



Road Transport Legislation Amendment (Public Transport Lanes) Bill.

Second Reading

The Hon. HENRY TSANG [Parliamentary Secretary] [3.59 p.m.]: I move:

That this bill be now read a second time.

The purpose of the bill is to improve the effective operation of road-based public transport infrastructure by discouraging illegal use of public transport lanes, in particular T-Way lanes and bus lanes, through enhanced enforcement. The bill will amend the relevant provisions of the Road Transport (Safety and Traffic Management) Act 1999, the Road Transport (General) Act 1999, the Criminal Procedure Act 1986 and the Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999.

I seek leave to have the remainder of my second reading speech incorporated in *Hansard*.

Leave not granted.

The introduction of approved traffic lane camera devices and associated operator onus provisions for public transport lane offences will improve the management of road-based public transport infrastructure by providing a practical alternative means of enforcing these important community facilities. Since the early 1990s bus lanes have been progressively introduced in Sydney's central business district [CBD] and at a number of other locations throughout the metropolitan area. The primary purpose of these lanes is to provide priority for buses, particularly during commuter peaks. The implementation of bus lanes assists in maintaining acceptable and consistent travel times for users of road-based public transport. A more equitable sharing of the road is achieved for the various classes of road users. Implementation of these priority lanes supports the Government's commitment to improving road-based public transport efficiency in order to offset increasing road congestion that is caused predominantly by the high use of single-occupant private vehicles.

As the second reading speech is lengthy I seek leave to have the remainder of it incorporated in *Hansard*.

Leave granted.

The Liverpool to Parramatta Transitway commenced operation in February 2003 and will be fully completed by December 2003. Since the commencement of operation the Liverpool to Parramatta Transitway has demonstrated a pleasing upward trend in patronage.

The Liverpool to Parramatta Transitway and all future Transitways include a combination of new purpose built bus only roadways and Bus lanes on existing roads. The purpose built bus only roadways, or T-Way lanes, can only be used by Roads and Traffic Authority (RTA) authorised T-Way vehicles and emergency vehicles.

Bus lanes can be used, for travel, by buses, taxis, private hire cars, motorcycles, bicycles, emergency vehicles and motor vehicles being operated by or at the direction of the RTA and proceeding to the scene of an accident or other emergency. Other vehicles may only be driven for up to 100 metres in a Bus lane to enter or leave the road, move to or from a place at the side of the road, to overtake a vehicle waiting to turn or to avoid an obstruction.

Surveys of Bus lanes undertaken by the RTA in 2002 indicate 35% average illegal use of Bus lanes with maximum illegal use as high as 48% in some locations.

Although there has been some reduction in illegal use since the introduction of red surface colouring on all Bus lanes in the Sydney metropolitan area and the delivery of a number of public education campaigns to increase road users' awareness of how to use Bus lanes, illegal use continues to have a detrimental effect on the efficiency of these lanes by impacting on bus travel times and adding to operating costs.

The current infringement notice penalty for travelling illegally in a T-Way lane or Bus lane is \$228 and 3 demerit points (4 demerit points if the offence is committed over a long weekend).

Presently police undertaking enforcement of Bus lanes are required to stop the offending vehicle so that details can be recorded and an infringement notice given to the driver. There is difficulty in undertaking enforcement in many instances due to the lack of locations with clear and safe areas to stop motorists. Stopping an illegal user within a Bus lane is counter productive due to the added disruption it would cause to legal users of the lane. This has been identified as a particular problem in restricted areas such as the Sydney CBD and has resulted in limitations on the ability of the

police to undertake regular enforcement for moving violations on the Bus lane network.

Based on the difficulties experienced with regard to the regular enforcement of Bus lanes, it is clear that the routine enforcement of T-Way lanes by the police could also present a similar problem. To ensure the considerable benefits to the public of the Transitway network, it is important that there is regular and effective enforcement of unauthorised traffic on the T-Way lanes and Bus lanes.

The legal mechanism proposed for enforcement is operator onus. Section 43 of the Road Transport (General) Act 1999 currently deems the responsible person guilty of a limited range of offences as if that person was the driver. These offences are camera detected traffic light offences, camera recorded speeding offences and parking offences. It is proposed to adopt this existing mechanism by adding the offence of driving in a T-Way lane and in a Bus lane to these existing offences.

Of course, in addition to the defences of the vehicle being stolen or illegally taken or used and the defences available to the driver, the responsible person must nominate the name and address of the driver at the time of the offence unless the person does not know them or cannot with reasonable diligence ascertain them.

Digital imaging technology incorporating Optical Character Recognition (OCR) functionality is currently used successfully in NSW by the RTA for enforcement of Toll avoidance and for Safe-T-Cam to monitor heavy vehicle movements. Digital image recognition technology of this nature can equally be used to identify illegal T-Way lane and Bus lane users.

The proposed traffic lane camera devices, which would require approval of the Governor under the terms of the Bill, would utilise digital imaging technology that involves the use of digital cameras capable of producing an image that can be stored digitally on a local or remote computer-based storage system. The Optical Character Recognition (OCR) software used to process images produced by the digital cameras will recognise number plates, and will produce the number plate identification as text alongside the image. This procedure provides built-in checking of the image recognition and camera system operation as part of the processing of incoming images.

For security, the Bill proposes that a unique identifier like that applying to digital speed cameras consisting of a series of 48 characters that is an individual combination of letters, numbers and symbols would be incorporated onto a photograph recorded by an approved traffic lane camera device.

The image would include both a close-up view of the vehicle number plate together with a wider-angle context view to identify the environment in which the vehicle was being operated.

The T-Way lane traffic lane camera device would consist of a single checkpoint that would capture two separate images of each vehicle travelling past that point. The system shall only store the images if a potential violation has been detected through automated matching of the number plate with an electronic list of authorised Transitway vehicles. The system will automatically exclude images of authorised Transitway vehicles from the potential violation record.

The Bus lane traffic lane camera device would consist of two checkpoints positioned in excess of 200 metres apart. Each checkpoint shall capture an image of each vehicle passing through that point. The system shall only store both images if a potential violation has been detected through automated matching of the number plate at both checkpoints. The system will automatically exclude images of legal Bus lane users from the potential violation record.

Mandatory operational procedure requirements will be established for the selection of Bus lane traffic lane camera device locations to accommodate the various exceptions that allow general traffic use of Bus lanes in certain circumstances.

Since 2001 the RTA has installed three Bus lane traffic lane camera device trial sites on Oxford Street at Paddington, York Street in Sydney CBD and the Warringah Freeway at North Sydney to test the digital imaging technology and image matching capability between two checkpoints.

The trial sites have indicated that a system incorporating digital camera based technology and Optical Character Recognition (OCR) software can effectively detect and record illegal use of Bus lanes with a high degree of reliability.

The aim of introduction of traffic lane camera devices and associated operator onus provisions for public transport lanes is to improve the efficiency of road based public transport infrastructure by providing a practical alternative means of enforcement.

The introduction of these measures will improve the management of these important community facilities.

I commend the Bill to the House.