

# ***Transport and Other Legislation (Personalised Transport Reform) Amendment Act 2017***

Explanatory notes for SL 2017 No. 89

made under the

*Transport and Other Legislation (Personalised Transport Reform) Amendment Act 2017*

## **General Outline**

### **Short title**

*Transport and Other Legislation (Personalised Transport Reform) Amendment Act 2017*

### **Authorising law**

Section 2 of the *Transport and Other Legislation (Personalised Transport Reform) Amendment Act 2017*

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

Section 155B of the *Transport Operations (Passenger Transport) Act 1994* (TOPTA) was passed by the Parliament in December 2016 and stipulates certain timeframes for progressing the Queensland Government's personalised transport reform program. Prior to introduction of the *Transport and Other Legislation (Personalised Transport Reform) Amendment Bill 2017*, pursuant to section 155B of TOPTA, a draft of the Bill was tabled in the Parliament along with a document stating 'the commencement of the Bill and subordinate legislation will be phased to allow adequate time for implementation with some provisions to commence on or before 9 June 2017.'

The objective of the Proclamation is to commence, on 9 June 2017, particular provisions of the *Transport and Other Legislation (Personalised Transport Reform) Amendment Act 2017* (the Amendment Act).

The commencing provisions amend TOPTA, the *Transport Operations (Road Use Management) Act 1995* (TORUM) and the *State Penalties Enforcement Amendment Act 2017*.

The main amendments to TOPTA commencing on 9 June 2017 will remove requirements for bailment agreements between taxi operators and drivers. These agreements will no longer be regulated under TOPTA; however the Queensland Government intends to work with the industry and other stakeholders to develop industry standards for driver conditions in the personalised transport industry.

Other amendments to TOPTA commencing on 9 June 2017 are minor or administrative in nature with little or no impact on industry.

Amendments to TORUM commencing on 9 June 2017 will ensure a zero blood alcohol limit for all drivers of vehicles available, about to be used, or being used to provide public passenger services applies consistently. The zero blood alcohol requirement under TORUM currently applies to taxi and limousine drivers.

The amendment to the *State Penalties Enforcement Amendment Act 2017* commencing on 9 June 2017 is a minor consequential amendment.

Most provisions of the Amendment Act to implement the new regulatory framework for personalised transport services are proposed to commence later this year by a further Proclamation, to allow time for industry to prepare for the new requirements and for relevant systems changes to be completed. This includes the new booked hire services licence, booking entity authorisation and industry chain of responsibility.

## **Achievement of policy objectives**

The policy objective is achieved by the Proclamation commencing the identified provisions on 9 June 2017.

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

The Proclamation is consistent with the policy objectives of the Amendment Act.

## **Inconsistency with policy objectives of other legislation**

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

## **Alternative ways of achieving policy objectives**

There are no alternative means of achieving the purpose of the Proclamation.

## **Benefits and costs of implementation**

The benefits and costs of implementation were outlined in the explanatory notes accompanying the Amendment Act.

## **Consistency with fundamental legislative principles**

The Proclamation is consistent with the fundamental legislative principles.

## **Consultation**

No consultation has been undertaken on the Proclamation as it is machinery in nature.

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