



Queensland

Traffic Amendment Regulation (No. 1) 2011

Explanatory Notes for SL 2011 No. 29

made under the

Transport Operations (Road Use Management) Act 1995

General outline

Short title

Traffic Amendment Regulation (No. 1) 2011

Authorising law

Sections 170A and 171 of the *Transport Operations (Road Use Management) Act 1995*

Policy objectives and the reasons for them

The primary objective of this regulation is to allow transport inspectors to continue to enforce unlawful use of bus and transit lanes.

The *Transport and Other Legislation Amendment Act 2009* (No. 47 of 2009) amended the *Transport Operations (Road Use Management) Act 1995* to give powers to authorised officers other than police officers (that is, transport inspectors) to enforce restrictions on the use of bus lanes and transit lanes. A transit lane is a lane designed for use by higher occupancy vehicles that displays a “T2” or “T3” sign.

These powers allow transport inspectors to stop private vehicles between 6am and 7pm on business days if the inspector reasonably believes a person is, or has been, unlawfully driving in a bus or transit lane. The powers also allow the inspector to require the person to produce their driver licence.

Transport inspectors were given these powers for a trial period up to 31 March 2011.

In accordance with section 170A(2) of the *Transport Operations (Road Use Management) Act 1995*, this regulation will extend the expiry date for those powers until 31 March 2012. This will allow time for government consideration of the trial outcomes.

Achievement of policy objectives

The regulation provides that the provisions of the *Transport Operations (Road Use Management) Act 1995* which allow transport inspectors to enforce bus and transit lane restrictions will now expire on 31 March 2012.

Consistency with policy objectives of authorising law

The amendment is consistent with the objectives of the *Transport Operations (Road Use Management) Act 1995*. In particular, the continued ability of transport inspectors to enforce unlawful use of bus and transit lanes will promote the effective and efficient movement of people, goods and services on the State's roads (see section 3(1)(b)(i) of the *Transport Operations (Road Use Management) Act 1995*).

Benefits and costs of implementation

Enforcement of bus and transit lane restrictions contributes to the efficient flow of traffic. In particular, it facilitates the movement of people travelling in higher occupancy vehicles.

There are no significant costs of implementation.

Consistency with fundamental legislative principles

The amendments are consistent with the fundamental legislative principles.

Consultation

Relevant Queensland government departments were consulted during the development of the regulation and support its progress.

Notes on Provisions

Clause 1 – Short Title

Clause 1 provides the short title of the regulation.

Clause 2 – Regulation amended

Clause 2 specifies that the regulation amends the *Traffic Regulation 1962*.

Clause 3 – Insertion of new s 162

Clause 3 inserts a new section 162 into the *Traffic Regulation 1962*. Section 162(1) provides that, for section 170A(2) of the *Transport Operations (Road Use Management) Act 1995*, the provisions which allow transport inspectors to enforce bus and transit lane restrictions will now expire on 31 March 2012. Section 162(2) specifically identifies the relevant provisions in the *Transport Operations (Road Use Management) Act 1995*.

ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Transport and Main Roads.