

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

Introduction and First Reading

Bill introduced, on motion by **Mr D.R. Michael (Minister for Road Safety)**, and read a first time.

Explanatory memorandum presented by the minister.

Second Reading

MR D.R. MICHAEL (Balcatta — Minister for Road Safety) [10.52 am]: I move —

That the bill be now read a second time.

The Road Traffic Legislation Amendment (Infringement Management Reform) Bill 2024 includes a number of changes, including those to assist individuals who are having difficulty in paying their driving infringement, and it will modernise and improve the management of driving infringement notices in Western Australia. This bill will allow for the implementation of legislative measures to enable online digital services, provide extensions and part-payment options and enable the transition of infringement management functions from the Western Australia Police Force to the Department of Transport. It addresses calls from the community to assist with the financial burden associated with paying infringement penalties. Although we hope that all drivers on Western Australian roads obey the road rules and never incur an infringement, if that does happen, this legislation will assist with an easier process. Currently, the only way to extend the time to pay an infringement or to apply for a part-payment arrangement is through defaulting to pay the notice by the due date and becoming subject to debt recovery by the Fines Enforcement Registry. This process is not ideal as it 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.

This bill will introduce a smooth and easy process for an individual to apply for an extension or to enter into an instalment arrangement to pay off the penalty over time. In practice, this will be a matter of applying to the Department of Transport for the extension or payment instalments and a new infringement notice will be issued. The options for a payment extension or to pay the infringement in instalments will not add any costs to the infringement amount or be subject to an eligibility assessment. This will enable members of the community, particularly those on low or fixed incomes, to manage their cost-of-living pressures to pay any traffic infringement without being subjected to additional costs.

As I have outlined, the bill will allow the infringement management functions to be transitioned from the Western Australia Police Force, as they currently stand, to the Department of Transport. The Department of Transport is set up to provide customer service and has the technology to manage infringement processing into the future.

This bill also provides for legislative changes to support actions in the *Driving change: Road safety strategy for Western Australia 2020–2030*. This strategy sets out our pathway to reduce serious road trauma by 2030. In 2023, 158 people were killed on Western Australian roads. Although this was an improvement compared with 2022, when 175 people died, and also better than the five-year average of 164, any loss of life or serious injury on our roads is absolutely tragic and unacceptable. We therefore remain committed to taking all reasonable steps to reduce road trauma in this state. We are not perfect; people make mistakes, so crashes will happen. However, we need to do everything we can to change driver behaviour for the better.

Extended monitoring of compliance with the road rules and more enforcement, appropriately managed, are powerful, fast and effective options available to us. Safety cameras allow us to address and change illegal driver behaviours that are simple but can be deadly. Driving too fast, being distracted by a mobile phone, not wearing a seatbelt or not ensuring that passengers are wearing seatbelts are some of the big-impact items that we can make a difference to. Poor driver behaviour detected by police officers on the road is one means; the use of modern safety camera technology is another. It can operate 24/7 to monitor traffic across the diverse roads in our big state.

The bill will introduce provisions to enable our current road safety camera operations to expand into enforcing other road safety offences, including mobile phone use while driving and seatbelt noncompliance. 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 in WA during 2022. During the trial, the safety cameras detected more than 265 000 drivers speeding, 66 000 drivers distracted by their mobile phones and, inexplicably, a further 11 400 drivers or front-seat passengers not wearing a seatbelt. Around the same time, just 3 071 mobile phone and 1 433 seatbelt infringements were issued statewide by officers in the WA Police Force. This highlights the effectiveness of safety camera technology. Of course, this technology will also be backed up by professional staff at the Department of Transport. As with all matters dealt with by an infringement notice, the authorised 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.

The deterrent effect of speed enforcement cameras has long been credited with encouraging drivers to keep to the speed limit and, as speed is the biggest killer on our roads, lowering the rate of road trauma. 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 the number of serious casualty crashes.

The bill will make a consequential amendment to the Road Traffic (Authorisation to Drive) Act 2008 to provide for demerit point allocation when the first payment is made under 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 will be credited to the road trauma trust account. Funds in the road trauma trust account are used for a range of very important initiatives that make our roads safer for everyone using them, including drivers of family or commercial vehicles, motorcyclists, cyclists, e-riders and pedestrians.

This is an important change that will modernise the current system, allowing smart technology to be used effectively. It will help us to compassionately engage with drivers who have received an infringement and need some time to pay it. Most importantly, it will be a game changer in deterring the dangerous and illegal driver behaviour that leads to tragic road crashes. This reform will help the WA government to save lives and prevent serious injuries on Western Australian roads, minimising trauma for road users, their families and the wider community.

I commend the bill to the house.

Debate adjourned, on motion by **Mr P.J. Rundle (Deputy Leader of the Opposition)**.