



Australia State Laws

Federal Law does not ban the use of Driver Warning Systems or Radar Detectors. However, each state has different laws on the use, ownership and sale of Radar Detectors. Penalties for the use of Radar Detectors also differ from each state and can be quite severe. Please contact your local Road Traffic Authority on the current laws in your state. Please use the below as an indicator only as they may have changed at time of publication.

New South Wales

TRAFFIC ACTS 1909 – SECT 4AD

4AD Sale, purchase and use of prohibited speed measuring evasion articles

- (1) A person must not sell or offer for sale, or purchase, a prohibited speed measuring evasion article. Maximum penalty: 20 penalty units.
- (2) A person must not drive a motor vehicle, or cause a motor vehicle or trailer to stand, on a road or road related area if prohibited speed measuring evasion article is fitted or applied to, or carried in, the vehicle. Maximum penalty: 20 penalty units
- (3) The owner of a motor vehicle or trailer, which is driven or stands on a road or road, related area in contravention of subsection (2) is guilty of any offence. Maximum penalty: 20 penalty units
- (4) It is a defence to a prosecution for an offence under this section if the defendant satisfies the courts that the article concerned was not designed as a prohibited speed measuring evasion article but was designed for another purpose.
- (5) It is a defence to a prosecution for an offence under subsection (2) or (3) if the defendant satisfies the court that, at the time of the alleged offence:
 - (a) the vehicle was in the course of a journey to a place appointed by member of the police force, an office of the Authority or a court, in order to surrender the article, or
 - (b) The vehicle was the subject of a notice, issued in accordance with the regulations, requiring the owner of the vehicle to remove the article from the vehicle within a specified time and that time had not expired, or
 - (c) The defendant did not know, and in the circumstances could not reasonably be expected to have known that the article concerned was fitted or applied to or was being carried in, the vehicle

TRAFFIC ACT 1909 – SECT 4AE

4AE Surrender and forfeiture of prohibited speed measuring evasion articles

- (1) A police officer who reasonably believes that:
 - (a) A prohibited speed measuring evasion article is being sold or offered for sale in contravention of section 4AD (1), or
 - (b) A motor vehicle or trailer is standing or being driven in contravention of section 4AD (2) because of an article fitted or applied to, or carried in, the vehicle, may require a person in possession of the article to surrender it immediately to the police office or, in the case of an article fitted or applied to a motor vehicle or trailer and not immediately removable, may by notice in writing served on the owner of the vehicle require the owner to surrender the article within a specified time and in a specified manner to the Commissioner of Police.

- (2) An offer of the Authority who is authorized in writing by the Authority for the purposes of this section and who finds a prohibited speeding measuring evasion article fitted or applied to, or carried in, a motor vehicle or trailer may, by notice in writing served on the owner of the vehicle, require the owner to do either or both of the following:
 - (a) Remove the article (if it is fitted to the vehicle),
 - (b) Surrender the article within a specified time and in a specified manner to the Commissioner of Police.

- (3) A person must comply with a requirement under subsection (1) or (2), whether or not he or she is the owner of the article concerned. Maximum penalty: 20 penalty units.

- (4) A court which finds an offence under section 4AD or under subsection (3) to have been proven against any persona may order that the article concerned, if not already surrendered pursuant to a requirement under this section, be delivered to the Commissioner of Police within a time and in a manner specified by the court.

- (5) An article surrendered as required under this section is thereby forfeited to the Crown and may be destroyed or otherwise disposed of at the direction of the Commissioner of Police.

- (6) No liability attaches to any person on account of the surrender by the person, in pursuance of a requirement under this section, of a prohibited speed measuring evasion article of which that person is not the absolute owner

TRAFFIC ACT 1909 – SECT 2

Definitions

Prohibited speed measuring evasion article means any device or substance that is designed, or apparently designed, to be fitted or applied to, or to be carried in, a motor vehicle or trailer for the purpose of detecting, interfering with, or reducing the effectiveness of, an approved speed measuring device, an includes a radar detecting device and a radar jamming device. Radar detecting device means a device designed or apparently designed to be fitted to or carried in a motor vehicle or trailer for the purpose of detection electromagnetic radiations from an approved speed-measuring device. Radar jamming device means a device designed or apparently designed to be fitted to or carried in a motor vehicle or trailer for the purpose of interfering with the receiving by an approved speed measuring device of reflected electromagnetic radiations.

Victoria

VICTORIA – (Road Safety Act 1986) 74. (1) A person must not own, sell, use or possess a device the sole or principal purpose of which is to prevent the effective use of a prescribed speed measuring device or to detect when a prescribed speed measuring device is being used.

