

**ROAD TRAFFIC LEGISLATION AMENDMENT  
(INFRINGEMENT MANAGEMENT REFORM) BILL 2024**

*Receipt and First Reading*

Bill received from the Assembly; and, on motion by **Hon Sue Ellery (Leader of the House)**, read a first time.

*Second Reading*

**HON SUE ELLERY (South Metropolitan — Leader of the House)** [4.13 pm]: I move —

That the bill be now read a second time.

The Road Traffic Legislation Amendment (Infringement Management Reform) Bill 2024 will implement necessary measures to modernise the management of infringement notices, including enabling digital services, enabling modern infringement payment options and providing a necessary adjustment to enable the transition of infringement management functions from the Western Australia Police Force to the Department of Transport. It will address calls from the community to assist with the financial burden associated with paying infringement penalties. Currently, the only option to access more time to pay an infringement or apply for a part-payment arrangement is through defaulting to pay the notice by the due date and becoming subject to the debt recovery realm of the Fines Enforcement Registry. This process carries an element of humiliation and a risk of licence suspension, and it increases the financial burden on the person with the addition of late fees and other charges.

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The bill will introduce the ability for an individual to apply to the chief executive officer of the Department of Transport for an extension of time or an ability to enter not an instalment arrangement to pay the penalty off over time. These options will not add costs to the infringement amount or be subject to an eligibility assessment. This will enable members of the community to manage their cost-of-living pressures, particularly those with low or fixed incomes, to pay any traffic infringement without being subjected to additional costs.

The bill provides legislative changes to support actions in the *Driving change: Road safety strategy for Western Australia 2020–2030*. The strategy sets out our pathway to the aspirational goal of between a 50 per cent and 70 per cent reduction in serious road trauma. Although 2023 was an improved year for road trauma statistics in Western Australia, with 158 deaths on WA roads compared with 175 deaths in 2022 and the five-year average of 164 deaths, any loss of life or serious injury on our roads is tragic and unacceptable. The government therefore remains committed to taking all reasonable steps to reduce road trauma in this state.

Humans are not perfect. We make mistakes, so crashes will always happen for as long as humans are in control of vehicles. Monitoring and enforcement are the most powerful and quickest acting options available for us to address and change the dangerous driver behaviours that are the key contributors to road trauma. Speeding, distracted drivers using mobile phones, and individuals not wearing seat belts are the big-ticket items through which we can be effective in changing driver behaviour to reduce road trauma. Illegal driver behaviour detected by police officers on the road is one means. The use of safety camera technology allows 24/7 traffic monitoring.

The bill will introduce provisions to enable road safety camera operations to expand into enforcing other road safety offences, including mobile phone use while driving and seatbelt non-compliance. The bill will adapt the existing legal framework to enable the Minister for Police to approve devices that will be referred to as visual detection equipment. Visual detection safety cameras were trialled at 94 metropolitan and regional locations during 2022. During the trial, the safety cameras detected more than 265 000 drivers speeding, 66 000 drivers distracted by their mobile phones, and a further 11 400 drivers or front seat passengers not wearing a seatbelt. As a comparison, during a similar period, just 3 071 mobile phone and 1 433 seatbelt infringements were issued statewide by the Western Australia Police Force, highlighting the effectiveness of safety camera technology in detecting driving offences on our roads.

The deterrent effect of speed enforcement cameras and other technologies has long been credited with changing driver behaviour and lowering the rate of road trauma on our roads. Research has estimated that the increased use of mobile speed cameras in metropolitan and rural areas across WA has led to a 5.6 per cent overall reduction in serious casualty crashes. Researchers believe that this figure can be increased to between 20 per cent and 50 per cent through greater enforcement.

As with all matters dealt with by infringement notices, an authorised person—issuing officer—must form a reasonable belief that an offence has been committed. The visual detection equipment will use software to automatically review images and detect potential mobile phone and seatbelt offences. However, an infringement will not be issued based on technology alone and will not be issued if there is doubt about the alleged offence.

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The bill will make a consequential amendment to the Road Traffic (Authorisation to Drive) Act 2008 to provide for demerit point allocation upon making the first payment in an infringement payment instalment arrangement. The bill will also make a consequential amendment to the Road Safety Council Act 2002 to clarify that all safety camera-detected infringement notice moneys are credited to the road trauma trust account.

Pursuant to standing order 126(1), I advise that this bill is not a uniform legislation bill. It does not ratify or give effect to a bilateral or multilateral intergovernmental agreement to which the government of the state is a party; nor does this bill, by reason of its subject matter, introduce a uniform scheme or uniform laws throughout the Commonwealth.

I commend the bill to the house and table a copy of the explanatory memorandum.

[See paper 3087.]

Debate adjourned, pursuant to standing orders.