



Speech by

Annastacia Palaszczuk

MEMBER FOR INALA

Hansard Tuesday, 20 February 2007

TRANSPORT LEGISLATION AND ANOTHER ACT AMENDMENT BILL

Ms PALASZCZUK (Inala—ALP) (7.33 pm): I rise to support the Transport Legislation and Another Act Amendment Bill 2006. Specifically, I speak in support of the initiatives related to the introduction of the random drug-testing scheme in Queensland. In December 2004, the Victorian government introduced a saliva based random drug-testing scheme. I will point out to the House some statistics that are very important in showing that the drug-testing scheme does work.

Victorian police figures to 12 December 2006 indicate that, of 24,000-plus tests carried out, approximately one positive tested car driver has been found for every 46 tests conducted and one positive tested heavy-vehicle driver has been found for every 67 tests conducted. This provides an overall ratio of one positive driver for every 51 tests conducted. The tests clearly indicate that random drug testing is working in Victoria.

As the Minister for Transport and Main Roads advised the House late last year, research into the incidence of drug driving in Queensland has been undertaken by the Centre for Accident Research and Road Safety-Queensland. In addition, this afternoon the member for Gregory talked about the success of a trial that was carried out in Townsville. I will not go over the statistics from that trial, other than to say that the test results showed one positive result for every 28 drivers tested. Of the 27 positive tests returned, 13 drivers were detected with the presence of cannabis, 11 with amphetamines and three with both cannabis and amphetamines. Eighteen per cent of drivers participating in the study reported that at least once in the previous 12 months they had driven a motor vehicle within four hours of consuming an illicit substance. Finally, 15 per cent of Townsville drivers who were approached refused to take part in the voluntary study.

Recently CARRS-Queensland repeated the study in south-east Queensland and the results indicate a similar level of drug driving to that in north Queensland. In particular, the initial batch of samples analysed showed that approximately one in 23 drivers have tested positive to an illicit drug.

The results of these studies underscore the need for the new enforcement tool of roadside saliva screening to deter driving under the influence of illicit drugs. Currently, there are some provisions under the Transport Operations (Road Use Management) Act 1995 to deal with people driving while under the influence of a drug. However, currently there is no ability to undertake a relatively quick and non-invasive screening test for drugs based on the provision of a saliva specimen.

The bill amends the Transport Operations (Road Use Management) Act 1995 to allow for a random drug-testing scheme based on the collection and analysis of a specimen of saliva. The bill also amends the Police Powers and Responsibilities Act 2000 to provide police with the power to stop a vehicle and administer the saliva test. In most cases, drivers will be screened initially at the roadside. The initial screening test will take between three and five minutes to achieve a result. In the event of a positive test result indicating the presence of a relevant drug, a second screening test will be undertaken. The second test will take approximately five minutes to administer. If the driver is unable to supply a saliva sample for the second test, a specimen of blood may then be required. There may be some variation in the time required to undertake the two saliva tests, depending on the time it takes the person to provide a sufficient amount of saliva for the test.

The test will only detect the active ingredients of the drugs. It will not detect drugs that may have been taken days or weeks earlier. Any positive test will be confirmed by laboratory analysis. Drivers will only be charged on the basis of a laboratory analysis that confirms the existence of an active drug.

The bill provides that it will be an offence to drive with a presence in the blood or saliva of any drug prescribed by a regulation. Initially, it is proposed that there will be tests for THC, methylamphetamine or speed, and MDMA or ecstasy. Those drugs have been identified as being a major contributing factor in serious and fatal vehicle crashes. Further, there is no pharmacological use for those drugs. Finally, existing technology can readily and consistently detect the presence of those drugs in the saliva of a person. The introduction of the random drug-testing program will provide another effective tool for police to use in the detection of those people who are driving on Queensland roads with illicit drugs in their bodies, putting the safety of others at risk.

The amendments proposed by the bill are focused on those drivers whose reckless behaviour has the prospect to harm so many in our community. Random drug testing has already been used in Victoria, has recently been introduced into New South Wales and is also operating in South Australia. It is a tragedy that so many lives are lost on our roads. I believe that the community will support any measures that will help reduce the number of fatalities.

I was also pleased to hear earlier the member for Gregory saying that he supports this initiative. The addition of random drug testing is clearly an initiative of this government to help save lives. I commend the minister for bringing this forward. I therefore commend the bill to the House.