

**Question on Notice
No. 857
Asked on 6 June 2007**

MR FOLEY asked the Minister for Police and Corrective Services (MS SPENCE)—

QUESTION:

With reference to wrecked vehicles left on the roadside for lengthy periods which can be a hazard to passing traffic and pedestrians as people looking at crashed cars whilst driving are often distracted and wonder whether they need to stop and render assistance—

What can her department do to have wrecked vehicles promptly removed from the roadside?

ANSWER:

The Queensland Police Service advise me pursuant to the provisions of sections 124 and 125 of the *Police Powers and Responsibilities Act 2000*, police officers may remove vehicles from roads and other places in the following prescribed circumstances:

- (a) the person in control of a vehicle has been arrested;
- (b) a police officer reasonably suspects the person who was last in control of a vehicle has abandoned it;
- (c) a police officer—
 - (i) reasonably suspects a vehicle has been involved in a relevant vehicle incident, i.e. a crash; and
 - (ii) reasonably believes it is necessary to keep the vehicle for completing inquiries and investigations into the incident;
- (d) a police officer reasonably suspects a vehicle has been left on a road unattended, temporarily or otherwise, and because of the time for which it has been left unattended, the way it has been left unattended, or the place, condition, or circumstances in which it has been left unattended, its presence on the road—
 - (i) may be dangerous to others; or
 - (ii) may prevent or hinder the lawful use by others of the road or a part of the road;
- (e) a police officer reasonably suspects a vehicle has been left in circumstances that are an offence against any of the following Acts and the person in control of the vehicle can not be easily located or fails to comply with a direction of the police officer to move the vehicle immediately—
 - the Road Use Management Act
 - the *Brisbane Forest Park Act 1977*
 - the *Recreation Areas Management Act 1988*
 - the *Nature Conservation Act 1992*.

It is standard police practice for all vehicles involved in a crash to be removed from the site to prevent looting and reduce the possibility of the vehicle causing further crashes. A

vehicle would only be left at a crash site if requested by the owner, or the damage was minor or the vehicle was still roadworthy.

This only occurs in cases where the location of the vehicle would not be a source of danger to other road users. Vehicles would not be left if they caused a distraction to motorists.

Vehicles involved in major crashes are usually seized and removed for mechanical inspection to determine whether a vehicle defect may have contributed to the crash.

Most vehicles seen unattended at the roadside have not been involved in a crash but have been abandoned. Removal of these vehicles is not a responsibility of the police. Rather, it is a responsibility of the Department of Main Roads in the case of State-controlled roads, or the relevant local government in the case of local government roads.