

Sunday, 31 October 2010

### **TOUGH NEW HOON LAWS COME INTO EFFECT TODAY**

Attorney General John Rau said tough new laws to significantly strengthen the South Australian Government's crackdown on hoon driving come into operation today.

"South Australian is already known for its harsh penalties for dealing with reckless driving behaviour," Mr Rau says.

"New provisions are further strengthening South Australia's existing laws as part of the Rann Government's crackdown on hoons and repeat dangerous driving offenders.

"These laws not only provide tougher means to punish the wrongdoers on our roads, but send a powerful message to hoons – dangerous and reckless driving will not be tolerated."

These tougher provisions were incorporated into the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) (Miscellaneous) Amendment Act 2009* as well as the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Variation Regulations 2010*

"As of today police have the power to clamp or impound a vehicle for 28 days– up from seven days," Mr Rau says. "It is also now an offence to interfere with an impounded vehicle."

"Police powers are also extended to permit seizure of a vehicle for impounding or clamping without a warrant or consent of the owner of the property upon which the vehicle is being stored, where it can be seen to be on the property."

Other changes to South Australia's car crushing laws include:

- an extension of the maximum period of court-ordered impounding from three months to six months, where an offender has, during the period of 10 years immediately preceding the date of the offence, been found guilty of or expiated one other prescribed offence committed or allegedly committed;
- the power for the court to order the forfeiture of a vehicle where the offender has been found guilty of, or expiated, at least one other prescribed offence during the period of 12 months immediately preceding the date of the offence;
- the power for the court to order the forfeiture of a vehicle where an offender has been found guilty of, or expiated, two other prescribed offences during the period of 10 years immediately preceding the date of the offence;
- the introduction of a new offence making it unlawful to interfere with an impounded vehicle;
- the introduction of a new offence in the *Summary Offences Act 1953* of misuse of a motor vehicle on private land;

- And an expansion of the definition of “prescribed offence” to extend the clamping or impounding sanctions to:
  - an aggravated offence against section 45 of the *Road Traffic Act 1961*, such as driving without due care or attention causing serious harm or death to a person;
  - misuse of a motor vehicle on private land; and
  - a first offence against section 74(2), 74(2a) or 91(5) of the *Motor Vehicles Act 1959* - which are offences of driving when not authorised to drive, for example, driving without a licence or driving with a suspended or disqualified licence.

Mr Rau says the Rann Labor Government believes these tougher measures will deter hooners as well as punish them from engaging in reckless and dangerous driving behaviour in the first place.

“People who engage in dangerous driving behaviour demonstrate no regard for their own safety, the safety of their passengers, or the safety of other road users and pedestrians,” he says.

“Fellow road users and pedestrians should feel at ease that South Australia has tough laws in place to make our roads as safe as possible.”