



## Transport Administration Amendment (Community Road Safety Fund) Bill 2012

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Extract from NSW Legislative Council Hansard and Papers Tuesday 18 September 2012.

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#### Second Reading

**The Hon. DUNCAN GAY** (Minister for Roads and Ports) [2.57 p.m.]: I move:

That this bill be now read a second time.

The main purpose of the Transport Administration Amendment (Community Road Safety Fund) Bill 2012 is to establish a dedicated fund—the Community Road Safety Fund—that will receive fine revenue from camera-recorded speeding and traffic light offences. The bill provides that the fund will be used to meet the cost of the Government in delivering road safety initiatives in New South Wales. In November 2011 a petition signed by 13,500 NRMA Motoring Services members in support of the hypothecation of fine revenue from driving offences to fund road safety was tabled in this Parliament. The Government has listened to the NRMA members and the wider community. Following the introduction of the bill by the Minister for Transport in the other place the NRMA raised concerns with a provision in the bill that it had not originally aired. We have made a minor amendment to the proposed bill to provide the community with certainty that all revenue generated by camera-detected offences will be directed only to road safety.

I hear quiet mutterings by the Opposition spokesman. No wonder Opposition members are quiet; this is something they had a chance to do for 16 years and they did not do anything. Today I have the privilege of introducing this bill knowing that it reflects broad community sentiment and will be another measure to strengthen the integrity of speed camera programs in New South Wales. Responsibility for the strategic direction and funding of the road safety program in New South Wales rests with the Centre for Road Safety within Transport for NSW.

Road safety programs are delivered by the Centre for Road Safety in partnership with operating agencies such as Roads and Maritime Services and other partners, including the NSW Police Force, the Department of Education and Communities, and local government. For this reason, the bill provides that the Community Road Safety Fund will be administered by Transport for NSW. These financial provisions are being introduced as an initiative of the NSW Speed Camera Strategy announced on 1 June 2012, which came about following feedback from the New South Wales community.

It is important to understand the context and reason for this new funding arrangement. The cost of road trauma in New South Wales is high. Each year approximately 400 people are killed and more than 26,000 are injured on our roads. While much has been done to reduce the road toll since the 1970s, ongoing commitment and funding is vital to reducing the cost of road trauma to the community. The New South Wales Government is currently finalising the development of a comprehensive NSW Road Safety Strategy, which will highlight our road safety priorities for the next 10 years. This strategy has been developed in consultation with community groups and stakeholders to ensure that it reflects best-practice road safety and community priorities. As the single biggest contributing factor to the road toll, speeding is a key area for action.

On average, about 40 per cent of deaths—or about 170—on our roads each year can be attributed to speed. Speed-related crashes also cost the community about \$41.7 billion annually, and addressing this challenge will include, alongside other measures, implementation of the overarching NSW Speed Camera Strategy. The strategy was developed following the Auditor-General's review of speed cameras, which found that the right speed camera in the right location can save lives. The strategy outlines how speed and red-light speed traffic cameras are to be used in New South Wales to supplement traditional enforcement conducted by the NSW Police Force to reduce speeding and improve safety on our roads.

Camera programs are delivered in a partnership between Transport for NSW and Roads and Maritime Services. There is also close collaboration with the NSW Police Force to ensure that cameras are used strategically in locations where there is a known road safety issue. This targeted enforcement is part of the broader strategy to

improve road safety, and is delivered alongside other measures in the road safety program, including engineering works, public education campaigns, education programs and enhanced police enforcement. Together, these road safety initiatives are critical to achieving the State Plan commitment to reduce deaths on our roads by 2021.

The Auditor-General's review of speed cameras, which was completed in July last year, also made a number of recommendations to strengthen transparency and improve public confidence in the road safety benefits of camera programs. The New South Wales Government accepted all the audit recommendations and the NSW Speed Camera Strategy outlines the range of measures introduced in New South Wales to ensure that camera programs deliver road safety benefits and meet community expectations. The goal of our camera programs is very simple: slow drivers down to reduce the likelihood and severity of crashes. For that reason we have implemented enhanced warning signage on approach to our red-light speed cameras and changed the name of these cameras to reflect the fact that they enforce both red-light running and speeding.

We have also enhanced the warning signage on the approach to mobile speed camera sites to ensure that drivers are aware of enforcement. This is about achieving a balance between fairness and ensuring that drivers who do the wrong thing are called to account. While the mobile speed camera program is being expanded to 7,000 enforcement hours per month, this is more than 40 per cent less than the Labor Government's proposed program of 12,200 enforcement hours per month. We also want the community to be confident that we are enforcing in the right place. We are determined not only to say that cameras are effective at improving road safety but also to provide the evidence.

