

Serial 76

Traffic Legislation Amendment (Drink and Drug Driving and Hooning)

Bill 2026

Mr Yan

A Bill for an Act to amend the *Traffic Act 1987* and the *Traffic Regulations 1999* and for related purposes

NORTHERN TERRITORY OF AUSTRALIA

TRAFFIC LEGISLATION AMENDMENT (DRINK AND DRUG DRIVING AND HOONING) ACT 2026

Act No. [] of 2026

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NORTHERN TERRITORY OF AUSTRALIA

Act No. [] of 2026

5

An Act to amend the *Traffic Act 1987* and the *Traffic Regulations 1999* and for related purposes

[Assented to [] 2026]
[Introduced [] 2026]

10 The Legislative Assembly of the Northern Territory enacts as follows:

Part 1 Preliminary matters

1 Short title

This Act may be cited as the *Traffic Legislation Amendment (Drink and Drug Driving and Hooning) Act 2026*.

15

2 Commencement

- (1) Subject to subsection (2), this Act commences on the day fixed by the Administrator by *Gazette* notice.
- (2) If a provision of this Act does not commence before 24 August 2028, it commences on that day.

20

Part 2 Amendment of Traffic Act 1987

3 Act amended

This Part amends the *Traffic Act 1987*.

4 Section 3 amended (Interpretation)

Section 3(1)

insert

high range drink driving offence, for Part VA, see section 29AB.

5 **hooning offence**, for Part VA, see section 29AB.

immediate suspension offence, for Part V, see section 19(1).

passive breath test means a test of a sample of a person's breath to assess whether there is alcohol present in the person's breath.

tier 1 hooning offence, for Part VA, see section 29AB.

10 **tier 2 hooning offence**, for Part VA, see section 29AB.

traffic infringement notice means a traffic infringement notice issued under the regulations.

5 Section 19 amended (Interpretation)

(1) Section 19(1), definition **immediate suspension offence**

15 *omit, insert*

immediate suspension offence means an offence against this Part that is specified to be an immediate suspension offence.

Note for definition immediate suspension offence

20 *See sections 20A(5), 21(6), 22(4), 23(5), 24(6), 25(7), 26(5), 28(5), 29AAA(4), 29AAB(7), 29AAE(6), 29AAFA(5), 29AAH(6) and 29AAYD(6).*

(2) Section 19(4) and (5)

omit

6 Section 19D and Part V, Division 2 heading replaced

Section 19D and Part V, Division 2, heading

repeal, insert

19D Traffic infringement notice counted as offence

5 If a traffic infringement notice for an offence was issued to a person and the notice was not withdrawn, the person is taken to have been found guilty of the offence for the purposes of determining whether a later offence against this Part is a first, second or subsequent offence.

10 **Division 2 Offences relating to driving with alcohol or drug in body**

7 Sections 20A and 20B inserted

After section 20

insert

15 **20A Driving with high range breath or blood alcohol content and prohibited drug in body**

(1) A person commits an offence if:

- (a) the person drives a motor vehicle; and
- (b) the person has a high range breath or blood alcohol content;
20 and
- (c) there is a prohibited drug in the person's body.

Maximum penalty: For a first offence – 30 penalty units or imprisonment for 18 months.

25 For a second or subsequent offence – 50 penalty units or imprisonment for 2 years.

(2) An offence against subsection (1) (a **relevant offence**) is a second or subsequent offence if the person has previously been found guilty of any of the following:

- 30 (a) an offence against subsection (1);
- (b) an offence against section 21(1), 22(1), 24(2), 28(1), 29AAA(1), 29AAB(2), 29AAE(1), 29AAFA(1) or 29AAH(1);

