

政府總部  
運輸及房屋局  
運輸科  
香港花園道美利大廈



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30 November 2011

Ms Joanne Mak  
Clerk to Bills Committee  
Legislative Council  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong  
(Fax No. 2978 7569)

Dear Ms Mak,

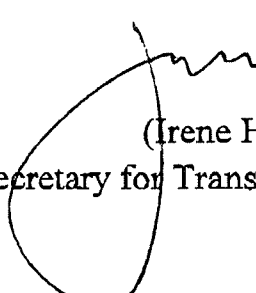
**Road Traffic (Amendment) Bill 2011**

We refer to the Bills Committee meeting held on 17 November and would like to submit the following information requested by Members:

- Relevant statistics related to drug driving and drink driving offences in the past few years; and
- The penalty terms for drug driving offence in overseas countries and in Hong Kong.

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The above information is attached at Annex A and B respectively. We should appreciate it if you could help distribute it to Members.

Yours sincerely,

  
(Irene Ho)  
for Secretary for Transport and Housing

Annex A**Relevant statistics related to drug driving offences**

	2007	2008	2009	2010	2011 (Jan-Oct)
The number of drivers suspected of drug driving arrested <sup>1</sup>					
• Cases involving inappropriate driving manner	3	1	7	51	25
• Cases involving damages only	4	1	3	21	14
• Traffic accidents involving personal injury	1	2	1	12	4
<b>Total</b>	<b>8</b>	<b>4</b>	<b>11</b>	<b>84<sup>2</sup></b>	<b>43<sup>3</sup></b>
No. of casualties <sup>4</sup>					
• Death	0	0	1	1	0
• Seriously injured	0	0	0	2	1
• Slightly injured	1	3	0	9	3
<b>Total</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>12</b>	<b>4</b>

<sup>1</sup> The number of drivers suspected of committing the offence of driving under the influence of drugs to such an extent as to be incapable of having proper control of the motor vehicle arrested.

<sup>2</sup> Among the 84 cases in 2010, ketamine was the drug suspected to have been taken by the drivers in 73 cases (87%). Cocaine, cannabis or other drugs were suspected to have been taken by the remaining drivers.

<sup>3</sup> Among the 43 drivers arrested in 42 cases in 2011, ketamine was the drug suspected to have been taken by the drivers in 38 cases (88%). MDMA, cocaine or other drugs were the drugs suspected to have been taken by the remaining drivers.

<sup>4</sup> The number of persons injured or killed in convicted cases.

Annex A**Relevant statistics related to drink driving offences<sup>5</sup>**

	2007	2008	2009	2010	2011 (Jan-Oct)
The number of drivers suspected of drink driving arrested					
• Cases involving inappropriate driving manner	481	591	350	331	176
• Cases involving damages only	485	456	177	137	104
• Traffic accidents involving personal injury	273	245	110	77	68
• Others <sup>6</sup>	178	203	387	602	499
<b>Total</b>	<b>1,417</b>	<b>1,495</b>	<b>1,024</b>	<b>1,147</b>	<b>847</b>
No. of casualties <sup>7</sup>					
• Death	3	3	9	0	0
• Seriously injured	80	60	23	32	15
• Slightly injured	338	304	138	81	81
<b>Total</b>	<b>421</b>	<b>367</b>	<b>170</b>	<b>113</b>	<b>96</b>

<sup>5</sup> Drink driving offences include driving with alcohol concentration above prescribed limit, failing to undergo screening breath test or failing to provide a specimen of breath for analysis without reasonable excuse, etc.

<sup>6</sup> These were mainly drivers arrested in Random Breath Test Operations or at roadblocks.

<sup>7</sup> The number of persons injured or killed in convicted cases.

**Annex B****Penalty terms for drug driving offence in Hong Kong and in overseas countries**

	Penalty for first conviction			Penalty for subsequent conviction		
	Maximum fine	Maximum Imprisonment	Minimum Driving disqualification	Maximum fine	Maximum Imprisonment	Minimum Driving disqualification
<b>Hong Kong</b> Driving under the influence of a specified illicit drug to such an extent as to be incapable of having proper control of the motor vehicle <sup>8</sup>	HK\$25,000	3 years	5 years	HK\$25,000	3 years	10 years <sup>9</sup>
<b>Australia (Victoria)</b> Driving under the influence of any drug or driving while impaired by a drug	AUD1,400	No imprisonment term	1 year	<u>2<sup>nd</sup> Conviction</u> AUD14,000  <u>3<sup>rd</sup> or subsequent conviction</u> AUD21,000	<u>2<sup>nd</sup> Conviction</u> 12 months  <u>3<sup>rd</sup> or subsequent conviction</u> 2 years	<u>2<sup>nd</sup> Conviction</u> 2 years  <u>3<sup>rd</sup> or subsequent conviction</u> 2 years
<b>Singapore</b> Driving under the influence of drink or of a drug or an intoxicating substance to such an extent as to be incapable of having proper control of such vehicle	SGD1,000 to 5,000	6 months	1 year	SGD3,000 to 10,000	1 year	1 year
<b>United Kingdom</b> Driving while unfit to drive through drink or drug	5,000 pounds	6 months	1 year	5,000 pounds	6 months	3 years

<sup>8</sup> The penalty proposed under the Road Traffic (Amendment) Bill 2011.

<sup>9</sup> The court or magistrate may consider on convicting a person of this offence, order driving disqualification for life, if –  
 (a) the person has been convicted of the same offence previously; and  
 (b) having regard to the circumstances in which the offence was committed and the behaviour of the person, the court or magistrate is of the opinion that it is undesirable for the person to continue to be allowed to drive a motor vehicle.