

Agreement in Principle

Mr DAVID BORGER (Granville—Minister for Roads, and Minister for Western Sydney) [7.58 p.m.]: I move:

That this bill be now agreed to in principle.

The object of the Road Transport (Driver Licensing) Amendment Bill 2010 is to amend the Road Transport (Driver Licensing) Act 1998 to increase the number of demerit points required to be accumulated before unrestricted licence holders are subject to licence suspensions and other sanctions. This amendment seeks to increase the current number of demerit points that can be accumulated by unrestricted licence holders from 12 to 13 and increase the number of demerit points that can be accumulated by professional drivers from 12 to 14 on the basis of additional time spent on the roads. This amendment will not apply to learner or provisional licence holders.

The three-year period in which demerit point penalties are kept on a licence will remain, as will the operation of the 12-month good behaviour period. It is important that these new reforms do not extend to young people setting out on their driving careers. They face particular challenges because of their age and experience on the road network. Good reforms introduced recently with respect to provisional drivers have helped to keep down the road toll and maintain a safe environment for young people in particular.

Therefore, the increase in the number of demerit points will not extend to those categories of licence holders in New South Wales. This amendment defines a "professional" driver as a person whose primary work involves personally driving a motor vehicle on roads in or outside of the State—that is, if they are a licence holder of this State. Evidentiary provisions, set out in accompanying regulations, will stipulate that the Roads and Traffic Authority [RTA] can determine whether the person is a professional driver. This will enable the RTA to request a person to submit information about the person's work so the RTA can determine whether the person is a professional driver. A person who does not provide the requested information may be treated as if they were not a professional driver for demerit points purposes. It is important that in drafting provisions down the track—provided this legislation is supported in both Houses—we look at making those provisions tight so they are not abused.

These amendments are in recognition of the evolving nature of enforcement methods and the fact that New South Wales has the strongest safety regime and Demerit Points Scheme in the nation. As the NRMA has stated, if we keep coming up with new ways to catch drivers without giving something back to motorists, the public's confidence in the demerit system may wane. We are very proud of our record on safety in New South Wales. New South Wales has a strong history of innovation in the provision of technology that can keep our roads safe and drive down the New South Wales road toll. The Demerit Points Scheme is a national initiative, introduced in New South Wales in 1969, that operates in all States and the Australian Capital Territory. As an aside, I was born in 1969. The system has been in place for a long time. I note that the Premier mentioned that she was born in 1969 as well. The scheme allocates penalty points, or demerits, for a range of driving offences. The national scheme provides a reference point for Australian jurisdictions but it is not a straightjacket.

The Demerit Points Scheme has been amended on several occasions to address particular matters of public interest. However, it has been some years since key aspects of the scheme's overall operation were comprehensively reviewed or amended. It is important to note that the number of demerit-based offences has progressively grown over the years to a current level of approximately 600 demerit offences, which is substantially more than other jurisdictions. I am advised that, by comparison, the number of demerit-based offences in Queensland is approximately 347, in South Australia approximately 263, and in Victoria approximately 184. In the last decade obviously licence suspensions have increased. In some cases, licence suspensions are for very good reasons. But we need to ensure fairness in the system, fairness for drivers, and fairness for professional drivers.

About 25,000 licence holders are currently on good behaviour periods. These figures indicate that there is a strong public policy case that warrants consideration of an increase in demerit points for appropriately licensed drivers. A recent NRMA survey has found strong support for increasing the threshold number of demerit points at which suspension occurs from 12 to 13. But we know that drivers support this reform to ensure fairness. The proposal to increase the demerit point threshold for professional drivers from 12 to 14 has been enthusiastically welcomed by the Transport Workers Union and the NRMA, which suggested consideration of this reform in its October submission to the Government. Recently I attended a meeting of the Taxi Drivers Association, which meets at the Granville Kewpies Soccer Club, in Colquhoun Park in Granville. I was invited to address the 30 or 40 taxidrivers in attendance at the meeting. The taxidrivers told me before this reform was publicly announced that they felt it was a very fair initiative, and that they looked forward to supporting it as enthusiastically as they possibly could.

This amendment is in recognition of the increased exposure to enforcement that professional drivers incur as a

result of their greater use of the road network and the consequences of licence suspension on their employment and family life. The Transport Workers Union yesterday issued a media release in which it commended the New South Wales Government, saying, "We have been fighting for extra points for heavy vehicle drivers for 30 years, so today is a landmark victory for our members across the State." Whilst we support professional drivers in the supporting regulations, we will be sure to limit the classification of professional driver to ensure that eligibility criteria is tight and that only genuine people whose primary occupation is driving will qualify for this additional demerit point.

The New South Wales Government acknowledges the importance for a large number of people in the community of holding a licence. Motorists rely on the ability to drive for employment and education purposes, to access health and medical services and specialists, and to fulfil family and carer obligations. These amendments are about fairness for motorists without sacrificing safety. They are timely and proportionate responses that take into account the growth in the number of demerit points, no longer just for safety offences, and the growth of speed and safety cameras, as well as the State's extensive highway patrol presence. Most drivers are decent, law-abiding citizens, and to expect all motorists to go through their driving lives without ever making a mistake is unrealistic. I commend this legislation to the House.