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From: shane [REDACTED]
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To: Legal Affairs Police Corrective Services and Emerg Svc Committee
Subject: public submission - Police Powers and Responsibilities (Motor Vehicle Impoundment) Amendment Bill 2011

To the
Research Director
Legal Affairs, Police, Corrective Services and Emergency Services Committee
Parliament House
George Street
Brisbane Qld 4000

With relation to page 7 of the Police Powers and Responsibilities (Motor Vehicle Impoundment) Amendment Bill 2011 and the definition of a burnout.

Clause 4 Amendment of s 69 (Definitions for ch 4)

The definition of a burnout

burn out, for a motor vehicle, means wilfully drive the motor vehicle in a way that causes a sustained loss of traction of one or more of the drive wheels with the road surface.

Examples—

- driving a motor vehicle in a way that causes a sustained loss of traction of one or more of the drive wheels with a road surface so that the tyres or a substance poured onto the road surface, or both, smoke
- driving a motor vehicle in a way that causes a sustained loss of traction of one or more of the drive wheels with a wet or gravelled road surface, regardless of whether or not the tyres smoke because of the loss of traction

I totally disagree with the 2nd paragraph definition (highlighted in blue and larger font size). To suggest that it should be an offence if one or more tyres loose traction on a wet or gravel road regardless of whether or not the tyres smoke, is utter stupidity.

I drive a 1995 small 1.5lt 4 cyl front wheel drive Hyundai Excel, very basic, very cheap to run and very low powered cheap suburban runabout.

Even though my tyres are all in excellent condition, on some wet bitumen surfaces or on a gravel road when I take off normally the front drive tyres will sometimes spin while in first gear and I have to either back off the Throttle or change to 2nd gear to regain traction. I am not hooning (I am a 50 year old) but simply driving and this can easily happen.

The same will sometimes happen when cornering tightly say around a traffic light turn on certain wet bitumen surfaces and the inside front drive wheel will sometimes spin briefly until the weight comes back onto that side wheel after exiting the turn.

It is simply a very light car with little weight over the front driving wheels and the Hyundai is simply not a very sophisticated design and is not known for its high limits of traction or adhesion.

There are many many lower priced front wheel drive Asian produced cars which suffer the same symptoms simply because they are of a basic design.

You must understand that not everyone can afford to drive a new car with ABS and traction control.

Until every car on the road has these traction control functions fitted, you simply cannot introduce a bill which discriminates against owners of cars of a lower quality which have lower limits of adhesion on wet or gravel roads.

This new definition would be open to abuse by any police officer with the power to do so and the definition certainly goes too far and is completely unnecessary.

Regards

Shane Muhling

