

### New measures under the Road Traffic Ordinance

| Driving Offences  | Maximum Fine (\$) | Maximum Imprisonment period | Minimum Driving Disqualification period |                       | Driving-offence points to be incurred on conviction | Should attend mandatory driving improvement course |
|---|-------------------|-----------------------------|---|-----------------------|---|--|
|   |                   |                             | First Conviction                        | Subsequent Conviction |   |  |
| <b>Drink driving offences</b>   |                   |                             |   |                       |   |  |
| 1. Driving with alcohol concentration above prescribed limit  |                   |                             |   |                       |   |  |
| Tier 1  | 25,000            | 3 years                     | ( 6 months )                            | ( 2 years )           | 10  | Yes  |
| Tier 2  | 25,000            | 3 years                     | ( 1 year )                              | ( 3 years )           | 10  | Yes  |
| Tier 3  | 25,000            | 3 years                     | ( 2 years )                             | ( 5 years )           | 10  | Yes  |
| 2. Driving under the influence of drink or drugs to such an extent as to be incapable of having proper control of the motor vehicle | 25,000            | 3 years                     | ( 2 years )                             | ( 5 years )           | 10  | Yes  |
| 3. Failure to provide specimens of breath for screening breath tests without reasonable excuse                                      | 25,000            | 3 years                     | ( 2 years )                             | ( 5 years )           | 10  | Yes  |
| 4. Failure to provide specimens of breath, blood or urine for analysis without reasonable excuse                                    | 25,000            | 3 years                     | ( 2 years )                             | ( 5 years )           | 10  | Yes  |

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| <b>Dangerous Driving Offences</b>                 |                   |                             |   |                       |   |  |
| 5. Dangerous driving                              | 25,000            | 3 years                     | 6 months                                | 2 years               | 10  | Yes  |
| 6. Dangerous driving causing grievous bodily harm | ( 50,000 )        | ( 7 years )                 | ( 2 years )                             | ( 5 years )           | ( 10 )  | ( Yes )  |
| 7. Dangerous driving causing death                | 50,000            | 10 years                    | 2 years                                 | (5 years )            | 10  | Yes  |

**Note**

1. The new penalties introduced under the Road Traffic (Amendment) Ordinance 2010 are in brackets.
  
2. If at the time of committing any dangerous driving offences (i.e. item 5, 6 or 7) ,
  - (a) the driver's alcohol concentration is tier 3, or
  - (b) any amount of heroin, ketamine, 'ice' cannabis, cocaine or MDMA is present in his body,
 the driver will be caught by the **aggravating circumstance** and subject to 50% higher penalties in terms of fine, imprisonment, and minimum disqualification period for the offence concerned.
  
3. Alcohol concentration under the 3-tier penalty system:
  - Tier 1: If it exceeds the prescribed limit (i.e. 22mcg / 50mg / 67mg of alcohol in 100ml of breath / blood / urine respectively) but is less than 35mcg / 80mg / 107mg of alcohol in 100ml of breath / blood / urine respectively.
  - Tier 2: If it exceeds tier 1 but is less than 66mcg / 150mg / 201mg of alcohol in 100ml of breath / blood / urine respectively.
  - Tier 3: If it exceeds tier 2.