-
- (c) an offence against a law, or a repealed law, of the Territory or another jurisdiction that substantially corresponds to an offence mentioned in paragraph (a) or (b).
- 5 (3) Subject to subsection (4), if a court finds a person guilty of a relevant offence, the person's licence to drive is automatically cancelled and the person is disqualified from:
- (a) for a first offence – obtaining a licence for a period that is at least 18 months; and
- (b) for a second or subsequent offence:
- 10 (i) obtaining a licence for a period (**mandatory period**) that is at least 2 years; and
- (ii) if the mandatory period is less than 5 years – obtaining a licence other than an AIL licence for an additional period (**AIL period**) immediately after the mandatory period that
- 15 is at least 12 months and not more than 3 years.
- Notes for subsection (3)*
- 1 *This means the person may be able to drive a motor vehicle fitted with an alcohol ignition lock during the AIL period after being disqualified for the mandatory period (see sections 29AAYB and 29AAYC).*
- 20 2 *If the mandatory period is 5 years or more, no AIL period applies to the person and the person cannot obtain an AIL licence.*
- (4) The person is disqualified from obtaining a licence for a minimum period of 5 years instead of the period specified in subsection (3) if:
- 25 (a) the person has previously been found guilty of any of the following offences, committed within 3 years before committing the relevant offence:
- (i) an offence against subsection (1);
- (ii) an offence against section 21(1), 28(1), 29AAA(1), 29AAB(2), 29AAE(1), 29AAFA(1) or 29AAH(1);
- 30 (iii) an offence against a law, or a repealed law, of the Territory or another jurisdiction that substantially corresponds to an offence mentioned in subparagraph (i) or (ii); or

(b) the person:

(i) has previously been found guilty of any of the following offences, committed within 3 years before committing the relevant offence:

5 (A) an offence against section 22(1) or 24(2);

(B) an offence against a law, or a repealed law, of the Territory or another jurisdiction that substantially corresponds to an offence mentioned in subsubparagraph (A); and

10 (ii) has also been previously found guilty of committing an offence mentioned in paragraph (a)(i), (ii) or (iii) or subparagraph (i)(A) or (B), committed at any time before committing the relevant offence.

(5) A relevant offence is an immediate suspension offence.

15 **20B Alternative verdicts**

(1) In a proceeding against a person charged with an offence against section 20A(1), the trier of fact may find the person not guilty of an offence against that section but guilty of an alternative offence if the trier of fact:

20 (a) is not satisfied beyond reasonable doubt that the person committed an offence against section 20A(1); and

(b) is satisfied beyond reasonable doubt that the person committed the alternative offence.

(2) In this section:

25 **alternative offence** means an offence against section 21(1) or 28(1).

8 Section 21 amended (High range breath or blood alcohol content)

(1) Section 21(2)(a) to (f)

30 *omit, insert*

(a) an offence against subsection (1);

(b) an offence against section 20A(1), 22(1), 24(2), 29AAA(1), 29AAB(2), 29AAE(1) or 29AAH(1);

-
- (c) an offence against a law, or a repealed law, of the Territory or another jurisdiction that substantially corresponds to an offence mentioned in paragraph (a) or (b).

(2) Section 21(3)

5

omit

If

insert

Subject to subsection (4), if

(3) Section 21(4) and (5)

10

omit, insert

- (4) The person is disqualified from obtaining a licence for a minimum period of 5 years instead of the period specified in subsection (3) if:

15

- (a) the person has previously been found guilty of any of the following offences, committed within 3 years before committing the relevant offence:

(i) an offence against subsection (1);

(ii) an offence against section 20A(1), 29AAA(1), 29AAB(2), 29AAE(1) or 29AAH(1);

20

(iii) an offence against a law, or a repealed law, of the Territory or another jurisdiction that substantially corresponds to an offence mentioned in subparagraph (i) or (ii); or

- (b) the person:

25

- (i) has previously been found guilty of any of the following offences, committed within 3 years before committing the relevant offence:

(A) an offence against section 22(1) or 24(2);

30

(B) an offence against a law, or a repealed law, of the Territory or another jurisdiction that substantially corresponds to an offence mentioned in subsubparagraph (A); and

- (ii) has also been previously found guilty of committing an offence mentioned in paragraph (a)(i), (ii) or (iii) or subparagraph (i)(A) or (B), committed at any time before committing the relevant offence.

