

September 17 2013

Dr Abigail Groves
A/Director, Legislative Assembly Committees
Legislative Assembly
Parliament of New South Wales

Parliament House, Macquarie Street, SYDNEY NSW 2000

Dear Dr Groves

Re: additional question on Drive Disqualification Law reform

You asked "Would there be a role for court imposed vehicle sanctions as a penalty for unauthorised driving offences? What factors do you think a court should have to take into account before imposing vehicle sanctions"

There have been several evaluations of the introduction of vehicle impoundment for unlicensed driving in the US. These suggest that vehicle impoundment is an effective measure to reduce driving while unlicensed, and also reducing crash rates in unlicensed drivers. I have attached several of these articles. Please note that this should not be considered a comprehensive review.

DeYoung, D. J. (1999). An evaluation of the specific deterrent effects of vehicle impoundment on suspended, revoked and unlicensed drivers in California. *Accident Analysis and Prevention* 31, 45-53.

DeYoung, D. J. (1998). An evaluation of the general deterrent effect of vehicle impoundment on suspended and revoked drivers in California. Sacramento CA: Department of Motor Vehicles.

Voas R.B., Deyoung D.J. (2002). Vehicle action: effective policy for controlling drunk and other high-risk drivers? *Accident Analysis and Prevention* 34, 263–270.

NHTSA (2000a). Effectiveness of administrative license suspensions and vehicle sanction laws in Ohio. Technology Transfer Series, No. 214, February 2000. Washington, DC: National Highway Traffic Safety Administration. (available at <http://www.nhtsa.gov/About+NHTSA/Traffic+Techs/current/Effectiveness+Of+Administrative+License+Suspension+And+Vehicle+Sanction+Laws+In+Ohio>)

NHTSA (2000b). Evaluation of vehicle impoundment on suspended and revoked drivers in California. Technology Transfer Series, No. 218, April 2000. Washington, DC: National Highway Traffic Safety Administration.

I am not aware of similar evaluations conducted in Australia or the potential impact or ramifications on Aboriginal people. New Zealand introduced a vehicle impoundment scheme in 1999. Although I was unable to find any published reports on the effectiveness of this scheme, I have obtained some information from the Ministry of Transport in NZ about the impact of vehicle impoundment on crashes

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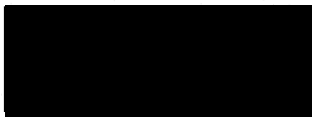


in NZ (personal communication). It appears that participation of disqualified and unlicensed drivers in crashes decreased after the introduction of vehicle impoundment, photo driver licences and mandatory licence carriage in NZ in 1999. It also appears that the rate of people convicted for driving while unlicensed also dropped from around the same time. However, it is not necessarily possible to identify whether the decrease in both scenarios was due to vehicle impoundment, or photo driver licences and mandatory licence carriage. It is also not possible to determine the long term effects, either positive or negative, from the available data.

If a court were to impose vehicle sanctions, the circumstances of the community and their access to vehicles must be taken into account. There are significant barriers to obtaining a driver licence for many people, particularly those in disadvantaged communities, including Aboriginal and Torres Strait Islander people. Some of those barriers include having access to registered vehicles (and licensed drivers) in order to gain the mandatory hours of supervised driving practice required to gain a provisional driver licence. Further, multiple people may rely on a vehicle in a family or a community in order to gain access to essential services including medical services and access to education or employment. This would need to be seriously considered before impoundment of a vehicle to ensure there were no innocent victims.

Please do not hesitate to ask if there is further information required.

Regards



Professor Rebecca Ivers

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