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New Measures to Combat 'Drink Driving' and 'Causing Death by Dangerous Driving', and the Penalties



打擊「酒後駕駛」及
「危險駕駛引致他人死亡」

新措施和罰則



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為進一步打擊及遏止酒後駕駛和其他不當駕駛行為以加強道路安全，政府於2008年7月4日就《2008年道路交通法例（修訂）條例》刊憲。以下是有關酒後駕駛及危險駕駛引致他人死亡修訂法例的重點。

To combat and deter drink driving and other inappropriate driving behaviour for enhancing road safety, the Administration gazetted on 4 July 2008 the "Road Traffic Legislation (Amendment) Ordinance 2008". The following are the main parts of the amendment legislation relating to drink driving and causing death by dangerous driving.



「危險駕駛引致他人死亡」及「酒後駕駛」的新罰則 New Penalties for Offences of 'Causing Death by Dangerous Driving' & 'Drink Driving'

危險駕駛引致他人死亡

- 可被判處最高罰款50,000元及監禁10年
- 可被取消駕駛資格至少2年（首次被定罪）
/ 至少3年（第二次或再次被定罪）
- 強制修習駕駛改進課程
- 可被記10分違例駕駛記分

Causing death by dangerous driving

- liable to a maximum fine of \$50,000 and up to 10 years' imprisonment
- liable to be disqualified from driving for not less than 2 years (on first conviction) / not less than 3 years (on second or subsequent conviction)
- mandated to attend a driving improvement course
- incur 10 driving offence points

酒後駕駛

- 可被判處最高罰款25,000元及監禁3年
- 可被取消駕駛資格至少3個月（首次被定罪）
/ 至少2年（第二次或再次被定罪）
- 強制修習駕駛改進課程
- 可被記10分違例駕駛記分

Drink driving

- liable to a maximum fine of \$25,000 and up to 3 years' imprisonment
- liable to be disqualified from driving for not less than 3 months (on first conviction) / not less than 2 years (on second or subsequent conviction)
- mandated to attend a driving improvement course
- incur 10 driving offence points

以上黑色部份為修例前已有的罰則，藍色部份是於2008年7月4日生效的加重罰則，而紅色部份是將會於2009年2月9日生效的新增罰則。

The **BLACK** parts above are the existing penalties before the legislative amendment, the **BLUE** part is an increased penalty after the legislative amendment that has taken effect on **4 July 2008** while the **RED** parts are those that will take effect on **9 February 2009**.

引入隨機呼氣測試

Introduction of Random Breath Test



隨機呼氣測試

- 賦權警方，讓穿着制服的警務人員無須合理懷疑，也可要求正在路上駕駛或企圖駕駛車輛的人接受呼氣測試
- 引入預檢設備，以方便進行隨機呼氣測試行動
- 賦權警方進行隨機呼氣測試的新法例將會於**2009年2月9日**生效

Random breath test

- to empower Police so that police officers in uniform can require a person who is driving or attempting to drive a vehicle on a road to conduct a breath test without the need for reasonable suspicion
- a pre-screening device is introduced to facilitate the random breath test operations
- the new legislation on empowering the Police to conduct random breath tests will take effect on **9 February 2009**

隨機呼氣測試行動：

- 在新的隨機呼氣測試行動下，警務人員會使用預檢設備進行測試，以減少對司機造成延誤及不便
- 如預檢設備顯示，司機呼氣中的酒精濃度可能超過訂明限度，該司機便需要接受檢查呼氣測試
- 若司機拒絕接受預檢呼氣測試，警方便會要求他接受檢查呼氣測試
- 若司機有跡象顯示他體內有酒精、觸犯了交通罪行或涉及交通意外，跟現行做法一樣，他會被要求直接進行檢查呼氣測試

Random breath test operations:

- in the new random breath test operations, the Police will use pre-screening devices to conduct the test to reduce delay and inconvenience to drivers
- a driver is required to conduct a screening breath test if the pre-screening device indicates that the alcohol content in the driver's breath is likely to exceed the prescribed limit
- if a driver refuses to conduct a pre-screening breath test, the Police will require him to conduct a screening breath test
- if a driver shows signs that he has alcohol in his body, has committed a traffic offence or involved in a traffic accident, he will be required to undergo a screening breath test right away as in the existing practice





「酒後駕駛」致嚴重事故 'Drink Driving' with Serious Consequences

視乎駕駛行為及其他相關情況，若交通意外是因酒後駕駛而引起並致他人受傷或死亡，司機可被控以更嚴重的罪行如危險駕駛或危險駕駛引致他人死亡。

Depending on the driving behaviour and other related circumstances, if a traffic accident is contributed by drink driving leading to injury or death of another person, the driver can be charged with more serious offences like dangerous driving or causing death by dangerous driving.

小心駕駛要禮讓！

酒後勿駕駛！

If You Drive, Drive with Care and Courtesy!

If You DRINK, **DON'T** Drive!

聯絡我們 Contact Us

如對本道路安全通訊有任何意見，可電郵 rssd@td.gov.hk 與運輸署聯絡。

If you have any comments on this Road Safety Bulletin, please contact Transport Department (e-mail : rssd@td.gov.hk)