5 **9 Section 22 amended (Medium range breath or blood alcohol content)**

Section 22(2)(a) to (f)

omit, insert

- (a) an offence against subsection (1);
- 10 (b) an offence against section 20A(1), 21(1), 24(2), 29AAA(1), 29AAB(2), 29AAE(1) or 29AAH(1);
- (c) an offence against a law, or a repealed law, of the Territory or another jurisdiction that substantially corresponds to an offence mentioned in paragraph (a) or (b).

15 **10 Section 23 amended (Low range breath or blood alcohol content)**

(1) Section 23(2)(a) to (f)

omit, insert

- 20 (a) an offence against subsection (1), committed within 3 years before committing the relevant offence;
- (b) an offence against section 20A(1), 21(1), 22(1) 24(2), 29AAA(1), 29AAB(2), 29AAE(1) or 29AAH(1);
- (c) an offence against a law, or a repealed law, of the Territory or another jurisdiction that:
 - 25 (i) substantially corresponds to an offence mentioned in paragraph (a), committed within 3 years before committing the relevant offence; or
 - (i) substantially corresponds to an offence mentioned in paragraph (b).

30 (2) Section 23(3)

omit

11 Section 24 amended (Some drivers to be zero alcohol)

(1) Section 24(3)(a) to (g)

omit, insert

(a) an offence against subsection (2);

(b) an offence against section 20A(1), 21(1), 22(1), 29AAA(1), 29AAB(2), 29AAE(1) or 29AAH(1);

(c) an offence against section 23(1) or 25(3) committed within 3 years before committing the relevant offence;

(d) an offence against a law, or a repealed law, of the Territory or another jurisdiction that:

(i) substantially corresponds to an offence mentioned in paragraph (a) or (b); or

(ii) substantially corresponds to an offence mentioned in paragraph (c), committed within 3 years before committing the relevant offence.

(2) Section 24(4)

*omit***12 Section 25 amended (Driver of certain vehicles to be zero alcohol)**

(1) Section 25(4)(a) to (g)

omit, insert

(a) an offence against subsection (3) committed within 3 years before committing the relevant offence;

(b) an offence against section 20A(1), 21(1), 22(1), 24(2), 29AAA(1), 29AAB(2), 29AAE(1) or 29AAH(1);

(c) an offence against section 23(1) committed within 3 years before committing the relevant offence;

(d) an offence against a law, or a repealed law, of the Territory or another jurisdiction that:

(i) substantially corresponds to an offence mentioned in paragraph (a) or (c), committed within 3 years before committing the relevant offence; or

- (ii) substantially corresponds to an offence mentioned in paragraph (b).

(2) Section 25(5)

omit

5 **13 Section 26 amended (Driving instructor)**

(1) Section 26(2)(a) to (h)

omit, insert

- (a) an offence against subsection (1) committed within 3 years before committing the relevant offence;

10 (b) an offence against section 20A(1), 21(1), 22(1), 24(2), 29AAA(1), 29AAB(2), 29AAE(1) or 29AAH(1);

- (c) an offence against section 23(1) or 25(3) committed within 3 years of the relevant offence;

15 (d) an offence against a law, or a repealed law, of the Territory or another jurisdiction that:

- (i) substantially corresponds to an offence mentioned in paragraph (a) or (c), committed within 3 years before committing the relevant offence; or

20 (ii) substantially corresponds to an offence mentioned in paragraph (b).

(2) Section 26(3)

omit

14 Part V, Division 3 heading and section 27 repealed

Part V, Division 3, heading and section 27

25 *repeal*

15 Section 28 amended (Driving with certain drugs in body)

(1) Section 28(2)(a) to (d)

omit, insert

- (a) an offence against subsection (1);

(b) an offence against section 20A(1), 29AAA(1), 29AAB(1), 29AAFA(1) or 29AAH(1);

(c) an offence against a law, or a repealed law, of the Territory or another jurisdiction that substantially corresponds to an offence mentioned in paragraph (a) or (b).

