



Persatuan Pengguna Pulau Pinang Consumers Association of Penang

檳城消費人協會 பிளாங்கு பயனீட்டாளர் சங்கம்

Websites:
www.consumer.org.my

10 Jalan Masjid Negeri, 11600 Pulau Pinang, Malaysia
Tel: 604-8299511 Fax: 604-8298109
email: consumerofpenang@gmail.com

Press Statement

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Hard-hitting punishment for speeding, reckless driving to curb deaths

The Consumers Association of Penang is alarmed at the continued high incidence of fatal accidents on Malaysian roads and calls on the government to impose severe penalties, including criminal punishment, on those who flout safety laws that potentially lead to death.

Vehicles must also be subjected to vigorous checks and enforcement for compliance to relevant safety standards so as to ensure that accidents due to defective, substandard or worn-out components are minimised and even eliminated altogether.

At every festive holiday season our newspapers are dominated by reports of road deaths, most of which could have been avoided if the perpetrators responsible for them had followed the relevant rules in place. In light of this, we view with utmost concern and distress news of road users losing their lives even before the Hari Raya festive holidays begin.

On June 3, a collision between an express bus and two lorries at Km142.4 of the North-South Expressway (south-bound) near the Pagoh exit in Johor saw the driver and two front row passengers were killed. That same day, three people died in a three-car accident at KM52 Tatau-Bintulu Road in Sarawak.

These unnecessary losses of life came after a double-decker express bus caught fire at Km149.4 of the North South Expressway (NSE) at about 3am on May 31. Fortunately in this case, the 13 passengers, who were asleep, and the driver managed to escape unhurt.

The bus accidents are sharp reminders of the need to raise enforcement and road safety awareness following the deaths of 37 people in the bus that plunged into a gorge at Genting Highlands on Aug 21, 2013.

Meanwhile, Honda Motor confirmed on June 3 that a Takata air bag inflator ruptured in a fatal car crash three days earlier, in what appeared to be the 23rd death worldwide and fifth death in Malaysia linked to the faulty part that can emit deadly metal fragments.

Authorities overseeing road maintenance need to also ensure roads are consistently kept in tip-top condition, facilitating a smooth drive with suitable traction and grip for vehicles. It has been reported that heavy vehicles travelling at high speed are among the major causes for damage to roads, such as potholes that lead to accidents.

The high risk that motorcyclists face is also not to be ignored. In Ops Selamat 12 held in conjunction with the Chinese New Year season from 9 to 23 February this year, motorcyclists were recorded to

have contributed to the biggest number of fatalities, with 150 motorcyclists killed out of the 208 road fatalities reported during the period. Deputy IGP Tan Sri Noor Rashid Ibrahim was then reported as saying that the second highest number of fatalities involved car owners with 46 deaths, followed by pedestrians (13 deaths), lorries (five deaths), van users (five deaths), cyclists and buses (1 death) and other users (five deaths).

It is obvious that issuing summons on violators to significantly reduce the number of road offences is not working. The government must now urgently think out of the box to arrest the problem. It must adopt no-nonsense steps to punish road offenders, no matter how unpopular the measures may be, so as to deter such offences and save lives. The imposition of fines as is being practised today has proven not to have the necessary effect.

The new measures must include mandatory sentencing of those who drive above the speed limit with **compulsory community/social work in full view of the public**. They should be made to perform tasks like cleaning public areas, including sweeping roads and washing public toilets, for a period of not less than one week. The offenders must be made to wear vests that identify them to the public as undergoing the punishments for road safety offences. This form of punishment entailing community work has been practised successfully in Singapore in its “Corrective Work Order” (CWO) policy which has had substantial impact in deterring litterbugs and reducing incidences of littering.

In fact, the authorities have failed to wield laws already in place to punish reckless driving offenders with severe penalties like imprisonment. For example, under Section 42 of the Road Transport Act 1987, which deals with “reckless and dangerous driving”, any person driving a vehicle recklessly at a speed or in a manner that is dangerous to the public can be charged, and on conviction be liable to a **maximum jail term of five years with a fine of between RM5,000 and RM15,000**. CAP calls on the government to apply this provision on offenders who behave in any manner that has the potential to cause death – including speeding, tail-gating and dangerous overtaking.

The scenario of road fatalities in Malaysia has become so serious that it is akin to a life-threatening illness like cancer. It can hit anyone. Practically everyone on the road is a potential victim. Unlike cancer however, there is no recourse for treatment for a road fatality after it has happened.

Unfortunately, Malaysians do not take this matter with the graveness with which it is due. We are largely apathetic to the problem and are not sensitive enough to our people dying on the roads like mosquitoes. We also take lightly the distinct risk we and our loved ones face while using a road due to the existence of offenders who think nothing of plying their vehicles recklessly, putting others and themselves at risk of death.

S. M. Mohamed Idris
President
Consumers Association of Penang

<http://www.theborneopost.com/2018/06/04/three-dead-3-injured-in-traffic-accident/>

<https://www.nst.com.my/news/crime-courts/2018/02/339888/motorcyclists-biggest-casualty-ops-selamat-12>