

Drink driving - "Alcohol interlock" what does this mean



The Alcohol interlock legislation is aimed at targeting recidivist offenders and first-time high-level offenders and in simple terms requires devices to be installed in cars requiring a zero alcohol reading before they will start. This can become a costly exercise in installation and maintenance.

As of July 2018, the legislation changed regarding alcohol interlock devices, they are now mandatory if:

1. Your breath alcohol exceeds 800 micrograms of alcohol per litre of breath or 160 millilitres of alcohol per 100 millilitres of blood; or
2. You have previously been convicted of a similar offence within the last five years.

What does this mean?

Where the interlock legislation applies, an interlock will replace what would usually have been the period of disqualification. The disqualification periods contained in the charging document may not apply to you at sentencing.

If an interlock is ordered you are subject to a 28 day stand down period (disqualification) after you enter a plea and are sentenced before the device can be installed. Breaching an interlock order can have further serious legal repercussions.

If you are a first-time offender and reach the alcohol level threshold the mandatory ("usual") six-month disqualification period may not apply. Rather, you may be subject to having an alcohol interlock device installed in your vehicle for at least 12 months, after which you will be subject to a zero-alcohol licence for three years.

You will be required to fund the installation and rental of the interlock however in some instances there are subsidies available.

There are certain exceptions around the legislation which if necessary, one of our team members can discuss with you.

If you require any information regarding anything relating to drink driving and excess breath alcohol charges or this legislation and how it may affect you, do not hesitate to contact the TODD & WALKER Law [criminal defence team](#).

You can also contact the team by calling 03 441 2743.