

Anti-Hoon Laws

Fact Sheet – July 2007

In July 2007 the Road Safety Act 1986 was amended to include Hoon Driving Legislation.

Hoon Driving is when a vehicle travels at very high speed, or in a manner that produces burnouts and donuts. Drivers are considered hoons if their vehicle is involved in an unauthorised car speed trial or drag race or is operated by a disqualified, repeat offending driver.

- Dangerous driving
- Careless driving
- Failure to have proper control of the vehicle: and
- Causing the vehicle to make excessive noise or smoke

will also be considered hoon-related offences if committed in circumstances involving the improper use of a motor vehicle.

Penalties for hoon-related offences may include the vehicle being impounded, immobilised and forfeited.

- The Victoria Police are authorised to impound or immobilise vehicles for 48 hours when an officer reasonably believes that an individual has committed a hoon-related offence. Impoundment can occur within the 10 days following the hoon driving incident. A driver does not have to be caught red-handed.
- The Victorian courts are authorised to order that vehicles be impounded or immobilised for three months, or forfeited permanently, upon application by police.
- Charges may be laid.

If the driver is not the registered owner of the vehicle, it does not exempt the vehicle from being impounded, immobilised or forfeited unless the vehicle is a hire vehicle.

If the individual is charged with a second or third hoon-related offence, Victoria Police may ask the Court to substitute the vehicle to be impounded, for one registered to the offender, for the purposes of the three month impoundment or permanent forfeiture.

Costs will be incurred to recover the vehicle from impoundment and are likely to be in the range of \$270 to \$600. Costs may be higher if the vehicle is impounded or immobilized for longer than the period specified under an impoundment or immobilisation order.

For further information contact the Eastern Community Legal Centre on 9285 4822 (Box Hill Office) or 9762 6235 (Boronia Office) for free legal advice on this and other legal issues.

This information is to be considered a guide only and not a replacement for legal advice.

Reference: www.justice.vic.gov.au

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