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**From:** [REDACTED]  
**Sent:** Tuesday, 18 June 2019 8:50 AM  
**To:** NI Legislation  
**Subject:** Road traffic law changes submission  
**Attachments:** Road Traffic Laws.docx

Good morning  
Please find attached my submission regarding the proposed traffic law changes on Norfolk Island.  
Kind regards  
Cherie

Cherie Nobbs

[REDACTED]

## **Re: Consultation on Traffic Laws**

### **Recognising Australian Provisional Licences on NI**

We agree with Australian provisional plates being eligible for driving here, as long as the provisional licence granted on Norfolk Island remains recognised on Norfolk Island in the manner that it has always been applied for or granted.

However, Australian P platers are used to open roads with smooth surfaces, driving at high speed, without livestock roaming, so there would need to be some form of education to ensure they drove appropriately to the road conditions on Norfolk Island.

### **Preventing Injuries from Ute Tray Riding**

In all the years of 'tray riding', the only serious accident has been caused by drinking and drug abuse. The legal height of 30cm should be adhered to, and if seating is placed on the back, the 30cm height should be applied from the highest part of the seat. Prohibiting the practice of riding in the back of utes is a knee jerk reaction to a single irresponsible act.

It has always been a part of our family life/culture to be able to take all members of family and extended family with us on family outings. We are sensible doing this and always ensure that safety is at a premium. Our children know not to jump off a moving ute, as do their grandparents.

### **Reviewing laws applying to electric scooters and other mobility devices**

While it is important to ensure the safety of pedestrians, drivers of these devices and general traffic, the laws surrounding these devices in Australia are applicable to busy streets, shopping centres and high traffic areas, all of which do not apply to Norfolk Island. Common sense should rule the day and ensure that the laws applied to these devices is relevant to Norfolk Island and its size/traffic flow. One size does not fit all, especially when we are looking at traffic laws and comparing population, speed and traffic flows between Norfolk Island and states of Australia. We don't need overkill.

### **Enabling Removal of Abandoned Vehicles**

I agree that if there is a public hazard due to an abandoned vehicle on public land, the police require the authority to remove it. However, I would want reassurance that the owner would be contacted first, and sufficient attempts made, to ensure that this isn't just a money-making exercise.

### **Deterring Hazardous Driving Practices**

Might I mention that the accident that happened when someone threw themselves off a ute, THREE TIMES, it was not caused by dangerous driving, but by a lack of care for personal safety.

### **Dangerous Driving**

I agree with public places being designated dangerous driving free zones. However, I do not believe the police should have access to private property to prevent what is deemed 'dangerous driving'. For a start, there is no other traffic on private property, so I do not see how this concerns the traffic officers in any way. For most of our youngsters, they learn to drive on private property where there is no danger to others. Unlike Australia, where you can sign up for driving lessons and go to some secluded spot or a large carpark to learn how to drive, Norfolk Island only has the available roads, that all motorists use. It is our belief that learning how to handle a car, including how to recover from a skid, is best learnt in a paddock and not on the public roads.

I learnt how to drive a motorbike and a car in this way and feel it made me a better driver. I didn't have to worry about other drivers growing impatient with me because I was initially driving so slow, which would have impeded the traffic flow. In a small community, it is difficult if you make a mistake

when you first start driving and subsequent teasing due to your lack of knowledge or skill can be to the detriment of your confidence and capability.

In both Australia and New Zealand, this is a common practise in rural areas, and I see no reason why it should change. I vehemently disagree with traffic officers having access to private land without an extremely valid reason...and driving around your own private paddock is not one of them!

### **Drink Driving**

Australian speed limits are diversely different to those on Norfolk Island, and I disagree with the change from 0.08 to 0.05, given that a driver in Australia can do a lot more damage when under the influence, both on the busy streets and on the highways. As I said before, one size does not fit all, and Norfolk traffic is unique in comparison. There are no logging trucks or B-Trains continually racing around our roads.

I agree with the police being able to apprehend someone who is driving dangerously under the influence, but I do not agree with this authority being extended to include situations where a person is no longer operating a vehicle, but 'believed' to have been. If the police cannot apprehend someone while they are in the process of drunk driving, they should not be permitted the option of 'going after' someone just because they believe they had been operating a vehicle. If, however, there has been an accident, with witnesses statements, then I feel this is permissible.

If a conviction has not been recorded, I fail to see how a person can be penalised for something that the courts have decided to give them a second chance for. If the courts dictate there is to be no record, the police should adhere to this decision.

I cannot believe that there is a possibility of 'interlocking devices' being installed on Norfolk Island. Besides being an incredible waste of money, surely it is just as easy to call a relative or friend for the driver to be picked up...after all the most time you would have to wait for them to arrive on the scene would be 10 minutes. This is a small island and a small community, not a huge city area. I believe this is a case of overkill.

### **Drug Driving**

I am agreeable to drug testing and the subsequent penalties.

### **Suspending a Drivers Licence**

While I agree with the concept of not using a drivers licence from another jurisdiction when suspended, I do not believe it should be illegal to hold a licence in an Australian jurisdiction. Given the identification problems we have when applying for anything Australian, I have personally found my Australian drivers licence to be extremely useful when contacting government departments e.g. ATO, NSW Police Force, travelling to Australia, etc, because the Norfolk Island drivers licence is not accepted.

### **Improving Data Collection for Research Purposes**

This should not be done unless prior approval is given by the offender.

### **Reviewing Penalties for Traffic Offences**

Once again, I wonder if this is purely a money making exercise. The current penalties are sufficient for a small remote island community and do not need 'upgrading'. The disposable income of someone in Australia far surpasses that of a Norfolk resident, unless they are employed by the Commonwealth.

In closing, I believe that if you are considering 'one size fits all' as far as traffic laws are concerned, then work should be done to ensure the roads are of the same calibre and size as our Australian counterparts, before consideration to these changes begins.

I am sceptical about whether preparing a submission about these changes will actually make a difference, that sometimes decisions have been made prior to announcements, and the offering of submissions from the public is just lip service. What I would like to see is some public consultation, real public consultation, prior to any changes to traffic laws.