

Justice and Community Safety Directorate

Alcohol and Drug Awareness Course

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In November 2010, the ACT Legislative Assembly passed the *Road Transport (Alcohol and Drugs) Legislation Amendment Act 2010*, which included a range of drink and drug driving reforms. The amendments included the requirement for people convicted of drink or drug driving to complete an alcohol and drug awareness course before a restricted or probationary licence can be issued to the person by the road transport authority. This requirement will apply to a person who commits an offence on or after 25 November 2011.

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1. What is an Alcohol and Drug Awareness Course?

An Alcohol and Drug Awareness Course is a course approved by the road transport authority that raises awareness about the effects of alcohol and drugs, including their effects on driving and health.

Courses that are approved by the road transport authority are listed in the following notifiable instrument: [Road Transport \(Driver Licensing\) Alcohol and Drug Awareness Course Approval 2011](#)

2. Who is required to complete an alcohol and drug awareness course?

In order to retain your driver licence or to obtain a restricted or probationary licence, you will be required to complete an alcohol and drug awareness course if you have been convicted (or found guilty) by an ACT Court of one or more of the following offences, committed on or after 25 November 2011:

| Offence | Relevant section of the Road Transport (Alcohol and Drugs) Act 1977 |
|--|---|
| Driving with a prescribed concentration of alcohol in your blood or breath | Section 19 |
| Driving with a prescribed drug in your oral fluid or blood | Section 20 |
| Refusing to provide breath sample | Section 22 |
| Refusing to provide oral fluid sample | Section 22A |
| Failing to stay for drug screening test | Section 22B |
| Refusing a blood test | Section 23 |
| Driving under the influence of intoxicating liquor or a drug | Section 24 |
| Driving while intoxicated | Section 24A |

You will not be required to complete a course if you have already completed an alcohol and drug awareness course in the 12 months prior to your conviction or finding of guilt.

3. If the alcohol and drug awareness course applies to me, what do I need to do now?

If you were not disqualified from driving by the Court, in order to retain your driver licence:

1. You must complete an Alcohol and Drug Awareness Course and provide evidence of course completion to the road transport authority within six months after your Court conviction date.

Failure to do so will result in your licence being suspended.

If you were disqualified from driving by the Court and granted a restricted licence:

1. You must complete an Alcohol and Drug Awareness Course and provide evidence of course

completion to the road transport authority;

2. After providing evidence, you are eligible to be issued with a restricted licence;
3. The road transport authority will issue you with a restricted licence, which will expire at the end of your disqualification period;
4. At the end of your disqualification period, your restricted licence will expire and you must attend a Canberra Connect shopfront to be issued with a probationary licence so that you may continue driving.

If you were disqualified from driving by the Court and not granted a restricted licence, and you wish to be issued with a probationary licence at the end of your disqualification period:

1. You must complete an alcohol and drug awareness course and provide evidence of course completion to the road transport authority before the end of your disqualification period;
2. After providing evidence, you are eligible to be issued with a probationary licence at the end of your disqualification period;
3. You must attend a Canberra Connect shopfront at the end of your disqualification period if you wish to be issued with a probationary licence and begin driving.

4. How many different types of Courses are there?

To ensure that the educational and therapeutic needs of different offenders are accommodated, there are two types of courses available:

- **Standard Course:** Educational awareness course
- **Extended Course:** Therapeutic and educational awareness course

5. Which Course should I attend?

You must attend the type of course that corresponds with your offence.

You are only eligible to attend the standard course if:

1. you were convicted or found guilty of driving with a **blood alcohol concentration (BAC) below 0.08**; and
2. it is the **first time that you have been convicted or found guilty** of a disqualifying offence under the Road Transport (Alcohol and Drugs) Act 1977.

If you do not fulfil the above criteria, you must attend the extended course.

The table below can be used as a guide to the course you are required to attend:

| Level | Blood or Breath Alcohol Concentration (BAC) | First offender | Repeat offender * |
|--------------|--|-----------------|-------------------|
| 1 | > 0 to < 0.05 | Standard Course | Extended Course |
| 2 | ? 0.05 to < 0.08 | Standard Course | Extended Course |
| 3 | ? 0.08 to < 0.15 | Extended Course | Extended Course |
| 4 | ? 0.15 | Extended Course | Extended Course |
| Other | Drugs in oral fluid or blood | Standard Course | Extended Course |
| Other | Refusing to provide breath sample Refusing to provide oral fluid sample Refusing a blood test Failing to stay for drug screening test | Extended Course | Extended Course |

* 'First Offender' and 'Repeat Offender' are defined in section 4F of the Road Transport (Alcohol and Drugs) Act 1977.

