

Legislative Council—No 290

As introduced and read a first time, 29 November 2017

South Australia

**Statutes Amendment (Drug Driving Penalties)
Bill 2017**

A BILL FOR

An Act to amend the *Motor Vehicles Act 1959* and the *Road Traffic Act 1961*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Statutes Amendment (Drug Driving Penalties) Act 2017*.

2—Commencement

This Act will come into operation 3 months after the date of assent.

3—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Motor Vehicles Act 1959*

4—Amendment of section 81D—Disqualification for certain drug driving offences

- (1) Section 81D(2)(a)(ii) and (iii)—delete subparagraphs (ii) and (iii) and substitute:
 - (ii) if the offence is a subsequent offence—5 years; and

- (2) Section 81D(3)—delete ", third"

Part 3—Amendment of *Road Traffic Act 1961*

5—Amendment of section 47BA—Driving with prescribed drug in oral fluid or blood

- (1) Section 47BA(1), penalty provision, (c)—delete "third or"
- (2) Section 47BA(4)(a)(ii) and (iii)—delete subparagraphs (ii) and (iii) and substitute:
 - (ii) in the case of a subsequent offence—for such period, being not less than 5 years, as the court thinks fit;

- (3) Section 47BA(5)—delete ", third"