

Introduction of zero blood alcohol concentration (0.00 BAC) for novice motorcycle riders

What is changing?

The following licence holders will be required to comply with the **zero blood alcohol concentration (0.00 BAC)** while riding a motorcycle:

- All motorcycle learner, provisional, probationary licence holders regardless of age
- All class RE motorcycle open licence holders for the first 12 months of holding their class RE licence
- All class RE motorcycle open licence holders learning to ride a class R motorcycle under the authority of their class RE licence.

When is it changing?

The new laws come into effect from 1 July 2010.

Why is it changing?

Alcohol impairs your ability to ride safely. It affects your judgement, vision, coordination and reflexes and increases your risk of having a crash.

The effects of alcohol can:

- make it hard for you to concentrate on your riding
- slow your reaction times
- reduce your ability to do more than one thing at a time
- affect your vision and hearing
- make you feel more confident, which may lead you to take more risks
- relax you, increasing your chances of falling asleep
- make simple tasks more difficult

Currently in Queensland, newly licensed motorcycle riders who hold an open driver licence or who are 25 years or older holding a provisional or probationary licence need to be under 0.05 BAC.

Extending the zero (0.00) BAC to all motorcyclists for the first 12 months of riding and provisional and probationary motorcyclists will allow basic on-road riding skills to be developed safely without the added potential risks associated with alcohol impairment.

Lowering the prescribed alcohol limit applying to novice motorcyclists may also help to increase awareness of the added risks associated with operating a motorcycle under the influence of alcohol.

Riding a motorcycle requires different and supplementary skills compared to driving a car. A number of research studies have identified the extra skills needed (e.g. balance and coordination of multiple controls), and argue that riding is typically a more complex task than that of driving a car¹.

It is argued throughout these studies that impairment as a result of alcohol consumption can impact on a rider's ability to apply these skills effectively.

The first year of motorcycle riding is the most critical in terms of potential crash risk. In Queensland, more fatal crashes occur in the first 12 months of holding a motorcycle licence².

Crash data shows that 39% of first year riders involved in fatal crashes were aged 17-24 years of age. Significantly, during 2002-2006, motorcycle riders aged 30-49 years of age, who were in their first year of holding a licence, were involved in 36% of fatal crashes.

This demonstrates that the elevated crash risk in the first year of riding is not exclusive to young riders

¹ Clarke, D., P. Ward, W. Truman and C. Bartle (2004) Motorcycle Accidents: Preliminary Results of An In-depth Case Study, Department of Transport UK.

² Data Analysis Unit, Business and Performance Directorate, Queensland Transport.

Will the zero (0.00) BAC apply to me if I hold an open car licence and also hold a class RE learner licence?

If you hold an open car licence, you will need to be under 0.05 BAC while driving a car. When learning to ride a motorcycle under your class RE learner licence, you will need to have a zero (0.00) BAC.

Will the zero (0.00) BAC apply to me if I already hold a class RE motorcycle open licence?

Yes. If you hold a class RE open motorcycle licence but held a class RE licence for less than 12 months you will need to have a zero (0.00) BAC while riding the motorcycle.

Once you have held the class RE motorcycle licence for at least 12 months, you will need to be under 0.05 BAC.

Will the zero (0.00) BAC apply to me if I am learning to ride a class R motorcycle?

Yes. If you are learning to ride a class R motorcycle under the authority of your class RE provisional, probationary or open licence, you will need to have a zero (0.00) BAC.

Will the zero (0.00) BAC apply to me if I hold a class R motorcycle provisional or probationary licence?

Yes. The zero (0.00) BAC will apply to all provisional and probationary licence holders regardless of the class of licence held.

Will the zero (0.00) BAC apply to me if I hold a class R motorcycle open licence?

No. You will need to be under 0.05 BAC if you hold a class R motorcycle open licence.

What are the penalties for drink driving?

If you are subject to a no alcohol limit (0.00 BAC), and you are detected with a BAC over that limit, your driver licence will automatically be suspended for at least 24 hours from the time your alcohol level is confirmed.

In Queensland, all drink driving offenders are required to go to court and fines are determined by a Magistrate. There are minimum disqualifications legislated for drink driving offences.

The penalties that may be applied are:

- driving with a 0.15 Blood Alcohol Concentration (BAC) or higher may result in a licence disqualification period between six months and two years and a maximum fine of between \$2,800 and \$6,000 depending on the number and type of previous offences
- driving with a 0.05 BAC or higher, but below 0.15 may result in a licence disqualification period between one month to one year and a maximum fine of between \$1,400 and \$6,000 depending on the number and type of previous offences
- driving with a BAC over the no alcohol limit (0.00 BAC) but under the general limit (0.05 BAC) may result in a licence disqualification period between three months and one year and a maximum fine of \$1,400 to \$6,000 depending on the number and type of previous offences

If I am convicted of a drink driving offence while riding a motorcycle, am I still permitted to drive a car?

No. If you are convicted of a drink driving offence, you will be disqualified from holding or obtaining a Queensland driver licence for a stated period.

Where can I find more information?

For more information about the new drink driving rules, visit the Department of Transport and Main Roads website at www.tmr.qld.gov.au.

