



ROAD SAFETY (ALCOHOL AND DRUGS) AMENDMENT

No. 15 of 1979

TABLE OF PROVISIONS

1. Short title.
2. Amendment of section 19A of *Road Safety (Alcohol and Drugs) Act 1970* (Driving while disqualified under the Act).

AN ACT to amend the Road Safety (Alcohol and Drugs) Act 1970 for the purpose of providing for the arrest of persons driving while disqualified.

[16 May 1979]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—This Act may be cited as the *Road Safety (Alcohol and Drugs) Amendment Act 1979*. Short title.

2—Section 19A of the *Road Safety (Alcohol and Drugs) Act 1970** is amended as follows:—

(a) by inserting “under this Act” after “disqualified”;

(b) by being renumbered as subsection (1); and

Amendment of section 19A of *Road Safety (Alcohol and Drugs) Act 1970* (Driving while disqualified under the Act).

* No. 77 of 1970. For this Act as amended to 1976, see Annual Volume of Statutes for 1976, Appendix C. Subsequently amended by Nos. 67 and 96 of 1976, and No. 51 of 1977.

(c) by adding at the end the following subsections:—

(2) Where a police officer finds a person committing an offence against subsection (1) or has reasonable grounds to believe that a person has committed such an offence, he may arrest that person without warrant and may impound any vehicle in the charge of or driven by that person and remove the vehicle to a convenient place for safe keeping.

(3) Where a motor vehicle is impounded under subsection (2), any person who would, but for the impounding of the vehicle, have a right to possession of the vehicle is entitled to have the vehicle delivered to him unless a police officer notifies the person that the police officer has reasonable grounds for believing that, if that person then drove the vehicle on a public street, he would be committing an offence, whether against subsection (1) or not.

(4) In any proceedings taken against a person for an offence relating to the circumstances giving rise to the impounding of a motor vehicle under subsection (2), the court before which the proceedings are taken may order the person to pay any costs or expenses incurred in connection with the impounding, removal, or safe keeping of the vehicle if it is of the opinion that there were reasonable grounds for incurring those costs or expenses.