



Liberty & Democracy Party

Motor Traffic Policy

www.ldp.org.au

This is an abbreviated version of the LDP's policy. Full details are on the website at www.ldp.org.au.

Australia is a large country. Traffic laws must strike a balance between safety and the need for efficient travel over long distances.

Road deaths in Australia have fallen from a peak of 3,798 in 1970 to approximately 1,600, while road travel increased almost 150 per cent. However, the restrictions on mobility to achieve such a reduction are rarely considered.

The primary aim of traffic laws and enforcement must be to reduce the potential for death and injury to innocent road users – passengers, innocent bystanders and safe drivers – to a level proportional to the need for efficient transport .

Too many traffic laws are simply intended to protect drivers from themselves, are based on the subjective views of policymakers and reflect a “nanny-state” mentality.

Enforcement often has little impact on risky driver behaviour and merely generates government revenue. It is also often vindictive and oppressive, especially on young drivers.

Speed limits are disregarded by a majority of drivers while their justification brings the law into contempt. For example, “there is no such thing as safe speeding” is clearly false when the sport of motor racing has such a safe record.

In other parts of the world, different approaches are taken. In Europe and the US, for example, speed limits of 130 km/h are common.

Traffic laws should reflect the behaviour of the majority of motorists and not arbitrarily criminalise the majority and encourage violations. The normally careful and competent actions of a reasonable person should be considered legal.

Speed limits should be set so a majority of motorists observe them voluntarily and enforcement can be directed to the minority of offenders.

The LDP believes speed limits should be based on the 85th percentile rule. This would lead to an increase of 10-30 km/h on roads where drivers felt it was safe.

Enforcement of speed limits should allow tolerance of 10% for speedometer error and temporary inattention.

All speed limits over 90 km/h should be automatically reduced by a uniform amount (eg 10-20 km/h) at night and in the rain.

Special speed limits (eg school zones) should only apply when flashing yellow lights are operating.

Passive radar detectors should be re-legalised to assist drivers to adhere to speed limits.

Covert enforcement of speed limits should be replaced with visible enforcement to increase the deterrent effect.

Speed enforcement (including placement of speed cameras) should concentrate on locations where the risk of speeding creates substantial risks to other road users.

All traffic laws should be reviewed to ensure the priority is on safety to others, not the safety of the driver.

Licence testing should emphasise the skills and knowledge required to handle a vehicle to avoid being a danger to others. Parking is not one of those.

Renewal of drivers' licences should be subject to retesting every five years.

Enforcement of traffic laws intended to protect road users from themselves, while having no impact on innocent victims, should be low priority. That includes wearing seatbelts and motorcycle helmets.

The highest enforcement priority must be driver behaviour that infringes on the rights of others, particularly if it risks their death or injury. Red light cameras are an example of valid enforcement based on this criterion. Road rage is an example of behaviour that warrants criminal sanctions.

Modifying and hotting up cars should not be restricted unless it leads to vehicles that are dangerous to other road users (ie not the driver). The onus must be on the prosecution to establish such danger.

A five-year trial should be conducted in which the blood alcohol limit is increased to 0.08% for adult drivers. If, at the conclusion of the trial, the results suggest no significant increase in deaths and injuries, the increase should be made permanent.

Penalties for breaching traffic laws should not necessarily include the combined penalties of a large fine plus points leading to loss of licence. Offenders should have the option of paying a fine without losing points, or losing points without a large fine.

The revenue from traffic fines should be used for something highly unpopular such as paying the salaries of politicians. This would shift the emphasis towards modifying driver behaviour rather than collecting revenue.

Fuel taxes, as with all taxes, should be substantially reduced by eliminating government waste, duplication, unnecessary regulation and excessive bureaucracy.

The fuel excise tax should be immediately reduced by 10 cents a litre.

All fuels, whether petrol, diesel, LPG, ethanol or CNG, should be subject to the same level of tax. The government should not favour one fuel over another (other than continuing to exempt fuels produced by individuals for personal use).

Road design, construction and maintenance must improve. This includes improving roads and roadsides to reduce the risk of crashes and minimise harm, measures for higher speed roads including dividing traffic, and providing clear driver guidance.

Except where the private sector is involved, it is legitimate for government to undertake or sponsor research into road design, including experience from other countries, provided the information is made available to road designers who are then under a tortious obligation to incorporate it into their plans.