New section 28 (2) (u) to (x)

*insert*

- make provision in relation to the imposition of a condition on a person's driver licence requiring an alcohol ignition interlock device to be fitted to a motor vehicle driven by the person; and
- make provision in relation to court-ordered therapeutic programs for people convicted or found guilty of a disqualifying offence, that relates to alcohol, against the *Road Transport (Alcohol and Drugs) Act 1977*; and



- (w) make provision in relation to—
  - (i) the approval by the road transport authority of alcohol ignition interlock devices; and
  - (ii) the provision, installation, testing and maintenance of alcohol ignition interlock devices; and
  - (iii) the approval by the road transport authority of people to provide, install, test and maintain alcohol ignition interlock devices; and
- (x) make provision about matters to be dealt with by agreement between the road transport authority and people who provide, install, test and maintain alcohol ignition interlock devices.

## **9 New section 33A**

*in part 3, insert*

### **33A Contravening interlock condition**

- (1) A person commits an offence if the person—
  - (a) holds a driver licence with an interlock condition; and
  - (b) engages in conduct that contravenes the interlock condition; and
  - (c) is reckless about whether the conduct contravenes the interlock condition.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

- (2) If the person is convicted, or found guilty, by a court of an offence against subsection (1), the licence is automatically cancelled unless the court orders otherwise.

- (3) If the licence is cancelled under subsection (2), the cancellation takes effect from the time of the conviction or finding or, if the court orders a later date, on the later date.
- (4) Subsection (2) does not apply if the licence is cancelled under another provision of the road transport legislation.

*Note* Under the *Road Transport (General) Act 1999*, s 66 (1) the disqualification of a person from holding or obtaining a driver licence (whether or not by order of a court) operates to cancel any driver licence held by the person.

- (5) If the person's licence is cancelled under subsection (2), the person is disqualified from applying for, or being issued with, another driver licence with an interlock condition for the remainder of the disqualification period.
- (6) In this section:

*disqualification period*—see the *Road Transport (Driver Licensing) Regulation 2000*, section 73S.

*interlock condition*—see the *Road Transport (Driver Licensing) Regulation 2000*, section 73W.

**10 Dictionary, definition of *probationary licence*, new paragraph (aa)**

*insert*

- (aa) a driver licence issued with an interlock condition under the *Road Transport (Driver Licensing) Regulation 2000*, section 73W; or

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## Part 4 Road Transport (Driver Licensing) Regulation 2000

### 11 Offences against regulation—application of Criminal Code etc Section 4, note 1

*insert*

- offences against pt 3A (Alcohol ignition interlock devices)

### 12 Basic kinds of driver licence Section 5 (2), note, definition of *probationary licence*, new paragraph (ab)

*insert*

- (ab) a driver licence issued with an interlock condition under the *Road Transport (Driver Licensing) Regulation 2000*, s 73W; or

### 13 Driver licence condition codes Table 10, item 4, column 2

*substitute*

The licence holder must drive only a motor vehicle with an alcohol interlock ignition device.

### 14 When probationary licence must be issued New section 52 (2A)

*insert*

- (2A) This section also applies to a person if—
- (a) the road transport authority approves an application by the person for the issue of a driver licence (other than a learner licence) of a particular class; and

- (b) the person—
- (i) is eligible for a probationary licence with an interlock condition under section 73T (Mandatory interlock condition) or section 73V (Voluntary interlock condition); or
  - (ii) has an interlock exemption under section 73ZE.

**15 Section 52 (3) and note**

*substitute*

- (3) Subject to subsection (4), if this section applies to the person, the road transport authority must issue a probationary licence of the class approved by the authority to the person.

*Note* The road transport authority must not issue a probationary licence to a person if s 73D (3) or s 73M (3) applies.

- (4) If a court has made an order under section 73U (Court-ordered therapeutic program) that a person comply with any treatment, referral or monitoring before being eligible to apply for, or be issued with a licence, the road transport authority must be satisfied that the person has complied with the order before issuing a probationary licence to the person.

**16 Driver licence condition codes and explanatory notices  
Section 57 (3)**

*after*

code E,

*insert*

I,

**17 Duties of holders of conditional licences  
Section 59 (3) and (5)**

*after*

code E,

*insert*

I,

**18 Conditional licence holders to comply with conditions  
Section 60 (2) and note**

*substitute*

(2) Subsection (1) does not apply to the holder of—

(a) a restricted licence; or

(b) a driver licence with an interlock condition under section 73W.

*Note 1* It is an offence against the Act, s 33 for the holder of a restricted licence to contravene, without reasonable excuse, a condition to which the licence is subject.

*Note 2* It is an offence against the Act, s 33A for a person who holds a driver licence with an interlock condition to contravene the interlock condition.

**19 Eligibility to apply for licence if disqualified or licence suspended  
Section 66 (4) and note**

*substitute*

(4) This section is subject to—

(a) section 49 (Issue of restricted licence by road transport authority); and

*Note* Section 45 deals with the circumstances in which a person may apply to the Magistrates Court for an order authorising the road transport authority to issue a restricted licence to a person.

(b) section 73T (Mandatory interlock condition); and

*Note* A person to whom s 73T applies is eligible for a probationary licence with an interlock condition after completing half the period of disqualification.

(c) section 73V (Voluntary interlock condition).

*Note* A person to whom s 73V applies is eligible for a probationary licence with an interlock condition at any time during the period of disqualification if the person is not otherwise disqualified from holding or obtaining a driver licence.

**20 Application—div 3.13  
Section 73A**

*after*

person

*insert*

(other than a person who is subject to an order under section 73U (Court-ordered therapeutic program))

**21 Section 73B heading**

*substitute*

**73B Meaning of *alcohol awareness course***

**22 Section 73B, definition of *alcohol-related disqualifying offence***

*omit*

**23 New part 3A***insert***Part 3A Alcohol ignition interlock devices****Division 3A.1 General****73S Definitions—pt 3A**

In this part:

*alcohol ignition interlock device* means a device approved under section 73ZL (Alcohol ignition interlock devices—approval).

*approved interlock installer* means a person approved as an interlock installer under—

- (a) section 73ZN (Issue of approval); or
- (b) the *Road Transport (Driver Licensing) Regulation 2008* (NSW), part 10.

