



VICTORIA POLICE

Ken D. Lay APM
Chief Commissioner of Police

Victorian Police Centre
637 Flinders Street
Docklands 3008
Victoria Australia
Telephone [61 3] 9247 6890
Facsimile [61 3] 9247 6869

P.O. Box 913
Melbourne 3001
Victoria Australia

Our Ref: 071922/12

The Honourable Andrea Coote MLC
Chair
Legislative Council Standing Committee on
Economy and Infrastructure
Parliament House
Spring Street
East Melbourne Vic 3002

Dear Ms. Coote

Victoria Police is appreciative of the opportunity to make a submission for the inquiry by the Legislative Council Standing Committee on Economy and Infrastructure into the Road Safety Amendment (Car Doors) Bill 2012.

The Victoria Police submission document is attached and I advise that Superintendent Robert Stork of the Road Safety Strategy Division (92476770) will attend the public hearing for this inquiry scheduled for 2nd May, 2012.

Yours sincerely


Ken D Lay APM
Chief Commissioner

26/4/2012

**Inquiry into the Road Safety Amendment (Car Doors) Bill 2012
by the Legislative Council Standing Committee on Economy
and Infrastructure**

**Victoria Police submission
April 2012**

Background

Victoria Police enforces a wide range of statutory and regulatory traffic laws as a matter of one of its core duties to promote road safety and reduce the incidence of road trauma and is committed to the Victorian Government *Arrive Alive Strategy 2008 – 2017*.

Statistics concerning the detection of the current offence causing a hazard to any person or vehicle by opening of a door as contained in Road Rule 269(3) Road Safety Road Rules 2009 have previously been released to the Committee as authorised by the Chief Commissioner. These statistics concern the number of penalty infringement notices issued for this particular offence for one financial year ending June 2011. In summary, they record a total of 187 penalty notices issues for penalty code number 2089. The current penalty attached for this offence is \$122.00, with no demerit points loss attached.

Please note the limitations of these statistics as they do not indicate:

- the number of prosecutions that may have been prosecuted at courts; and
- do not differentiate between matters initiated by a collision investigation, detected by a police member or reported to police for investigation.

Victoria Police comment

Victoria Police comment is confined to the terms of reference assigned to the committee.

The Committee seeks input on whether it is appropriate to:

- *increase the penalty from 3 penalty units; and*
- *attach demerit points to the offence of 'car dooring'.*

Comment 1

Victoria Police supports the attachment of demerit points and an increase the penalty to the current Road Safety Road Rules 2009 offence as a positive road safety benefit, given the increase in these types of incidents.

The Committee seeks input on whether it is appropriate to:

- *make 'car dooring' an offence under legislation rather than regulations; and*
- *change the process for enforcing 'car dooring' offences and have the matter dealt with by the Magistrates' Court.*

Comment 2

Victoria Police is of the view that offences of this nature that indicate regulatory control of movement by vehicle drivers, cyclists, pedestrians and a number of other types of road users on roads and road related areas, should remain within the Road Safety Road Rules 2009 as a matter of national road rule consistency. The Victorian Road Rules are taken from a model national law to ensure road rule uniformity throughout the states and territories.

Comment 3

Victoria Police is of the view that the offence should remain infringeable to ensure efficiency within the justice system, and avoid unnecessary impact upon police concerning time, productivity and service to the community as well as avoiding an increased burden on the courts.

The Victoria Police contact for this submission should you require any further assistance is Sergeant Roger Kozulins, Legal Policy Unit 92473049.