

## HOUSE OF ASSEMBLY

WEDNESDAY 5<sup>TH</sup> SEPTEMBER 2012

### MOTOR VEHICLES (DISQUALIFICATION) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 11 July 2012.)

**Mr PEDERICK (Hammond) (17:32):** I rise to support the bill. I certainly support all the comments from our side of the house and the comments by the shadow minister, the member for Bragg, and her amendment regarding registration renewals. It is just amazing that in this day and age this type of legislation is needed to cover basically what was a computer error, yet there is no recourse for the many people who have come into all of our offices.

I have several inquiry sheets just from my office and I want to talk about a few of them here today. There is one from Tim from Murray Bridge who got a notice of disqualification of his licence from 2008, and this was back in August 2011. There was an accompanying letter from the Registrar of Motor Vehicles stating why it had taken three years for him to receive it. When Tim's incident happened he was on his provisional licence. He then had a full licence but, with the disqualification issue, it meant that his licence was taken away and he had to start on his learner's again after 12 months. This is the letter from the Department of Transport, Energy and Infrastructure dated 5 August 2011, which states:

Enclosed is a notice of disqualification notice that has resulted from an expiation notice ( fine ) you received up to two years ago. Some time after July 2009 , you applied to the Magistrates Court for relief and then entered into a payment arrangement to pay the fine.

The Courts Administration Authority (CAA) is required to notify the Registrar of Motor Vehicles when a person completes an application for relief so that I can record this offence and any associated demerit points against that person's licence record. The Motor Vehicles Act 1959 (the A ct) requires that where this results in a breach of a conditional licence or the demerit points scheme, I must disqualify the person from driving.

In 2009 the CAA upgraded its software and the CAA computer system ceased automatically supplying some offence information to the Registrar of Motor Vehicles. This error meant that I was not notified of your offence and therefore did not send you a notice of disqualification. The error has only recently been discovered and I have acted to correct the problem as quickly as possible.

I acknowledge this delay may cause inconvenience. I have no discretion though to remove or vary a disqualification required under the Act. However if you are eligible to enter into a Good Behaviour Option, a Safer Driver Agreement or Appeal the disqualification to the Magistrates Court, you still have the same options. The options available to you are written on the notice.

Further information is contained on the enclosed notice, so please read it carefully.

If you are uncertain about what to do, you should contact Service SA on 13 10 84.

Registrar of Motor Vehicles

That is just one of my constituents. We see that the registrar seems concerned that this has only happened after three years. It is just not good enough. Okay, this is someone who has committed the offence, but why have they not been sent the fine and done the time, so to speak, in a timely manner? It is just ridiculous that this has happened and that it has taken three years to get over it.

George from Murray Bridge had the same thing, a late disqualification for something that happened three years earlier. Another lady, Kirra, received a speeding fine in March 2011 in Victoria, nine kilometres over the speed limit and it took 14 months to sort this out. After 14 months of knowing nothing of this incident, Kirra says that she has a full-time position at the bank and that the offence impacts on social functions and her day-to-day social life and, apart from that, just getting to work. She made her mistake, paid her fine and did what she was told to put the matter to rest. 'Why does the department of registration and licensing's mistake have to become mine after 14 months?'

I have a handful of complaints from constituents here, and these are just some of the constituents who came into my office. It is not good enough in this day and age where we are supposed to have software and computer systems to make life easier, but here we have people's lives turned upside down. They acknowledge that they have had issues and that they have been speeding. They have paid the fine but then they do not get any notice about demerit point issues. It has impacted heavily on their lives.

I refer to another constituent (a young girl) who lives out in the electorate. They have a property at Milang and another one in the Mallee, so they do not always pick up their mail. By the time they received notice of the safer driver option, they had just over three hours to get back and respond to it. This is people who have a long way to drive into the city to sort the issue out. Thankfully, some common sense prevailed in that situation.

This has been a terrible mess. It impacts heavily on people, especially in regional communities, who do not have the opportunities for public transport and who may not have someone who can assist them in getting them to work or social functions, which could be many kilometres away from home. As I said, it does impact heavily on people in regional areas. I guess we can be thankful that we are here to right the wrong, but why has it taken so long?