



MONASH University

Accident Research Centre

Hooning around: The application of Vehicle Impoundment legislation to address anti-social driving behaviour.

Belinda Clark



Novice drivers and road trauma

- Road crashes are the leading cause of death among young people aged between 10 and 24 years
- Approximately 400,000 people under the age of 25 years are killed in road crashes each year, with millions more injured and disabled (WHO, 2007)
- In Australia and New Zealand, road crashes kill more young people than any other cause of death, and young drivers have the highest crash risk of any age group of road users
- During the transition from L to P-plates young driver crash risk increases by twenty times
- In 2008, 27% of drivers killed were aged between 18 and 25 years, although they only represent around 13% of Victorian licence holders
- A young driver's risk of fatal crash is 5 times greater when carrying two or more passengers, especially when young male passengers

Hooning

Hooning: typically refers to antisocial driving behaviour commonly including driving the vehicle in a manner that results in loss of tyre traction, producing smoke and excessive noise

- Hoon-type behaviour was identified in 41 serious crashes between January 2003 and November 2004
- 28 young people died in these 41 crashes
- Hoon driving related crashes accounted for 60% of passengers aged 18 to 25 killed in 2003.
- Victorian example: Mill park crash Jan 2010, 5 young men killed, involving excessive speeding over 150km/hr

Number of reported hooning acts in lifetime

	1-5	6-10	11-20	21-50	50+
Percentage of drivers reporting crash involvement	8.9 %	13.7 %	23.7 %	25.7%	63 %

Source: Kee,et.al., (2007)

Activity	Definition
Illegal street racing	A competitive speed challenge between two or more vehicles
Time or speed trials	An attempt to break any vehicle speed record designed to test the skill of the driver or vehicle
Speeding	Travelling in speeds over the limit
Burnouts (inc. donuts)	Sustained loss of traction due to excessive acceleration which may produce smoke and excessive noise (donuts are essentially burnouts committed in such a way that the vehicle slides in a circular pattern)
Cruising or lapping	Slowly driving a vehicle around a predetermined route usually with the stereo system at a high volume
Rolling road blocks	A large number of vehicles travelling slowly as a convoy on major highways to block other vehicles and to facilitate street racing
Drifting	Approaching a corner at a relatively low speed and rapidly accelerating around the corner causing the rear of the vehicle to slide out and the tyres to slip and screech

Source: Kee et. al., (2007)

Vehicle Impoundment Legislation

- Vehicle Impoundment has become a popular penalty for addressing “hoon” driving behaviour
- Queensland was the first state to introduce vehicle impoundment legislation in 2002
- “hoon” legislation is now enacted Australia wide (Northern Territory was the last to introduce the legislation in 2009)
- Vehicle Impoundment Legislation (“hoon laws”) introduced in Victoria July 2006
- Penalties increased in July 2011

Offences

- Participation on a race or speed trial
- Dangerous or careless driving (involving intentional loss of traction)
- Failure to have proper control of the motor vehicle (involving intentional loss of traction)
- Causing a motor vehicle to make excessive noise or smoke (involving intentional loss of traction)
- Carrying more passengers than the number of seatbelts in the vehicle
- Evading police when requested to stop
- Deliberately/recklessly entering a railway crossing
- Exceeding the speed limit by 45 km/h or more (or travelling at 145 km/h or greater in a 110 kph speed zone)
- Repeat driving while unlicensed or disqualified
- Repeat drink driving with a BAC over 0.1 or greater
- Repeat drug driving

Vehicle Impoundment penalties

- Vehicles are usually impounded on the spot
 - 1st offence (tier two)- 30 days impoundment
 - 2nd offence (1st tier one offence) - a further 45 days up to 3 months impoundment
 - 3rd offence (2nd offence for tier one) - may result in permanent forfeiture (sold or crushed)
- Costs to recover vehicle can range from around \$270 to \$600
- Court imposed penalties can range up to 240 penalty units (in excess of \$28,000) and/or a period of imprisonment of up to two years

Detections

- Over 4,000 vehicles were impounded in Victoria during the year 2011-12
 - 500 of these were for second offences
- Approximately 50 % of all hoon offenders are aged 17-20 year
- Over 95% males
- Crime Stoppers “Hoon” Hotline received over 40,000 calls between 2008-2011

Who are “hoons”?

