

LEGISLATIVE COUNCIL

Road Transport Legislation Amendment (Penalties and Other Sanctions) Bill 2018

First print

Proposed amendments

- No. 1 **Definition of "drug"**
Page 3, Schedule 1 [2], line 12. Omit "may". Insert instead "is reasonably likely to".
- No. 2 **Mandatory interlock orders**
Page 5, Schedule 1. Insert before line 1:
[14] Section 212 Interlock exemption orders
Insert after section 212 (3):
(3A) Despite subsections (3) and (5), a court may make an interlock exemption order in relation to an offender for an offence against section 110 (4) (a), (b) or (c) that is a first offence if the court is satisfied that, making a mandatory interlock order for the offence would cause undue hardship to the offender.
- No. 3 **Immediate licence suspension notice**
Pages 5 and 6, Schedule 1 [17] (proposed section 224 (4) (b1) (ii)), line 44 on page 5 to line 2 on page 6. Omit all words on those lines. Insert instead:
(ii) the driver elects to have the matter determined by a court in accordance with Part 3 of the *Fines Act 1996*,
- No. 4 **Immediate licence suspension notice**
Page 6, Schedule 1 [17] (proposed section 224 (4) (b2) (ii)), lines 12–15. Omit all words on those lines. Insert instead:
(ii) the driver elects to have the matter determined by a court in accordance with Part 3 of the *Fines Act 1996*,
- No. 5 **Statutory review**
Page 6, Schedule 1. Insert after line 27:
[20] Section 281
Insert after section 280:

281 Review of amendments by Road Transport Legislation Amendment (Penalties and Other Sanctions) Act 2018

- (1) The Ombudsman is to review the operation of the amendments made by the *Road Transport Legislation Amendment (Penalties and Other Sanctions) Act 2018* (the *2018 amending Act*) having particular regard to the impact of those amendments on:
 - (a) Aboriginal persons, and
 - (b) young people.
- (2) The review is to be undertaken as soon as possible after the period of 2 years after the commencement of Schedule 1 [3] to the 2018 amending Act.
- (3) The Ombudsman is to cause a report on the outcome of the review to be tabled in Both houses of Parliament as soon as practicable after the completion of the report and not more than 12 months after the review is undertaken.