

Stiff Drink And Even Stiffer Penalty

KUALA LUMPUR: One for the road? Better think twice, as drunk drivers causing injury or death will face harsher penalties-up to 20 years in jail and a massive fine of up to RM150,000.

Transport Minister Datuk Seri Dr Wee Ka Siong told the Dewan Rakyat this would be among the proposed amendments to be tabled in the Cabinet meeting tomorrow.

"Under Section 44 of the Road Transport Act 1987, the maximum sentence for those found to have exceeded the permissible alcohol limit and causing death or injury is 10 years.

"Under the new proposed amendments, the 10-year jail sentence will be increased to 15 years for first-time offenders and 20 years for subsequent convictions," he said in reply to Datuk Seri Shahidan Kassim (PN-Arau).

The proposal includes increasing the maximum fine. from RM20,000 to RM100,000 and RM150,000 for a subsequent offence.

Those convicted will get their driving licence suspended for 20 years instead of the current 10.

Dr Wee said the proposed amendments sought to impose mandatory jail time under Section 45A for those convicted of driving above the permissible alcohol levels.

It will also see the lowering of permissible alcohol levels detected through a breathalyser, urine and blood tests to be in line with World Health Organisation standards.

The levels currently adopted by the country are 35 micrograms of alcohol in 100 millilitres of breath, 80 milligrams of alcohol in 100 millilitres of blood or 107 milligrams of alcohol in 100 millilitres of urine.

This will be lowered to 22 micrograms of alcohol in 100 millilitres of breath, 50 milligrams of alcohol in 100 millilitres of blood or 67 milligrams of alcohol in 100 millilitres of urine.

Dr Wee said the harsher penalties under the proposed amendments would also cover those driving under the influence of drugs and reckless driving.

Other than the police, the Road Transport Department would also be empowered to carry out enforcement.

The minister said the final details of the proposed amendments covering Section 41 to Section 45 would be made known later.

"The Attorney General's Chambers has completed the draft for the proposed amendments, which will be brought to the Cabinet on July 17.

"Once approved by the Cabinet, the proposed amendments will be tabled during Dewan Rakyat's current meeting," he said.

On calls for death sentence for drunk drivers causing fatal road crashes, Dr Wee said this could only be enforced under Section 302 of the Penal Code for murder.

Although many were angry at drunk drivers responsible for fatal accidents, he said the government would not act hastily and would be guided by the principles of law.

The prosecution needed to prove beyond reasonable doubt that a driver had the intention to kill if charged for murder, he added.

"We don't want them to get off scot-free due to the failure to prove intention. We have to go by the principles of law and that is why there will be stiffer penalties," he said.

Dr Wee stressed that it was time to act against drink driving as many cases were recorded this year.

"I am not against drinking but against those who drink and drive," he added.

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