(2) Section 28(3)

omit

16 Section 29AAA amended (Driving under influence)

(1) Section 29AAA(1), after "drug"

insert

, or any combination of alcohol and a drug or drugs,

(2) Section 29AAA(2)(a) to (f)

omit, insert

(a) an offence against subsection (1);

(b) an offence against section 20A(1), 21(1), 22(1), 24(2), 29AAB(2), 29AAE(1), 29AAFA(1) or 29AAH(1);

(c) an offence against a law, or a repealed law, of the Territory or another jurisdiction that substantially corresponds to an offence mentioned in paragraph (a) or (b).

17 Section 29AAB amended (When police can pull driver over at random)

(1) Section 29AAB(1)

omit insert

(1) A police officer may direct the driver of a motor vehicle to pull over, without reasonable suspicion the driver has committed an offence, for the purpose of requiring the driver to submit to one or more of the following:

(a) a passive breath test;

(b) a breath test;

(c) a saliva test.

(2) Section 29AAB(3)

omit

subsection (1)

insert

5

subsection (2)

(3) Section 29AAB(3)(a) to (g)

omit, insert

(a) an offence against subsection (2);

10

(b) an offence against section 20A(1), 21(1), 22(1), 24(2), 29AAA(1), 29AAE(1), 29AAFA(1) or 29AAH(1);

(c) an offence against a law, or a repealed law, of the Territory or another jurisdiction that substantially corresponds to an offence mentioned in paragraph (a) or (b).

(4) Section 29AAB(4)

15

omit

If

insert

Subject to subsection (5), if

(5) Section 29AAB(5) and (6)

20

omit, insert

(5) The person is disqualified from obtaining a licence for a minimum period of 5 years instead of the period specified in subsection (4) if:

25

(a) the person has previously been found guilty of any of the following offences, committed within 3 years before committing the relevant offence:

(i) an offence against subsection (2);

(ii) an offence against section 20A(1), 21(1), 29AAA(1), 29AAE(1), 29AAFA(1) or 29AAH(1);

- (iii) an offence against a law, or a repealed law, of the Territory or another jurisdiction that substantially corresponds to an offence mentioned in subparagraph (i) or (ii); or

5

(b) the person:

- (i) has previously been found guilty of any of the following offences, committed within 3 years before committing the relevant offence:

(A) an offence against section 22(1) or 24(2);

10

(B) an offence against a law, or a repealed law, of the Territory or another jurisdiction that substantially corresponds to an offence mentioned in subsubparagraph (A); and

15

- (ii) has also been previously found guilty of committing an offence mentioned in paragraph (a)(i), (ii) or (iii) or subparagraph (i)(A) or (B), committed within 3 years before committing the relevant offence.

18 Section 29AAE amended (Offence of failing to submit to breath analysis)

20

(1) Section 29AAE(2)(a) to (f)

omit, insert

(a) an offence against subsection (1);

(b) an offence against section 20A(1), 21(1), 22(1), 24(2), 29AAA(1), 29AAB(2) or 29AAH(1);

25

(c) an offence against a law, or a repealed law, of the Territory or another jurisdiction that substantially corresponds to an offence mentioned in paragraph (a) or (b).

(2) Section 29AAE(3)

omit

30

If

insert

Subject to subsection (4), if

(3) Section 29AAE(4) and (5)

omit, insert

- (4) The person is disqualified from obtaining a licence for a minimum period of 5 years instead of the period specified in subsection (3) if:

- 5 (a) the person has previously been found guilty of any of the following offences, committed within 3 years before committing the relevant offence:

(i) an offence against subsection (1);

10 (ii) an offence against section 20A(1), 21(1), 29AAA(1), 29AAB(2) or 29AAH(1);

(iii) an offence against a law, or a repealed law, of the Territory or another jurisdiction that substantially corresponds to an offence mentioned in subparagraph (i) or (ii); or

- 15 (b) the person:

(i) has previously been found guilty of any of the following offences, committed within 3 years before committing the relevant offence:

(A) an offence against section 22(1) or 24(2);

20 (B) an offence against a law, or a repealed law, of the Territory or another jurisdiction that substantially corresponds to an offence mentioned in subsubparagraph (A); and

25 (ii) has also been previously found guilty of committing an offence mentioned in paragraph (a)(i), (ii) or (iii) or subparagraph (i)(A) or (B), committed at any time before committing the relevant offence.