*approved interlock service provider* means a person approved as an interlock service provider under—

- (a) section 73ZN (Issue of approval); or
- (b) the *Road Transport (Driver Licensing) Regulation 2008* (NSW), part 10.

*disqualification period*—

- (a) for a person whose licence is subject to a mandatory interlock condition—see section 73T; or
- (b) for a person whose licence is subject to a voluntary interlock condition—see section 73V.

*exemption certificate*—see section 73ZG.

***fitted interlock*** means an interlock provided and installed in a motor vehicle by an approved interlock installer and maintained by an approved interlock service provider.

***interlock*** means an alcohol ignition interlock device.

***interlock condition***—see section 73W.

***interlock data record*** is the database of information recorded by a fitted interlock in relation to a driver.

***interlock driver*** means a person whose driver licence is subject to an interlock condition.

***interlock exemption***—see section 73ZE.

***interlock period***, for a person, means the period applying to the person under section 73Y.

***mandatory interlock condition*** means a condition imposed under section 73T (3) or (4).

***nominated vehicle***, for a person, means a motor vehicle nominated by the person under section 73X.

***voluntary interlock condition*** means a condition imposed under section 73V (3).



## Division 3A.2      Conditional licences—alcohol ignition interlock devices

### 73T      Mandatory interlock condition

- (1) This section applies to a person who is—
  - (a) either—
    - (i) convicted or found guilty of an offence against the *Road Transport (Alcohol and Drugs) Act 1977*, section 19 (1) (Prescribed concentration of alcohol in blood or breath) if the court finds that the concentration of alcohol in the person's blood or breath was at level 4; or
    - (ii) a habitual offender; and
  - (b) disqualified for a period (the *disqualification period*) from holding or obtaining a driver licence.
- (2) The person is eligible to apply for, or be issued with, a probationary licence if the person—
  - (a) has completed at least half of the disqualification period; and
  - (b) is not otherwise disqualified from holding or obtaining a driver licence.
- (3) The probationary licence must be issued with an interlock condition imposed by the road transport authority.

- (4) If the person is not issued with a probationary licence before the end of the disqualification period, any probationary licence issued after the disqualification period must, unless the person has an interlock exemption, be issued with an interlock condition imposed by the road transport authority.

*Note* A person whose licence is subject to an interlock condition is a *special driver* under the *Road Transport (Alcohol and Drugs) Act 1977*. A special driver must not drive a motor vehicle if the driver has a concentration of alcohol of more than 0g in 100mL of blood or 210L of breath.

- (5) In this section:

*habitual offender*, means a person who—

- (a) is convicted or found guilty of an alcohol-related disqualifying offence; and
- (b) has, within 5 years before the conviction or finding of guilt, also been convicted or found guilty of 2 or more other alcohol-related disqualifying offences.

### **73U Court-ordered therapeutic program**

- (1) This section applies to a person mentioned in section 73T (1) (Mandatory interlock condition).
- (2) Before the person is sentenced, a report must be prepared for the court by the court alcohol and drug assessment service (*CADAS*) that assesses whether any form of therapeutic treatment or program might assist the person and, if so, makes recommendations about an appropriate treatment or program.
- (3) In sentencing the person, the court must consider the report and may order that the person have treatment or undergo a program recommended in the assessment.

**73V Voluntary interlock condition**

- (1) This section applies to a person (other than a person to whom section 73T applies) who is—
  - (a) convicted or found guilty of an alcohol-related disqualifying offence; and
  - (b) disqualified for a period (the *disqualification period*) from holding or obtaining a driver licence.
- (2) The person is eligible to apply for, or be issued with, a probationary licence at any time during the disqualification period if the person is not otherwise disqualified from holding or obtaining a driver licence.
- (3) The probationary licence must be issued with an interlock condition imposed by the road transport authority.

*Note* A person whose licence is subject to an interlock condition is a *special driver* under the *Road Transport (Alcohol and Drugs) Act 1977*. A special driver must not drive a motor vehicle if the driver has a concentration of alcohol of more than 0g in 100mL of blood or 210L of breath.

**73W Interlock condition**

- (1) An *interlock condition* is a condition of a person's driver licence that, during the interlock period applying to the person, the person may drive only—
  - (a) a motor vehicle that is a nominated vehicle for the person and has a fitted interlock; or
  - (b) if the person is receiving driver training from a driver trainer—
    - (i) a motor vehicle mentioned in paragraph (a); or
    - (ii) a motor vehicle provided by the driver trainer; or

- (c) if the person is taking a practical driving test required by the road transport authority under section 78 (Tests and medical examinations of drivers etc)—any motor vehicle.
- (2) In this section:
  - driver trainer*—see the *Road Transport (Alcohol and Drugs) Act 1977*, section 4BA.

### **73X Nomination of vehicle**

- (1) For section 73W (1) (a), a nomination of a motor vehicle must be made to the road transport authority.

*Note* If a form is approved under the *Road Transport (General) Act 1999*, s 225 for this provision, the form must be used.

- (2) A person may—
  - (a) only nominate a motor vehicle of a class shown on the person's driver licence; and
  - (b) nominate more than 1 motor vehicle.

#### **Examples**

- 1 the person's own motor vehicle
- 2 a motor vehicle owned by the person's spouse, friend or employer

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

### **73Y Interlock period**

- (1) The interlock period applying to a person whose licence is subject to a mandatory interlock condition is the period—
  - (a) starting on the day the interlock condition is imposed on the licence; and

- (b) ending—
  - (i) at the later of—
    - (A) 6 months after that day; and
    - (B) the end of the person's disqualification period mentioned in section 73T; or
  - (ii) if, at that time, the road transport authority is not satisfied under subsections (4) and (5)—when the road transport authority is satisfied under subsections (4) and (5).
- (2) The interlock period applying to a person whose licence is subject to a voluntary interlock condition is the period—
  - (a) starting on the day the interlock condition is imposed on the licence; and
  - (b) ending—
    - (i) at the later of—
      - (A) 6 months after that day; and
      - (B) the end of the person's disqualification period mentioned in section 73V; or
    - (ii) if, at that time, the road transport authority is not satisfied under subsection (4)—when the road transport authority is satisfied under subsection (4).
- (3) The interlock period applying to a person whose licence is subject to an interlock condition under section 73ZH (2) (When interlock exemption ends) is the period—
  - (a) starting on the day the interlock condition is imposed on the licence; and

