

Agreement in Principle

Mr MICHAEL DALEY (Maroubra—Minister for Roads) [12.36 p.m.]: I move:

That this bill be now agreed to in principle.

The main purpose of this bill is to amend the Road Transport (Safety and Traffic Management) Act 1999 to allow for the introduction of two new camera enforcement technologies for driving offences. The first of these, as I announced earlier this year, is point-to-point speed enforcement. Point-to-point enforcement will be used to target heavy vehicle speeding. The second is the introduction of digital red light cameras to replace the existing outdated wet-film red-light camera program. These important new road safety technologies are being introduced in support of the State Plan, Priority S7, to make our roads safer. It is important to understand the context in which these technologies are being considered and introduced.

We have seen a marked rise in the road toll in New South Wales; speed remains the most significant factor in the road toll. It contributes to about 36 per cent of fatal crashes. An average of 190 people die and around 4,400 people are injured each year in New South Wales alone due to speed-related crashes. As road safety is a priority of this Government, it is necessary to continue to explore new technologies that will help save lives on our roads. The new road safety technologies that will be introduced by this bill have been tried and proven in other jurisdictions, and will improve the safety of all New South Wales drivers.

I turn now to the first technology dealt with in this bill, the introduction of point-to-point enforcement technology targeting heavy vehicle speeding. The proposed legislation defines a heavy vehicle as a coach, motor vehicle or trailer with a gross vehicle mass greater than 4.5 tonnes. This definition is consistent with other New South Wales legislation such as that which deals with fatigue in the heavy vehicle industry. Point-to-point technology will be targeted at heavy vehicles because they are over-represented in serious road crashes. Heavy vehicles make up 2.6 per cent of vehicle registrations in New South Wales and account for 7.4 per cent of kilometres travelled by all New South Wales vehicles but are involved in around 20 per cent of road fatalities.

Roads and Traffic Authority speed surveys on major freight routes have found that about half of all heavy vehicles travel above the speed limit. Research from the National Transport Council has suggested that if all heavy vehicles complied with speed limits there would be a 29 per cent reduction in heavy vehicle crashes. Point-to-point camera enforcement is a new technology that is particularly suited to addressing heavy vehicle speeding. While other types of speeding enforcement such as fixed-speed cameras are effective in specific locations, point-to-point technology will slow heavy vehicles down over long stretches of road. It is on these longer stretches that heavy vehicle speeding is of greatest concern. The lengths of road proposed for point-to-point enforcement will be on highways in rural areas that are not only known heavy vehicle routes but also have a history of high heavy vehicle speeding and crash rates.

Ms Katrina Hodgkinson: Name them!

Mr MICHAEL DALEY: I will name them. Roads and Traffic Authority crash analysis shows that 35 per cent of fatalities on these routes involve a heavy vehicle. Initially, 20 stretches of road of varying lengths will be covered by point-to-point on the following roads and highways: Mount Ousley, Great Western, Hume, Mid Western, Monaro, New England, Newell, Pacific, Federal, Mitchell, Golden, Gwydir and Oxley. I am happy to provide those details to anyone who is interested in them. This bill does not create new speeding offences. The amendments create new provisions within the Road Transport (Safety and Traffic Management) Act 1999 that allow the use of point-to-point technology to prove a speeding offence under existing road transport law. For the purposes of point-to-point enforcement, speeding offences are defined as both failing to obey a speed limit and speed-limiter offences.

Point-to-point enforcement works by using cameras to identify the time a vehicle passes detection points at the start and end of a point-to-point enforcement length. The time taken for the vehicle to travel between the two points is measured and used to calculate the average speed of the vehicle across the point-to-point length. If the average speed is greater than the speed limit on that length of road the driver will be infringed for speeding. This approach to point-to-point enforcement is consistent with the successful introduction of point-to-point enforcement in Victoria. Where there are multiple speed limits along a point-to-point enforcement length this bill provides for the calculation of an average speed limit. The average speed limit will be calculated from the part of the point-to-point length to which each speed limit applied. Drivers will be infringed if their average speed is above this average speed limit calculation.

Similar to any other camera-detected speed offence, the responsible person for a vehicle that is detected speeding by point-to-point technology will be deemed responsible for the offence. However, as already provided in the Act, if the responsible person was not driving at the time of the offence, he or she can nominate the person

who was in charge of the vehicle at the time of the offence. It is not intended that point-to-point enforcement replace police enforcement on heavy vehicle routes. Police require the ability to enforce all offences on the road network and for the safety of road users it is necessary that this enforcement continues in point-to-point lengths. This bill allows for both point-to-point and police enforcement to operate within a point-to-point length. Speeding infringements and suspensions issued by police will continue to apply regardless of whether the driver also receives a speeding infringement from a point-to-point camera.

There may also be occasions when a fixed speed camera forms part of the detection devices at the start or end of a point-to-point length. Where this is the case, drivers will not be penalised by both fixed speed cameras and point-to-point, and will be issued only with the greater of the two offences. This approach is reasonable because the driver has not been stopped and made aware of his or her behaviour. Point-to-point speed enforcement is a tried and tested technology that has been used successfully in many countries in Europe including the United Kingdom, Italy, Norway, Sweden and Spain. There are also five point-to-point enforcement lengths on the Hume Highway in Victoria. Evaluations of point-to-point enforcement technology have shown it to be effective in reducing vehicle speeds, and consequently fatalities and injuries, along substantial lengths of road. In some locations point-to-point enforcement has reduced fatalities and injuries by half.