19 Section 29AAFA amended (Offence of failing to submit to saliva test)

- 30 (1) Section 29AAFA(2)(a) to (d)

omit, insert

(a) an offence against subsection (1);

(b) an offence against section 20A(1), 28(1), 29AAA(1) or 29AAB(2);

- (c) an offence against a law, or a repealed law, of the Territory or another jurisdiction that substantially corresponds to an offence mentioned in paragraph (a) or (b).

(2) Section 29AAFA(3)

5 *omit*

20 Section 29AAH amended (Offence of failing to provide blood sample)

(1) Section 29AAH(2)(a) to (f)

omit, insert

10 (a) an offence against subsection (1);

(b) an offence against section 20A(1), 21(1), 22(1), 24(2), 29AAA(1), 29AAB(2), 29AAE(1) or 29AAFA(1);

15 (c) an offence against a law, or a repealed law, of the Territory or another jurisdiction that substantially corresponds to an offence mentioned in paragraph (a) or (b).

(2) Section 29AAH(3)

omit

If

insert

20 Subject to subsection (4), if

(3) Section 29AAH(4) and (5)

omit, insert

(4) The person is disqualified from obtaining a licence for a minimum period of 5 years instead of the period specified in subsection (3) if:

25 (a) the person has previously been found guilty of any of the following offences, committed within 3 years before committing the relevant offence:

(i) an offence against subsection (1);

30 (ii) an offence against section 20A(1), 21(1), 29AAA(1), 29AAB(2), 29AAE(1) or 29AAFA(1);

- (iii) an offence against a law, or a repealed law, of the Territory or another jurisdiction that substantially corresponds to an offence mentioned in subparagraph (i) or (ii); or

5

(b) the person:

- (i) has previously been found guilty of any of the following offences, committed within 3 years before committing the relevant offence:

(A) an offence against section 22(1) or 24(2);

10

(B) an offence against a law, or a repealed law, of the Territory or another jurisdiction that substantially corresponds to an offence mentioned in subsubparagraph (A); and

15

- (ii) has also been previously found guilty of committing an offence mentioned in paragraph (a)(i), (ii) or (iii) or subparagraph (i)(A) or (B), committed at any time before committing the relevant offence.

21 Section 29AAR amended (Further disqualification for certain drivers)

20

Section 29AAR(1)(a)

omit, insert

- (a) a court finds a person guilty of an offence against section 20A(1), 21(1), 22(1), 29AAA(1), 29AAE(1) or 29AAH(1); and

25

22 Section 29AAV repealed (If witness to be called)

Section 29AAV

repeal

23 Part VA heading replaced (Hoon behaviour)

Part VA, heading

30

omit, insert

Part VA Impounding and forfeiture of vehicles

24 Section 29AA amended (Object of Part)

Section 29AA

omit

driving

5 *insert*

driving, high range drink driving

25 Section 29AB amended (Definitions)

(1) Section 29AB, definitions ***prescribed driving offence*** and ***traffic infringement notice***

10 *omit*

(2) Section 29AB

insert

high range drink driving offence means an offence against section 20A(1) or 21(1).

15 ***hooning offence*** means a tier 1 hooning offence or a tier 2 hooning offence.

tier 1 hooning offence means an offence against a provision of this or another Act that is prescribed by regulation for this definition.

20 ***tier 2 hooning offence*** means an offence against a provision of this or another Act that is prescribed by regulation for this definition.

