

Individual Submission 380



## Neighbourhood Watch

Attention: NADINE SEIFERT  
 CMC REVIEW OF MOTORBIKE NOISE LAWS  
 GPO Box 3123  
 BRISBANE 4001

Dear Nadine,

With reference to the recent call for submissions for the CMC to consider in the review, I wish to make the following comments on behalf of the Crestmead Neighbourhood Watch Group, which is in the Logan City Council area and comes under both the Logan and Woodridge State electorates and the Rankin Federal electorate.

Our members and many of the local community are bothered on a weekly basis by youngsters and some adults riding both trail bikes and "pocket rockets" along suburban streets as well as in park land and bush land. Of course the review is in relation to the noise laws, but they must be considered in conjunction with the anti social effect on the residents and neighbourhood as a whole.

In this submission the use of the term "offender" will relate to the bike riders since that is what they are - not registered, not insured and unlikely to be licenced, in addition to the fact they do not have headlights, indicators and do not adhere to the road laws (driving through traffic lights against the signal, not wearing crash helmets, carrying a pillion passenger on a single seat bike etc).

Since the issues for the review to consider states "....reducing the problem of excessive noise from motorbikes being ridden off road, including on private land" the review MUST take into account the fact that many bikes are being ridden ON ROAD to get to the parkland and bush land areas. Therefore the noise factor will affect anyone who lives in suburbs that are near or in the vicinity of parks and bushland. To follow the dot points mentioned the responses will be in the same order.

- No the new laws do not provide police sufficient power to deal with the offenders since police cannot charge them if they are on council property and vice versa council rangers cannot charge them if they are on local streets.
- Improvements could obviously be made if there were a designated "Hooning and anti social vehicle" phone line. The effect of this would obviously mean that offenders could be logged by a central unit. Police as we all know are very understaffed and with the rapidly increasing developments, the population is increasing to a point that the number of police available will just not be viable. In all honesty it cannot be expected that a report to the local police beat or station, or even to the central communications section, will be addressed immediately and certainly other serious offences will always take priority. If the police and park rangers are limited in numbers as to the facility of motorbikes that can be ridden



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- off road, then it cannot be expected that they can service all the areas where these bike riding offenders will be at any one time.
- Whether the new laws provide the courts with sufficient power has to be viewed with the fact that courts do not always use the power at their disposal. Magistrates of course are able to make orders on an individual basis – if a uniform approach was made by ALL court officials, it would send out a message that all offenders will be treated in the same way and not differ depending upon where the offender appears and with which member of the judiciary will hear the case. However the main point here must be asked – **HOW MANY OFFENDERS ARE CAUGHT AND HAVE BEEN CHARGED/DEALT WITH BY COURTS?** Since the number must be minimal in relation to the actual number of offenders that are in the community, this would appear to be a moot point. The ongoing council/police responsibility really needs to be addressed and again should a uniform approach be made along with the hot line (which could encompass all forms of hooning and anti social vehicle offences) would at least give the authorities the ability to regulate where the appropriate resources should be relayed and therefore give a much better chance for the recording and charging of offenders. Since so many of the offenders are youngsters, the responsibilities of parents should then be taken into account – presumably they know the children are using unlawful transport, therefore their responsibility would be to pay fines and/or forfeiture to pay as the penalty.
  - Motorbike issues managed in local communities cannot be commented on for the fact that this is a police/council matter. For the community as a whole, I am sure the majority of people would say they want some form of management. Residents ARE bothered by the noise and disruption caused by the offenders. The absolute horror of watching an adult on an off road bike or “pocket rocket” carrying an infant on the machine with no regard for their safety never mind that of the child, makes one wonder what makes them do that? In the wider picture the destruction of bush land, the effect on the native flora and fauna and the noise and atmospheric pollution must be addressed. Suggestions for management of this will be made following the last point.
  - The issues impacting are mentioned as above but basically the parameters of the review seem to consider reducing excessive noise when in fact the problem to be addressed is the fact that these “pocket rocket” and off road motorbikes are illegal and that must be addressed before the need to consider the effects of noise. If the sale of these vehicles could only be made to someone owning a driving licence and with the production of insurance at the first instance, that would be a help. Since it is understood that the “pocket rockets” are imported that would be a good point to start – the size of the engine does not need registration but if they are ridden on roads (which they are) they need registration. Why not ban the importation at the outset. Then of course there is the ongoing problem of the vehicles being stolen, so the possession of stolen goods would come into effect should there be some form of registration (which there is not since they are not insured either).

In the wider sense of this comes the effect of anyone that is hurt or killed by the use of these machines. From the emergency service personnel having to deal with the injuries sustained by a rider (and pillion passenger since they are often carried, making the vehicle even less road worthy), to the innocent members of the public who may be involved as was the case recently in this area. A rider not wearing a crash helmet, riding an



unlicensed, unregistered and presumably uninsured off road bike, collided with a vehicle when travelling through an intersection against the traffic light signal. How does the driver of the other vehicle then deal with the memory of that crash, never mind the grief to be endured by family and friends of the victim. One has to remember that this person had no care for himself (as all youngsters believe they are bullet proof) but also with complete disregard for other road users.

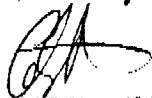
Could I make these further comments which relate to this issue but do not fall entirely in the review parameters.

- ◆ A measure to tighten up baffle pipes in exhausts – “pocket rockets” must meet the same noise controls as other motor bikes (i.e. street bikes) if they are to be imported into this country for sale.
- ◆ Off road bikes and pocket rockets are not to ridden on service station forecourts – i.e. can only be fuelled whilst on a trailer on the back of a vehicle since they must be registered to be on the road.
- ◆ Service station operators to be fined if they allowed unregistered bikes to refuel, unless on the back of a trailer or utility vehicle.
- ◆ Registration plates must be on the front of bikes as well as the back (can be made using a flexible material).

Thank you for this opportunity to give comments on this matter and I am sure you will receive many responses, but please note that this is not only on behalf of myself but for many of the residents of the local community, several of whom have made comments to me at our regular meetings and many who are just disappointed that police are unable to respond to the complaints due to understaffing and other constraints. These motorbike laws are matters which would appear to fall into the much wider booming area which of course will need a serious approach by all concerned, but more so through state legislation.

I look forward to reading the results when published.

Yours sincerely



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