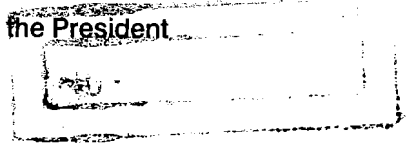


Office of the President



Your Ref:

Our Ref: RD



10 February 2006

The Chairman
Travelsafe Committee
Parliament House
George Street
BRISBANE QLD 4000

Dear Sir

INQUIRY INTO VEHICLE IMPOUNDMENT FOR DRINK DRIVERS

The QLS supports road safety and any genuine, practical initiatives that will enhance road safety.

At the outset, it is submitted that there is no need to 'tighten' the current restricted provisional (or 'work') licence regime. Under s.87 of the TORUM, 'work' licence applications can only be made by holders of open licences or holders of provisional licences over 25 years of age who have a reading of less than .14 and who have not had their driver's licence disqualified or suspended in the preceding 5 years. Eligible applicants must demonstrate to a Magistrate that they will suffer extreme financial hardship by losing their means of earning their livelihood and that they are a 'fit and proper person' having regard to their traffic history. This provides a mechanism that allows drink drivers who are essentially 'one-off' lower range offenders to keep driving to and from and in the course of work only.

It is submitted that the current 'work licence' system represents a good balance between considerations of deterrence and road safety on the one hand and the need to protect 'one-off' lower range offenders (and their families) from economic ruin.

The existing regime of appeals against demerit point and high speed suspensions could perhaps be 'narrowed' so that it (like the current 'work' licence regime) only allows a successful appellant to drive to and from and in the course of work. This would (like the work licences regime for drink driving) balance the relevant competing considerations and would also give rise to greater consistency between the scope of the different licence appeals/applications.

It is submitted that repeat drink drivers are in fact a very small percentage of offenders. Therefore, the concept of problem drinkers having their vehicles confiscated is quite problematic.

The imposition of vehicle sanctions to all offenders is unnecessary. In the Society's view it is legitimate to enact legislation to target the repeat offenders with high BAC readings. However to make any such legislation applicable to all offenders no matter what the BAC reading is unnecessary and should not occur.

Any analogy that may be attempted to be drawn between the drink drivers and 'hoon' drivers falls down on close analysis. The two types of offences are quite different. Confiscating as 'hoon' offender's vehicle has an immediate effect as ordinarily the vehicle in question is quite "unique" and capable of certain actions that an ordinary vehicle cannot perform, due to it's 'high performance' nature and modifications. By contrast, a drink driver can easily access other vehicles.

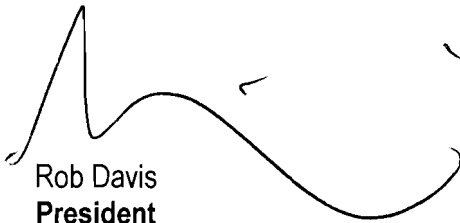
Similarly, the concept of giving police officers the power to take car keys places too much power in the hands of the individual police officers and has the potential to be used even in circumstances where drink drivers could allow a sober passenger to drive home or call a sober friend or family member to pick up their car.

It is submitted that an appropriate response to the road safety issues would be to spend more on RBT programs and police presence on the roads as it is shown to have a deterrent effect and pays for itself in the form of revenue raised from fines.

In the Society's view there are appropriate penalties in place for Magistrates to deal with recidivist drink drivers and generally the Courts do so. In the relatively few cases where the prosecution consider the penalty inappropriate the appeal provisions are able to be used.

In the Society's view the Government should be urged to promote driver education and responsible use of alcohol which should be targeted at high school students.

Yours sincerely



Rob Davis
President