(3) Section 29AB, definition ***initial period***, paragraph (a)

omit, insert

(a) for an impounding determination – the period during which a vehicle is impounded under section 29ADA(1); or

25 26 Section 29AD amended (Power of police officer to impound vehicle)

(1) Section 29AD(1), heading

omit, insert

29AD Making of impounding determination

(2) Section 29AD(1)

omit, insert

- (1) A police officer may make a determination in writing that a motor vehicle be impounded (an ***impounding determination***) if:

- 5 (a) the officer believes on reasonable grounds that the vehicle was used in committing a hooning offence; or
- (b) the officer believes on reasonable grounds that:
- (i) the vehicle was used in committing a high range drink driving offence; and
- 10 (ii) the driver of the vehicle at the time of the alleged offence has previously been found guilty of a high range drink driving offence.

(3) Section 29AD(4)(d)

omit, insert

- 15 (d) the Registrar.

(4) Section 29AD(5)(a)

omit, insert

- (a) must include the following information:
- 20 (i) the period for which the vehicle may be impounded under section 29ADA;
- (ii) the location where the vehicle is to be impounded;
- (iii) the timeframe for collection of the vehicle under section 29AR(1)(a);
- 25 (iv) information as to the driver's liability for costs under section 29AQ; and

(5) Section 29AD(6)

omit

27 Section 29ADA inserted

After section 29AD

insert

29ADA Period for which vehicle may be impounded

- 5 (1) If an impounding determination is made for a motor vehicle, a police officer may impound the vehicle until the earlier of the following:
- (a) the end of the period specified in subsection (2);
 - (b) the revocation of the determination.
- (2) For subsection (1)(a), the motor vehicle may be impounded for:
- 10 (a) if the determination is made in relation to an alleged offence that is a high range drink driving offence – 14 days; or
- (b) if the determination is made in relation to an alleged offence that is a tier 1 hooning offence and the driver of the vehicle at the time of the alleged offence:
- 15 (i) has not previously been found guilty of a hooning offence – 48 hours; or
- (ii) has previously been found guilty of a single hooning offence – 7 days; or
- (iii) has previously been found guilty of more than one
- 20 hooning offence – 14 days; or
- (c) if the determination is made in relation to an alleged offence that is a tier 2 hooning offence and the driver of the vehicle at the time of the alleged offence:
- (i) has not previously been found guilty of a hooning
- 25 offence – 7 days; or
- (ii) has previously been found guilty of a single hooning offence – 14 days; or
- (iii) has previously been found guilty of more than one hooning offence – 28 days.
- 30 (2) A period of impoundment under subsection (1) commences when the police officer takes control of the vehicle for the purposes of impounding it.

28 Section 29AE amended (Review and revocation of impounding determination)

After section 29AE(3)

insert

- 5 (4) As far as reasonably practicable, written notice of a revocation under subsection (3) must be given to the owner of the vehicle.

29 Section 29AN amended (Registrar's obligations)

Section 29AN(2)(a)

omit, insert

- 10 (a) if an impounding determination is made for the vehicle – the period starting on the day the Registrar receives a copy of the determination under section 29AD(4) and ending on the day that is 28 days after the end of the initial period;

30 Section 29AR amended (Disposal of impounded vehicles)

- 15 (1) Section 29AR(1)(a)

omit, insert

- (a) for an impounding determination – within 7 days after the end of the initial period; or

- (2) Section 29AR(2)(b), (c) and (d)

20 *omit*

28

insert

7

31 Section 29AT amended (Impounding determination, impounding order and forfeiture order)

25

- (1) Section 29AT(1)

omit, insert

- (1) A person commits an offence if:

- 30 (a) an impounding determination has been made for a motor vehicle; and

(b) the person knows that the impounding determination has been made for the vehicle; and

5

(c) the person enters into a transaction relating to the vehicle, or removes anything fitted or attached to the vehicle, during the period commencing on the day the impounding determination is made and ending on the day that is 28 days after the end of the initial period.

Maximum penalty: 200 penalty units or imprisonment for 12 months.

10

(1A) Subsection (1) does not apply in relation to any action taken by the Commissioner of Police to dispose of the vehicle under section 29AR.

(2) Section 29AT(2)(a) and (b) and (4)(a) and (b)

omit

15

prescribed driving

insert

hooning

32 Section 29AX repealed (Review of Part)

Section 29AX

20

repeal

33 Act further amended

The Schedule has effect.