Queensland

Transport Operations (Road Use Management) Act 1995

TRANSPORT OPERATIONS

(ROAD USE MANAGEMENT – ROAD RULES) REGULATION 1999

S224

Transport Operations (Road Use Management-Road Rules) Regulation 1999

S225

Using radar detectors and similar devices

- 225.** (1) A person must not drive a vehicle if the vehicle has in or on it-
- (a) A device for preventing the effective use of a speed measuring device;
or
 - (b) A device for detecting the use of a speed-measuring device. Maximum penalty – 40 penalty units.

(2) Subsection (1) applies to a device whether or not the device is operating or in working order

Western Australia

There are not laws against radar detectors or laser detectors in Western Australia.

South Australia

SOUTH AUSTRALIA – (Road Traffic Act 1961 – May 2 1996 Reprint) 53B. (1) A person must not – (a) sell, offer for sale or use a radar detector or jammer; or (b) drive a motor vehicle that contains a radar detector or jammer

Tasmania

Traffic (Road Rules) Regulations 1999

REGULATION 25 PART 13 - LIGHTS AND WARNING DEVICES

Division 3 – Horns and radar detectors

Using radar detectors and similar devices 225.

(1) A person must not drive a vehicle if the vehicle has in or on it a device for preventing the effective use of a speed-measuring device, or a device for detecting the use of a speed-measuring device. Unless the person is exempt from this rule under another law of this jurisdiction.

Penalty: Fine not exceeding 10 penalty units. Note: Drive includes be in control of &SHY; see the definition dictionary. (2) Subrule (1) applies whether or not the device is operating or in working order.

Note: Under the law of this jurisdiction, radar detectors or similar devices may be subject to confiscation &SHY; see rule 354. REGULATION 354

PART 22 – LOCAL ROAD RULES

Note 1

The rules in this Part are not part of the national scheme. They apply only in Tasmania.

Division 1 – Powers of police officers and authorized persons Seizure of detection devices

354. (1) A police officers or authorize person who has reasonable grounds for believing that a motor vehicle is equipped with a detection device may &SHY; (a) enter and search the motor vehicle; and (b) doing as little damage as possible in the circumstances, seize any device that appears to the police officer or authorize person to be a detection device; and (c) cause any device so seized to be tested; and (d) cause any device so seized to be produced in court as evidence in any proceedings under rule 225.

Note 1: Authorised person and police officer are defined in the dictionary.

Note 2: Rule 225 makes it an offence to drive a vehicle having a detection device. (2) If a person is convicted of an offence under rule 225 the detection device to which the offence relates is forfeited to the Crown (3) IN this rule, "detection device" means &SHY; (a) a device for preventing the effective use of a speed measuring device; or (b) a device for detecting the use of a speed measuring device. Start of valid time period for this component: 01 Dec 1999

End of valid time period for this component: 29 Nov 2009

Australia Capital Territory

A.C.T. – MOTOR TRAFFIC ACT 1936 – SECT 164G

Sale, purchase and use of radar detectors and jammers 164G.

- (1) A person shall not use, sell or offer for sale, or purchase, a radar-detecting device or a radar-jamming device. (2) A person shall not drive a motor vehicle, or cause a motor vehicle to stand, on a public street or in a public place if the vehicle is fitted with or is carrying a radar detecting device or a radar-jamming device.

Northern Territory

NORTHERN TERRITORY OF AUSTRALIA TRAFFIC REGULATIONS

PART 2 – TRAFFIC RULES THAT APPLY IN TERRITORY Division 8 – Other road rules

27. Interfering with traffic infringement detection device

- (1) A person must not unlawfully tamper with, interfere with or cause damage to a traffic infringement detection device.
(2) A person must not unlawfully interfere with the operation of a traffic infringement detection device.
(3) A person must not drive a vehicle that has in it or on it a device for preventing the effective operation of a traffic detection device.

- (4) A person must not drive a vehicle that has in it or on it a device for detecting whether a traffic infringement detection device is in operation in the vicinity of the vehicle.
- (5) A person commits an offence against subregulation (3) or (4) whether or not the device in or on the vehicle is in use.
- (6) If a member of the Police Force believes on reasonable grounds that a person has, or a vehicle is fitted with, a device that is intended to be used in contravention of this regulation, the member may seize the device for the purposes of tendering it in evidence in a prosecution of the person.
- (7) If a person is found guilty of an offence against this regulation, the court may order a device seized under subregulation (6), or a device used in the commission of the offence, to be forfeited to the Territory.