

13 November 2005

Mr J Pearce MP
Chairman
Parliamentary Travel Safe Committee
Parliament House
Brisbane Qld 4001



Dear Mr Pearce,

DISQUALIFIED MOTORISTS CONTINUE TO DRIVE

There was a recent media announcement that the Parliamentary Travel Safe Committee would look at ways of removing disqualified motorists from continuing to drive on Queensland roads.

Attached is a copy of my letter to the Queensland Premier dated 8 April 2005 and the subsequent reply. This followed a well publicised incident on the Bruce Highway over Easter 2005.

I offer my letter to the Queensland Premier as my submission to this inquiry. Copies are enclosed at Attachments 1 to 6.

Some years ago I offered a suggestion to the Queensland Road Safety Plan of "dobbing in offending motorists" by other road users similar to the Smoky Vehicle Hotline. At the time this suggestion did not go passed first consideration stage as it was probably considered too radical.

I would like to offer some examples of how a "dob in a driver" system could work.

On 12 November 2005, northbound on the Bruce Highway at Narangba, I was passed by a speeding semi-trailer in the 80 kph road construction zone. Due to traffic volumes this vehicle was slowed until the 110 kph zone north of Caboolture. On the reaching the 110 kph zone this vehicle increased speed to maintain a steady 110 kph until the incline of the Pumicestone Road overpass. I was not able to read the number plate on the tractor; the trailer number plate was Queensland

What can a motorist do about this blatant disregard of speed limits by a heavy vehicle?

Under our current system absolutely nothing.

What is the potential risk to other law abiding motorists?

Extremely high. Almost every day a heavy vehicle is involved in an "accident" on Queensland roads. In many cases speed is involved in these heavy vehicle accidents

Do speed cameras or Police and Transport Inspections work?

No, because heavy vehicle operators talk on CB radios to warn each other about speed camera locations and other police activity. When a heavy vehicle suddenly slows down, there is inevitably a speed camera ahead.

What do I do?

If the vehicle has a company name on it, I report the matter directly to the Company Manager. Usually this is received very well because it is saving the Company time, money and resources in the long term.

Once a Company Manager told me to mind my own business. I knew that his vehicles had a dubious safety record and they also carried my produce to market. Due to his belligerent response I reported the incident to Queensland Transport. An inspection of the tachograph revealed that the vehicle had been doing 110 kph. To achieve this, the speed limiter had been tampered with by the driver. It transpired that drivers were disconnecting the speed limiter system on leaving the Company depot and reconnecting it prior to returning. Fortunately the tachograph did not lie.

On Monday 14 November 2005, I reported the offending truck to Queensland Transport who were extremely reluctant to follow up the matter. They did so, reporting the matter to the vehicle owners. It transpired that this driver had a history of "cowboy antics on the road" and this incident was sufficient for his employment to be terminated to protect the transport company's reputation and safety record, etc. "Dobbing in this driver" probably saved the transport company and the Queensland public unknown funds in accident prevention.

One of the problems with current reporting systems is that both Queensland Police and Transport require complaints to be in writing. It seems that if the complaint is in writing then the author has been genuinely sufficiently troubled by the incident to report the matter. This does nothing for stopping the speeding and hooning incidence which is taking place right at that time. In many cases it may not be practical to write a letter for some time after the event. Mobile phones make it possible to provide real time information on negligent driving activities. Telephone methods are used for reporting all types of "anti society" behaviour these days. Thus it should also be used for timely reporting of negligent driving activities.

In summary, I often see heavy vehicles travelling at 110 kph, aggressively weaving their way through traffic heading north on the Bruce Highway. Sometimes I wonder if that vehicle will make it safely to its destination. On the TV news that night there may be a report of a heavy vehicle crash further north and I wonder if it was the heavy vehicle that I had seen earlier behaving in a negligent manner. I wonder what could have been done to stop that driver earlier before the crash? Road safety is a Community Responsibility.

