

[REDACTED]

From: Kelly Quintal [REDACTED]
Sent: Friday, 21 June 2019 9:59 AM
To: NI Legislation
Subject: OBJECTION to proposed legislated changes to the traffic ACT

I Write to express my Objection to the legislated changes as listed below:

2.2 Preventing injuries from ute tray riding

Currently in Norfolk Island, riding in the back of a ute is permissible if the sides of the ute are at least 15 cm high and closed, and the rider is at least five years old and seated on the tray.

This practice has come under scrutiny following the Coroner's findings and recommendations of 13 December 2018.¹ The Coroner recommended amending the Norfolk Island Traffic Act to revoke existing s40A and s44G (2)(b) so that the provision in Australian Road Rule (ARR) 268 applies (relevant excerpt at Attachment A).² ARR 268 regulates how persons must travel in or on a motor vehicle, and adopting this Rule would prohibit travelling in the open ute tray.

It is proposed to prohibit the practice of riding in the back of open utes.

2.5.1 Dangerous driving

Dangerous driving is driving a motor vehicle recklessly or at a speed, or in a manner, which is dangerous to the public.

Currently under Norfolk Island traffic laws, a person can only be charged with dangerous driving in Norfolk Island if it occurs 'on a road'.

It is proposed to expand the areas where the offence of dangerous driving applies, including 'public places' (as defined in the Traffic Act) and off-road areas such as dangerous driving in a private field.

Regards

Kelly Quintal