

SECOND READING SPEECH

VEHICLE AND TRAFFIC AND RELATED LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL 2010

Mr Speaker, I present to the House the *Vehicle and Traffic and Related Legislation (Miscellaneous Amendments) Bill 2010*.

Mr Speaker, the main purpose of this Bill is to

- Explicitly provide for the administration of personalised number plates;
- Clarify the definitions of 'Gross Vehicle Mass' and 'Gross Combination Mass' respectively; and
- Make a minor statutory correction to amend an incorrect legislative reference.

In 2007 the Tasmanian Government entered into an arrangement with Licensys Pty Ltd for the marketing and administration of personalised number plates under the trading name of 'TasPlates'.

Mr Speaker, Honourable Members would no doubt be aware of the TasPlates Scheme through a series of television advertisements and other media and possibly by sighting personalised plates on vehicles out on the road.

Personalised number plates provide an alternative to the standard general issue number plates and cater for those people willing to pay for some individual characteristic on their number plate. For example, to promote a product, advertise a business or personalise a vehicle. Personalised plate schemes operate in all other States and Territories.

Mr Speaker, the TasPlates Scheme has proven to be a very popular Government initiative.

The Bill seeks to amend the *Vehicle and Traffic Act 1999* to allow personalised number plates to be used for purposes other than in relation to a vehicle, for example, when displayed on a wall or otherwise kept as a collection item.

The Bill also provides for the trade, sale and transfer of personalised number plates. The ability to sell personalised number plates is one of the features that make them so popular.

Mr Speaker, I should point out that it is the right to a specific character combination that is being sold and not the plate itself which remains the property of the Registrar of Motor Vehicles and can be repossessed if required.

The Bill will also ensure that appropriate offence provisions will guard against the misuse of personalised number plates. For example, the regulations will make it an offence for a person who purchases the right to a specific number to then produce a replica plate which does not meet appropriate standards.

Mr Speaker, while there have not been any problems with the current Personalised Number Plate Scheme it is appropriate that the proper legislative framework exists to support the Scheme.

Mr Speaker, the Bill also seeks to amend the definition of 'GVM' and 'GCM' contained within the *Vehicle and Traffic Act 1999* and reference the amended definition of 'GVM' within the *Road Safety (Alcohol and Drugs) Act 1970*. The 'GVM' or gross vehicle mass of a vehicle is relevant to the prosecution of the driver of a heavy vehicle for exceeding the prescribed breathalyser limit which in the case of a driver of a heavy vehicle is zero.

The usual means of proving that a particular vehicle has a maximum permissible load in excess of 4.5 tonnes GVM, is for Tasmania Police to obtain a certificate issued under the *Vehicle and Traffic Act 1999*. However, as the definition of 'GVM' in the *Vehicle and Traffic Act 1999* contains no reference to the words 'Gross Vehicle Mass' the term could conceivably refer to any combination of words starting with those letters. The same argument applies to the definition of 'GCM' as there is no reference to 'Gross Combination Mass' within the Act.

Mr Speaker, failure to prove the maximum permissible load mass of the vehicle being driven at the time of the alleged offence under the *Road Safety (Alcohol and Drugs) Act 1970* will almost inevitably cause the prosecution to fail.

This issue could also cause problems in proving the Gross Vehicle Mass and Gross Combination Mass of a vehicle for some offences under the Regulations made under the *Vehicle and Traffic Act 1999*.

Finally Mr Speaker, the Bill seeks to amend an incorrect legislative reference contained within the *Vehicle and Traffic Act 1999*.

Under the Act a novice driver may be regressed to a preceding licensing stage if they are disqualified, have their licence suspended or are issued with a period of ineligibility during the same novice licensing stage or twice within any six month period. The provision relating to suspension of a driver licence is incorrectly referenced to a Section of the Act dealing with demerit point offences rather than the relevant section dealing with the suspension of a driver licence. This amendment will ensure that the legislative integrity of the Act is maintained and avoid any legal argument about the application of the provision.

Mr Speaker, I commend this Bill to the House.