



ANNO TRICESIMO NONO

ELIZABETHAE II REGINAE

A.D. 1990

No. 1 of 1990

An Act to amend the Road Traffic Act, 1961.

[Assented to 22 March 1990]

The Parliament of South Australia enacts as follows:

Short title

1. (1) This Act may be cited as the *Road Traffic Act Amendment Act, 1990*.
- (2) The *Road Traffic Act, 1961*, is referred to in this Act as "the principal Act".

Driving under influence

2. Section 47 of the principal Act is amended—

- (a) by striking out from subparagraph (i) of paragraph (a) of the penalty provision at the foot of subsection (1) "\$400" and "\$700" and substituting, respectively, "\$700" and "\$1 200";
 - (b) by striking out from subparagraph (i) of paragraph (b) of the penalty provision at the foot of subsection (1) "\$600" and "\$1 000" and substituting, respectively, "\$1 500" and "\$2 500";
- and
- (c) by striking out from paragraph (e) of subsection (3) "endorsed pursuant to" and substituting "imposed by".

Driving whilst having prescribed concentration of alcohol in blood

3. Section 47b of the principal Act is amended—

- (a) by striking out the penalty provision at the foot of subsection (1) and substituting the following penalty provision:

Penalty: For a first offence—

- (a) being a lesser offence—a fine of not less than \$500 and not more than \$900;

or

- (b) being a greater offence—a fine of not less than \$700 and not more than \$1 200.

For a second offence—

(a) being a lesser offence—a fine of not less than \$700 and not more than \$1 200;

or

(b) being a greater offence—a fine of not less than \$1 200 and not more than \$2 000.

For a subsequent offence—

(a) being a lesser offence—a fine of not less than \$1 100 and not more than \$1 800;

or

(b) being a greater offence—a fine of not less than \$1 500 and not more than \$2 500.;

and

(b) by striking out from paragraph (e) of subsection (3) “endorsed pursuant to” and substituting “imposed by”.

Police may require alcotest or breath analysis

4. Section 47e of the principal Act is amended—

(a) by striking out the penalty provision at the foot of subsection (3) and substituting the following penalty provision:

Penalty: For a first offence—a fine of not less than \$700 and not more than \$1 200.

For a subsequent offence—a fine of not less than \$1 500 and not more than \$2 500.;

and

(b) by striking out from paragraph (e) of subsection (6) “endorsed pursuant to” and substituting “imposed by”.

Compulsory blood tests

5. Section 47i of the principal Act is amended—

(a) by striking out from paragraph (a) of the penalty provision at the foot of subsection (14) “\$400” and “\$700” and substituting, respectively, “\$700” and “\$1 200”;

(b) by striking out from paragraph (b) of the penalty provision at the foot of subsection (14) “\$600” and “\$1 000” and substituting, respectively, “\$1 500” and “\$2 500”;

(c) by striking out from subparagraph (ii) of paragraph (a) of subsection (14a) “second” and substituting “subsequent”;

and

(d) by striking out from paragraph (e) of subsection (14a) “endorsed pursuant to” and substituting “imposed by”.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

C. L. LAUCKE, Governor's Deputy