

INTERLOCK OR DRINKERLOCK?

Soon, if convicted of a drink driving [PCA offence], there may be an alternative to being off the road totally. The "Interlock Devices" Bill was assented to (both houses New South Wales), gazetted 27 September 2002 but not yet proclaimed.

The new Act is promoted as creating a "partial" alternative to "licence disqualification". You can have an interlock breath device fitted to your car coupled with a conditional "interlock driver's licence". Convicted drink drivers can then start their car and drive it if they pass their own self-administered breath test provided it does not detect a certain concentration of alcohol. It stores information electronically.

But the way it works is:

1. "Habitual traffic offenders" are not eligible. Technically, 2 other separate "major" or "prescribed speeding" offences plus the current one within 5 years can make you liable to a declaration of "habitual", even if you were *not* convicted of one or more of them. This will exclude more extreme cases of drink driving and curiously more trivial cases where, before, no conviction was recorded. Low Range offenders are excluded.

2. The Court can suspend the disqualification period if you participate in an interlock program for a *minimum of 2 years* for a Middle and 1st offence High Range; *or 4 years* for a 2nd offence High Range; *or more*. But you can only participate after the "disqualification compliance period" has expired. This means 6 months and 12 months respectively disqualified off the road. Also the issuing of the interlock licence is not guaranteed.

3. Interlock time is additional to any immediate suspension time, which appears to be disregarded specifically in the additional "disqualification compliance period".

The Act could make punishment for a crime much longer. This may not be attractive to rural drivers who rely on cars to work, who want time spent quickly or who don't have the money for an approved device. If you lose your interlock licence, there is no credit for interlock time served.

This is not the analgesic probably expected by re-offending drink drivers. In its present form, it discriminates against them in not allowing suspension time to count. It's not an alternative to disqualification, which still follows conviction and has to be served. So don't hold your breath waiting for it.

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