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Research that matters.

# From Start to Finnish

## Reforming South Australia's traffic fine system

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Discussion paper

**Jesper Lindqvist**  
**April 2016**

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# Acknowledgement

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Uniting Communities is one of South Australia's leading not-for-profits. It has some 1500 staff and administers over 90 programmes to support disadvantaged South Australians. Uniting Communities has a strong commitment to advocacy that addresses the underlying causes of disadvantage.

# Summary

South Australia has some of the largest traffic fines in the country.<sup>1</sup> South Australia issued \$174 million in traffic fines in the financial year of 2014-15, or a \$103 per person. The per person rate is ten times higher than the per capita face value of traffic fines for Tasmania. The average fine in South Australia in the financial year 2014-15 was \$410 compared to \$157 in Tasmania.<sup>2</sup> \$410 is higher than any other state The Australia Institute has examined (includes New South Wales, Queensland and Northern Territory as well as Tasmania and South Australia), while Tasmania had the lowest. These traffic fines rose substantially between 2000 and 2012. Some common traffic fines rose between 66% and 160% while inflation would have justified a 41% rise.

These traffic fines are particularly hard to pay for low-income South Australians while they comparatively provide for less incentive to drive safely to the most affluent drivers. Not only is this unfair, but also from an economic perspective ineffective at disincentivizing traffic infringements for all drivers. Finland has a system that counters these issues. Traffic fines (and most types of fines) are income-based, meaning that you pay more if you earn more. The system is both cheap and simple to administer according to Finnish Government officials.<sup>3</sup>

This discussion paper outlines two different possible implementations of the Finnish model. The first alternative is a direct translation of the Finnish system and would result in a loss of revenue for the state. The second alternative is a modification of the first to estimate a revenue neutral alternative.

Table 1 and 2 show the possible implementation of these alternatives. The fines are calculated based on mean disposable income for each quintile in South Australia (quintile 1 being the lowest earning 20 percent for example) but it is important to remember that each individual income corresponds to its own fine amount.

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<sup>1</sup> Lindqvist, Jesper and Cameron Amos, 2016, "Finland's Fine Example," *The Australia Institute*, accessed April 10, 2016, <http://www.tai.org.au/sites/default/files/TAI%20Discussion%20Paper%20-%20Finland%27s%20fine%20example.pdf>.

<sup>2</sup> Explained in detail with sources on page 3 and 4.

<sup>3</sup> See page 15 for full explanation.

**Table 1: South Australia with Finnish model Alternative 1 - Traffic fines per mean disposable quintile income**

Traffic Offence	Fine in 2014	Q1 New Fine	Q2 New Fine	Q3 New Fine	Q4 New Fine	Q5 New Fine
Exceed speed limit by 1 to 9 km/h	\$219	\$37	\$69	\$96	\$135	\$237
Exceed speed limit by 20 to 29 km/h	\$769	\$161	\$298	\$418	\$585	\$1,028
Fail to stop at red traffic light	\$487	\$173	\$321	\$450	\$630	\$1,107

Source: TAI's calculations based on ABS income statistics and state rules for traffic fines.

**Table 2: South Australia with Finnish model Alternative 2 - Traffic fines per mean disposable quintile income**

Traffic Offence	Fine in 2014	Q1 New Fine	Q2 New Fine	Q3 New Fine	Q4 New Fine	Q5 New Fine
Exceed speed limit by 1 to 9 km/h	\$219	\$53	\$97	\$136	\$190	\$332
Exceed speed limit by 20 to 29 km/h	\$769	\$230	\$421	\$588	\$822	\$1,439
Fail to stop at red traffic light	\$487	\$247	\$453	\$633	\$885	\$1,550

Source: TAI's calculations based on ABS income statistics and state rules for traffic fines.

If the first alternative of the Finnish system was implemented in SA, we estimate that the face value of fines would go from \$174 million to \$128 million with the value of the lowest income earners declining by 73%, (\$25 million), but increasing for high-income earners by 46% (\$16 million). The second alternative would see no change to the value of total fines. However, the 20% with the lowest income would see a reduction of 70% while the 20% with the highest income would see the value of their fines on average double. This means that the difference between the two systems is mainly visible for higher income earners rather than lower.