- (b) ending—
- (i) 6 months after that day; or
  - (ii) if, at that time, the road transport authority is not satisfied under subsections (4) and (5)—when the road transport authority is satisfied under subsections (4) and (5).
- (4) For subsections (1) (b) (ii), (2) (b) (ii) and (3) (b) (ii), the road transport authority must be satisfied that in the immediately preceding 3-month period, the person has not—
- (a) driven a nominated vehicle for the person—
    - (i) without first providing the vehicle’s fitted interlock with a specimen of the person’s breath; or
    - (ii) when the person knew, or ought reasonably to have known, that the vehicle’s fitted interlock was not operating properly or had been interfered with; or
  - (b) recorded more than 2 failed attempts to start a nominated vehicle for the person as demonstrated by the interlock data record; or
- Example—failed attempt**  
providing a sample of breath containing alcohol to the interlock
- Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).
- (c) failed to comply with the interlock condition under section 73W.
- (5) For subsections (1) (b) (ii) and (3) (b) (ii), the road transport authority must also be satisfied that the person has complied with any order made for the person under section 73U (Court-ordered therapeutic program).

- (6) In this section:

*interfered with* includes tampered with, damaged, destroyed and removed.

### **73Z When interlock condition ends**

- (1) The interlock condition of a person's licence ends when the interlock period applying to the person ends.
- (2) If a person's probationary licence period ends before the person's interlock period ends, the person—
  - (a) is not eligible for a driver licence other than a probationary licence; and
  - (b) may apply to the road transport authority to renew the person's probationary licence.
- (3) The road transport authority must issue any subsequent probationary licence with an interlock condition imposed for the remainder of the interlock period.

### **73ZA Producing interlock data record**

- (1) During an interlock driver's interlock period, the road transport authority may, by written notice, require the driver to give the authority, not later than 7 days after the day the notice is given, the driver's interlock data record for the period stated in the notice.
- (2) The road transport authority may, by written notice, require an approved interlock installer or an approved interlock service provider to produce to the authority, not later than 7 days after the day the notice is given, a person's interlock data record for the period stated in the notice.

- (3) A person must not fail to comply with a notice given to the person under subsection (1) or (2).

Maximum penalty: 20 penalty units.

- (4) An offence against this section is a strict liability offence.

**73ZB Destruction of interlock data record prohibited**

- (1) A person commits an offence if the person destroys an interlock data record before the end of the interlock period for the person to whom the record relates.

Maximum penalty: 20 penalty units.

- (2) An offence against this section is a strict liability offence.

**73ZC Interlock data record destroyed, lost or stolen**

- (1) This section applies if an interlock driver becomes aware, or reasonably suspects, that the driver's interlock data record has been destroyed, lost or stolen during the driver's interlock period.

- (2) The driver must tell the road transport authority as soon as practicable, but not later than 7 days after the day the driver becomes aware, or reasonably suspects, that the interlock data record has been destroyed, lost or stolen.

Maximum penalty: 20 penalty units.

- (3) An offence against this section is a strict liability offence.

**73ZD Offences relating to use of another person's means of identification**

- (1) A person commits an offence if—
- (a) the person drives a motor vehicle with a fitted interlock; and
  - (b) the vehicle is also driven by another person; and



(c) the person—

- (i) uses the other person's means of identification to operate the vehicle; or
- (ii) allows the other person to use the person's means of identification to operate the vehicle.

Maximum penalty: 20 penalty units.

**Examples—means of identification**

a PIN, password or swipe card

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (2) An offence against this section is a strict liability offence.

### **Division 3A.3 Interlock exemptions**

#### **73ZE Exemption from interlock condition—application**

- (1) This section applies to a person to whom section 73T (4) (Mandatory interlock condition) applies.

*Note* Section 73T (4) applies to a person who chooses to complete the disqualification period, rather than apply for a probationary licence after completing half the disqualification period under s 73T (2). Section 73T (4) provides that any probationary licence issued to the person after the disqualification period must, unless the person has an interlock exemption, be issued with an interlock condition.

- (2) The person may apply to the road transport authority for an exemption from the mandatory imposition of an interlock condition on the person's probationary licence (an *interlock exemption*) because of special circumstances.

**Example—special circumstances**

a medical condition that prevents the applicant from providing a sufficient breath sample to operate an interlock

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (3) The road transport authority may, in writing, require the applicant to give the authority additional information or documents that the authority reasonably needs to decide the application.

*Note* Giving false or misleading information and producing false or misleading documents are offences against the [Criminal Code](#), s 338 and s 339.

- (4) If the applicant does not comply with a requirement under subsection (3), the road transport authority may refuse to consider the application.

**73ZF Exemption from interlock condition—decision on application**

- (1) On application by a person for an interlock exemption under section 73ZE, the road transport authority must—
- (a) grant the exemption; or
  - (b) refuse to grant the exemption.
- (2) If the road transport authority grants the exemption, the authority may impose conditions applying to the exemption.
- (3) The road transport authority may grant the exemption only if satisfied on reasonable grounds that special circumstances exist for granting the exemption.

- (4) The road transport authority is taken to have refused to grant the exemption if the applicant does not comply with a requirement under section 73ZE (3).

### **73ZG Exemption certificate**

- (1) This section applies if the road transport authority grants an interlock exemption under section 73ZF.
- (2) The authority must, by written notice, inform the applicant of—
- (a) the special circumstances the authority was satisfied of under section 73ZF (3); and
  - (b) the matters about which the person must notify the authority, under section 73ZK, of any change.
- (3) The authority must also give the applicant a certificate about the exemption (an *exemption certificate*).
- (4) The exemption certificate must state—
- (a) the expiry date of the exemption; and
  - (b) any conditions applying to the exemption.

*Note* If a form is approved under the *Road Transport (General) Act 1999*, s 225 for this provision, the form must be used.