6. How do I enrol in the Standard Course?

Courses are provided at a variety of locations, times, and dates so that you can attend the course that best suits you.

You can enrol by contacting the course provider:

| | |
|----------|--|
| Course | Think Ahead |
| Provider | Road Ready Centre |
| Website | www.getroadready.com.au |
| Email | bookings@ascenttrainingservices.com.au |

| | |
|----------------|----------------------------------|
| Phone | (02) 6162 5152 or (02) 6109 0152 |
| Fax | (02) 6162 5153 |
| Postal Address | P.O. Box 7181, Watson ACT 2602 |

7. How do I enrol in the Extended Course?

Courses are provided at a variety of locations, times, and dates so that you can attend the course that best suits you.

Contact details of course providers are below. It is your choice which provider to enrol with:

| | |
|----------------|--|
| Course | kN0w the Risk |
| Provider | Road Ready Centre |
| Website | www.getroadready.com.au |
| Email | bookings@ascenttrainingservices.com.au |
| Phone | (02) 6162 5152 or (02) 6109 0152 |
| Fax | (02) 6162 5153 |
| Postal Address | P.O. Box 7181, Watson ACT 2602 |

| | |
|----------------|--|
| Course | ReVersed |
| Provider | Karralika Programs Inc. |
| Website | www.karralika.org.au |
| Phone | (02) 6163 0200 |
| Fax | (02) 6282 7777 |
| Email | info@karralika.org.au |
| Postal Address | P.O. Box 2230, Tuggeranong ACT 2901 |

8. How long will I have to complete a course and provide evidence of completion to the Road Transport Authority?

If you were not disqualified from driving by the Court, in order to avoid the suspension of your driver licence you must complete an alcohol and drug awareness course and provide evidence of course completion to the road transport authority within six months after your Court conviction date.

If you were disqualified from driving by the Court and granted a restricted licence, you must complete an alcohol and drug awareness course and provide evidence of course completion to the road transport authority before you can be issued with a restricted licence.

If you were disqualified from driving by the Court and not granted a restricted licence you must complete an alcohol and drug awareness course and provide evidence of course completion to the road transport authority before the end of your disqualification period in order to be issued with a probationary driver licence. If you have tried to enrol in a course before the end of your disqualification period, but have not been able to do so, the road transport authority may exempt you from completing the course before the end of your disqualification period and issue you with a probationary licence at the end of your disqualification period. To be eligible to be issued with a probationary licence at the end of your disqualification period and permitted to complete an Alcohol and Drug Awareness Course after your disqualification period, you must:

1. write to the road transport authority before the end of your disqualification period requesting to be issued with a probationary licence and be exempt from the requirement to complete a course before the end of your disqualification period;
2. satisfy the road transport authority that you have made genuine attempts to enrol in the course before the end of the period of disqualification but have not been able to do so; AND
3. satisfy the road transport authority that you are enrolled in a course that will be completed on a stated date after the end of the period of disqualification.

The road transport authority will suspend your probationary licence if written evidence of course completion is not received within 7 days after the day of the alcohol and drug awareness course mentioned in your written notice (and will only end the suspension if it receives written evidence that you have completed an alcohol and drug awareness course).

9. How can I get my licence back faster?

You do not need to wait until you are convicted or found guilty of the drink or drug driving offence which you have been charged with to complete an alcohol and drug awareness course. You can complete a course at any time prior to being convicted or found guilty.

Completing a course before you are convicted or found guilty of an offence may reduce the time it takes to be issued with a restricted or probationary licence, so that you can start driving again.

For example, if you are charged with a disqualifying drink or drug driving offence and complete a course before you appear in Court, you will be permitted to have a restricted licence issued to you on the same day if the Court grants your request for one. If you do not complete a course before you are convicted or found guilty, you will remain unlicensed and unable to drive until you enrol in a course, complete the course and provide evidence of completion to the road transport authority.

