

Traffic Amendment Regulation (No. 2) 2016

Explanatory notes for SL 2016 No. 141

made under the

Transport Operations (Road Use Management) Act 1995

General Outline

Short title

Traffic Amendment Regulation (No. 2) 2016

Authorising law

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

Policy objectives and the reasons for them

Driving at any speed above the posted speed limit increases the risk of speed related crashes. Failing to stop at red traffic lights increases the chances of road crashes and road trauma. The Camera Detected Offence Program (CDOP) utilises a combination of digital speed and redlight camera systems to detect speeding and redlight offences to discourage these dangerous behaviours and thereby improve road safety in Queensland. The CDOP is a joint partnership between the Queensland Police Service and the Department of Transport and Main Roads which has a proven record in reducing road trauma.

To maximise the positive impacts of the program it is important to continue to introduce new camera systems to ensure camera detection of offences is as efficient and accurate as possible.

CDOP originally used analogue cameras for photographing offences. The analogue provisions reflected operating and testing requirements appropriate to that technology including the need for re-testing an analogue speed camera system if the information programmed in the analogue speed camera system changed (for example, if there was a change to a speed limit). These requirements have also been applied to digital speed camera systems.

However, changes to speed limit for a fixed digital speed camera system can be made remotely without affecting the detection function of the camera system. Similarly for mobile digital speed camera systems, the operator setting the speed limit at each location has no impact on the detection function or accuracy of the camera system.

As a result, the requirement to test digital speed camera systems when a speed limit has changed means the camera systems are unnecessarily inoperable during that period.

Achievement of policy objectives

The amendment regulation achieves the policy objective by amending the *Traffic Regulation 1962* to:

- approve a range of new digital camera systems as photographic detection devices. These new camera systems include single function speed camera systems and redlight camera systems, as well as combined digital speed and redlight camera systems (which can operate independently as either a speed camera or a redlight camera or can have both speed and redlight functions operating concurrently), along with point-to-point camera systems (which can operate as both a point-to-point function where the detected speed is the average between the system's two fixed cameras, or as a location specific fixed speed camera system);
- remove references to camera system models that are not operational in Queensland;
- remove requirements to test digital speed camera systems when a speed limit changes; and
- insert provisions to explain the 'data blocks' for the new camera systems. (A data block is the markings, writings and codes that appear on the images taken by the camera system).

Consistency with policy objectives of authorising law

The amendments are consistent with the objectives of the *Transport Operations (Road Use Management) Act 1995* and, in particular, with the objective of providing a scheme for managing the use of the State's roads that will improve road safety.

Inconsistency with policy objectives of other legislation

The amendment regulation is not inconsistent with the policy objectives of other legislation.

Benefits and costs of implementation

The amendments will benefit all road users by contributing to road safety.

Ongoing administrative costs associated with the operation of these camera systems will be met from the money collected from the penalties imposed for these offences. Section 117 of the *Transport Operations (Road Use Management) Act 1995* provides that all money in excess of the administrative costs must be used for road safety and associated purposes.

Consistency with fundamental legislative principles

The amendments are consistent with fundamental legislative principles.

Consultation

Consultation was undertaken with the Department of the Premier and Cabinet, Queensland Treasury, the Department of Justice and Attorney-General and the Queensland Police Service. All agencies consulted support the amendments.

The Office of Best Practice Regulation, Queensland Competition Authority, has advised that a Regulatory Impact Statement is not required.

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