

[STATE ARMS]

New South Wales

Traffic Amendment (Speeding Anti-evasion Measures) Bill 1998

Explanatory note

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

Overview of Bill

At present under the *Traffic Act 1909*, the sale, purchase and use of radar detectors and radar jammers is prohibited. These devices are designed to detect, or interfere with, the approved radar based devices used by the police to measure the speed of vehicles.

The object of this Bill is to widen the prohibition, with the result that it will be an offence to sell, purchase or use any device or substance that is designed to detect, interfere with, or reduce the effectiveness of, any approved speed measuring device used by the police.

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 or days to be appointed by proclamation.

Clause 3 is a formal provision giving effect to the amendments to the *Traffic Act 1909* set out in Schedule 1.

Schedule 1 [1] inserts a definition of *prohibited speed measuring evasion article*. The term covers any device or substance (eg paint), that is designed to be fitted or applied to, or carried in, a vehicle for

the purpose of detecting, interfering with, or reducing the effectiveness of, the devices used by the police to measure the speed of a vehicle (these measuring devices may be radar based, or non-radar based). The new definition will include radar detectors and radar jammers which are currently defined in the Act.

Schedule 1 [2] and [3] amend provisions currently prohibiting the sale, purchase and use of radar detectors and radar jammers in order to extend the offences to cover the sale, purchase and use of any prohibited speed measuring evasion article.

Schedule 1 [4] – [6] are consequential amendments.

Schedule 1 [7] recasts existing provisions relating to the surrender and forfeit of radar detectors and jammers so that they apply to prohibited speed measuring evasion articles.

Schedule 1 [8] – [10] are consequential amendments.