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# Introduction

Traffic fines are in most countries a flat-rate, meaning that everyone receives the same dollar amount in fines, regardless of who you are. This might seem fair at first sight, however, this does not consider that such penalties affect citizens differently. Affluent individuals will not face the same difficulty paying a flat-rate fine as a poor citizen. That is to some people not only unfair, but from an economic perspective ineffective at providing similar disincentives to all. Finland recognized this problem early on and implemented income-based traffic fines which mean that everyone pays a similar proportion of their income for each fine. The wealthy will therefore pay a higher monetary sum but the same<sup>4</sup> proportion of their income as someone with a low income, in theory providing the same disincentive for traffic infringements regardless of income.

This system has led to many different debates of which two in particular are of interest to this discussion paper. Are flat-rate fines or income-based fines more fair and which system is more effective at promoting road safety? This paper will examine a possible implementation of income-based traffic fines in South Australia modelled on the Finnish system. The focus will be on the fairness even though the effectiveness of such a system will be discussed as well.

Income-based traffic fines is a scheme suitable for all Australian states and this paper is a continuation of *Finland's Fine Example*, a related paper The Australia Institute released in January.<sup>5</sup> However, it is of particular interest to South Australia as the state has some of the highest traffic fines in the country. Many of the assumptions in this paper are found in the previous paper but always referenced when necessary. Some of the relevant concerns that were addressed in Finland's Fine Example have been left out of this paper, unless they are specific to the South Australian case.

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<sup>4</sup> The proportion is technically somewhat different between individuals because of the initial flat-rate reduction of €255.

<sup>5</sup> Lindqvist, Jesper and Cameron Amos, "Finland's Fine Example."

This paper focuses on two alternative implementations of an income-based traffic fine system for South Australia. The first translates the Finnish model straight to South Australia and would result in lower fines and a loss of revenue for the state. This alternative was outlined in *Finland's Fine Example*. The second shows how the state could implement the Finnish system without decreasing the face value of issued fines. This would likely lead to a similar outcome in terms of revenue for the state. However, it is important to note that this paper does not assume any change in behaviour by drivers and an implementation of this system might therefore result in different results for revenue.



# South Australia compared to other states

South Australia has some of the highest traffic fines in the country. South Australia issued approximately 423,000 traffic fines in the financial year of 2014-15. That is an average of 0.31 fines per registered car in the state.<sup>6, 7</sup> This is a similar number to Queensland (0.36), Northern Territory (0.30) and New South Wales (0.25). It is significantly higher than Tasmania (0.07).<sup>8</sup> The problem for South Australians is not the rate of issued fines, but the value of them. The Australia Institute was able to gather data from five states (and territories); New South Wales, Queensland, Tasmania, Northern Territory and South Australia. South Australia was by far the state that issues drivers with the highest value of traffic fines compared to the amount of registered vehicles in the state; \$129 per registered car. Compare this to Tasmania, with the lowest traffic fines of the five, where the value of traffic fines per registered vehicle is just \$11. This is a significant difference. New South Wales is second to South Australia out of these five states and they issue traffic fines worth \$75 per registered vehicle. It is not that South Australia issue many more traffic fines than other states; it is that they are high compared to other states.

The numbers for traffic fines per citizen is not that different. Tasmania issues an average of \$10 per citizen while South Australia issues an average of \$103 per citizen, still more than ten times higher.<sup>9</sup> The average fine amount in South Australia was \$410, much higher than any other state. Other states are shown in Table 3.

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<sup>6</sup> Australian Bureau of Statistics, "Motor Vehicle Census, Australia, 31 Jan 2015," Commonwealth of Australia, Last updated January 31, 2015, Accessed December 11, 2015, <http://www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/9309.031%20Jan%202015?OpenDocument>.

<sup>7</sup> Data SA, "Expiation Notice System Data," accessed April 11, 2015, <https://data.sa.gov.au/data/dataset/expiation-notice-system-data>.

<sup>8</sup> Traffic fine statistics was supplied on demand to The Australia Institute from each state.

<sup>9</sup> Australian Bureau of Statistics, "3101.0 - Australian Demographic Statistics, Sep 2016," Commonwealth of Australia, Last updated March 23, 2015, <http://www.abs.gov.au/ausstats/abs@.nsf/mf/3101.0>.