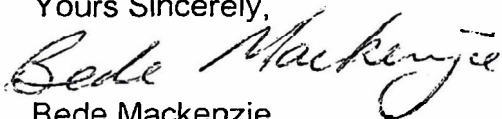
May I return to my earlier suggestion of 'dob in a negligent driver'. If responsible motorists were able to inform a Hotline about negligent driver activities, it may go some way towards improving that driver's responsibilities and attitudes to other motorists and improving overall road safety. I suggest that a minimum of five separate reports be received before the alleged offender receives a visit from Queensland Police to inspect the motor vehicle and licence and discuss the alleged negligent activities.

A province in Canada has recently introduced 'speed control vehicles' operated by responsible citizens. These vehicles are signed as such and drive at the speed limit or lower if conditions demand. This has the effect of making all motorists aware of the speed limit and ensures other motorists conform so that all move forward in a safe and timely manner. A radical idea but one designed to reduce the road toll from speed. Radical ideas are required.

How do these suggestions meet Inquiry terms of reference. I reported in writing to Queensland Police a negligent driving incident. It so happened that the owner of the motor vehicle was disqualified from driving at the time, his vehicle was not registered and he admitted to Police that no one else drove the vehicle. As the vehicle had not been stolen, it was fairly obvious that he had been driving the vehicle; Police were able to issue a stern warning to the driver. Hopefully that warning may have changed his driving attitude. Thus "dob in a driver" system may help identify disqualified drivers when they are driving during their disqualification period.

I offer these suggestions to the current Parliamentary Travel Safe Committee Inquiry into Stopping Disqualified Motorists from Driving.

Yours Sincerely,



Bede Mackenzie

Motorist

Attachments;

1. Letter to Queensland Premier of 8 April 2005.
2. Reply from Queensland Premier dated 5 May 2005
3. Reply from Minister for Police and Corrective Services dated May 2005.
4. Copy of Courier mail news report dated 27 June 2005.
5. Letter to Queensland Premier dated 6 August 2005]
6. Reply from Queensland Premier dated 29 August 2005.

Mr BR Mackenzie

8 April 2005

Mr P Beattie MP
Premier of Queensland
PO Box 15185
City East Qld 4002

Dear Mr Beattie,

THE EFFECT OF SPEEDING DRINK DRIVERS

Over the Easter Holiday period, one driver was caught five times in three hours driving at high speeds with high blood alcohol levels. See attached News story dated 28 March 2005. Whilst it subsequently transpired that this particular driver had a wish to go back to prison, he was imposing his death wish upon every other vehicle driver and occupant using the Bruce Highway at those same times.

On Tuesday 5 April 2005 on the Bruce Highway, a north bound vehicle crossed the median strip and entered the south bound lanes resulting in a high speed head on collision which left one person dead, others seriously injured and closed the south bound lanes for several hours and interrupted north bound traffic at the same time.

What did this accident on 5 April 2005 cost the Queensland Community?

Answer:

- i. One dead with several injured.
- ii. Multiple vehicles destroyed or damaged.
- iii. significant time and resources from Police, Ambulance, Fire Service and helicopter(s).
- iv. damage to highway infrastructure.
- v. thousands of motorists delayed. This would result in missed appointments, loss of business, late arrivals for employment, aircraft departures and so on.
- vi. Even more time and public health funds to treat and rehabilitate the injured in Queensland Hospitals.
- vii. The grief and suffering to victim's families.

I suggest we will never know the real cost to the Queensland Community of this high speed head on collision. It is not possible to estimate the costs of items v. and vii. above.

Mr Beattie, some of these accidents can be prevented. Why did the Queensland Government allow the driver, mentioned on 28 March 2005, to continue to drive in a reckless and dangerous manner so that he was able to continuously endanger all other law abiding motorists going about their lawful business? This driver was already disqualified from driving but that did not stop him from driving a motor vehicle.

Mr Beattie, the Queensland people had already decided that this person was not fit to hold a licence to drive a motor vehicle. Why was he allowed to continue to drive a motor vehicle after he was stopped by Queensland Police for speeding at 135 kph with a blood alcohol reading of 0.145? This person could have caused the real scenario which happened on 5 April 2005 on the same section of Highway.

Mr Beattie, this type of anti-social behaviour places severe strains on financial budgets of all those involved. This driver should not have been on the road in the first instance and following the initial stopping should not have been on the road at all.

