

Motor Vehicle Registry Information Bulletin

R37 - Anti Social Driving (Anti Hoon) Behaviour Penalties

The incidence of antisocial driving, or 'Hooning' as it is most commonly known, has been recognised as a significant concern for all Australian State and Territory Governments.

Recent reviews have identified that young males between 17 and 26 years of age are most likely to be involved in hoon driving behaviour. Legislation recently introduced delivers harsher penalties to those people who continue to hoon and present a danger to others on the road. The new laws will:

- Give Police the power to immediately impound or immobilise an offender's vehicle for 48 hours, at any given place, when they are caught hooning;
- Allow Police to act on a written complaint from a member of the public and impound a vehicle for 48 hours and issue a traffic infringement notice;
- Allow the Courts to issue a vehicle Impound Order for between 3 and 6 months and in some cases issue a vehicle Forfeiture Order (loss of ownership) when a second hooning offence has occurred within a two year period;
- Allow the Court of Summary Jurisdiction to issue an Impound or Forfeiture Order as part of the sentencing process rather than requiring a separate civil application to be made to the Local Court;
- Make offenders responsible for all costs associated with the removal, transport and storage of their impounded or immobilised vehicle, whether it is a result of a Police action or a Court imposed penalty;
- Prevent the MVR from cancelling or transferring the registration while vehicle is impounded and making it an offence to sell, strip or otherwise dispose of the vehicle before an Impound or Forfeiture order is made by a Court.

What is hooning?

Anti social driving behaviour or 'Hooning' may include a range of offences such as illegal street racing, burn outs or damage to the surface of a road or public place by a driver of a vehicle.

What happens to my vehicle if it is impounded?

When a vehicle is impounded it is kept at a place specified by Police and may be immobilised through the use of wheel clamps and/or other devices.

You are not permitted to unlawfully remove the vehicle or anything fitted to it while it is impounded and must not interfere or remove/ tamper with any device used to immobilise it.

How long can my vehicle be impounded for?

A person charged with a Hooning related offence may have their car impounding for a 48 hour period. If it's your second or subsequent offence the Police may apply to a Court for a vehicle Impound Order. Until the Court is heard, your vehicle will remain impounded.

A Court imposed Impounding Order will specify that a vehicle be impounded for a period of between 3 and 6 months. It should be noted that vehicles subject to a Court Application for an Impound Order by the Police will automatically be impounded until a final judgement is made by the Courts.

Can I cancel the registration on an impounded vehicle?

No, an impounded vehicle or a vehicle subject to Police Court Application is not permitted to have its registration cancelled by law.

Registering an Impounded vehicle

Impounded vehicles and vehicles subject to Court case for Impounding can have their registration renewed when a safety inspection is not required.

Can I sell an impounded vehicle?

No, Vehicles that have been impounded or subject to a Police Court Application are by law not permitted to be sold.

What to do if I am sold a vehicle that is subject to a current Impound or Forfeiture Order

It is unlikely a person will be sold a vehicle subject to a current Impound or Forfeiture Order however, should the situation arise you will be unable to transfer the vehicle into your name, contact NT Police for further information.

Where the registered owner is not the offending driver

Only Police have the authority to reverse a decision to impound a vehicle and only if satisfied that, at the time of the offence, the vehicle was either:

- A rental vehicle;
- Stolen, or
- Used without the authority of its owner.

A vehicle owner whose vehicle has a note of Impounding against their vehicle and believes there is an error they should contact NT Police on first instance.

Other questions involving an impounded vehicle

For disputes or enquires relating to the specific details of an impounded vehicle or a vehicle subject to a Police Court Impounding Order Application or impounding Notice, people should contact Police on (08) 8948 9120. Please ensure you have all vehicle details available to you including the registration and Chassis (VIN) Numbers as well as any documentation the Police have provided to you regarding the charge.

Contact Details	
Motor Vehicle Registry	
Telephone	1300 654 628
Facsimile	(08) 8999 3103
Email	mvr@nt.gov.au
Web	www.mvr.nt.gov.au
Postal Address	GPO Box 530 Darwin NT 0801
Police	
Telephone	(08) 8999 5511
Facsimile	(08) 8948 9118