**Table 3: Traffic fines in five Australian states and territories**

State	Fines issued per number of vehicles	Fines face value per number of motor vehicles <sup>10</sup>	Fines face value per capita	Average fine amount	Fines issued per capita
<b>New South Wales</b>	0.25	\$75	\$52	\$305	0.17
<b>Queensland</b>	0.36	\$73	\$58	\$203	0.28
<b>South Australia</b>	0.31	\$129	\$103	\$410	0.25
<b>Tasmania</b>	0.07	\$11	\$10	\$157	0.06
<b>Northern Territory</b>	0.30	\$74	\$47	\$250	0.19

Source: TAI's calculations, unpublished statistics provided to TAI by each state except for South Australia.<sup>11</sup>

<sup>10</sup> Australian Bureau of Statistics, "Motor Vehicle Census, Australia, 31 Jan 2015."

<sup>11</sup> Data SA, "Expiation Notice System Data."

# Finnish traffic fine system

The Australia Institute released a national paper in January 2016 outlining an implementation of the Finnish day-fine system for traffic fines in Australia. All assumptions and calculation methods are outlined in that paper. This paper contains a brief overview.

The Finnish system relates each traffic fine to the driver's income. Each offence has a prescribed amount of "day fines"<sup>12</sup> to it. Running a red light costs all drivers 14 day fines. However, a day fine is individual and depends on the income of the driver. It is calculated through the formula below:

$$\text{Day fine} = \frac{(\text{net monthly income} - \text{€}255)}{60} - (\text{€}3 \cdot \text{dependents})$$

Net monthly income is defined as income after taxes and transfers. Dependents are also considered in the formula to make sure that they do not have to suffer for the mistakes of their legal guardians/spouses. Dependents are defined to be children under 15, individuals between 15 and 24 that are studying and dependent spouses.<sup>13,</sup>

<sup>14</sup>

The number of day fines for some offences are listed in Table 4 below:

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<sup>12</sup> The origin and the idea behind the name "day fines" are unknown to The Australia Institute. However, it does not mean that you have to pay the fine in parts for that number of days.

<sup>13</sup> Australian Bureau of Statistics, "Child," Commonwealth of Australia, last updated May 23, 2011. Accessed December 11, 2015, <http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/2901.0Chapter25702011>.

<sup>14</sup> More of these methodological specifications can be found here: Lindqvist and Amos, "Finland's Fine Example," *The Australia Institute*, pp. 22-23.

**Table 4: Amount of day fines for typical traffic infringements**

<b>Traffic infringement</b>	<b>Usual amount of day fines<sup>15</sup></b>
<b>Fail to stop at red light</b>	14
<b>Fail to wear seat belt</b>	4
<b>Use mobile phone while driving</b>	6
<b>1-10 km/h exceedance above speed limit (applies to speed limits up to 60 km/h)</b>	3
<b>11 – 15</b>	6
<b>16 – 20</b>	9
<b>21 – 23</b>	12
<b>24 – 26</b>	14
<b>27 – 29</b>	16
<b>30 – 32</b>	18
<b>33 – 35</b>	20
<b>36 – 38</b>	22
<b>39 – 41</b>	24
<b>42 – 44</b>	26
<b>45 – 47</b>	28
<b>48 -</b>	Crime reported to authorities
<b>1-10 km/h exceedance above speed limit (applies to speed limits above 60 km/h)</b>	3
<b>11 – 15</b>	5
<b>16 – 20</b>	8
<b>21 – 23</b>	10
<b>24 – 26</b>	12
<b>27 – 29</b>	14
<b>30 – 32</b>	16
<b>33 – 35</b>	18
<b>36 – 38</b>	20
<b>39 – 41</b>	22
<b>42 - 44</b>	24
<b>45 - 47</b>	26
<b>48 - 50</b>	28
<b>51 -</b>	Crime reported to authorities

Source: Official documentation provided to TAI by Finnish Government official.

The Finnish system also has a minimum fine level which we call a fine ‘floor’. Even if a person does not have an income, he or she will still be fined. The fine floor is \$10 per day fine. This fine floor only applies to the lowest income earners.

<sup>15</sup> Police will typically enforce the common day fine amount but the legal system has room to increase and decrease the amount of day fines depending on circumstances and other factors.