Mr Beattie, please remove this type of behaviour from our roads immediately by taking the offender's car keys, having the vehicle impounded and if necessary imprisoning the offender. In this manner, this offender will not be able to further endanger Queensland motorists. Remember this driver has already forfeited his right to operate a motor vehicle; he has already been judged by the Queensland Community.

Mr Beattie, let the offender pay for all costs associated with removing his vehicle and dangerous actions from our roads. Nothing short of full cost recovery. Energex already seeks full cost recovery for damage to power line infrastructure caused by errant motor vehicles.

Mr Beattie, remove the word ACCIDENT from this type of incident. This driver knowingly and willingly drove in a dangerous manner with a high blood alcohol level. This driver intended to inflict death or serious injury on any other party his vehicle came into contact with. Thus, in these cases, the motor vehicle must be treated as any other weapon with driver in charge of the ignition being treated the same as offender holding the knife or pulling the trigger of a rifle. These days it is not an accident to drink and drive at high speed but murder or man slaughter. It is only an accident to any law abiding recipient who unfortunately is on the receiving end of the weapon.

Mr Beattie, it is time to remove this behaviour from Queensland roads. It is not acceptable to all other motorists. It endangers all other road users. Give Queensland Police the necessary power to remove this behaviour immediately once it is detected.

The Queensland Government has a Duty of Care to all other road users to ensure that all users comply with rules and regulations. By stopping a speeding drunk driver and then letting that driver immediately continue to operate a vehicle in a dangerous and negligent manner is a major failing in the Government's Duty of Care. The Queensland Government has allowed this driver to continue to terrorise and endanger all other road users whilst operating a vehicle and the Queensland Government appears to be part of the problem rather than the solution. The solution: when the offender is detected and apprehended, the vehicle is impounded and the driver imprisoned until the Queensland Community through the judiciary system decides what to do. The offender pays for all these costs.

Mr Beattie, it is a time for leadership on this matter. May I suggest that all members of Queensland Parliament ask their constituents what their views are on this matter, report back to you and you take some immediate, strong, positive action to remove this behaviour from our roads.

Yours Sincerely,

Bede Mackenzie
Motorist



Queensland
Government

Office of the Premier
and Minister for Trade

Please quote: MCU

5 May 2005

Mr B Mackenzie

Dear Bede

Thank you for your letter of 8 April 2005 concerning speeding drink drivers. I have been requested to reply to you on the Premier's behalf.

The contents of your letter have been noted.

Whilst the Premier appreciates you bringing your concerns to his attention, the issue you have raised falls within the responsibility of the Honourable Judy Spence MP, Minister for Police and Corrective Services. In the event that you have not already done so, I have taken the liberty of forwarding a copy of your letter to Ms Spence for her consideration and reply direct to you.

Again, thank you for bringing this matter to the Premier's attention.

Yours sincerely

Rob Whiddon
Chief of Staff

*No other is
leadership issue
The Premier heads?
doesn't he?*

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Judy Spence MP
Member for Mount Gravatt



**Queensland
Government**

Ref: 5623 F2 JS

Office of the
**Minister for Police and
Corrective Services**

Mr Bede Mackenzie

Dear Mr Mackenzie

Thank you for your letter of 8 April 2005 to the Premier regarding speeding drink drivers. A copy of your letter was sent to me (received 9 May) for direct reply.

Queensland Police are given vehicle impoundment powers, however, these sections relate only to 'prescribed offences' such as Dangerous Operation, Careless Driving, Racing and Speed Trials. In this case the offender was not charged with any such offence.

Queensland legislation allows police to suspend a person's driver licence for 24 hours after recording an alcohol level above the legal limit. In this case the offender was not the holder of a driver licence which could be suspended. There is no current Queensland legislation that empowers police to confiscate drink or drug drivers' ignition keys.

However, on 30 March 2005 I wrote to the Chair of the Parliamentary Travelsafe Committee seeking recommendations on the confiscation of car ignition keys for a period of 24 hours from persons who have tested positive to a breath analysis, and confiscation of motor vehicles from repeat drink driving offenders.