### **73ZH When interlock exemption ends**

- (1) A person's interlock exemption ends on the earliest of the following:
- (a) the expiry date stated on the exemption certificate;
  - (b) 14 days after the day the person gives the road transport authority a notice under section 73ZK (Person with interlock exemption must give notice of change of circumstances);
  - (c) when the probationary licence period ends.

*Note* A probationary licence is generally issued for 1 year (see s 53).

- (2) If a person's interlock exemption ends under subsection (1) (a) or (b), the road transport authority may impose an interlock condition on the probationary licence.
- (3) In deciding whether to impose an interlock condition under subsection (2), the road transport authority—
  - (a) must consider—
    - (i) whether the person is complying with any order under section 73U (Court-ordered therapeutic program); and
    - (ii) for a person whose interlock exemption ended under subsection (1) (b)—the extent to which the person's circumstances have changed based on the information provided by the person in the notice under section 73ZK; and
    - (iii) the period of time remaining on the person's probationary licence; and
  - (b) may consider any other relevant matter.

**73ZI Production of exemption certificate to police officer or authorised person**

- (1) This section applies to a person who has an interlock exemption.
- (2) The person must, if required by a police officer or authorised person, produce for inspection the person's exemption certificate, at a place directed by the police officer or authorised person, not more than 3 days after the request is made.

Maximum penalty: 20 penalty units.

- (3) An offence against this section is a strict liability offence.

**73ZJ Failing to comply with condition of interlock exemption**

- (1) A person who has an interlock exemption commits an offence if—
  - (a) the person's interlock exemption is subject to a condition under section 73ZF (2); and
  - (b) the person fails to comply with the condition.

Maximum penalty: 20 penalty units.

- (2) An offence against this section is a strict liability offence.

**73ZK Person with interlock exemption must give notice of change of circumstances**

- (1) This section applies to a person who has an interlock exemption and a relevant change of circumstances happens.
- (2) The person must give written notice of the change to the road transport authority as soon as practicable, but not later than 7 days after the day the circumstances change.

Maximum penalty: 20 penalty units.

- (3) An offence against this section is a strict liability offence.
- (4) In this section:

*relevant change of circumstances* means a change in any of the matters stated, as required under section 73ZG (2) (b) (Exemption certificate), in a written notice given to the person.

**Division 3A.4 Approval****73ZL Alcohol ignition interlock devices—approval**

- (1) The road transport authority may approve a device (an *alcohol ignition interlock device*) that prevents a motor vehicle from being started, or continuing to be driven, unless the device is provided with a sample of a person's breath containing no alcohol.

- (2) The road transport authority must not approve an alcohol ignition interlock device unless the device—
- (a) complies with AS 3547-1997 (Breath Alcohol Testing Devices for Personal Use), as in force from time to time; and
  - (b) has the technical capability to identify the driver of the vehicle at a particular time.

**Examples**

- 1 the driver's use of a PIN, password or swipe card issued by an approved interlock provider
- 2 a camera installed by an approved interlock provider

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (3) The [Legislation Act](#), section 47 (6) does not apply to AS 3547-1997.

*Note* AS 3547-1997 does not need to be notified under the [Legislation Act](#) because s 47 (6) does not apply (see [Legislation Act](#), s 47 (7)). The standard may be purchased at [www.standards.org.au](http://www.standards.org.au).

- (4) An approval is a notifiable instrument

*Note* A notifiable instrument must be notified under the [Legislation Act](#).

## Division 3A.5 Interlock installers and service providers

### 73ZM Application for approval as interlock installer or interlock service provider

- (1) A person may apply to the road transport authority for approval as either or both of the following:
- (a) a person who may provide, install and remove an interlock in a motor vehicle (an ***approved interlock installer***);

- (b) a person who may carry out maintenance to ensure the proper operation of an interlock or conduct inspections of an interlock (an **approved interlock service provider**).
- (2) The road transport authority may, in writing, require the applicant to give the authority additional information or documents that the authority reasonably needs to decide the application.

*Note* Giving false or misleading information and producing false or misleading documents are offences against the [Criminal Code](#), s 338 and s 339.

- (3) If the applicant does not comply with a requirement under subsection (2), the road transport authority may refuse to consider the application.

*Note 1* If a form is approved under the [Road Transport \(General\) Act 1999](#), s 225 for this provision, the form must be used.

*Note 2* A fee may be determined under the [Road Transport \(General\) Act 1999](#), s 96 for this provision.

### **73ZN Issue of approval**

- (1) If a person applies for approval under section 73ZM the road transport authority must—
- (a) issue the approval; or
- (b) refuse to issue the approval.
- (2) The road transport authority must not issue the approval unless the applicant is eligible for approval under section 73ZO.

*Note* An approval may be subject to conditions imposed by the road transport authority (see s 73ZQ).

- (3) However, the authority may refuse to issue the approval only if—
- (a) the authority has given the applicant written notice of the proposed refusal; and

- (b) the notice states—
  - (i) the reasons for the proposed refusal; and
  - (ii) that written comments on the proposed refusal may be made to the authority before the end of a stated period of at least 14 days after the day the notice is given to the applicant; and
- (c) the authority has considered any comments made by the applicant before the end of the stated period.
- (4) The road transport authority is taken to have refused to issue the approval if the applicant does not comply with a requirement under section 73ZM (2).

**73ZO Eligibility for approval**

- (1) A person is eligible to be an approved interlock installer or an approved interlock service provider if the road transport authority is satisfied on reasonable grounds that the person—
  - (a) is at least 18 years old; and
  - (b) is a suitable person to hold an approval having regard to the matters mentioned in section 73ZP; and
  - (c) for an approved interlock installer—
    - (i) is suitably qualified and has the abilities, skills, knowledge and experience to perform the functions of an approved interlock installer; and
    - (ii) has access to equipment and facilities necessary to enable the person to provide, install and remove interlocks in motor vehicles; and



- (d) for an approved interlock service provider—
  - (i) is suitably qualified and has the abilities, skills, knowledge and experience to perform the functions of an approved interlock service provider; and
  - (ii) has access to equipment and facilities necessary to enable the person to carry out maintenance to ensure the proper operation of interlocks in motor vehicles and to inspect interlocks.
- (2) A person is not eligible to be an approved interlock installer or an approved interlock service provider if the road transport authority is satisfied on reasonable grounds that the person—
  - (a) is unable to perform the functions of an approved interlock installer or an approved interlock service provider because of illness or mental or physical incapacity; or
  - (b) has at any time had an approval as an approved interlock installer or an approved interlock service provider revoked; or
  - (c) has failed to properly perform the functions of an approved interlock installer or an approved interlock service provider.

