

Transport Operations (Passenger Transport) and Other Legislation (Personalised Transport Reform) Amendment Regulation 2018

Explanatory notes for SL 2018 No. 22

made under the

State Penalties Enforcement Act 1999

Transport Operations (Passenger Transport) Act 1994

General Outline

Short title

Transport Operations (Passenger Transport) and Other Legislation (Personalised Transport Reform) Amendment Regulation 2018

Authorising law

Section 165 of the *State Penalties Enforcement Act 1999* and sections 32, 91C, 91K, 91R, 91S, 91T, 91W, 91ZA, 91ZG, 91ZY and 155 of the *Transport Operations (Passenger Transport) Act 1994*

Policy objectives and the reasons for them

The policy objectives of the amendments are to:

- Enable the Department of Transport and Main Roads (the department) to monitor service performance, demand and changes in the personalised transport industry and provide important inputs into the broader planning processes for public passenger services.
- Enable the Department to monitor work hours of drivers of motor vehicles used to provide taxi services and booked hire services to improve safety outcomes relating to fatigue management.
- Ensure the reimbursement of subsidy payments to service providers under the Taxi Subsidy Scheme to safeguard the provision of services to people with disabilities.
- Ensure booked hire service identification signs comply with the requirements for the signs before they are displayed on booked hire vehicles.
- Clarify recent amendments relating to the personalised transport reforms.

Achievement of policy objectives

The policy objectives of the amendments will be achieved by:

- Requiring authorised booking entities and operators of taxi services to keep records of certain service-related information and provide that information to the chief executive on a regular basis or on request.
- Requiring authorised booking entities and operators of taxi services or booked hire services in taxis to keep records of information about driver work hours and provide that information to the chief executive on request.
- Requiring authorised booking entities and operators to ensure subsidy payments under the Taxi Subsidy Scheme are passed on to the person who provided the service.
- Allowing the chief executive to refuse to approve an authorised booking entity's proposed booked hire service identification sign if it does not comply with the requirements for a sign.
- Making minor clarifying, technical or consequential amendments relating to the personalised transport reforms.

Consistency with policy objectives of authorising law

The amendments are consistent with the policy objectives of the *Transport Operations (Passenger Transport) Act 1994*.

Inconsistency with policy objectives of other legislation

The amendments are not inconsistent with the policy objectives of other legislation.

Benefits and costs of implementation

The reforms contained in this regulation facilitate implementation of the Queensland Government's personalised transport reforms. The benefits and costs of implementation were outlined in the explanatory notes accompanying the Transport and Other Legislation (Personalised Transport Reform) Amendment Bill 2017.

Consistency with fundamental legislative principles

The amendments are consistent with fundamental legislative principles.

Consultation

The personalised transport reforms have been subject to extensive consultation with industry and scrutiny during the policy development and parliamentary committee processes.

The amendments relating to service-related information and information about driver work hours were developed in consultation with the taxi, limousine and ride-booking industries as well as other key stakeholders. Issues raised have been addressed in developing the regulation, or will be addressed as part of implementing the new requirements, for example, in developing approved forms for data provision.

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