



Queensland

# Transport Legislation (Fees) Amendment Regulation (No. 1) 2012

## Explanatory Notes for SL 2012 No. 55

made under the

*Adult Proof of Age Card Act 2008*

*Tow Truck Act 1973*

*Transport Infrastructure Act 1994*

*Transport Operations (Marine Pollution) Act 1995*

*Transport Operations (Marine Safety) Act 1994*

*Transport Operations (Passenger Transport) Act 1994*

*Transport Operations (Road Use Management) Act 1995*

*Transport (Rail Safety) Act 2010*

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## General outline

### Short title

*Transport Legislation (Fees) Amendment Regulation (No. 1) 2012.*

### Authorising law

Section 49 of the *Adult Proof of Age Card Act 2008*.

Section 43 of the *Tow Truck Act 1973*.

Section 490 of the *Transport Infrastructure Act 1994*.

Section 133 of the *Transport Operations (Marine Pollution) Act 1995*.

Sections 207 and 209 of the *Transport Operations (Marine Safety) Act 1994*.

Section 155 of the *Transport Operations (Passenger Transport) Act 1994*.

Section 171 of the *Transport Operations (Road Use Management) Act 1995*.

Section 284 of the *Transport (Rail Safety) Act 2010*.

### **Policy objectives and the reasons for them**

Each year the Department of Transport and Main Roads undertakes a review of fees and charges. The review adjusts general fees and charges based on Queensland government policy, which states that fees and charges are to be increased annually by the March quarter Brisbane All Groups Consumer Price Index as published by the Australian Bureau of Statistics.

The Brisbane All Groups Consumer Price Index for the March 2012 quarter was published on 24 April 2012 and was 1.3 per cent.

Registration fees for heavy vehicles are set, under a nationally-agreed process, at levels designed to contribute to the cost of heavy vehicles' share of road expenditure and to limit cross subsidisation between heavy vehicle types.

This year's heavy vehicle registration adjustment incorporates the:

- latest road expenditure, heavy vehicle road use, and pavement wear data;
- exclusion of certain road expenditure related to natural disasters; and
- recovery of road expenditure that has not been recovered by previous annual adjustments.

The Queensland Government provides port pilotage services on a user pays basis. The cost of the service provision is fully recovered through the fees applied to industry.

The regulation will introduce the new heavy vehicle registration and new port pilotage fees for the 2012-13 financial year.

### **Achievement of policy objectives**

The new fees and charges will be introduced by amendments to the following pieces of legislation:

- *Adult Proof of Age Card Regulation 2010*

- *Tow Truck Regulation 2009*
- *Traffic Regulation 1962*
- *Transport Infrastructure (Dangerous Goods by Rail) Regulation 2008*
- *Transport Infrastructure (Gold Coast Waterways) Management Plan 2000*
- *Transport Infrastructure (Public Marine Facilities) Regulation 2000*
- *Transport Infrastructure (Sunshine Coast Waterways) Management Plan 2000*
- *Transport Operations (Marine Pollution) Regulation 2008*
- *Transport Operations (Marine Safety) Regulation 2004*
- *Transport Operations (Passenger Transport) Regulation 2005*
- *Transport Operations (Road Use Management-Accreditation and Other Provisions) Regulation 2005*
- *Transport Operations (Road Use Management-Dangerous Goods) Regulation 2008*
- *Transport Operations (Road Use Management-Driver Licensing) Regulation 2010*
- *Transport Operations (Road Use Management-Fatigue Management) Regulation 2008*
- *Transport Operations (Road Use Management-Mass, Dimensions and Loading) Regulation 2005*
- *Transport Operations (Road Use Management-Vehicle Registration) Regulation 2010*
- *Transport Operations (Road Use Management-Vehicle Standards and Safety) Regulation 2010*
- *Transport (Rail Safety) Regulation 2010*

### **Consistency with policy objectives of authorising law**

The amendments are consistent with the policy objectives of the authorising laws.

## **Benefits and costs of implementation**

The costs associated with implementation of the new general fees and charges are minor administrative costs. These are not considered to be significant and will be funded by existing budget allocations.

Heavy vehicle registration fees contribute to the recovery of the cost of heavy vehicles' share of road expenditure. Cost recovery of the road provision and maintenance attributable to heavy vehicles will ensure the ongoing sustainability of road infrastructure in Queensland.

The 2012 heavy vehicle registration adjustment does not provide a uniform change in the cost of registration as some vehicle costs will rise while others will fall. However, this provides a levelling effect on registration costs to address some previous anomalies across the heavy vehicle fleet. New research on road usage and driving behaviour indicated that some vehicles were subsidising others.

## **Consistency with fundamental legislative principles**

The amendments are consistent with fundamental legislative principles.

## **Consultation**

Queensland Treasury and Trade requires State Government fees and charges to be indexed annually. No consultation has been undertaken with external stakeholders.

The process for determining heavy vehicle registration fees was the subject of a Regulatory Impact Statement prepared by the National Transport Commission in 2007.

Adjustments for the 2012 heavy vehicle registration fees were the subject of a discussion paper that was prepared in December 2011 by the National Transport Commission who undertook national consultation with industry and government.

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### ENDNOTES

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

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