

**ROAD TRAFFIC AMENDMENT BILL 2008**

*Receipt and First Reading*

Bill received from the Assembly; and, on motion by **Hon Ljiljana Ravlich (Minister for Local Government)**, read a first time.

*Second Reading*

**HON LJILJANNA RAVLICH (East Metropolitan — Minister for Local Government)** [5.13 pm]: I move —

That the bill be now read a second time.

Following a horror start to the state's 2008 road toll, the Premier announced in February a number of penalty changes and road safety initiatives that could be introduced in the short term. The government committed to implementing these changes within six months of their announcement. Regulatory changes to penalties for speeding drivers, people not wearing seatbelts and people driving while using hand-held mobile phones have already come into effect on 30 March.

This bill will give effect to the announced antihoon and reckless driving penalties. A total of 2 274 drivers have had their vehicles impounded under the state's current hoon laws, which were introduced in September 2004 and further expanded in 2007. So far in 2008, 504 vehicles have been impounded for 48 hours. Unfortunately, there are people who continue to fail to take responsibility for their own actions and endanger the lives of themselves, their passengers and other road users, and that is why we are now strengthening these laws even further. The bill contains amendments that will increase the effectiveness of the government's antihoon laws. In this regard the bill will —

increase the period of time a police officer may impound a vehicle used in the commission of an "impounding offence (driving)" from 48 hours to seven days for a first offence and 28 days for a second and subsequent offence;

extend the definition of "road rage circumstances" to include places other than a road, such as car parks and private property; and

amend vehicle confiscation provisions as they relate to both hoon and road rage offences so that where an application is made by police to have a vehicle confiscated, a court may order the impounding of the vehicle for a period of up to six months as an alternative to confiscation. Currently, when a police application for confiscation is unsuccessful, there is no avenue for the court to order the impounding of the vehicle instead.

To target those drivers who speed excessively, this bill also increases the court imposed fines for reckless driving, which includes exceeding the speed limit by 45 kilometres an hour or more. The fines will increase from \$1 000 to \$2 000 for a first offence, from \$1 200 to \$3 000 for a second offence and from \$2 400 to \$4 000 for a third and subsequent offence.

This bill also includes the first of the initiatives arising from the government's repeat drink-driving strategy; namely, vehicle sanctions for certain types of unauthorised driving. The repeat drink-driving strategy will provide that drivers convicted of certain drink-driving offences will be able to regain authorisation to drive subject to the condition that they only drive vehicles fitted with alcohol-interlock devices. While the interlock scheme is not part of this bill, in preparation for this, the amendments in this bill will provide a strong deterrent to unauthorised driving.

In this regard the bill broadens the definition of an "impounding offence (driver's licence)" so that a person will commit such an offence if he or she is driving unauthorised because —

the Director General of the Department for Planning and Infrastructure has suspended, cancelled or refused to issue or renew the person's driver's licence in any circumstance;

a court has imposed a licence disqualification upon the person;

the person's licence is subject to a disqualification because of the accumulation of an excessive number of demerit points; or

the person has an extraordinary licence and is driving contrary to a licence condition relating to that licence.

The bill also increases the period of impoundment by police for this offence from 48 hours to 28 days. There is concern that a large number of people who have lost their drivers' licences continue to drive on our roads. Police

will now have, in addition to the existing sanctions, the ability to impound the vehicle being driven by these unlicensed drivers for 28 days.

These changes to the government's antihoon laws and the introduction of vehicle sanctions for certain types of unauthorised driving should be a strong warning to all Western Australian road users. Driving comes with responsibilities and all WA road users need to adhere to the laws to ensure that their actions are not endangering themselves, their passengers or other road users. What may appear to be a brief moment of fun for some can lead to lifelong, if not fatal, consequences for those breaking the law or, worse still, for innocent people who end up in the wrong place at the wrong time. Drivers who choose to abide by the law have nothing to fear from these new laws and penalties.

Mr Deputy President, I commend the bill to the house.

Debate adjourned, pursuant to standing orders.