



Speech by

**JULIE ATTWOOD**

**Member for MOUNT OMMANEY**

---

Hansard 15 October 2003

**TRANSPORT OPERATIONS [ROAD USE MANAGEMENT] AND ANOTHER ACT AMENDMENT BILL**

**Mrs ATTWOOD** (Mount Ommaney—ALP) (11.07 p.m.): I rise in support of the Transport Operations (Road Use Management) and Another Act Amendment Bill 2003. This bill amends the Transport Operations (Road Use Management) Act 1995 to strengthen the existing law by ensuring that appropriate sanctions are in place for offenders who drive unlicensed while they are suspended for speeding more than 40 kilometres over the speed limit. The current penalty provisions for unlicensed drivers are provided for within section 78 of the act and specifically cater for the various types of unlicensed driving.

An extensive review of the unlicensed driving provisions was conducted in 2002. Parliament endorsed reforms applying to these sanctions in November 2002. At that time we saw the introduction of provisions which allowed the court to exercise some discretion in applying disqualification periods depending on the circumstances. The provisions are now very clear as to what sanctions are to apply in each situation. For example, a court can impose a disqualification of between one and six months where disqualification by a court has not occurred. However, a six month disqualification applies for those who are caught driving while already disqualified due to demerit point offences.

In April 2003 the government introduced new penalties for speeding as part of the comprehensive review of penalties and sanctions that is being conducted. A key feature of the new penalties was the introduction of an automatic six month licence suspension for the offence of speeding more than 40 kilometres over the speed limit. This was a new concept for Queensland but one that was already adopted in many other states and one that research continues to support as the most effective form of legal sanction for repeat offenders.

The new speeding penalties more appropriately reflect the risks and dangers associated with this behaviour by linking the severity of the penalty with the degree of crash risk. This reinforces to the public the link between speeding and road crashes. Licence suspension acts effectively as a specific deterrent to road safety offences, its purpose being to encourage individuals to take more responsibility for their driving behaviour. Given the close relationship between the potential crash risks associated with drink-driving and speeding, there are clear road safety benefits to be gained from introducing licence suspension sanctions.

Despite extensive public education and enforcement campaigns, speed continues to play a prominent role in contributing to the road toll, with the statistics on speed related deaths alarmingly high. Last year alone 50 people were tragically killed, leaving families and friends grieving, their lives forever changed as a result of someone's selfish and irresponsible actions in breaking the law. These offenders have become desensitised to the message that speed kills and misconceptions have formed in their minds that it will never happen to them. They continue to speed, placing themselves and all other road users at risk. These people are a hazard on our roads and the penalty needs to be harsh enough to provoke attitudinal and behavioural changes if the government is going to be successful in deterring these drivers from repeatedly breaking the law.

The introduction of a new type of speeding suspension created a new breed of unlicensed drivers not previously catered for within section 78. The amendments within this bill incorporate the penalty that is to apply to offenders who are caught driving while suspended for the offence of speeding. Through the introduction of a six-month period of disqualification, offenders will face a

harsher, more definitive period of expulsion from our roads that is consistent with the disqualification periods we impose for other types of unlicensed driving.

Up until now if a person was caught driving while suspended for speeding more than 40 kilometres over the speed limit the court had the power to impose only a monetary penalty and no subsequent disqualification period, thus creating a deficiency where offenders would receive a lesser penalty for committing a further driving offence while suspended. These people are considered unlicensed and need to be incorporated into the existing classifications of unlicensed drivers so that they will be penalised appropriately and consistently. Offenders who continue to drive while suspended are showing a blatant disrespect for the law. This bill reinforces the clear message that the government is getting tougher on illegal driving behaviour by imposing tougher penalties and follows suit with the new penalties for speeding offences, which are essentially the motivation of this amendment. I am confident that, by introducing a penalty that is sufficiently harsh enough to remove these offenders from the road for extended periods, the bill will send a clear and consistent message to the community and raise the level of deterrence to offenders who insist on performing these driving behaviours.

There has been a lot of community support for the new speeding penalties with attitudinal research consistently reflecting that the majority of the public strongly supports harsher penalties for these offences. With this in mind, I am confident that this bill will continue to raise community support for harsher penalties now and into the future. Bigger fines, more demerit points and loss of licence is what the public can expect as punishment to those who insist on driving irresponsibly and at the expense of another person's safety. I am very pleased to see a tougher approach being taken against these offences, and I praise the government for introducing legislation in an effort to make our roads safer. I congratulate the minister and commend the bill to the House.