Transport for NSW recently published the first annual speed camera review, which evaluated all speed cameras in New South Wales to ensure that they were actually delivering the promised road safety benefit. All this information has been made available online. The review highlighted how effective our fixed speed camera program has been, delivering an 87 per cent reduction in fatalities, a 38 per cent reduction in crashes and a 37 per cent reduction in injuries in the past five years. This is a saving of 53 lives. The bill is the next step in delivering on the Auditor-General's recommendations and increasing the transparency of speed camera enforcement in New South Wales. This bill will ensure that revenue from speed cameras is assigned directly to the vital road safety program in New South Wales that is overseen by the Centre for Road Safety in close consultation with key stakeholders and the community.

Motorists who are detected speeding or running red lights face both a fine and demerit points on their licence. This provides strong deterrence to drivers who would otherwise jeopardise the safety of our roads. To date, revenue collected from automated speed and traffic light enforcement has been paid into the Consolidated Fund. These funds have been directed to the delivery of all government programs, including, but not limited to, road safety. We know that there is broad community support for penalising drivers who do the wrong thing. However, the community also wants an assurance that revenue generated in the name of road safety is being used in a targeted way to improve our roads, educate road users and reduce the road toll.

Hypothecation of fine revenue is common practice in most Australian jurisdictions, including Queensland, Western Australia, Victoria and South Australia. It has also been used in a different context in New South Wales. The Marine Rescue contribution from boaters in New South Wales is used in its entirety to fund Marine Rescue NSW, a volunteer-based organisation whose aim is to improve safety on the State's waterways. As noted, this bill will establish a special fund to be administered by Transport for NSW and is dedicated to meeting the costs of delivering road safety in New South Wales. The bill defines the type of fine revenue to be paid into the fund with reference to the Road Transport (Safety and Traffic Management) Act 1999. This is the key piece of legislation that defines and provides authority to conduct camera-based speed and traffic light enforcement in New South Wales.

All revenue generated from speeding offences detected by an approved speed-measuring device and recorded by an approved camera recording device, and traffic light offences detected by an approved camera detection device, will be paid into the fund. This includes offences detected by fixed, including school zone, mobile and red light speed cameras. The provisions specifically allow for revenue from heavy vehicle speeding offences detected by an approved average speed detection device, as used in the point-to-point speed enforcement, also to be paid into the fund. This means that all revenue generated by the four types of cameras used in New South Wales will be directed into the fund. It includes fines paid by individuals and also the higher penalty amounts paid by companies that refuse to nominate the driver responsible for a camera-detected driving offence.

The effect is simple: Drivers who ignore the law and put other road users at risk will be paying for road safety in New South Wales. The bill also includes a regulation-making power to allow for revenue from other speeding and red-light offences to be paid into the fund. Any regulation of that kind requires the concurrence of Treasury and is a measure to ensure efficiency and to futureproof the fund in the event of changes to speed or traffic light enforcement practices or adoption of new technologies. This is consistent with the intent of the bill and will enable a more flexible and timely process for minor changes. At this time revenue from speeding, red-light and other traffic offences that are detected by the NSW Police Force while on patrol will not be directed into the fund. As noted, the fund will be used to meet the cost of the Government delivering road safety initiatives.

The bill includes a broad definition of the road safety functions of Transport for NSW. The definition reflects the diverse work delivered by the Centre for Road Safety and its implementation partners. The key functions include developing programs, projects, strategies and campaigns to promote or improve road safety, and providing advice and assistance to public and local authorities to improve road safety by conducting road safety research and testing. In 2011-12 the cost to the State Government of delivering these road safety functions was \$231 million. The figure excludes additional funds provided by the Federal Government to deliver road safety improvements under the Federal Black Spot Program. This represents a record investment by the State Government in road safety in New South Wales and, frankly, it is money well spent.

The intent of establishing the Community Road Safety Fund is to maintain State road safety funding at the level of at least \$231 million, indexed for consumer price index increases. Revenue will drop as people are influenced by road safety initiatives and cameras. The Government will then top up that revenue out of consolidated revenue so it never falls below the \$231 million indexed for consumer price index increases. That is a bonus that the Government will probably never reach. Each and every year the broad range of initiatives delivered within the road safety program are prioritised by Transport for NSW based on evidence-based analysis of issues and risks that lead to crashes in New South Wales. The initiatives combine engineering solutions with proven enforcement and education programs. Community and stakeholder input is sought on an ongoing basis through the Road Safety Advisory Council's consultation for development of road safety strategies.