Interesting to note is that these fines are close to the same proportion of each person's income (except for the poorest). This means that this system is neither progressive nor regressive but in between. To exemplify, traffic fines in South Australia today are regressive while income taxes are progressive.

This paper examines the face value of issued traffic fines and not the revenue collected. They are different as revenue is usually lower than the face value of issued fines. The paper does assume however that there is a significant correlation between the two and that a decrease in one will lead to a similar decrease in the other. The assumption is that the Finnish model will collect the same amount of revenue in proportion to the face value as the old system. Furthermore, this paper does not take into account the cost of administering this type of system but discusses it on page 15.<sup>16</sup>

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<sup>16</sup> More of these methodological specifications can be found here: Lindqvist and Amos, "Finland's Fine Example," *The Australia Institute*.

# Alternative 1: The Finnish Model in South Australia

If S.A. were to adopt the Finnish fine system, different fines would be issued depending on income levels. In this paper we refer to income “quintiles”, the S.A. population split into 5 groups by income. Each quintile consists of 20% of the population where Q1 is the 20% lowest income earners and Q5 which is the highest. These per week mean disposable incomes per quintile in South Australia are<sup>17, 18</sup>:

- Q1: \$277 per week, or 14,444 per year.
- Q2: \$423 per week, or 22,056 per year.
- Q3: \$550 per week, or 28,679 per year.
- Q4: \$728 per week, or 37,960 per year.
- Q5: \$1198 per week, or 62,467 per year.

Table 5 shows new traffic fines corresponding to the above mean quintile disposable incomes. However, these are only examples as each individual income corresponds with an individual fine amount.

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<sup>17</sup> Lindqvist and Amos, “Finland’s Fine Example,” *The Australia Institute*, p. 22.

<sup>18</sup> These incomes are based on household income that has been individualized, explained in the previous reference. However, it is important to note that these incomes therefore are somewhat different to actual individual incomes but they are close enough to make estimations in this paper.

**Table 5: New fines per quintile mean disposable income Alternative 1**

<i>Traffic Offence</i>	<i>Amount of day fines</i>	<i>Fine in 2014</i>	<i>Q1 New Fine</i>	<i>Q2 New Fine</i>	<i>Q3 New Fine</i>	<i>Q4 New Fine</i>	<i>Q5 New Fine</i>
<b>Exceed speed by 1 to 9 KPH</b>	3	\$219	\$37	\$69	\$96	\$135	\$237
<b>Exceed speed by 10 to 19 KPH</b>	7	\$409	\$87	\$160	\$225	\$315	\$554
<b>Exceed speed by 20 to 29 KPH</b>	13	\$769	\$161	\$298	\$418	\$585	\$1,028
<b>Exceed speed by 30 to 44 KPH</b>	22	\$906	\$272	\$504	\$707	\$991	\$1,740
<b>Disobey red traffic light</b>	14	\$487	\$173	\$321	\$450	\$630	\$1,107
<b>Use hand-held mobile phone</b>	6	\$368	\$74	\$137	\$193	\$270	\$474
<b>Fail to wear seat belt</b>	4	\$393	\$50	\$92	\$129	\$180	\$316

Source: Author’s calculations and statistics from Data SA.<sup>19,20</sup>

The fine will be lowered in most cases for the 80% of the population with the lowest income. Speeding 25 km/h will earn the driver a fine of \$585 for the mean income of quintile 4 (income between the 60<sup>th</sup> and 80<sup>th</sup> percentile). That is lower than the 2014 fine in South Australia of \$769 but higher than the fine imposed in any other state. The second highest was New South Wales with \$436, more than \$300 less than South Australia. The third quintile would pay on average \$418 in a Finnish system, more than most Australians do today and still pay significantly less than they themselves do today. This perfectly highlights the issue. Traffic fines in South Australia are abnormally high.

