

Stiffer Drink-Driving Punishment

PUTRAJAYA : THE amendments to the Road Transport Act 1987 (Act 333) are expected to be tabled in the Dewan Rakyat in its July sitting. If passed, it would see stiffer punishment for driving under the influence of alcohol, drugs as well as driving dangerously, Transport Minister Datuk Seri Dr Wee Ka Siong said. He said the draft amendments had been submitted to the Attorney-General's Chambers. "We will see a sharp increase in the three punishments involving Sections 41 to 45 of Act 333. It has yet to be made public. "We can only say the effort cuts across racial, religious and political interests, which would see significant backing," Wee said in a special interview on his 100 days in office as a minister.

Under current laws, those convicted of drink driving could be charged under Section 45A(1), which carries a fine of between RM1,000 and RM6,000, or a jail term of up to 12 months, if convicted. For drink driving causing death, offenders are liable under Section 44 of the same act, which allows for up to 10 years' imprisonment and a maximum fine of RM20,000, if found guilty.

Wee said the draft would be submitted to all government ministries and was expected to be tabled at the weekly cabinet meeting in two weeks. He added that the government was prepared to lower the amount of alcohol content allowed while driving, as per World Health Organisation (WHO) regulations. "Currently, the recommended dose is 35mg of alcohol in 100mm of breath; 80mg of alcohol in 100mm of blood or 107mg of alcohol in 100mm of urine, compared to WHO's recommended level (0.05g / dl). "Some people want the driver's alcohol content set at zero. However, this is difficult because if we take cough medicine, for example, there will be alcohol readings. But this (matter) will be refined."

The amendments to the act were also based on the feedback received from 345,021 respondents, through a recent survey conducted by the ministry. Wee said three per cent of respondents admitted that they had driven after taking alcoholic drinks, 11 per cent had been involved in a drink-driving accident, while five per cent said that they would refuse to use public transport if they were drunk. "On the awareness of existing regulations, three per cent did not know driving under the influence of alcohol is an offence and another 65 per cent did not know about the blood alcohol limit under Act 333. "Besides that, 98 per cent agreed that the government should not compromise on the drink-driving issue while agreeing that all three existing penalties were upheld (94 per cent) and wanted the death penalty to commensurate the death caused (43 per cent)."

On the government's readiness to file drink-driving cases under Section 302 of the Penal Code for murder, Wee advised the public not to rush in punishing

offenders. “Although there is a public demand for drunk drivers to be punished by death or under Section 302 of the Penal Code, the public should act per the law. “If Section 302 of the Penal Code applies, it must be proven in court that drunk drivers had intention to kill the victims. We do not want them to escape because intent cannot be proven. “It is true that we are upset but we cannot take reckless action. If the police find an element of a crime, let them investigate and use the appropriate law to charge the suspect.”

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