

FACT SHEET

Vehicle and Traffic Amendment (Driver Distraction and Speed Enforcement) Bill 2022

The *Vehicle and Traffic Amendment (Driver Distraction and Speed Enforcement) Bill 2022* amends the *Vehicle and Traffic Act 1999* and *Traffic Act 1925* to clarify that photographic detection devices may be used to detect mobile phone, seatbelt, registration, and average speed offences.

Photographic detection devices, which include technologies such as speed cameras, are used to automatically detect and capture evidence of traffic offences.

The *Vehicle and Traffic Act 1999* currently permits the use of photographic detection devices in the detection of offences, including speeding and red-light offences, but does not explicitly contemplate the photographic detection of the additional offences included in this bill.

The amendments will support the delivery of priority initiatives under the *Towards Zero – Tasmanian Road Safety Strategy 2017-2026* and *Towards Zero Action Plan 2020-2024*, including the potential implementation of technologies to enforce high risk and illegal driving behaviours. These changes will also bring Tasmania up to date with current technology and are consistent with equivalent legislation in other Australian jurisdictions.

Speed, inattention/distraction (including mobile phone use), and failure to wear a seatbelt make up three of the Fatal Five causes of road trauma and are a factor in 29, 24 and nine per cent of serious casualties respectively.

Additional enforcement of these behaviours is expected to have a deterrent effect on motorists and consequently reduce incidences of offending. Improved compliance is expected to result in positive road safety outcomes and associated economic benefits to the Tasmanian community.

The legislation also makes other supporting and administrative amendments, including:

- Permitting the use of video taken by a photographic detection device to be used as evidence;
- Empowering the Transport Commission to authorise a person to install or operate photographic detection devices; and
- Enabling an 'issuing authority' (which includes the Police Service as an entity) to serve traffic infringement notices, notices of demand and withdrawal notices.

The Government is also in the process of remaking the *Vehicle and Traffic (Offence Detection Devices) Regulations 2012*, which are due to expire in October 2022. The updated regulations will include additional provisions detailing the correct operation and testing of devices used to detect the offence types included in this bill.

The amendments will come into effect upon proclamation.