Part 3 Amendment of Traffic Regulations 1999

34 Regulations amended

25

This Part amends the Traffic Regulations 1999.

35 Regulation 91A replaced

Regulation 91A

repeal, insert

91A Hooning offences

5 (1) For section 29AB of the Act, definition ***tier 1 hooning offence***, an offence against each of the following provisions is prescribed:

- (a) regulation 37(3);
- (b) regulation 37A(1);
- (c) regulation 37B(1).

10 (2) For section 29AB of the Act, definition ***tier 2 hooning offence***, an offence against each of the following provisions is prescribed:

- (a) section 30 of the Act;
- (b) section 30A of the Act;
- (c) section 174FB of the Criminal Code.

15 **36 Schedule 2 amended (Forms)**

Schedule 2, Form 1, clause 5

omit, insert

5 The result of the analysis shown on and recorded by the breath
analysis instrument was *(enter number)* grams of alcohol
20 per 210 litres of exhaled breath (BrAC).

Part 4 Consequential amendments

Division 1 Motor Vehicles Act 1949

37 Act amended

This Division amends the *Motor Vehicles Act 1949*.

38 Section 10 amended (Granting of licences)

Section 10(4B)(a), after 'section'

insert

20A(3)(b)(ii),

39 Section 102AA amended (Applications made by certain offenders)

(1) Section 102AA, Table, item 4

omit

convicted

insert

found guilty

(2) Section 102AA, Table, at the end

insert

6	section 20A	A first offence of driving with a high range breath or blood alcohol content and a prohibited drug in the body	That the applicant has successfully completed an approved course or undergone an approved treatment, or both, at the discretion of the Registrar
7	section 20A	A second or subsequent offence of driving with a high range breath or blood alcohol content and a prohibited drug in body committed within 3 years after being found guilty of an offence referred to in item 6 or this item	That the period for which the person was disqualified from obtaining a licence declared or imposed by the Court has elapsed since the making of the order and the approval of the Local Court to make an application for a licence has been obtained

Division 2 Youth Justice Regulations 2006

40 Regulations amended

This Division amends the *Youth Justice Regulations 2006*.

41 Regulation 3A amended (Prescribed offences)

Regulation 3A(1)(g), after 'section'

insert

20A,

5 Part 5 Repeal

42 Repeal of Act

This Act is repealed on the day after it commences.

Schedule Act further amended

section 33

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 19(1), definitions <i>ALL period</i> and <i>mandatory period</i> , after 'sections'		20A(3)(b),
section 19(4)(a) and (d), before 'breath test' (<i>all references</i>)		passive breath test,
section 19A(a) and (b), after '28(1)'		and 20A(1)
section 29(1), after '28(1)'		or 20A(1)
section 29AAC, heading	Breath	Passive breath test, breath
section 29AAC(1)	breath test or a saliva test (or both) to determine if the person's breath contains alcohol:	passive breath test, breath test or breath analysis (or a combination of these):
section 29AAC(1)(a)	29AAB(1)(a);	29AAB(1);
section 29AAC(2) and (6), before 'breath test' (<i>all references</i>)		passive breath test,
section 29AAC(3) and (4), before 'breath test'		passive breath test or
section 29AAF(1)(a)	29AAB(1)(b);	29AAB(1);
section 29AAG(1)(a) before 'breath test'		passive breath test,

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 29AAJ(4)	in accordance with section 21(2)(d), 22(2)(d), 24(3)(d), 29AAA(2)(d), 29AAE(2)(d) or 29AAH(2)(d).	despite anything to the contrary in this Part.
section 29AAYB(a), after 'section'		20A(3)(b)(ii),
section 29AC	prescribed driving offence	hooning offence or a high range drink driving offence
Part VA, Division 3, heading, after 'forfeiture orders'		for hooning offences
sections 29AG, 29AL(a) and 29AM(7)(b)	prescribed driving (<i>all references</i>)	hooning
section 48(1)	undergone a result of a	undergone a passive breath test or result of a passive breath test,