

First print



New South Wales

Traffic Amendment (Tyre Deflation—Police Pursuits) Bill 1998

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to facilitate the use by police officers of devices to cause the deflation of the tyres of a vehicle being pursued by police.

The Bill inserts a new section in the *Traffic Act 1909* that provides for the Commissioner of Police to authorise the use by police of tyre deflation devices in police pursuits and provides an exception for police officers from any provision that would otherwise prevent their use on or near a road or road related area. Examples of those provisions are section 630 of the *Local Government Act 1993* (concerning the placing of dangerous articles in a public place), regulation 7 of the *General Traffic (Pedestrian) Regulations 1937* (concerning obstruction and nuisance) and clause 11 of the *Roads (General) Regulation 1994* (concerning placing things on roads).

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on a day to be appointed by proclamation.

Clause 3 is a formal provision giving effect to Schedule 1.

Schedule 1 contains the amendment to the *Traffic Act 1909* outlined above.

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New South Wales

Traffic Amendment (Tyre Deflation— Police Pursuits) Bill 1998

No. , 1998

A Bill for

An Act to amend the *Traffic Act 1909* to provide for the use by police officers of tyre deflation devices in connection with the pursuit of vehicles by police.

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Traffic Amendment (Tyre Deflation—Police Pursuits) Act 1998*.

2 Commencement

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This Act commences on a day to be appointed by proclamation.

3 Amendment of Traffic Act 1909 No 5

The *Traffic Act 1909* is amended as set out in Schedule 1.

Schedule 1 Amendment

(Section 3)

Section 24

Insert after section 23:

- | | |
|---|----|
| 24 Use of tyre deflation devices in police pursuits | 5 |
| (1) The Commissioner of Police may authorise the use by police officers of a device (a <i>tyre deflation device</i>) that causes the deflation of the tyres of a vehicle, for use by police to stop or assist in the stopping of a vehicle in connection with the pursuit of the vehicle by police. | 10 |
| (2) Provision made by or under an Act that would operate to prohibit or restrict the placement or deployment on or near a road or road related area of a tyre deflation device does not apply to the placing or deploying of a tyre deflation device by a police officer acting in the exercise of his or her duties. | 15 |