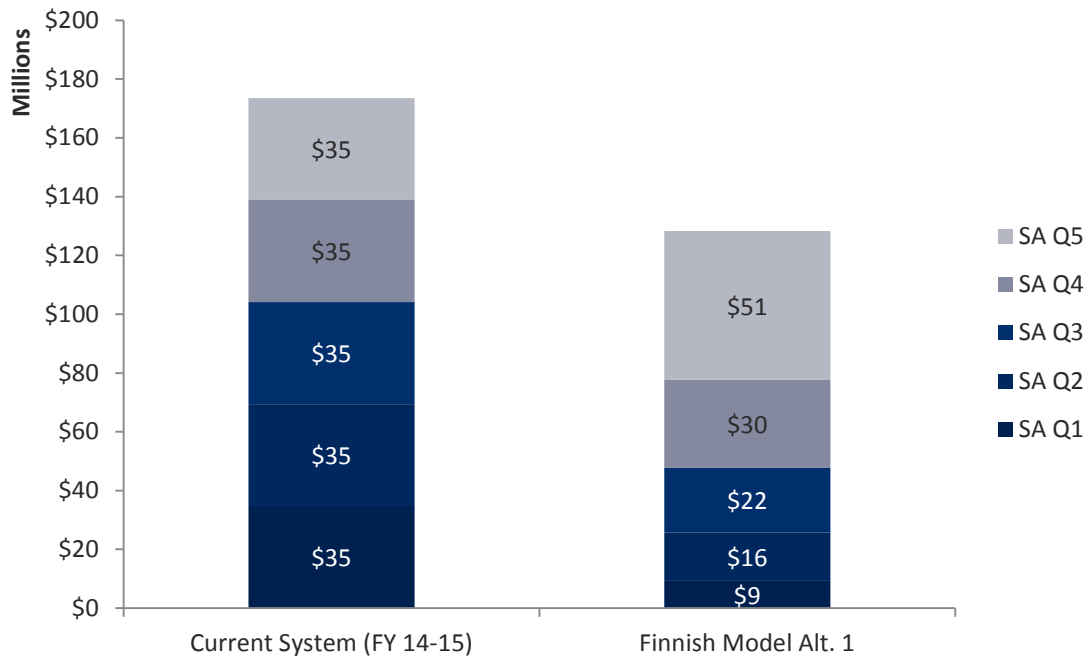
Below we can see the new face value of issued traffic fines, which should not be confused with revenue. The new face value would be \$45 million (26%) lower than the current system. The lowest quintile (the 20 percent with the lowest income) would pay \$9 million, a decrease of \$25 million; 73 percent less. The 20 percent with the highest income would be the only income group that would pay more (46 percent) than they do at the moment, \$15 million more.

<sup>19</sup> Data SA, “Expiation Notice System Data.”

<sup>20</sup> South Australia Government, “Road Traffic (Miscellaneous) Regulations 1999,” accessed April 11, 2015.

[http://www.legislation.sa.gov.au/LZ/C/R/ROAD%20TRAFFIC%20\(MISCELLANEOUS\)%20REGULATIONS%201999/2014.08.31/1999.236.UN.PDF](http://www.legislation.sa.gov.au/LZ/C/R/ROAD%20TRAFFIC%20(MISCELLANEOUS)%20REGULATIONS%201999/2014.08.31/1999.236.UN.PDF).

**Figure 1: Face value South Australia traffic fines compared to Alternative 1**



Source: Author's calculations and statistics from Data SA.<sup>21</sup>

**Table 6: Difference between current system (FY14-15) and Alternative 1**

	<i>Current System (FY 14-15) (\$M)</i>	<i>Finnish Model Alt. 1 (\$M)</i>	<i>Proportion of Total Fines Finnish Model Alt. 1</i>	<i>Change (\$M)</i>	<i>Change %</i>
<b>SA Q1</b>	\$35	\$9	0.07	-\$25	-73%
<b>SA Q2</b>	\$35	\$16	0.13	-\$18	-53%
<b>SA Q3</b>	\$35	\$22	0.17	-\$13	-36%
<b>SA Q4</b>	\$35	\$30	0.23	-\$5	-14%
<b>SA Q5</b>	\$35	\$50	0.39	\$16	46%
<b>Total</b>	<b>\$174</b>	<b>\$128</b>	<b>1</b>	<b>-\$45</b>	<b>-26%</b>

Source: Author's calculations and statistics from Data SA.<sup>22</sup>

The new system would issue \$95 in traffic fines per registered car which would bring South Australia closer to other states. The face value per capita would be \$76, also higher than any of the other four states. This would most likely lead to a loss of revenue and this would have to be compensated for in some other way. For some, this might be seen as a problem. This paper has therefore examined a revenue neutral alternative.

<sup>21</sup> Data SA, "Expiation Notice System Data."