### **73ZP Suitable person**

- (1) In deciding whether an applicant is a suitable person to be an approved interlock installer or approved interlock service provider, the road transport authority must have regard to the following matters:
  - (a) whether the person has been convicted or found guilty of a relevant offence within 5 years before the person applies for the approval;
  - (b) whether the person is, or at any time in the last 5 years has been, bankrupt or personally insolvent;

*Note* **Bankrupt or personally insolvent**—see the [Legislation Act](#), dictionary, pt 1.

(c) whether the person has at any time had a driver licence with an interlock condition suspended or cancelled.

(2) In this section:

**corresponding jurisdiction** means the Commonwealth, a State or New Zealand.

*Note* **State** includes the Northern Territory (see [Legislation Act](#), dict, pt 1).

**relevant offence**, means any of the following offences:

- (a) an offence involving dishonesty;
- (b) a relevant offence under the [Road Transport \(Alcohol and Drugs\) Act 1977](#), section 4F;
- (c) an offence in a corresponding jurisdiction that would have been an offence under paragraph (a) or (b) if committed in the ACT.

### **73ZQ Approval conditions**

- (1) The road transport authority may issue an approval under section 73ZN, or a renewal under section 73ZT, with conditions.
- (2) The road transport authority may impose additional conditions or vary or revoke a condition after the approval is issued.
- (3) Conditions may include but are not limited to the following:
  - (a) conditions relating to the provision, installation, removal, inspection or carrying out of maintenance on interlocks;
  - (b) conditions relating to the interlock data record and the provision of the data to the road transport authority, people nominated by the authority and interlock drivers.

- (4) However, the authority may impose an additional condition, or vary or revoke a condition under subsection (2), only if—
- (a) the authority has given the approval holder written notice of the proposed additional condition, variation or revocation of a condition; and
  - (b) the notice states—
    - (i) the reasons for the proposed additional condition, variation or revocation of a condition; and
    - (ii) that written comments on the proposed additional condition, variation or revocation of a condition may be made to the authority before the end of a stated period of at least 14 days after the day the notice is given to the approval holder; and
  - (c) the authority has considered any comments made by the approval holder before the end of the stated period.

**73ZR Term of approval**

- (1) An approval issued under section 73ZN—
  - (a) is issued for a period of not more than 3 years; and
  - (b) starts on the day the approval is issued or, if a start date is stated in the approval, on the date stated.
- (2) An approval may be renewed under section 73ZT.

**73ZS Form of approval**

An approval issued under section 73ZN must include the following:

- (a) the name and business address of the approved interlock installer or approved interlock service provider;
- (b) the date of issue of the approval;
- (c) the start date of the approval (if it is not the date of issue);

- (d) the end date of the approval;
- (e) any condition imposed on the approval under section 73ZQ;
- (f) an identifying number for the approval.

### **73ZT Renewal of approval**

- (1) An approved interlock installer or an approved interlock service provider may apply, in writing, to the road transport authority to renew an approval before the approval term ends.

*Note 1* If a form is approved under the [Road Transport \(General\) Act 1999](#), s 225 for this provision, the form must be used.

*Note 2* A fee may be determined under the [Road Transport \(General\) Act 1999](#), s 96 for this provision.

- (2) If a person applies to renew an approval under this section, the approval remains in force until the application is decided.
- (3) The road transport authority may, in writing, require the applicant to give the authority additional information or documents that the authority reasonably needs to decide the application.

*Note* Giving false or misleading information and producing false or misleading documents are offences against the [Criminal Code](#), s 338 and s 339.

- (4) If the applicant does not comply with a requirement under subsection (3), the road transport authority may refuse to consider the application.

### **73ZU Issue of renewed approval**

- (1) If an approved interlock installer or an approved interlock service provider applies under section 73ZT to renew an approval, the road transport authority must—
  - (a) renew the approval; or
  - (b) refuse to renew the approval.

- (2) The authority must not renew the approval unless satisfied that the applicant—
  - (a) is eligible for approval under section 73ZO; and
  - (b) is complying with any condition of the approval.
- (3) However, the authority may refuse to renew the approval only if—
  - (a) the authority has given the approval holder written notice of the proposed refusal; and
  - (b) the notice states—
    - (i) the reasons for the proposed refusal; and
    - (ii) that written comments on the proposed refusal may be made to the authority before the end of a stated period of at least 14 days after the day the notice is given to the approval holder; and
  - (c) the authority has considered any comments made by the approval holder before the end of the stated period.
- (4) A renewed approval is effective from the end date of the approval held immediately before renewal.

### **73ZV Revocation of approval**

- (1) The road transport authority may revoke the approval of an approved interlock installer or an approved interlock service provider if the approval holder—
  - (a) fails to comply with a condition of the approval; or
  - (b) is no longer eligible for approval under section 73ZO; or
  - (c) contravenes a provision of this part.

- (2) However, the road transport authority may revoke the approval only if—
- (a) the authority has given the approval holder written notice of the proposed revocation; and
  - (b) the notice states—
    - (i) the reasons for the proposed revocation; and
    - (ii) that written comments on the proposed revocation may be made to the authority before the end of a stated period of at least 14 days after the day the notice is given to the approval holder; and
  - (c) the authority has considered any comments made by the approval holder before the end of the stated period.

**73ZW Failure to comply with condition of approval**

- (1) A person commits an offence if the person—
- (a) is an approved interlock installer or an approved interlock service provider; and
  - (b) fails to comply with a condition of the approval.
- Maximum penalty: 20 penalty units.
- (2) An offence against this section is a strict liability offence.

**73ZX Installation or removal of interlock without approval**

- (1) A person commits an offence if the person—
- (a) installs an interlock in, or removes an interlock from, a motor vehicle; and
  - (b) is not an approved interlock installer.
- Maximum penalty: 20 penalty units.
- (2) An offence against this section is a strict liability offence.