Speeding offences from point-to-point enforcement demonstrate that a driver had a clear intention to speed. Heavy vehicles in New South Wales are supposed to be speed limited to a maximum of 100 kilometres an hour. But those of us who travel around the State at times see heavy vehicles flying past us at speeds sometimes well in excess of 100 kilometres an hour. The fact is that some truckies and operators switch off the speed limiters. Whilst most truckies do the right thing, there are cowboys in the heavy vehicle industry. It is the cowboys that we are seeking to target. Careful, responsible drivers have nothing to fear. This bill also proposes the creation of significant penalties for deliberate acts of avoiding detection at point-to-point camera sites. This is necessary to ensure that drivers do not drive on the wrong side of the road, swerve across lanes, tailgate, or turn off their lights at night to avoid detection by point-to-point cameras.

The introduction of point-to-point technology to detect speeding is not intended to raise revenue. I have said, and I reiterate here, that I would be the happiest Minister for Roads in Australia if revenues for traffic offences fell to zero. The cost to government and the community of traffic-related injuries and fatalities far outstrips any revenues raised from infringements. And that is just in dollar terms. If members want to see the human cost they should visit a place like the spinal unit at the Royal North Shore Hospital. International experience of point-to-point enforcement shows that on point-to-point enforcement lengths the vast majority of drivers comply with the speed limit. The introduction of point-to-point technology will be funded from the existing budget of the Roads and Traffic Authority. It is anticipated that the rollout of the 20 lengths will be completed in 2011.

I turn now to the second purpose of this bill, that is, to facilitate the introduction of digital red-light cameras. The purpose of red-light cameras is to reduce, and hopefully eliminate, the extremely dangerous practice of driving through or running red lights at signalised intersections. Red-light running is an extremely dangerous behaviour that often results in an unsuspecting driver being T-boned by the driver running the red light. This type of crash is especially severe. The victims do not have a chance to avoid this impact, and do not have the safety and structural protections such as crush zones and airbags that cars provide in front-on crashes. Further, and this weighs heavily on my mind, this type of impact is particularly dangerous for young children, who are more vulnerable to impacts than adults and whose heads can hit doors and windows, and who are injured by the flailing limbs of other passengers in these types of accidents.

Red-light cameras are used widely, both in Australia and internationally. Research indicates that red-light cameras reduce casualty crashes at intersections by about 30 per cent. Members may be aware that New South Wales currently has a wet-film red-light camera program. This outdated program has been in operation since 1988. While the current program continues to provide road safety benefits, the old wet-film technology that is used is obsolete. The current program involves the rotation of cameras between 183 sites, and no new sites have been added over the past eight years. The New South Wales Police Force and the Roads and Traffic Authority advise that occupational health and safety issues are associated with constantly rotating cameras at busy intersections. The current cameras also require manual collection and replacement of film. This is resource intensive and also poses further occupational health and safety risks to staff.

Digital technology will also reduce the overall burden of operating red-light cameras. Digital red-light cameras are safer to operate and can be placed in locations where they are needed most. The new digital red-light cameras also have the capacity to conduct speed enforcement. Accordingly, this bill introduces a new provision into the Act to allow for one road safety device to be approved for multiple functions, for example, red light and speed detection. The combination of red light and speed detection is used extensively in other Australian jurisdictions. Experience in South Australia has shown that where speed enforcement is added to existing red-light camera sites, casualties are further reduced. The Australian Capital Territory found that speeding and red light running offences reduced by two-thirds after 12 months of operation. The Victorian Government recently announced an upgrade of 30 of its remaining wet-film red-light cameras to dual function digital red-light cameras. This will increase the number of dual function digital red-light speed cameras in operation in Victoria to 112.

The Government will carefully consider the rollout of combined red-light/speed detection devices to particular

sites. Combined red-light/speed detection devices will be used only at intersections where they will provide the greatest road safety benefit. This will be at locations where there is a red-light camera at an intersection that is situated on a length of road with a significant crash and car-hooning history. The combination of both red-light cameras and speed detection devices at these locations will further enhance the road safety benefits of the red-light camera program. It will protect innocent road users from reckless drivers running red lights, speeding at intersections and, more significantly, speeding through red lights. The amendments proposed in this bill do not result in any new offences. Drivers who are detected both disobeying a red light and speeding will be liable for both offences, including the fines and demerits applicable for each offence. This reflects the seriousness of these offences.

Speeding through a red light is extremely risky behaviour that shows little regard for other drivers. Any driver detected speeding through a red light deserves the full weight of both penalties. Following the acceptance of amendments contained in this bill, the Roads and Traffic Authority will roll out digital red-light cameras to 200 intersections. The first 50 cameras will be installed by June 2010. These locations will be a combination of existing and new intersections. New cameras will be placed at intersections where they will provide the greatest road safety benefit. To fund this infrastructure, revenue from offences will go towards the ongoing delivery of the program. This will ensure the ongoing operation of the red-light camera program and that red-light cameras continue to protect road users.

The amendments I have outlined today send a clear message to the community that road safety is a high priority for the Government. Extensive consultation has been undertaken on the proposals in this bill. The Roads and Traffic Authority has worked closely with the New South Wales Police Force, the Ministry for Police, the State Debt Recovery Office and the Attorney General's Department in the preparation of these amendments. The bill has the support of all of these agencies and some community agencies. In conclusion, the introduction of point-to-point speed enforcement will greatly improve the safety of all road users on lengths of road with a history of heavy vehicle crashes. The introduction of digital red-light cameras and, in some locations, dual function digital red-light speed cameras, will improve the safety of signalised intersections. It will help protect vulnerable people from reckless drivers running red lights and, more significantly, speeding through red lights. I trust members will lend their unreserved support to the Government's amendments. I commend the bill to the House.