

POLICE - CAPACITY TO ASSESS DRIVER COMPETENCE AND
ROADWORTHINESS OF MOTOR VEHICLES

4949. Hon Nigel Hallett to the Minister for Regional Development representing the Minister for Police and Emergency Services

By withdrawing the responsibility of driving assessment services from Western Australian Police, the Government has acknowledged that police officers are not trained to assess driver competence. Similarly can the Minister advise to what extent police officers have the capacity to legally assess the roadworthiness of motor vehicles, given they do not receive any specific training in this area?

Hon JON FORD replied:

The decision to cease driving assessment services by Police is in line with the Frontline First philosophy introduced by the Commissioner of Police. Frontline First focuses on the need for Western Australia Police (WAPOL) to concentrate on its core policing functions and increase the police presence within the community. Furthermore, the withdrawal of drivers' licence testing will complement the WAPOL risk management and corruption prevention measures and ensure consistent drivers' licence testing procedures across the State.

Police officers have the relevant powers to assess the roadworthiness of vehicles. Regulation 61(1) of the Road Traffic(Vehicle Standards)Regulations 2002 provides the authority for a police officer to issue a compliance notice for a vehicle if, in the police officer's opinion, the vehicle does not comply, and is not exempt from compliance, with the Regulations or the Road Traffic(Vehicle Standards)Rules 2002. There is no requirement for the officer to be a mechanic, or have any mechanical expertise.

The Police Academy trains recruits in the requirements of road vehicle roadworthiness and the issue of vehicle defect notices. Recruits complete a practical component by inspecting vehicles located in the Academy's grounds to identify major faults. Recruits are instructed to a standard where they can identify major vehicle faults that render vehicles unroadworthy. A police officer only needs to identify a vehicle fault (in his opinion) and then direct, by way of compliance order, the driver/owner to present the vehicle for inspection at a facility where formally trained and accredited examiners (usually the Department of Planning and Infrastructure) conduct a comprehensive examination of the vehicle and identify for repair any fault detected.

Powers for police in "assessing the roadworthiness of motor vehicles" extend to stopping the vehicle, driving the vehicle if necessary, directing the driver to a place, directing the driver not to drive the vehicle, directing the driver to use a specific route, at prescribed times, or only to drive the vehicle in accordance with any reasonable condition set out on the compliance notice.

WAPOL also has fully qualified Vehicle Examiners (police officers) within the Vehicle Investigation Unit, State Traffic Coordination and Enforcement Division, who carry out formal and comprehensive examinations of all vehicles involved in fatal and serious crashes, for the information of the Coroner.