Further, an Impaired Driving Legislation Review Committee with representatives from the Queensland Police Service, Queensland Transport, Department of Justice and Attorney-General, Department of Corrective Services, Queensland Health and CARRS-Q was formed in 2004 to review the legislation associated with drink and drug driving. This Committee is currently conducting research into drink and drug driving countermeasures, including ignition key and motor vehicle confiscation.

The Queensland Government remains committed to reducing trauma associated with impaired driving on Queensland's roads and will continue to monitor the effectiveness of current legislation to provide the citizens of Queensland with the safest possible travel on our roads.

Acting Inspector Kevin Groenhuijzen of the State Traffic Support Branch is available on telephone 3238 6643 to assist with any enquiries concerning these matters.

I trust this information is of assistance.

Yours sincerely

Judy Spence MP
Minister for Police and Corrective Services

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Telephone +61 7 3239 0199
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... occurred at the intersection of
University Rd and Macarthur Drive in
Townsville.

cm 27/45

COURT Drink driver jailed

A BRISBANE man caught speeding three times and drink driving twice in three hours was last week jailed after he appeared in the Sandgate Magistrate's Court. On the March Easter long weekend, Paul James Dunnett was caught driving while disqualified at 135km/h on the Bruce Highway just north of Brisbane with a blood alcohol level of 0.145. Less than an hour later he was caught driving at 148km/h on the same stretch of road, and a short time later he was clocked travelling at 133km/h. When breathalysed he registered 0.101. He was jailed for six months for the drink-driving charges, six months for driving while disqualified and fined \$600 for speeding.

ARE THOSE FINES REASONABLE?

Mr BR Mackenzie

6 August 2005

Mr P Beattie MP
Premier of Queensland
PO Box 15185
City East Qld 4002

Dear Premier of Queensland,

DISQUALIFIED MOTORISTS CONTINUE TO DRIVE

Headlines in The Courier mail Monday 1 August 2005. Clear pictures showing banned motorists driving away from their Court appearances; copy attached in case you missed it.

Similar stories and pictures were shown on Australian current affairs programs early in the week which showed that Queensland is not alone with this problem.

I wrote to you on 8 April 2005 about the idiot drink driver who was caught five times in three hours driving at high speeds with a high blood alcohol level. Some time later this driver appeared in Court and he was sent to prison. Between his offence and imprisoning , he was left to drive on our roads and continue to endanger the motoring public, pedestrians and property owners adjoining roads. I offered you a suggested solution at that time.

Premier, what is needed is some **LEADERSHIP**.

What will it take for you to act in response to all Queenslanders being constantly endangered by these idiots?

Our Police Officers have judged their actions in accordance with the laws enacted on our behalf by our elected representatives; these offenders appear in our Courts who find them guilty of breaking those laws; and still these convicted drivers simply walk out of the Court get into their motor car and drive away.

Put simply Premier, we Queenslanders do not want these idiot drivers on our roads once they have broken the rules. That is at the time of offence the motor vehicle is taken away so that they cannot re-offend with the same instrument.

How do you do this Premier?

By showing some strong **LEADERSHIP** and directing the relevant Ministers both Police and Transport to draft the appropriate legislation for swift passage through our Parliament.

No more warnings. No more pussy footing around. Enact new laws. Build new jails instead of Hospitals because there may well be a lowering of the accident rate.

Premier, it is time to remove these drivers and their instruments of destruction and death from our roads.

Yours Sincerely,


Bede Mackenzie
Motorist



**Queensland
Government**

Please quote: MCU

Office of the Premier
and Minister for Trade

29 August 2005

Mr B Mackenzie

Dear Bede

Thank you for your further letter of 6 August 2005 concerning motorists continuing to drive whilst disqualified. I have been requested to reply to you on the Premier's behalf.

The contents of your letter have been noted.

As the matter you have raised falls within the responsibilities of the Honourable Judy Spence MP, Minister for Police and Corrective Services and the Honourable Paul Lucas MP, Minister for Transport and Main Roads, I have taken the liberty of forwarding a copy of your letter them for their information and reply direct to you.

Again, thank you for bringing your suggestion to the Premier's attention.

Yours sincerely

**Rob Whiddon
Chief of Staff**