

29 January 2013

Research Director
Legal Affairs and Community Safety Committee
Parliament House
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Police Powers (Motor Vehicle
Impoundment) & Other
Legislation Bill 2012
Submission 022

**Letter of Support: Australian Confederation of Motor Clubs Qld to the Legal Affairs
Community safety Committee Inquiry into the Police Powers and
Responsibilities (Motor Vehicle Impoundment) and Other Legislation
Amendment Bill 2012**

The Queensland Motorised Sports Council Inc (QMSC) is writing this letter in support of the submission by the Australian Confederation of Motor Clubs Qld to the Legal Affairs Community safety Committee Inquiry into the Police Powers and Responsibilities (Motor Vehicle Impoundment) and Other Legislation Amendment Bill 2012.

As outlined in our media release of 30 October 2012 (http://qmsc.org.au/media_releases/2012-11-06%20Enthusiast%20v%20Hoon.pdf), the QMSC supports the legislative changes only insofar as when any driver exceeds the speed limit in a modified car, he/she should be fined appropriately.

However and as stated in the QMSC media release, the real issue is that the general public and the authorities in particular stereotype the owners of modified cars as hooners; even though the majority of those owners are car enthusiasts who drive according to what the law requires.

One of the underlying challenges for the Police is their ability to differentiate between a modified car that meets the relevant standards (usually a car enthusiast) and a vehicle that has its springs chopped, exhaust hacked or other alterations that make the vehicle unroadworthy (usually a hoon).

In its 'State of the Road' Fact Sheet, the Centre for Accident Research and Road Safety – Queensland (CARRS–Qld) reveals that:

- 'the label 'hoon' is sometimes applied to car enthusiasts, drivers of modified vehicles or to young drivers in general; and
- contrary to popular belief, the majority of hooning offences do not occur in modified cars but in standard vehicles'.

The concern in relation to the proposed Police Powers and Responsibilities (Motor Vehicle Impoundment) and Other Legislation Amendment Bill 2012 legislative changes is that it

has the very real potential to be applied regardless of whether the vehicle meets the relevant standards or not.

Car enthusiasts invest themselves and their hard-earned money when they build their highly engineered or modified cars. Generally speaking, a car enthusiasts will drive them legally on the streets. They usually want to make a personal statement and are therefore less likely to want to damage or lose their vehicle.

On the other hand, the term 'hoons' refers to those who engage in anti-social driving behaviour whose main interest is driving fast, noisily and / or dangerously with little regard for the normal standards of society; apparently to cause havoc for a glimpse of perceived glory.

It might also be useful to promote the fact that there are a number of venues in South-East Queensland for drivers to test their driving ability and the capability of their cars and it is legal.

As a prerequisite to being granted a driver's licence, renewed consideration should be given to driver training and education on a closed track. This would ensure that new drivers are better able to appreciate and handle their vehicles on public roads.

The QMSC believe changes proposed by Police Powers and Responsibilities (Motor Vehicle Impoundment) and Other Legislation Amendment Bill 2012 are more than a little unfair in that the car enthusiast driving his/her modified vehicle gets the same reputation and attention as a hoon who is causing mayhem by doing burn outs or other similar antics through a suburb.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'K Bartlett', with a stylized flourish at the end.

Kevin R Bartlett, ASM
President
Queensland Motorised Sports Council Inc