

Queensland



Subordinate Legislation 1991 No. 198

Traffic Act 1949

**TRAFFIC AMENDMENT REGULATION (No. 5)
1991**

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Short title

1. This regulation may be cited as the *Traffic Amendment Regulation (No. 5) 1991*.

Amended regulation

2. The *Traffic Regulation 1962* is amended as set out in this regulation.

Insertion of new s.108G

3. After section 108F—

insert—

‘Application for a provisional licence under s.16B(7) of the Act

‘**108G.** An application under section 16B(7) of the Act, for an order directing that a person be issued with a provisional licence, must be made in the form approved by the Minister.’.

Insertion of new Part 17A

4. After section 142—

insert—

**‘PART 17A—OFFENCES DEALT WITH UNDER S.16B
OF THE ACT****‘Prescribed penalties etc. for offences dealt with under s.16B of the Act**

‘**142A.(1)** For the purposes of section 16B of the Act—

- (a) Table 1 sets out the prescribed penalty; and
- (b) Table 2 sets out the prescribed period of disqualification from holding or obtaining a driver’s licence;

for an offence to which section 16B applies.

‘**(2)** In Table 1 and Table 2, the concentration of alcohol in a person’s blood is expressed in terms of the number of milligrams of alcohol per 100 millilitres of the person’s blood.

‘Table 1—Penalties

Concentration of alcohol in a person’s blood	Penalty \$
less than 50	100.00
50 but less than 70	100.00
70 but less than 90	250.00
90 but less than 110	400.00
110 but less than 130	500.00
130 but less than 150	600.00

‘Table 2—Disqualification Periods

Concentration of alcohol in a person’s blood	Disqualification period (months) for an offence under—		
	s.16(2)(a) of the Act	s.16(2)(aa) of the Act	s.16(2)(ab) of the Act
less than 50	—	3	1
50 but less than 70	1	3	1
70 but less than 90	2	3	2
90 but less than 110	3	3	3
110 but less than 130	5	5	5
130 but less than 150	7	7	7

‘Prescribed circumstances for withdrawal of a notice

‘142B. For the purpose of section 16B(12) of the Act, the prescribed circumstances in which the District Superintendent may withdraw a notice served on a person are that—

- (a) a detail entered on the notice by a police officer is incorrect in a material particular; or
- (b) at or about the time of the commission of the alleged offence to which the notice relates, the person has committed an indictable offence in relation to the use of the motor vehicle involved in the commission of the alleged offence.’
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ENDNOTES

1. Made by the Governor in Council on 19 December 1991.
2. Published in the Gazette on 21 December 1991.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Transport.