



Transport (Safety and Traffic Management) Amendment (Alcohol) Bill 2007

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Extract from NSW Legislative Assembly Hansard and Papers Thursday 28 June 2007.

Agreement in Principle

Mr GEOFF PROVEST (Tweed) [10.20 a.m.]: I move:

That this bill be now agreed to in principle.

The object of the Transport (Safety and Traffic Management) Amendment (Alcohol) Bill 2007 is to amend road safety legislation that specifies a zero blood alcohol level for interstate P-plate drivers on New South Wales roads. This issue came to my attention when I was campaigning in the Tweed during the recent State election. Members of the local police force raised the issue through the New South Wales Police Association. I raise it in this House because it is causing these police officers a great deal of angst and confusion. It should be noted that this problem is not confined just to the New South Wales-Queensland State border. It is also being experienced on the New South Wales-Victoria State border. In a recent case in Albury a Victorian P-plate driver escaped a charge for drink driving on New South Wales roads through a loophole in the current New South Wales road safety legislation.

In 2004 the New South Wales Government introduced the Road Transport (Safety and Traffic Management) Amendment (Alcohol) Bill, which provided that all New South Wales P-plate drivers must adhere to a zero blood alcohol level. However, the legislation contained no specific blood alcohol level provisions for interstate P-plate drivers, therefore providing a loophole that allows interstate P-plate drivers to drive with a legal blood alcohol limit of up to 0.05. This is extremely dangerous and poses a threat to the users of New South Wales roads. I raised the loophole in the legislation in late 2006. In a response from the New South Wales Minister for Roads, the Hon. Eric Roozendaal, in December 2006, he indicated that he would move to rectify the problem, saying he had taken the issue to Cabinet and gained approval to introduce legislation in the first session of Parliament.

To date the legislation has not been introduced. In fact, the member for Ballina, Don Page, raised this issue with the Hon. Michael Costa in 2005, but no action was taken to amend the legislation. The New South Wales Government should have introduced this legislation immediately. While this loophole remains open, it allows P-plate drivers to get behind the wheel with alcohol in their system, and the lives of motorists on New South Wales roads, particularly in the Tweed, and of interstate P-plate drivers, are being put at risk. The cost of enforcing the amendment to the legislation is minimal and can be met from existing police resources. This legislation will result in the standardisation of P-plate alcohol restrictions. I ask for the support of the House in ensuring that this important bill is passed.

Shortly I will go out with members of the local police force to witness their good work within the Tweed.

Unfortunately, our local P-plate drivers, particularly those from Queensland, have become aware of the loophole in the legislation and they have a tendency to flout the law, which sets a dangerous precedent for New South Wales-based P-plate drivers. I foreshadow that I will speak in this place on a number of cross-border issues. Although I respect all members of this House and the way in which they represent their electorates, my electorate is rather unique because it has a line down the middle of the road that causes a number of problems, whether it is road safety, traffic legislation or building codes.

I have introduced the bill in an effort to save young people's lives. I am sure the Government would agree it is worthwhile, and would not stand in its way. New P-plate laws that will prohibit the number of passengers travelling in a vehicle with a P-plate driver after certain times will be introduced shortly. Once again, those laws will not apply to interstate P-plate drivers. Further legislation will be required to subject them to New South Wales laws. Queensland and Victoria identified similar problems, and passed appropriate legislation in 2006 to deal with cross-border P-plate drivers. The bill will bring us into line with Queensland and Victoria. Perhaps in future the States could work together to introduce a national code for provincial P-plate drivers. I commend the bill to the House.