



Queensland

Transport and Other Legislation Amendment Regulation (No. 1) 2012

Explanatory Notes for SL 2012 No. 215

made under the

State Penalties Enforcement Act 1999

Transport Operations (Road Use Management) Act 1995

General outline

Short title

Transport and Other Legislation Amendment Regulation (No. 1) 2012.

Authorising laws

Section 165 of the *State Penalties Enforcement Act 1999*.

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

Policy objectives and the reasons for them

The amendments are designed to encourage drivers to take more care around railway crossings and, in particular, to deter them from damaging any rail infrastructure or obstructing rail services. This will have benefits in terms of increased safety, reduced repair costs and minimising disruption to rail services and surrounding traffic.

Achievement of policy objectives

The amendments introduce new offences into the *Queensland Road Rules* for a driver who damages rail infrastructure at a railway crossing or causes an obstruction to trains or other drivers at a level crossing. The new offences carry a maximum penalty of 80 penalty units.

The *State Penalties Enforcement Regulation 2000* is amended to introduce an infringement notice fine of eight penalty units for the new offences.

The *Transport Operations (Road Use Management-Driver Licensing) Regulation 2010* is also amended to provide that a driver convicted of one of the new offences will accrue four demerit points on their traffic history.

Consistency with policy objectives of authorising law

The amendments are consistent with the policy objectives in section 3 of the *Transport Operations (Road Use Management) Act 1995* which include providing for the effective and efficient management of road use in the State; promoting the effective and efficient movement of people, goods and services; and improving road safety.

Benefits and costs of implementation

The costs of implementing the amendments will be met from existing budget allocations.

Consistency with fundamental legislative principles

The amendments are consistent with fundamental legislative principles.

Consultation

Relevant Queensland government departments have been consulted and support the amendments.

ENDNOTES

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

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