10. Can I choose not to complete an alcohol and drug awareness course?

Completion of an alcohol and drug awareness course is a mandatory licensing requirement to retain or regain a driver licence for all drink drivers and drug drivers who commit a disqualifying offence on or after 25 November 2011.

11. What happens if I do not complete an alcohol and drug awareness course?

If you do not to complete an Alcohol and Drug Awareness Course and provide the road transport authority with evidence of completion within the time limit, your driver licence will be suspended or you will remain unlicensed and unable to drive.

It is an offence under section 31 of the Road Transport (Driver Licensing) Act 1999 to drive a motor vehicle while unlicensed. If you drive or ride a motor vehicle while unlicensed you may be fined up to \$5,500 and imprisoned for up to 6 months.

It is also an offence under section 31A of the Road Transport (Driver Licensing) Act 1999 to drive a motor vehicle while your licence is suspended. If you drive or ride a motor vehicle while your licence is suspended you will be fined up to \$2,200 in addition to the penalty for driving unlicensed.

12. I hold an interstate licence and have been charged with drink or drug driving in the ACT, what does this mean for me?

Several other Australian jurisdictions operate mandatory alcohol and drug awareness courses for drink and drug drivers. If you have been charged with one of the eligible drink-driving offences in the ACT which requires you to complete a mandatory alcohol and drug awareness course but you live in another state, then the decision as to whether you must complete a mandatory alcohol and drug awareness course will depend on the relevant driver licencing laws in your state or territory.

If you wish to obtain an ACT driver licence at any time in the future, you will be required to complete an approved alcohol and drug awareness course and give the road transport authority written evidence of course completion.

13. What are the costs?

The cost of the standard course is capped at a maximum of \$100. The cost of the extended course is capped at a maximum of \$300.

Course providers offer courses at different prices, so check the course costs before enrolling.

14. Are any discounts available?

Yes. All course providers offer payment solutions for low income earners.

Some course providers offer flexible repayment options. Other course providers offer reduced course fees. Course providers offer different types of payment solutions, so check with the course provider before enrolling to see what payment solutions are available and what eligibility criteria applies.

15. Are any exemptions available?

Yes. You may be eligible for an exemption from completing an Alcohol and Drug Awareness Course under exceptional circumstances.

Factors that the road transport authority may take into account in determining whether exceptional circumstances exist for granting an exemption include, but are not limited to:

- the merits of the application;
- fairness as between the applicant and other persons in a similar position;
- any rehabilitation or remedial action undertaken, or to be undertaken, by the person;
- prejudice to the person in requiring them to complete the course;
- the likelihood that the person, or anyone else affected by the outcome of the application, would suffer or incur any inconvenience or loss that would be unreasonable if the person was required to attend the course; or
- if it would be unreasonable to require the person to attend the course.

Please note that your inability to attend a particular course, at a particular location or at a particular time will not be considered as an exceptional circumstance, as courses are offered at a wide variety of locations, dates and times.

To apply for an exemption you must:

- write to the road transport authority requesting an exemption from the requirement to complete a course;
- outline your reasons for requesting an exemption; and
- provide the road transport authority with additional information and documents it requires to determine your application.

The road transport authority will refuse to grant an exemption if it is satisfied on reasonable grounds that

exceptional circumstances do not exist for granting the exemption.

Applications for exemption should be addressed to:

Road Transport Authority
PO Box 582
DICKSON ACT 2602

16. Do other Australian jurisdictions have alcohol or drug awareness courses?

Yes. Victoria, New South Wales and the Northern Territory have alcohol or drug awareness courses for people convicted of drink or drug driving.

17. Photo ID Requirement

Important: Clients will not be given evidence of completion of the Alcohol and Drug Awareness Course without photo identification. Clients who have been court cancelled and are surrendering their licence at a Canberra Connect Shopfront should obtain a Proof of Age Card at this time if they do not have another form of photo ID.

18. I have more questions. Who do I talk to?

For enquiries regarding Alcohol and Drug Awareness Courses generally, please contact the road transport authority on 13 22 81.

For enquiries regarding the details of a particular Alcohol and Drug Awareness Course, please contact the course provider.