Ensuring kids are safe near and on the road is always raised as a priority for the community and the Government shares that concern. Initiatives in the road safety budget to ensure the safety of children include the Government's \$17 million commitment to install flashing lights in school zones over the next four years. The commitment includes the original funding of \$13 million plus a further \$4 million to install flashing lights in country and regional school zones. That is in addition to the ongoing funding for school crossing supervisors and other safety initiatives around schools. These measures are combined with school education programs delivered in partnership with the Department of Education and Communities.

Road safety messages also reach local communities through the Centre for Road Safety partnership and funding support for council road safety officers. The local government program operates in regional and remote areas as well as towns and cities. This enables us to address different road safety concerns at a grassroots level. All these initiatives contribute to keeping children and local communities safe and will be funded by the Community Road Safety Fund. As the Government has consistently maintained, speed cameras are in place to supplement and not replace hands-on police enforcement. In a practical way this fund will strengthen and ensure increased police presence on our roads. The road safety budget includes an allocation to fund additional high-visibility enforcement by the NSW Police Force such as random breath testing and roadside drug testing operations. This cost will be met by the fund ensuring an even greater police presence on our roads during high-risk periods.

The budget also includes ongoing delivery of the targeted road safety engineering projects that have been established under the road toll response package. The program of works was developed to address the spike in the road death toll in 2009. It has provided ongoing funding for high-priority engineering and review work delivered by Roads and Maritime Services and local government. Works include the installation of roadside safety barriers, route safety reviews of State highways, the installation of pedestrian fencing, targeted motorcycle safety works and the development of pedestrian and motorcycle safety strategies. Under the proposed arrangement money to deliver this and other road safety engineering works will continue to be provided by the fund.

The Centre for Road Safety also funds the newly established central business district motorcycle squad to address congestion and road safety issues in the central business district. This will also be resourced through the fund. Last but not least, Transport for NSW develops targeted public education campaigns to raise awareness of unsafe driving behaviours, including speeding, drink driving, fatigue and not using seatbelts, and these campaigns are high profile and effective. Most recently, Transport for NSW launched the Plan B campaign targeting drink driving. This campaign was launched with the full support of the NSW Police Force and is yet another example of the type of initiative that the fund will support. The road safety program is a priority of the Government and it is delivering real benefits for the community.

The introduction of this fund will enable State funding of the road safety program to be maintained into the future at the record high 2011-12 level of \$231 million and, as I said earlier, indexed for consumer price index increases. The bill also provides funds other than fines revenue to be directed into the Community Road Safety Fund to ensure that the road safety budget is maintained at current levels. Speed camera programs are expected to generate less money than the current road safety budget. It is important to note that projected revenue is based on current speeding behaviour. Speed and red light cameras in New South Wales are designed—and have been proven—to change driver behaviour through increased compliance with road rules. As outlined in the NSW Speed Camera Strategy the mobile speed and red light camera programs will expand over the next two years.

In the short term, greater enforcement will result in a higher number of infringements and in higher revenue. Over time, however, we will see the number of infringements issued at camera locations and associated revenue

decrease. The recent annual review of speed cameras clearly shows this downward trend at most fixed speed camera locations. That is consistent with international research and infringement trends in other jurisdictions. The Government is not fussed about this because it is a good outcome for road safety. If the Government is getting less money it means fewer people are speeding. The Government neither expects nor desires the initial increase in revenue to be ongoing. For this reason the bill enables additional funds to be directed from Transport for NSW funds to the Community Road Safety Fund. That will ensure that there will be enough in the fund to maintain State Government road safety expenditure at least at current levels.

Consistent with the financial duties of Transport for NSW, under the Transport Administration Act a full account of income and expenditure of the Community Road Safety Fund will be produced each financial year. The financial report will be publicly available through the annual report of Transport for NSW and will provide the community with a transparent account of how much revenue is generated by camera enforcement and how it is being spent. It will be in addition to the up-to-date infringement rates and revenue information for each and every camera site that is already made available on the State Debt Recovery Office website. The Centre for Road Safety will continue to report annually on speed camera performance. The measures I have proposed today will provide a direct funding source for road safety initiatives in New South Wales. They send a clear message that road safety is a high priority for this Government.

The public will receive a transparent account of how funds generated from cameras are being used and can have confidence in the road safety goals of New South Wales speed camera programs. If drivers are concerned about having to pay fines, they just need to slow down and observe the road rules. If they do, this will be a win for the community because fewer lives will be lost on our roads. The changes to these cameras, with the additional signage, larger size, clear markings and the fact that at least one of the signs must be outside the camera's range, means that anyone speeding would have to be either dopey or determined to be caught. I trust that all sensible members of this House will lend their support to this bill, and I commend it to the House.