**73ZY Maintenance or inspection of interlock without approval**

- (1) A person commits an offence if the person—
  - (a) carries out maintenance on, or conducts an inspection of, an interlock; and
  - (b) is not an approved interlock service provider.

Maximum penalty: 20 penalty units.

- (2) An offence against this section is a strict liability offence.

**73ZZ Notification of removal of fitted interlocks**

- (1) An approved interlock installer commits an offence if the person—
  - (a) removes a fitted interlock from a motor vehicle; and
  - (b) fails to give the road transport authority written notice of the removal not later than 7 days after the day of its removal.

Maximum penalty: 20 penalty units.

*Note* Giving false or misleading information and producing false or misleading documents are offences against the [Criminal Code](#), s 338 and s 339.

- (2) An offence against this section is a strict liability offence.

**73ZZA Tampering or otherwise interfering with fitted interlocks**

- (1) A person commits an offence if the person tampers or otherwise interferes with a fitted interlock in a motor vehicle.

Maximum penalty: 20 penalty units.

**Example—tampering**

removing or interfering with a tamper-evident seal on the fitted interlock

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (2) An offence against this section is a strict liability offence.

**73ZZB Suspected tampering or otherwise interfering with fitted interlocks**

- (1) An approved interlock installer or approved interlock service provider commits an offence if the person—
  - (a) becomes aware that a fitted interlock has been tampered or otherwise interfered with; and
  - (b) fails to give the road transport authority written notice of the tampering or interference not later than 7 days after the day the person becomes aware of it.

Maximum penalty: 20 penalty units.

*Note* Giving false or misleading information and producing false or misleading documents are offences against the [Criminal Code](#), s 338 and s 339.

- (2) An offence against this section is a strict liability offence.

**Division 3A.6 Other matters****73ZZC Agreements relating to interlocks**

- (1) The road transport authority may enter into an agreement with a person (not inconsistent with the Act or this regulation) about the supply, or provision of services relating to the installation, removal, maintenance and inspection of interlocks under this regulation.
- (2) An agreement may make provision about the following matters:
  - (a) pricing arrangements for the supply, installation, maintenance and inspection of interlocks;
  - (b) setting and maintaining service standards under the agreement;
  - (c) compliance with standards;
  - (d) the provision, sharing and protection of data recorded on interlocks;



- (e) the records (including accounts) to be made and kept, how they are to be made and kept, and their inspection;
  - (f) evaluation and reporting requirements in relation to interlocks.
- (3) Subsection (2) does not limit the matters about which an agreement may make provision.

### **73ZZD Security and disclosure of interlock-related information**

- (1) The road transport authority must ensure that interlock-related information is kept securely and disclosed only in accordance with this regulation or another law in force in the ACT.

*Note* The Information Privacy Principles apply to the road transport authority. The Principles deal with the collection, storage, security and exchange of personal information (see [Privacy Act 1988](#) (Cwlth), s 14 to s 16).

- (2) In exercising its functions under this part, the road transport authority may disclose interlock-related information to the following people:
- (a) an approved interlock installer or an approved interlock service provider;
  - (b) a person who has entered into an agreement with the authority under section 73ZZC;
  - (c) a person who provides any services to a person mentioned in paragraph (a) or (b) in connection with interlocks;
  - (d) a police officer or prosecutor in connection with the enforcement of the road transport legislation.
- (3) In this section:

***interlock-related information*** means interlock data records, photographic images from an interlock and information entered in the driver licence register in relation to interlocks.

**24 Exemption of overseas drivers—Act, s 31 (1) (b)  
New section 94 (4) (c)**

*insert*

- (c) the person is convicted or found guilty of an offence in the ACT, that would, if committed by the holder of a driver licence, result in the holder being subject to section 73T (Mandatory interlock condition).

*Note* Section 73T provides for a mandatory interlock licence condition for certain high-risk drink driving offenders.

**25 New division 6.5**

*insert*

**Division 6.5 Overseas driver licence holders –  
eligibility for probationary licence**

**103AA Overseas drivers—eligibility criteria**

- (1) This section applies to a person who ceases to be exempt from holding an Australian driver licence under section 94 (4) (c) (Exemption of overseas drivers—Act, section 31 (1) (b)).
- (2) Part 3A (Alcohol ignition interlock devices) applies to the person as if the person were subject to section 73T (Mandatory interlock condition).
- (3) However, for the person to be eligible to apply for, or be issued with, a probationary licence, the road transport authority must, in addition to section 73T (2), be satisfied of the following matters:
  - (a) that the person has undertaken tests or assessments, or provided other evidence, of the person's driving ability or knowledge of safe driving practices or road law to hold a driver licence or a driver licence of the class or kind applied for;

- (b) that the person provided other evidence of the person's suitability to hold a driver licence or a driver licence of the class or kind applied for;
- (c) that the person has undergone, at the person's own cost, a medical examination by a doctor or allied professional practitioner (or a stated doctor or allied professional practitioner) in accordance with the required medical standards;
- (d) that the person provided a report of the examination or other evidence of compliance with the required medical standards;
- (e) that the person provided information about—
  - (i) an illness, injury or incapacity suffered by the person; or
  - (ii) the effects on the person of treatment (including the taking of a drug) for any illness, injury or incapacity suffered by the person;
- (f) that the person provided any documents in the person's possession or control relevant to the person's medical fitness to hold a driver licence or a driver licence of the class or kind applied for.

*Note* Under s 73T (2), a person is eligible for a probationary licence if the person has completed at least half of the disqualification period and is not otherwise disqualified from holding or obtaining a driver licence.

## **26 Dictionary, note 2**

*insert*

- AS (see s 164 (1))

**27 Dictionary, new definition of *alcohol ignition interlock device***

*insert*

*alcohol ignition interlock device*, for part 3A (Alcohol ignition interlock devices)—see section 73ZL.

