

Submission 139

From: IpswichWest Electorate Office
To: Nadine Seifert
Date: 21/07/2008 2:46pm
Subject: Trail Bike Review

Hi Nadine

I wanted to provide some comments in relation to my thoughts on the CMC's current review into the existing trail bike laws. As you are aware I am the local state member for a large part of the Ipswich area, as well as a large rural component west of Ipswich, which includes small towns like Rosewood, Lowood and Fernvale.

In view of the above I am very well acquainted with trail bikes and in fact my son and I have one each which we use on our rural property. What this means is that I can see both side of the argument in relation to the use of trail bikes.

On the one hand, many residents feel very upset and angry about trail bikes because a number of riders do the wrong thing. On the other hand there are those parents and riders who spend many thousands of dollars on bikes and equipment who do the right thing.

In relation to the existing laws I would make the following comments:

* I believe that the existing laws are not widely understood by the general population or the average police officers for that matter. Unless you carry out a thorough reading and analysis of the legislation I would suggest that most people would struggle to comprehend what is required, and when a breach is being committed. Once it has been established that a breach has been committed I also consider that there needs to be a clearer delineation of who has to take action.

* All too often I get complaints from residents who suggest that the Police know who the culprits are, but refuse to do their job. I don't think that this is correct but I know that many police are confused and on the other hand consider it a minor matter in the scheme of things.

* To be more effective I think the laws should encourage the State and the local authorities to work more closely together. Currently I consider that the local authorities and the State are passing the problem back and forward between each other. I think that there needs to be certainty for all, in that it should be clearly stated that the problem lies in a particular area.

* I'm unsure of what the statistics indicate as to successful prosecutions. I would think that if the laws have been successful then we would see a large number of bikes confiscated and riders fined. If this is not the case I also feel that it would be a clear indicator that the current laws are not easy to administer.

* The courts should also be playing a key role in the administration of this law. I would like to hear that the Justice Department in consultation with the Magistracy has provided detailed advice on their interpretation of these laws. For these laws to be effective it has to provide our Magistrates with a number of options which can suit the particular crime. I haven't heard of any particular cries from Magistrates which indicate that they find the law unworkable.

* I am aware from dealing with my own local authorities that they also spend considerable money and resources trying to curtail illegal activities by trail bikes. As mentioned previously I consider that the laws need to reflect that both the State and the local councils have to work together. As one or the other will not be able to address the situation adequately.

* The matter of providing alternative sites for trail bikes to use should also be discussed as part of this exercise. I am aware of a number of planned trail bike parks, which I am told are being hamstrung by planning guidelines from the State and local authorities.

I think that we need to look at how we provide these alternative sites and in fact how we could actively and financially help this occur.

I look forward to the outcomes of the review and would be happy to take part in any other discussions on this matter.

Cheers

Wayne

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