

Our ref: MC14359

Your ref: 444-05

Mr Neil Laurie
The Clerk of the Parliament
Parliament House
George Street
Brisbane Qld 4000

Dear Mr Laurie

Re: Petition Received by the Queensland Legislative Assembly No. 444-05

I refer to the petition lodged by Mr Shane Knuth MP, Member for Charters Towers, on 9 March 2005, with the Legislative Assembly about recent changes to the *Transport Operations (Road Use Management – Road Rules) Regulation 1999* (more commonly known as the Queensland Road Rules) dealing with the requirement to secure a vehicle. The principal petitioner was Mr William Edmondson.

Queensland legislation requires that before leaving a motor vehicle on a road the driver must apply the vehicle's parking brake and, if the driver will be more than 3 metres from the closest part of the vehicle, switch off the engine. In addition, the driver must remove the ignition key if no-one 16 years or older is remaining with the vehicle. Finally, if no-one is remaining with the vehicle, the driver must lock it.

The term 'road' is broadly defined and includes an area that is open to or used by the public for the driving or riding of motor vehicles. It includes, for example, a shopping centre car park.

The requirement to secure a motor vehicle in Queensland legislation is based on the national model legislation, the Australian Road Rules. The Australian Road Rules were adopted into Queensland law in 1999, and are the result of a commitment by all the States and Territories to develop a common set of road rules throughout Australia. As such, they were developed through consultation between State, Territory and Federal Governments.

While the law requiring a vehicle to be secured has recently been amended, Queensland legislation has required drivers to turn off their vehicle's engine and remove the ignition key for more than 40 years. The recent amendments were minor and did not contain any significant shift in policy. The amendments were designed to merely clarify the application of the rule and to more closely reflect the provisions contained in the Australian Road Rules. This rule is largely consistent throughout Australia.

The purpose of this provision is to prevent the theft of vehicles and/or their contents. In Queensland, more than 12,000 vehicles are stolen each year and vehicle theft costs the community \$1 billion dollars each year in insurance, policing and justice costs. While vehicle theft is more prevalent in certain parts of the State, statistics show that vehicles are stolen in all parts of Queensland. Last financial year, at a national level, finalised insurance claims resulting from vehicle theft totalled \$280 million. Vehicle theft results in significant costs to individual motorists through increased insurance premiums.

In addition to economic costs, vehicle theft also imposes a social cost on the community. Vehicle theft and home burglary go hand in hand, with stolen vehicles often being used to transport stolen property. There is also the threat to other innocent road users posed by thieves recklessly driving a stolen vehicle.

Fortunately, the percentage of thefts in Queensland has decreased by 15% in recent years, with 79% of stolen vehicles being recovered. It is estimated that investment in theft reforms has saved the community more than \$600 million to date. Despite this, vehicle theft remains a significant social and economic issue as Australia still ranks amongst the worst performing nations in the developed world for vehicle crime.

The requirement to secure a motor vehicle is an important part of a comprehensive range of measures to address the rate of vehicle theft and to reduce the financial and emotional cost to the community. The requirement to secure a motor vehicle is also an important measure in preventing carjacking - that is, theft of a vehicle which occurs when the driver temporarily moves away from the vehicle. Carjacking is another crime which is unfortunately occurring more and more frequently in our society.

By switching off the engine, taking the keys out of the ignition and securing the vehicle, we increase the time and difficulty involved in stealing a motor vehicle, and we reduce the opportunity for theft and other crimes to occur. Preventing vehicle theft is a shared community responsibility which requires us all to work together to reduce this cost to the community.

Enforcement of the Queensland Road Rules is the responsibility of the Queensland Police Service (QPS). QPS officers frequently exercise discretion and judgment in their enforcement of our laws. For example, section 6 of the *Summary Offences Act 2005* creates an offence of obscene language that applies to any place in Queensland at any time. An incident of obscene language uttered in a public bar, however, might be treated very differently to the same words if said in a local shopping centre or church.

I expect police will, as they do with all other laws of the State, exercise commonsense and discretion in the enforcement of the rule requiring a driver to secure their vehicle.

I thank the petitioners for their interest in this matter.

Yours sincerely

PAUL LUCAS MP
Minister for Transport and Main Roads