**28 Dictionary, definition of *alcohol-related disqualifying offence***

*substitute*

*alcohol-related disqualifying offence* means—

- (a) an alcohol-related offence against—
  - (i) the *Road Transport (Alcohol and Drugs) Act 1977*, section 19 (Prescribed concentration of alcohol in blood or breath); or
  - (ii) the *Road Transport (Alcohol and Drugs) Act 1977*, section 22 (Refusing to provide breath sample); or
  - (iii) the *Road Transport (Alcohol and Drugs) Act 1977*, section 23 (Refusing blood test etc); or
  - (iv) the *Road Transport (Alcohol and Drugs) Act 1977*, section 24 (Driving under the influence of intoxicating liquor or a drug); or
- (b) an equivalent offence against a law of another jurisdiction that corresponds to an offence mentioned in paragraph (a).

**29 Dictionary, new definitions**

*insert*

***approved interlock installer***, for part 3A (Alcohol ignition interlock devices)—see section 73S.

***approved interlock service provider***, for part 3A (Alcohol ignition interlock devices)—see section 73S.

***disqualification period***, for part 3A (Alcohol ignition interlock devices)—see section 73S.

***exemption certificate***, for part 3A (Alcohol ignition interlock devices)—see section 73ZG.

***fitted interlock***, for part 3A (Alcohol ignition interlock devices)—see section 73S.

***interlock***, for part 3A (Alcohol ignition interlock devices)—see section 73S.

***interlock condition***, for part 3A (Alcohol ignition interlock devices)—see section 73W.

***interlock data record***, for part 3A (Alcohol ignition interlock devices)—see section 73S.

***interlock driver***, for part 3A (Alcohol ignition interlock devices)—see section 73S.

***interlock exemption***, for part 3A (Alcohol ignition interlock devices)—see section 73ZE.

***interlock period***, for a person, for part 3A (Alcohol ignition interlock devices)—see section 73S.

***level***, for a concentration of alcohol in blood or breath—see the [Road Transport \(Alcohol and Drugs\) Act 1977](#), section 4E.

***mandatory interlock condition***, for part 3A (Alcohol ignition interlock devices)—see section 73T (3) or (4).

***nominated vehicle***, for a person, for part 3A (Alcohol ignition interlock devices)—see section 73S.

***voluntary interlock condition***, for part 3A (Alcohol ignition interlock devices)—see section 73V (3).

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## Part 5 Road Transport (General) Act 1999

### 30 Effect of disqualification Section 66 (6)

*after*

restricted licence,

*insert*

or a driver licence with an interlock condition,

### 31 Section 66 (6), new note

*insert*

*Note 3* The *Road Transport (Driver Licensing) Regulation 2000*, pt 3A (Alcohol ignition interlock devices) and s 103AA (Overseas drivers—eligibility criteria) set out the circumstances in which a person may be eligible for a driver licence with an interlock condition.

### 32 New section 66 (7)

*after the notes, insert*

(7) In this section:

***interlock condition***—see the *Road Transport (Driver Licensing) Regulation 2000*, section 73W.

### 33 Certificate evidence and other evidentiary provisions New section 72 (1) (ba) to (bd)

*insert*

(ba) a matter that appears in, or can be worked out from a person's interlock data record under the *Road Transport (Driver Licensing) Regulation 2000*;

- (bb) whether a stated vehicle was or was not the nominated vehicle for a stated person under the *Road Transport (Driver Licensing) Regulation 2000*, section 73X (Nomination of vehicle);
- (bc) whether a stated nominated vehicle for a stated person under the *Road Transport (Driver Licensing) Regulation 2000*, section 73X (Nomination of vehicle) had or did not have a fitted interlock;
- (bd) whether a stated person had or did not have an interlock exemption with or without conditions, under the *Road Transport (Driver Licensing) Regulation 2000*, division 3A.3 (Interlock exemptions);

**34 New section 72 (1A)**

*insert*

- (1A) A certificate that appears to be signed by or on behalf of an approved interlock installer or an approved interlock service provider under the *Road Transport (Driver Licensing) Regulation 2000* and states that a matter that appears in, or can be worked out from, a person's interlock data record under that regulation is evidence of the matter.

**35 Section 72 (2)**

*after*

subsection (1)

*insert*

or (1A)



**36 Division 5.1 heading**

*substitute*

**Division 5.1 Other powers****37 New section 81A**

*in division 5.1, insert*

**81A Power to inspect interlocks in motor vehicle**

- (1) This section applies if a police officer or authorised person suspects on reasonable grounds that—
  - (a) a person is driving a motor vehicle on a road or road related area; and
  - (b) the person is an interlock driver.
- (2) The police officer or authorised person may—
  - (a) stop and detain the motor vehicle; and
  - (b) enter the vehicle to inspect and test any interlock that is installed in the vehicle to find out whether the interlock—
    - (i) is a fitted interlock; and
    - (ii) is operating correctly or has been tampered with.

**Example—tampering**

removing or interfering with a tamper-evident seal on the fitted interlock

*Note* An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (3) In exercising a power under subsection (2) in relation to a vehicle, a police officer or authorised person—
  - (a) may use the assistance that is necessary; and

- (b) must search the vehicle in a public place or somewhere else to which members of the public have ready access; and
  - (c) must not detain the vehicle for longer than is necessary and reasonable to search it; and
  - (d) may use the force that is necessary and reasonable in the circumstances, but must not damage the vehicle by forcing open a part of the vehicle unless—
    - (i) someone apparently in charge of the vehicle has been given a reasonable opportunity to open that part; or
    - (ii) it is not possible to give anyone apparently in charge of the vehicle a reasonable opportunity to open that part.
- (4) In this section:

***fitted interlock***—see the *Road Transport (Driver Licensing) Regulation 2000*, section 73S.

***interlock***—see the *Road Transport (Driver Licensing) Regulation 2000*, section 73S.

***interlock driver***—see the *Road Transport (Driver Licensing) Regulation 2000*, section 73S.

## Part 6 Road Transport (General) Regulation 2000

### 38 Internally reviewable decisions Schedule 1, part 1.4, new item 4A

*insert*

4A	52 (4)	road transport authority—refuse to issue probationary licence with interlock condition because not satisfied person has complied with court order under section 73U (Court-ordered therapeutic program)
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### 39 Schedule 1, part 1.4, new items 28A to 28M