- not an homogenous group
- Illegal street racing – often planned with a designed location and time
- More spontaneous behaviour – often peer motivated
- Sport – many legal racing venues are closed due to insurance issue
- Car enthusiasts
- The average vehicle is over 10 years old (Leal et al., 2007)

MUARC research into hoons

- In 2010 MUARC conducted an evaluation of the vehicle impoundment legislation for the Victoria Police
- Detection and offence data was analysed
- Exploration of behavioural and attitudinal factors surrounding hooning and the legislation through self-report questionnaires and focus groups

Questionnaire and focus group themes

- Traffic offence and crash history
- Driving behaviour post vehicle impoundment
- Attitudes towards vehicle impoundment as a penalty
- Impact of vehicle impoundment
- Attitudes towards the legislation
- Perceptions of being detected
- Exposure to role models

Offence profile

- First offence 65%, second offence 33%

Traffic offences in past 2 years

One offence (42%), two offences (15%), three or more offences (28%), no offences (15%)

Crash history

- 8 participants were driver in a total of 12 crashes between them
 - 3 self-attributed to hoon driving
- 9 participants were passengers in a crash
 - 6 self-attributed to hoon driving

Where and when

Location of offence

- Primary arterial (31%)
- Local roads (21%)
- Secondary arterials (16%)
- Freeways (14%)

Time of offence

- Late night/early morning (11pm to 6am) – 58%
- Daytime (7am – 4pm) – 19%
- Evening (4pm – 7:30pm) – 19%
- Night (7:30pm – 11pm) – 4%

Passengers and peers

At time of offence

- Alone in vehicle 59%
- One passenger 29%
- Two or more passengers 12%

Usual hooning behaviour

- When alone 45%
- Both alone and with others 33%
- With others 22%

When asked how they felt or what was the worst thing about having their vehicles impounded

- Negativity towards the police and justice system
- Viewed themselves as victims
- Many felt it was revenue raising and that they had been targeted
- No participants acknowledged that their actions had led to the impoundment

The worst aspect of having their vehicle impounded

≈ 1/3 said it was having to tell their parents

Highest ranked inconvenience from vehicle impoundment:

- Fines & associated costs 32%
- No access to vehicle 30%
- Having a conviction 25%
- Facing harsher penalties in the future 13%

Attitudes towards hooning and Vehicle Impoundment legislation

- General consensus that hooning is not dangerous
- Justifications: good driving skills, being in a controlled environment
- Attribution of unsafe behaviour to “others”

Perceived rewards (motivations) from hoon driving

- 53% of participants reported benefits from hoon driving
- Enjoyment, a “buzz”, peer status

Exposure to models

- Hotted up car culture from parents and significant others

Perceptions of being detected

- 40% thought it was *likely* or *very likely*
- 36% thought it was *unlikely* or *very unlikely*

Avoiding detection

- Overall the chances of avoiding detection was viewed likely
- Strategies to avoid detection were: local knowledge such as speed camera locations & police patrol routes
- Detection was attributed to failure to implement a successful avoidance strategy

Post impoundment behaviour

Fairness of legislation

- *too harsh* (55%), *fair* (39%)
- deterred from future hoon driving (51%), undeterred (49%)

Post impoundment hoon driving

- **Claimed** no hoon driving (71%), **reported** no hoon driving (13%)
- Three or more times since impoundment (18%)
- Short period of deterrence (Eg. week or month)
- Decision to hoon drive spontaneous (53%)

Alternative solutions

- Regular access to legal sporting venues
- No solutions
- Increasing penalties and enforcement

Crushing cars

- Strategy to drive inferior cars, less concern over getting crushed
- Word of mouth agreement to engage in police chase to avoid getting expensive vehicle crushed.

Challenges for the program

- Similar to many other public health issues young males are a high risk group who are challenging to address
- Perceptions on the likelihood of detection need to be increased
- Deterrence of post impoundment hoon driving
- Very few participants admit to being concerned about facing harsher penalties
- Speed limiters or crushing cars may have greater deterrence value for car enthusiasts but little deterrence for older more disposable vehicles

What have we learnt from vehicle impoundment

- Focus on high risk young drivers
- popular legislation amongst the:
 - general public
 - Police
- Hoons are not an homogeneous groups
- Principal deterrence mechanisms: costs, inconvenience, telling family members.
- Access to legal off-street facilities (suggested solution)
- Maturation effect identified in mid twenties (Kee, et. al., 2007)
- Further research is needed to explore:
 - crash risks and
 - effectiveness of the increased impoundment period on the various subgroups targeted by the legislation.

References

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