

TRAFFIC BILL
(Serial 42)

Bill presented and read a first time.

Mr MANZIE (Attorney-General): Mr Speaker, I move that the bill be now read a second time.

Mr Speaker, the bill provides for a new Traffic Act to replace the existing outmoded one that dates back to 1949 and incorporates a patchwork of not less than 50 amendments strung together over the years. Members will appreciate that the need for a complete overhaul and consolidation of traffic legislation was well overdue. I am pleased to say that, so far as the act is concerned, this task is now largely complete. Substantial progress has also been made on a complete redraft of the traffic regulations which will allow the government to commence a total package of up-to-date traffic legislation early in 1988.

Considerable time and effort has gone into the review of traffic legislation culminating in this bill and the regulations to follow. The legislation sub-committee of the Road Safety Council played a key role in this exercise with representation from the Automobile Association of the NT, Darwin City Council, the police, the Law Society and the Department of Transport and Works. The Parliamentary Counsel also sat in on a number of the sub-committee's meetings.

The drafting of the bill and regulations included the incorporation of the following key principles.

1. To place an overriding obligation on drivers to avoid accidents and to encourage the orderly and safe movement of traffic.
2. To have the framework and main features in this act, with the detailed provisions contained in the regulations.
3. To allow for driving offences concerning motor vehicle registration and driver licences to be included in the Traffic Act.
4. To remove the remaining technical specifications for vehicles, particularly their lighting standards, from the Traffic Act and place these in the Motor Vehicle Regulations.
5. To enable the competent authorities, that is authorities responsible for traffic management on the roads and footpaths, to provide for traffic in their own right within the framework of the Traffic Act and regulations, but with provision for the minister to override their decisions where necessary to ensure conformity with common standards and interpretations.
6. To reduce the scope for technical defences by wrongdoers while respecting the rights of individuals to the extent that this is practical when they take on responsibilities affecting their own safety and that of other road users.
7. To require all traffic signs be obeyed, with the onus of proof that they were not lawfully erected or were inconsistent with their traffic control purpose to be on persons charged with disobeying them.