

Draft Three Strikes Scheme Policy as at 1 July 2010

<p>Background</p>	<ul style="list-style-type: none"> ■ The industry championed the introduction of a “three strikes scheme” for speeding heavy vehicles that exceed 115km/h. ■ The scheme as proposed by industry was that the owner of a heavy vehicle caught speeding in excess of 115km/h be held accountable. This would take the form of a: <ul style="list-style-type: none"> ○ first strike result in a warning notice being sent to the owner of the vehicle. ○ second strike result in the owner being directed to have the vehicle speed limiter checked. ○ third notice result in a 1 month vehicle registration suspension. ○ fourth notice result in a 3 month vehicle registration suspension. ■ “Three strikes” was never designed to acknowledge reasonable steps. Rather it provides a very blunt assertion of guilt by the vehicle owner if the vehicle is proven to exceed 115km/h. ■ NatRoad and the industry also pushed hard for the introduction of “Chain of Responsibility” legislation addressing a range of on-road offences, including speeding heavy vehicles. Chain of Responsibility provides for accountability throughout the supply chain. ■ NatRoad championed that Chain of Responsibility laws must include a “Reasonable Steps Defence” acknowledging the respective influence of each party in the chain.
<p>The Issue</p>	<ul style="list-style-type: none"> ■ The “three strikes scheme” has not been rolled out nationally. ■ The “three strikes scheme” as it applies currently in NSW has been extended to apply to all heavy vehicle speeding offences greater than 15km/h over any posted speed limited. ■ This means that if a heavy vehicle exceeds any posted speed limit by greater than 15km/h the owner of the vehicle receives a “strike” as detailed above against that vehicle automatically. ■ NatRoad continues to support the use of the “three strikes scheme” for speeding heavy vehicles that exceed 115km/h. ■ NatRoad does not support the use of the “three strikes scheme” for speeding heavy vehicles in any other circumstance.
<p>NatRoad’s View</p>	<ul style="list-style-type: none"> ■ The trucking industry wants dangerous high speed heavy vehicles taken off the road. ■ NatRoad supports the use of speed limiters in heavy vehicles restricting

	<p>the maximum speed to 100km/h.</p> <ul style="list-style-type: none"> ■ NatRoad continues to support the use of the “three strikes scheme” for speeding heavy vehicles that exceed 115km/h. ■ NatRoad calls for “Chain of Responsibility” Laws to be exercised more strongly to enforce speeding and other offences throughout the supply chain making all participants responsible for delivering a safe outcome for trucking on the road. ■ NatRoad seeks the “Three Strikes Scheme” in NSW be applied as above. ■ NatRoad seeks that this be a national approach.
Next Steps	<ul style="list-style-type: none"> ■ NatRoad to discuss the policy with the National Transport Commission and seek support amongst regulators for a nationally consistent approach to this issue. ■ All Governments to recognise the need to strictly enforce heavy vehicle speeding throughout the chain, under a fair and consistent framework.
What members can do	<ul style="list-style-type: none"> ■ Make contact with NatRoad and tell us what you think. ■ Talk to your local member of Parliament about this issue.