



# penalties

## **BE SAFE. BE TRAIN SMART**

There are over 200 railway level crossings in the Northern Territory.

Trains can't stop quickly so you need to be train smart.

Slow down, stop at level crossings and look both ways before proceeding.

## Traffic offences

Penalties for traffic offences include fines; disqualification from holding or applying for a licence; licence cancellation, refusal or suspension; and, in extreme cases, imprisonment.

## Demerit points for traffic offences

If you break the traffic laws you can be fined. For certain traffic offences you will also have demerit points recorded against your licence. There is a limit to the number of points you can build up before your licence is suspended.

You can check your current NT demerit points tally any time at [nt.gov.au](http://nt.gov.au)

There are different limits for different types of licences. Make sure you understand the points limit for your licence.

## Speeding offences

Penalties for exceeding the speed limit include demerit points, fines and licence suspension. Penalties increase depending on how many kilometres over the speed limit you are going.

## Other serious driving offences

If you are convicted of serious driving offences you can be disqualified from driving by a court. The court decides how long you should be disqualified and you could even be sent to prison.

These types of offences are heard in front of a magistrate at a local court and penalties include a large fine, a prison

term and disqualification from driving. Heavier penalties apply for second or subsequent offences.

These offences include:

- driving or attempting to drive under the influence of alcohol or drugs
- driving or attempting to drive when your alcohol level is over the limit for your licence
- refusing to take a breath test
- not stopping after a crash in which someone was injured or killed
- driving at a dangerous speed
- driving in a dangerous manner.

## Negligent or dangerous driving causing injury or death

Northern Territory law provides for serious charges to be laid against people driving a vehicle in a negligent or dangerous manner that causes injury or death.

As the driver of a vehicle involved in a crash where somebody is injured because of your negligent driving, you could be imprisoned, face a heavy fine and a period of disqualification. If somebody is killed in such a crash you could be imprisoned and face a higher fine.

If you are driving a vehicle at a speed or in a manner dangerous to the public, and you are involved in a crash that results in injury or death, the penalties can be severe.

Should somebody be injured as a result of your dangerous driving, you could be imprisoned.

## Hooning

The penalties for hooning are severe.

Hooning is:

- taking part in unauthorised street races and speed trials
- burnouts
- damaging the surface of a road or public place.

If the police suspect you have been involved in hooning, they can take possession of your vehicle on-the-spot for up to 48 hours and you can be fined.

If you are caught hooning again within two years of the first offence, the court can impound your car for between three and six months and you can receive a fine or 12 months' imprisonment.

A third offence within two years and the court can forfeit and dispose of your vehicle (destroy or sell your vehicle) and you can also receive a fine or 12 months' imprisonment.

## Drink driving

Not complying with the BAC laws could lead to you being charged with a range of offences including:

- driving under the influence
- exceeding the legal BAC limit
- refusing a breath test
- refusing a blood test.

These charges could result in fines, demerit points, cancellation or suspension of your licence and/or imprisonment.

The drink driving penalties increase according to the level of alcohol detected in the driver's blood and any previous drink driving offences. Penalties are severe and could include:

- large fines that increase if a second offence is committed
- immediate licence suspension
- prison terms that increase when a second offence is committed
- a period of disqualification from driving, up to lifetime disqualification.

### Alcohol Ignition Lock (AIL) program

An AIL is a breath testing device and prevents the vehicle being started if the driver has been drinking. The AIL program will affect repeat drink drivers convicted of a relevant offence on a second or subsequent occasion.

For more information go to the [nt.gov.au](http://nt.gov.au) website.

## Driving without a licence

The requirement for all drivers to carry their licence is to assist police with traffic enforcement. All drivers **must** carry their licence with them every time they drive.

### Heavy penalties apply for driving without a licence.

If you fail to produce your licence when requested you could be issued with an on-the-spot fine.

Larger penalties could apply if you are convicted of driving while serving a non-driving period for being disqualified from holding or obtaining a driver licence, or when your licence has been cancelled, refused or suspended.

**Penalties can apply for allowing an unlicensed person to drive your vehicle.**

### **Fine defaults / unpaid fines**

If you do not pay a fine within the time allowed, the matter will be referred to the Fines Recovery Unit (FRU).

The FRU manages all aspects of fine recovery including:

- taking payments
  - making time-to-pay arrangements
  - providing information to the public about the enforcement when no other solution can be found.
- These enforcement orders range from licence and registration suspension through to civil enforcement and community work orders.

If the outstanding fine amount is not paid, the MVR will be advised by the FRU to suspend your licence and/or refuse to do certain business with you until all fines have been paid.

If your licence has been suspended for a fine default and you pay the fine, the MVR will be advised by FRU to lift the suspension.