




Zero Tolerance for Drug Driving by State and Territory

Licence disqualification and penalties

Table shows penalties for illicit drugs found in saliva

	Qld	NSW	Vic	Tas	SA	WA	NT	ACT
1st offence	1–9 months licence disqualification + fine or 3 months imprisonment	3–6 months licence disqualification + fine	6 months licence disqualification + fine + education course. Penalties will be higher if required to go to court	3–12 months licence disqualification + fine + 3 months imprisonment at court discretion	3 months licence disqualification + fine + 4 demerit points (3 month immediate loss of licence at roadside also available)	Fine + 3 demerit points Immediate 24-hour prohibition for anyone who tests positive to drugs at a roadside test No licence disqualification	Fine + 3 months imprisonment No licence disqualification	6-36 months licence disqualification + fine and/or 6 months imprisonment + 1st offence - NIL imprisonment option - S20
2nd or subsequent offence	Up to 24 months licence disqualification + fine + imprisonment	Between 6 months–indefinite licence disqualification + fine	Min. 12 months licence disqualification + fine + education course + zero BAC condition	6–24 months licence disqualification + fine + up to 6 months imprisonment at court discretion	Min 12 months licence disqualification + fine + 4 demerit points. 3rd offence - min 2 year licence disqualification + fine + 4 demerit points Subsequent offence - min 3 years + fine + 4 demerit points	Min. 6 months + fine. Immediate 24-hour ban	3 months licence disqualification + fine + 6 months imprisonment. Subsequent offence 6 months disqualification + fine + 6 months imprisonment	12-60 months licence disqualification + fine and/or 12 months imprisonment + 3 month imprisonment option - S20

Drug testing process



SALIVA TESTING AT ROAD SIDE

All states and territories

SALIVA COLLECTED FOR LAB ANALYSIS

All states and territories except NT

BLOOD TESTING FOR LAB ANALYSIS

All states and territories

Jurisdictions generally use saliva analysis but blood testing remains an alternative option

Roadside drugs tested



COCAINE

Qld | NSW | Tas

ILLICIT MORPHINE

NSW



THC | MDMA METHYLAMPHETAMINE

All states and territories

MDMA & HEROIN

Tas & NT



Education and treatments



NSW | Tas | Vic | NT

Drug awareness course

Can be court ordered as an additional penalty or as an alternative to licence disqualification

WA

If accused person pleads guilty at an early stage, they can participate in treatment under the supervision of the WA Drug Court

SA

Dependency assessment for drug driving with a child aged under 16 in the car