<sup>22</sup> Ibid.



# Alternative 2: The revenue neutral alternative

Alternative 1 would see a reduction in revenue for the SA government. In this section we outline a revenue neutral alternative with the same Finnish model. The only thing that has to be altered is the formula. The dividing number has to be changed from 60 to 43 to make a revenue neutral estimation.<sup>23</sup>

$$\text{Day fine} = \frac{(\text{net monthly income} - \text{€}255)}{43} - (\text{€}3 \cdot \text{dependents})$$

**Table 7: New fines per quintile mean disposable income Alternative 2**

<b>Traffic Offence</b>	<b>Number of day fines</b>	<b>Fine in 2014</b>	<b>Q1 New Fine</b>	<b>Q2 New Fine</b>	<b>Q3 New Fine</b>	<b>Q4 New Fine</b>	<b>Q5 New Fine</b>
<b>Exceed speed limit by 1 to 9 km/h</b>	3	\$219	\$53	\$97	\$136	\$190	\$332
<b>Exceed speed limit by 10 to 19 km/h</b>	7	\$409	\$124	\$226	\$317	\$442	\$775
<b>Exceed speed limit by 20 to 29 km/h</b>	13	\$769	\$230	\$421	\$588	\$822	\$1,439
<b>Exceed speed limit by 30 to 44 km/h</b>	22	\$906	\$389	\$712	\$995	\$1,391	\$2,436
<b>Fail to stop at red traffic light</b>	14	\$487	\$247	\$453	\$633	\$885	\$1,550
<b>Using mobile phone while driving</b>	6	\$368	\$106	\$194	\$271	\$379	\$664
<b>Fail to wear seat belt</b>	4	\$393	\$71	\$129	\$181	\$253	\$443

Source: Author's calculations and statistics from Data SA.<sup>24,25</sup>

Everything else in the system is kept the same and we get the following outcome. As can be seen in Table 7 above, traffic fines are somewhat higher than in Table 5. However, they are still lower for the lowest 60% of income earners (Q1 to Q3) of the

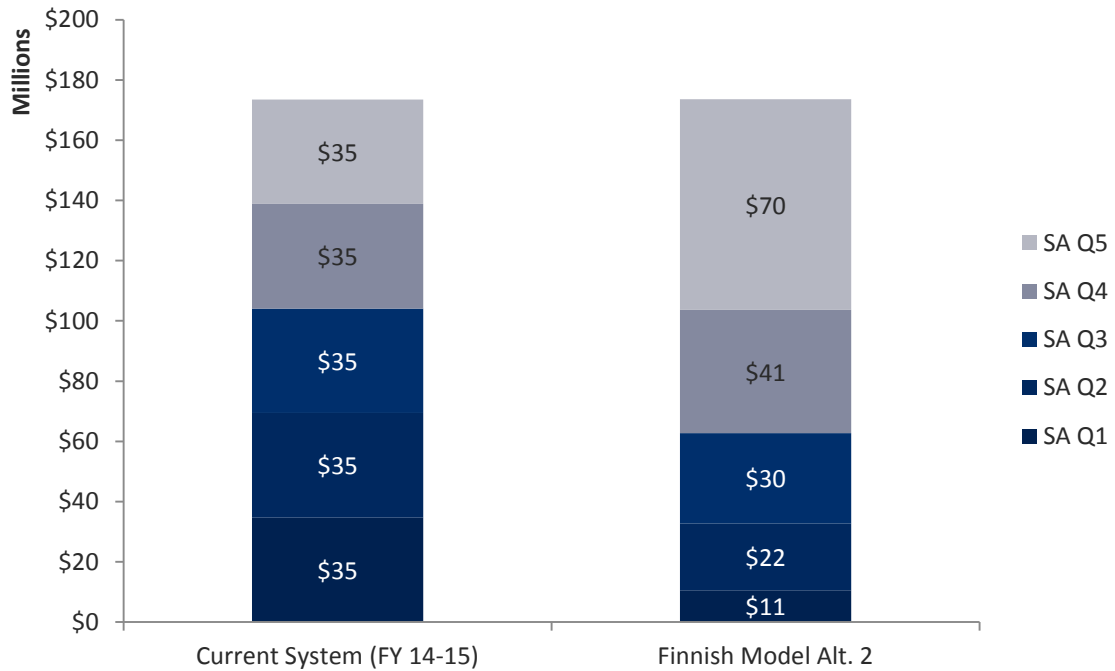
<sup>23</sup> €255 converted to \$403, explained in: Lindqvist and Amos, "Finland's Fine Example," The Australia Institute, p. 23.

