

## **Explanatory Memorandum**

### ***Road Traffic Legislation Amendment (Disqualification for Life) Bill 2016***

*(Introduced by Hon Mr Rob Johnson MLA)*

#### **Overview**

The purpose of this Bill is to impose a lifetime disqualification in holding or applying for a driver's license for people convicted of causing death where the offender was under the influence of alcohol or drugs, or where there are circumstances of aggravation.

#### **Clause 1 Short title**

This clause formally names the Act.

#### **Clause 2 Commencement**

This clause provides for the commencement of the Act.

- (a) Sections 1 and 2 on the day on which the Act receives the Royal Assent.
- (b) The rest of the Act---- on the day after that day.

#### **Clause 3 *Road Traffic Act 1974* amended**

This Part amends the *Road Traffic Act 1974*.

#### **Clause 4 Section 59 amended**

This clause amends section 59(3) and section 59(4B) of the *Road Traffic Act 1974* and ensures that a court convicting a person of an offence against that section must order that the person be permanently disqualified from holding or obtaining a driver's licence, if the incident occasions the death of another person and either —

- (a) the offence is against subsection (1)(a), (ba) or (bb); or
- (b) the offence is against subsection (1)(b) and is committed in circumstances of aggravation.

#### **Clause 5 Act amended**

This clause amends the *Road Traffic (Authorisation to Drive) Act 2008*.

#### **Clause 6** This clause amends section 27 of the *Road Traffic (Authorisation to Drive) Act 2008*.