

The Effect of the Implementation of Vehicle Impoundments for ‘No Authority to Drive’ Offences in Western Australia

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Abstract

'Unauthorised drivers' represent a disproportionately high number of those who are involved in road trauma incidents as well as minor crashes and other traffic offences in Western Australia. In response to the risks to community and to further deter unauthorised drivers from driving, impounding of vehicles for selected 'No Authority to Drive' (NATD) offences was introduced in July 2009. This paper compares the detection and prosecution of unauthorised drivers prior to and post implementation of vehicle impoundments for NATD offences, and seeks to establish the effectiveness of vehicle impoundments as a deterrent to unauthorised driving.

Background

Legislation for impounding vehicles was introduced in Western Australia in 2004 to address community outrage over “hoon” type driving behaviour. The objective of impounding vehicles is to immediately remove the opportunity for re-offending following the commission of serious driving offences.

On 1 July 2009, the circumstance by which a vehicle may be impounded or confiscated was expanded to include certain types of unauthorised driving offences under s49 of the *Road Traffic Act 1974*. These amendments to the *Road Traffic Act 1974* enabled police to impound a vehicle for 28 days for certain driver's licence offences.

A vehicle can be impounded for 28 days for the following offences:

- Unauthorised Driving - licence has been suspended, cancelled or disqualified by a court
- Unauthorised Driving – The WA Department of Transport have refused to renew a person's driver's licence, or refused to issue a person with a driver's licence;
- Unauthorised Driving - licence is subject to demerit point disqualification; or
- The person has an extraordinary licence and is driving contrary to a condition relating to the time, purpose or location.

Police cannot seize and impound a vehicle for an unauthorised driving offence associated with:

- Expired Licence
- Never held
- Driving out of class
- Driving contrary to driver's licence conditions
- Fine Suspension
- Learner driver without instructor
- Novice driver breaching curfew

Method

This paper is intended as an expository assessment of the effect of the implementation of vehicle impoundments for NATD offences in Western Australia. Comparisons have been made for periods prior to and post the implementation of vehicle impoundments for NATD offences in July 2009.

Contributing factors such as volumes of on-road traffic enforcement hours and vehicles stopped by police have been assessed using linear time comparisons and Pearson Correlation Coefficients to estimate the relevance of the effect of each factor to any overall observations.

Results

A decrease in the number of charges for all NATD offences, even when weighed against the decreases in traffic enforcement hours and variations in vehicles stopped volumes, shows that the impact of the implementation is likely to have contributed towards a positive result. This finding may also support the conclusion that the introduction of vehicle impoundments for NATD offences has contributed to raising the awareness of the risk of detection for all NATD offences among the driving population of Western Australia.

Conclusions

While these assessments support the contention that the implementation of vehicle impoundments for NATD offences in Western Australia has contributed to a decline NATD offences, issues that hinder conclusive findings were uncovered. The inability to accurately quantify the unauthorised driver population is the greatest obstacle to conclusively assessing the success of the implementation of vehicle impoundments for NATD offences.

A more accurate assessment of the effectiveness of the implementation on key factors such as the involvement of unauthorised drivers in fatal and serious crashes and the recidivist offending of unauthorised drivers will be better understood when assessed over a greater period of time, with greater sample volumes.

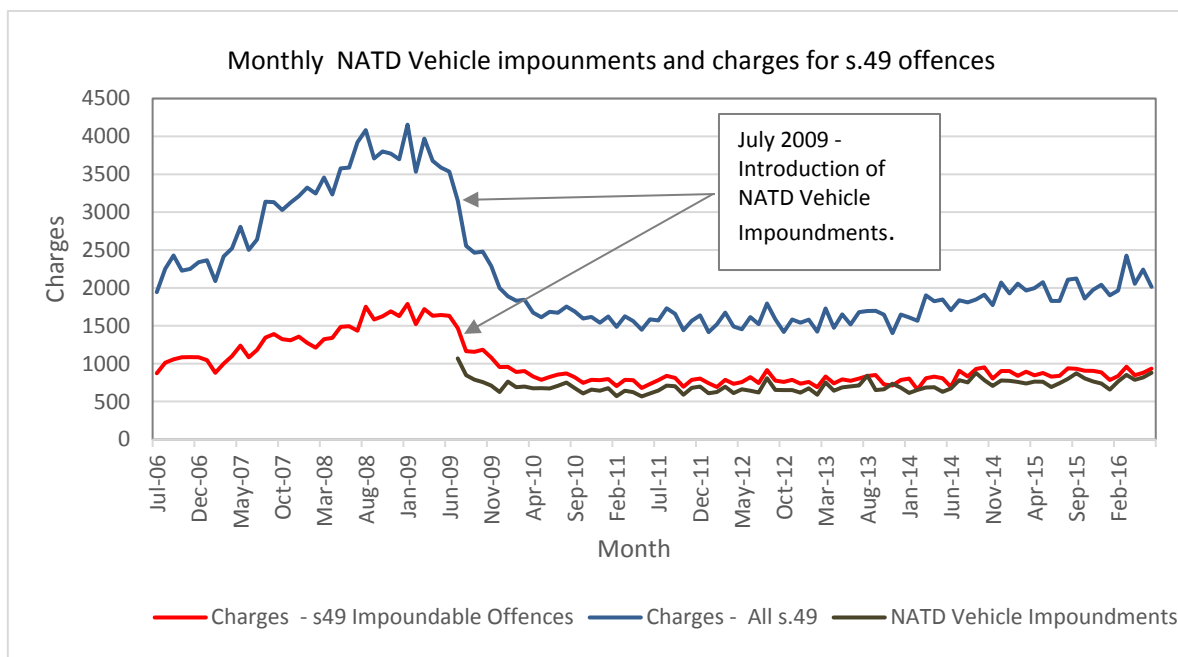


Figure 1. Monthly NATD Vehicle Impoundment and s.49 charges

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