<sup>24</sup> Data SA, "Expiation Notice System Data."

<sup>25</sup> South Australia Government, "Road Traffic (Miscellaneous) Regulations 1999."

population than today. The mean income of quintile 3 is close to the median income (percentile 50) and is an approximation for the average South Australian. He/she will pay more sometimes and less sometimes as shown above. On average, the average South Australian will pay 14 percent less in traffic fines as can be seen in Table 8.

**Figure 2: Face value South Australia traffic fines compared to Alternative 2**



Source: Author’s calculations and statistics from Data SA.<sup>26</sup>

On average, fines would be raised only for the richest 40 percent of South Australians, shown in Table 8 and Figure 2. They will be raised quite substantially on average for the 20 percent highest income earners, 101% higher traffic fines (\$35 million more than before). This is, with the assumptions outlined above, an estimation of what a revenue neutral option could look like. As can be seen in Table 8, there will be small changes to the distribution of traffic fines but it is very similar to the first alternative above.

<sup>26</sup> Data SA, “Expiation Notice System Data.”

**Table 8: Difference between current system (FY 14-15) and Alternative 2**

	<i>Current System (FY 14-15) (\$M)</i>	<i>Finnish Model Alt. 2 (\$M)</i>	<i>Proportion of Total Fines Finnish Model Alt. 2</i>	<i>Increase (\$M)</i>	<i>Increase %</i>
<b>SA Q1</b>	\$35	\$11	0.06	-\$24	-70%
<b>SA Q2</b>	\$35	\$22	0.13	-\$13	-36%
<b>SA Q3</b>	\$35	\$30	0.17	-\$5	-14%
<b>SA Q4</b>	\$35	\$41	0.24	\$6	18%
<b>SA Q5</b>	\$35	\$70	0.40	\$35	101%
<b>Total</b>	\$174	\$174	1	\$0	0%

Source: Author's calculations and statistics from Data SA.<sup>27</sup>

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<sup>27</sup> Ibid.

# Traffic fines in South Australia - today and tomorrow

## LEGITIMACY

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66% of South Australians in 2011 believed that speeding fines mainly were intended to raise revenue.<sup>28</sup> That was higher than in any other state. O’Neil and Kaye<sup>29</sup> highlight this as a serious issue for the state. South Australia Police has rejected those claims and said that it has to do with road safety.<sup>30</sup> O’Neil and Kaye believe that the legitimacy of road safety policies in general might be in danger if the people believe their government is dishonest. It is beneficial if the general population believe that their government has its best interest in mind as it shapes people’s view of the Government.

## TRAFFIC FINES IN SOUTH AUSTRALIA 2000 - 2012

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Traffic fines in South Australia rose substantially between 2000 and 2012. Traffic fines and fines in general rise constantly as they need to keep up with inflation. However, this has not been the case in South Australia. They have kept up with inflation, and then some. O’Neil and Kaye<sup>31</sup> show that inflation alone would have given reason to raise traffic fines in South Australia by 41%. However, the most common traffic fines rose between 66% (speeding above 45km/h) and 326% (drunk driving below 0.08% BAC). Speeding by 30km/h to 44km/h resulted in a 308\$ fine in 2000 and that fine had risen by 160% to 800\$ in 2012.

The question that O’Neil and Kaye ask is whether this has resulted in less road fatalities. They conclude that different factors make this hard to assess. The number of

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<sup>28</sup> Petrolius, Tina. 2011. “Community Attitudes to Road Safety – 2011 Survey Report.” *The Social Research Centre*, accessed April 7, 2016, [https://infrastructure.gov.au/roads/safety/publications/2012/pdf/community\\_att\\_11\\_v2.pdf](https://infrastructure.gov.au/roads/safety/publications/2012/pdf/community_att_11_v2.pdf), p. 49.

<sup>29</sup> O’Neil, Michael and Kaye, Lauren, 2015, “Economic Issues – Exceeding the Limit: How Excessive Speeding Fines May Undermine Community Engagement with Government Road Safety Policies,” South Australian Centre for Economic Studies, p. ix.

