

Question on Notice

No. 509

Asked on 19 April 2006

MR CALTABIANO asked the Minister for Transport and Main Roads (MR LUCAS)—

QUESTION:

For each of the years from 1998 to 2005 (a) How many drivers lost more than 12 points in a calendar year on their license and (b) how many drivers licenses have been cancelled per calendar year?

ANSWER:

PART A:

The Honourable member has asked specifically about the accumulation of “more than 12 points in a calendar year” however, the legislation requires that an open driver licence holder must not accumulate 12 or more demerit points over a 3 year period.

However, in response to part A of the question posed by the Honourable Member as to “how many drivers lost more than 12 points in a calendar year on their licence” I am advised the following:

Year	No. of Drivers
1998	1029
1999	1003
2000	1398
2001	1685
2002	1582

NB: Significant increases from 2003 can be attributed to the introduction of new demerit point allocations for certain offences.

Year	No. of Drivers
2003	2804

See note 1.

1. In April 2003, new penalties and sanctions were introduced for high speed offences, namely driving more than 40km/h over the speed limit. From April 2003, this offence carried a penalty of 8 demerit points, whereas previously drivers incurred 4 points for being over 40km/h and 6 points for being over 45km/h.

Year	No. of Drivers
2004	3520
2005	3404

See note 2.

2. In November 2004, double demerit points for repeat seatbelt and motorbike helmet offences were introduced. This means if a person commits a second or subsequent seatbelt or motorbike helmet offence within a 12 month period, the

driver now incurs 6 demerit points instead of the normal penalty of 3 demerit points.

It is important to note that the increase in the number of drivers reflected in the above data is due to a number of factors – for example, the Beattie Government has significantly increased police enforcement activities and higher demerit points for some offences.

The Beattie Government makes no apology for having a tough stance against people who break the law on Queensland roads.

PART B:

In response to part B of the Honourable Members question, I am advised that –

It is important to note that these figures incorporate all licence types, not just open driver licences as referenced in the response to Part A of the Honourable members question. Therefore, these figures in response to Part B of the question incorporate learner, provisional and open driver licence cancellations. Yearly figures are as follows:

Year	Cancelled Driver Licences
1998	29402
1999	30542
2000	31942
2001	31095

Prior to 2001 “cancelled” also included licences that were cancelled as a result of the accumulation of the relevant demerit points, namely where a driver elected to be issued with a special provisional licence for a 12 month period, instead of a serving a period of licence suspension following the accumulation of the requisite number of demerit points in the appropriate period. In this situation, the original licence was “cancelled” to allow this Special 2 point Provisional Licence to be issued.

Year	Cancelled Driver Licences
2002	20590
2003	22991
2004	23889
2005	26808

This significant change in figures is due to the adoption of the National Drivers Licence Scheme in Queensland in November 2001, where driver licence cancellations were replaced with licence suspensions.

Under this new scheme, drivers still have the option of electing to be issued with a 2 point driver licence for a period of 12 months, now referred to as a period of good driving behaviour, instead of serving a period of licence suspension following the accumulation of an excessive number of demerit points during a specific period. However, from a technical perspective, this involves a modification to the existing licence, rather than a “cancellation” as was the case with the previous system. There is no difference in the application of the law before or after 2001 – except they are not recorded as “cancellations”.

Therefore, prior to these changes in November 2001, the cancellation figures were higher due to the differences just outlined between cancellations and suspensions.

In both instances, if a person accumulated 2 or more demerit points while on a special provisional licence or a period of good driving behaviour, the person was required to serve a period of suspension. However, a right of appeal against the cancellation or suspension existed in certain circumstances. A review of this appeal mechanism has recently been undertaken to ensure that suspensions serve as an effective deterrent to illegal driving behaviour by repeat offenders. A head of power has been inserted within the *Transport Operations (Road Use Management) Act 1995*. Regulatory amendments are required to fully implement this proposal, which I expect to be progressed later this year. These new provisions will provide that a court may only make an order, on the basis of special hardship, for persons whose licences have been suspended. These provisions will introduce some consistency with drink driving restricted work licences, such as hours of driving, limits on purpose of driving etc, and impose strict criteria in relation to a person's eligibility to appeal against the suspension.

Cancelled driver licences represent a small percentage of the total Queensland driver licences on issue. For example, cancellations in 2005 equate to only 1% of all driver licences.

The Member for Chatsworth should note that driver licences are cancelled for a variety of reasons. As noted above, part (b) of his question bears no relationship to part (a) of his question.