*insert*

28A	73Y (1) (b) (ii)	road transport authority—refuse to end person’s interlock period because not satisfied person has complied with section 73Y (4) and (5) (which is about maintaining clean driving record in previous 3 months and complying with any court order under section 73U (Court-ordered therapeutic program))
28B	73Y (2) (b) (ii)	road transport authority—refuse to end person’s interlock period because not satisfied person has complied with section 73Y (4) (which is about maintaining clean driving record in previous 3 months)

28C	73Y (3) (b) (ii)	road transport authority—refuse to end person’s interlock period because not satisfied person has complied with section 73Y (4) and (5) (which is about maintaining clean driving record in previous 3 months and complying with any court order under section 73U (Court-ordered therapeutic program))
28D	73ZF (1) (b)	road transport authority—refuse to grant exemption from interlock condition
28E	73ZF (2)	road transport authority—impose condition on exemption from interlock condition
28F	73ZH (2)	road transport authority—impose interlock condition on probationary licence when interlock exemption ends
28G	73ZL (1)	road transport authority—refuse to approve alcohol ignition interlock device
28H	73ZN (1) (b)	road transport authority—refuse to issue approval as approved interlock installer or approved interlock service provider
28I	73ZQ (1)	road transport authority—impose condition on approval of interlock installer or interlock service provider under section 73ZN, or renewal of approval under section 73ZT
28J	73ZQ (2)	road transport authority—impose additional conditions or vary or revoke condition after approval issued
28K	73ZR (1) (a)	road transport authority—issue approval as approved interlock installer or approved interlock service provider for a period less than 3 years

28L	73ZU (1) (b)	road transport authority—refuse to renew approval of approved interlock installer or approved interlock service provider
28M	73ZV (1)	road transport authority—revoke approval of approved interlock installer or approved interlock service provider

#### 40 Schedule 1, part 1.4, new item 45A

*insert*

45A	103AA (3)	road transport authority—refuse to issue probationary licence with interlock condition to overseas driver because not satisfied person is eligible
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#### 41 Dictionary, new definitions

*insert*

**alcohol ignition interlock device**—see the *Road Transport (Driver Licensing) Regulation 2000*, section 73ZL.

**approved interlock installer**—see the *Road Transport (Driver Licensing) Regulation 2000*, section 73S.

**approved interlock service provider**—see the *Road Transport (Driver Licensing) Regulation 2000*, section 73S.

**interlock condition**—see the *Road Transport (Driver Licensing) Regulation 2000*, section 73W.

**interlock exemption**—see the *Road Transport (Driver Licensing) Regulation 2000*, section 73ZE.

**interlock period**, for a person—see the *Road Transport (Driver Licensing) Regulation 2000*, section 73S.

## Part 7 Road Transport (Offences) Regulation 2005

### 42 Short descriptions, penalties and demerit points Schedule 1, part 1.5, new item 19A

*insert*

19A	33A (1)	contravene interlock condition	50 pu/6 months prison/both	550	
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### 43 Schedule 1, part 1.6, item 23, column 3

*after*

restricted licence

*insert*

or driver licence with interlock condition

**44 Schedule 1, part 1.6, new items 24A to 24O***insert*

24A	73ZA (1)	interlock driver failing to produce interlock data record as required by authority	20	220	
24B	73ZA (2)	approved interlock installer or approved interlock service provider failing to produce a person's interlock data record as required by authority	20	220	
24C	73ZB (1)	destroy interlock data record before end of interlock period for person	20	440	
24D	73ZC (2)	not tell authority within 7 days after becoming aware or suspecting that interlock data record destroyed, lost or stolen	20	440	
24E	73ZD (1) (c) (i)	use another person's means of identification to operate vehicle with fitted interlock	20	440	

**Part 7**

## Road Transport (Offences) Regulation 2005

Section 44

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24F	73ZD (1) (c) (ii)	allow another person to use person's means of identification to operate vehicle with fitted interlock	20	440	
24G	73ZI (2)	fail to produce exemption certificate for interlock exemption to police officer or authorised person as required	20	220	
24H	73ZJ (1)	fail to comply with condition applying to interlock exemption	20	440	
24I	73ZK (2)	person with interlock exemption failing to give written notice of change of circumstances within 7 days	20	220	
24J	73ZW (1)	approved interlock installer or approved interlock service provider failing to comply with condition of approval	20	220	
24K	73ZX (1)	install or remove interlock if person not approved interlock installer	20	220	



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24L	73ZY (1)	carry out maintenance on, or inspect, interlock if person not approved interlock service provider	20	220	
24M	73ZZ (1)	approved interlock installer failing to notify authority within 7 days after removing fitted interlock from vehicle	20	220	
24N	73ZZA (1)	tamper or otherwise interfere with fitted interlock in vehicle	20	440	
24O	73ZZB (1)	approved interlock installer or approved interlock service provider failing to notify authority within 7 days after becoming aware fitted interlock has been tampered or otherwise interfered with	20	330	

**45 Dictionary, new definitions**

*insert*

***approved interlock installer***—see the *Road Transport (Driver Licensing) Regulation 2000*, section 73S.

***approved interlock service provider***—see the *Road Transport (Driver Licensing) Regulation 2000*, section 73S.

***exemption certificate***—see the *Road Transport (Driver Licensing) Regulation 2000*, section 73ZG.

***fitted interlock***—see the *Road Transport (Driver Licensing) Regulation 2000*, section 73S.

***interlock***—see the *Road Transport (Driver Licensing) Regulation 2000*, section 73S.

***interlock condition***—see the *Road Transport (Driver Licensing) Regulation 2000*, section 73W.

***interlock data record***—see the *Road Transport (Driver Licensing) Regulation 2000*, section 73S.

***interlock driver***—see the *Road Transport (Driver Licensing) Regulation 2000*, section 73S.

***interlock exemption***—see the *Road Transport (Driver Licensing) Regulation 2000*, section 73ZE.

***interlock period***, for a person—see the *Road Transport (Driver Licensing) Regulation 2000*, section 73S.

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## Endnotes

**1 Presentation speech**

Presentation speech made in the Legislative Assembly on 9 May 2013.

**2 Notification**

Notified under the [Legislation Act](#) on 17 June 2013.

**3 Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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I certify that the above is a true copy of the Road Transport Legislation Amendment Bill 2013 (No 2), which was passed by the Legislative Assembly on 6 June 2013.

Clerk of the Legislative Assembly

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