<sup>30</sup> Nankervis, David, 2015, “Accusations of revenue raising as speeding fines hit \$22 million a year,” *The Advertiser*, accessed April 5, 2016, <http://www.adelaidenow.com.au/news/south-australia/accusations-of-revenue-raising-as-speeding-fines-hit-22-million-a-year/news-story/e79eeee2134c7f28925a40c97e1506f7>.

<sup>31</sup> O’Neil and Kaye, “Economic issues,” p. 15.

road fatalities has decreased during this time period, but that is the case in other states as well and could be attributed to other factors such as safer cars.

Their review of prior research shows that traffic fines and enforcement of those fines such as police presence and traffic cameras has an effect; they decrease road accidents compared to no fines at all. However, the question should be whether the fines South Australians pay today are excessive and if the same goals could be reached with lower/different (for example income-based) traffic fines.

They suggest that other factors will be more efficient and better as excessive fines can undermine other road safety efforts. Instead of punishing bad behaviour, social psychology suggests that we should reward good driving.<sup>32</sup> Official warnings, implemented in Victoria for example, is a way of rewarding good drivers as they can receive a warning instead of a fine if they have a good driving history.<sup>33</sup> Furthermore, they recommend that the Government make a concerted effort to inform South Australians of why and how road laws are enforced to provide them with additional legitimacy.

## THE FINNISH EXPERIENCE

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South Australia Attorney General John Rau was quoted in the Advertiser on the 30th of January 2016 raising some concerns about an income-based traffic fine system. He suggested that it would require a lot of resources and “an enormous apparatuses to administer”.<sup>34</sup> However, this is not what Finland has experienced.

Finnish fines are based on taxation information provided to the Police by the taxation office.<sup>35</sup> Fines are calculated through a database accessible from police vehicles, courtrooms and prosecutor offices. The database was set up in 1999<sup>36</sup> and does not include any other information than what is necessary.

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<sup>32</sup> O’Neil and Kaye, “Economic issues,” pp. 26-27.

<sup>33</sup> O’Neil and Kaye, “Economic issues,” p. 27.

<sup>34</sup> Nankervis, David, “Study: South Australia has nation’s most unfair traffic penalty system,” *The Advertiser*, accessed April 5, 2016, <http://www.adelaidenow.com.au/news/south-australia/study-south-australia-has-nations-most-unfair-traffic-penalty-system/news-story/fc0b7d7594ef4fac53c253eee13b3ac7>.

<sup>35</sup> Information provided to The Australia Institute by a Senior Advisor at the Finnish Ministry of Justice through email on the 15th of April, 2016.

<sup>36</sup> Before 1999 the system relied mainly on the declaration of the offender. It was punishable to give false information.

The Chief Superintendent, member of Finland's National Police Board told The Australia Institute<sup>37</sup> that the system was neither difficult nor expensive to administer; "There is no significant difference in difficulty when handling an income based and a fixed fine system". He did not remember the exact cost of the system but said it was "less than €5,000 / month [...] it is not expensive". However, it is important to keep in mind that there might be specific circumstances as to why South Australia could have a different experience with administrating this type of system.

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<sup>37</sup> Information provided by phone and email on the 18<sup>th</sup> of April, 2016.

# Conclusion

Traffic fines are supposed to serve as a disincentive to speeding for all citizens. However, currently they have different effects on people with different income levels. Not only is this unfair, it is seemingly ineffective at providing an incentive-structure that ensures that everyone is equally disincentivized. Different income levels need different fine levels to serve as equal disincentives.

South Australia has a low average income compared to other states with some of the highest traffic fines. This makes South Australia an especially good candidate for implementing the Finnish income-based traffic fine model. This paper has shown different alternatives as to how South Australia might implement such a system. The state would still be one of the states that issues the largest traffic fines overall, no matter if it chooses alternative 1 or 2. This paper does not make any claims as to whether it is easy to implement this system in South Australia or not. However, the Finnish experience shows that it can be easily managed once implemented.

An income-based scheme might add legitimacy to road safety measures for the state, but other measures are just as important. The two most important arguments for the implementation are that it would be fairer and that it could provide a more suitable incentive-structure.

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