

TRAFFIC LEGISLATION AMENDMENT (DRINK AND DRUG DRIVING AND HOONING) BILL
Serial 76

Mr YAN (Logistics and Infrastructure): Madam Speaker, I thank my colleagues and members for their contributions to this important debate. I note the support from those opposite and the Independents on this Bill.

I welcome the constructive contribution from members in the Chamber and importantly, the recognition that Territorians expect this government to stay the course on their clear plan to reduce crime and restore safety across the Territory.

I clarify the following recommendations from the Legislative Scrutiny Committee that were supported and the amendments that will be proposed in the consideration in detail stage of the Bill.

Recommendation 1 was that the Bill pass with some amendments. Recommendation 3 is to fix a drafting error to retain the current requirements of a section of the Act. Recommendation 5 is that extra information is included in the impounding determination. Recommendation six is that there is a new review period of three years. Recommendation 7 is for a typographical error. Recommendation 8 is for a drafting error to reinsert the definition of 'alleged offence'.

There are only two recommendations that came from the Legislative Scrutiny Committee that were not supported. Recommendation 2 was the consideration to prevent persons who hold a medicinal marijuana prescription to lawfully drive with the drug present in their system. This recommendation has not been supported.

I note the committee's comments in relation to recommendation 4. However, I advise that this recommendation is not required. The current wording in the Act is 'the commissioner must take particular actions for the disposal of a vehicle after at least seven days'. The provision does not mandate the action in those seven days, therefore if the commissioner needs more time then the Act already allows for that. That is why that recommendation was not supported.

This Bill is about making our roads safer and keeping Territorians safe. The Traffic Legislation Amendment (Drink and Drug Driving and Hooning) Bill 2026 strengthens the capability of the Northern Territory Police Force to deal with drink and drug-driving and dangerous hoon behaviour.

Our Northern Territory Police Force do an outstanding job every day, putting themselves on the front line to protect Territorians and keep our communities safe. I note, in the contribution from the Member for Johnston speaking about training for police, that will be an operational matter for them. We will do the Bill. It will be put through and gazetted as is required, and that will give the police the time to do the necessary operational work to get their members up to date. They do this all the time; it is standard and core business for the police. I will not delve into their operational matters.

Members will recall that the Towards Zero Road Safety Action Plan 2024–2028 sets out a clear focus on reducing road trauma, encouraging responsible road culture and improving road safety outcomes across the Territory. Our road toll is disproportionately high for our population. One of the actions under the plan is to review road safety penalties, including those relating to drink and drug-driving and repeat offenders.

This Bill delivers on that recommendation by strengthening our drink and drug-driving laws and giving police greater ability to deal with repeat offenders.

When the CLP came to government, Territorians gave us a clear mandate: reduce crime; rebuild our economy; and restore our great Territory lifestyle. This Bill is one more step in delivering on that mandate.

I will touch on some issues raised by other members during debate. The Member for Nightcliff noted an issue raised through the scrutiny committee, being whether the combined offence element requires only the presence of a drug or whether there is an element required of impairment. The offence does not include an element of impairment; it is only a presence offence. The court determines this. I appreciate the concerns raised by the scrutiny committee; however, make clear that impairment is not an element of the new combined offence. It is purely a presence requirement, and the drafting on this Bill is clear on this matter.

In relation to the penalty for a combined offence, the penalties were developed in consultation with the Northern Territory Police Force, the Department of the Attorney-General and Justice and the Office of Parliamentary Counsel. They are intended to reflect the elevated road safety risk presented by combined alcohol and drug driving. These penalties are higher than those applying for standalone high-range drink-driving because the conduct is considered more serious and creates a greater risk to road users. I have heard that from members in this Chamber who have provided information during debate and from our member who know of people who have been involved in car accidents through no fault of their own because the other driver was under the influence of alcohol and drugs.

I also note the Member for Nightcliff's comments related to the queries raised on passive breath tests. The machines used to conduct these tests are the same machines currently used by the Northern Territory Police Force and therefore are already subject to calibration checking requirements. In terms of the process, if a person returns a positive breath test, they will be subjected to a breath test, being a breath test with a straw, then a breath analysis.

In relation to the disposal of vehicles, if the owner of the vehicle cannot collect the vehicle within the disposal timeframe, the owner can contact police. The police will then work with that owner on the collection of the vehicle within the appropriate time.

In terms of the amendment to reduce the timeframe to seven days, the current wording of the existing Act is that the commissioner must take actions for the disposal of vehicle after at least seven days. The provision does not mandate the action in those seven days, therefore if the commissioner needs more time, then the Act already allows for that, which is why we have made the amendments.

I acknowledge the men and women of the Northern Territory Police Force who put on the uniform every day to protect Territorians and keep our community safe. This is no more evident than what has taken place in Central Australia. I also thank the Northern Territory Police for their extensive input in this Bill, drawing on their real-world frontline experience to identify where laws can be strengthened to protect Territorians.

Once passed, the department will continue working with relevant agencies to ensure new measures are ready to be implemented and commenced. Territorians are proud of their communities. They want their neighbourhoods to be safe, clean and welcoming. They expect people who put others at risk to be held accountable. We heard that today from the Members for Fong Lim and Fannie Bay about the issues they face in their communities with hooning.

Our streets are not racetracks. There are plenty of opportunities for people who have high-performance cars who want to go out and use them, and there are appropriate places to do that. The streets of our towns are not the places to be doing that because not only are they putting themselves at risk, but they are also putting at risk the lives of other Territorians, and that is unacceptable. People who do that should have their cars taken away from them.

This government will always put the rights of victims ahead of the rights of offenders. This Bill gives police the practical tools to respond more effectively while allowing our courts to focus on the most serious cases. Currently if a person is caught high-range drink-driving while also having a drug present in their system, they can be charged with two separate offences. These amendments will allow those offences to be dealt with through a single charge. That is not simply about paperwork; it is about making the system more efficient and giving police the authority to deal with dangerous behaviour quickly and effectively, because the consequences of drink and drug driving can be devastating, as we have heard today.

Between 2020 and 2024, 6,690 drink and drug driving offences were proven in Territory courts. That is more than 1,600 offences every year, and the number on our roads tells an even more concerning story.

Over the past decade, as we have heard from those opposite, alcohol has been a factor in more than half of all road deaths in the Northern Territory, while drugs have been a factor in nearly a third. They are not just numbers; they represent Territorians who did not make it home to their families.

That is why our government is acting; we have already strengthened penalties for drink and drug driving and now we are going even further. This Bill builds on that work by giving the police stronger tools to crack down on repeat offenders and dangerous hooning behaviour.

It is about reducing crime, improving road safety and keeping all Territorians safe. That is the job that Territorians elected us to do, and it is why this government will continue to deliver on those commitments.

Motion agreed to; Bill read a second time.

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