

Transport Legislation (Fees) Amendment Regulation 2018

Explanatory notes for SL 2018 No. 55

made under the

Adult Proof of Age Card Act 2008

Gold Coast Waterways Authority Act 2012

Tow Truck Act 1973

Transport Infrastructure Act 1994

Transport Operations (Marine Pollution) Act 1995

Transport Operations (Marine Safety) Act 1994

Transport Operations (Marine Safety—Domestic Commercial Vessel National Law Application) Act 2016

Transport Operations (Passenger Transport) Act 1994

Transport Operations (Road Use Management) Act 1995

General Outline

Short title

This regulation may be cited as the *Transport Legislation (Fees) Amendment Regulation 2018*.

Authorising laws

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

Section 72 of the *Gold Coast Waterways Authority Act 2012*

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*

Sections 15 and 22 of the *Transport Operations (Marine Safety—Domestic Commercial Vessel National Law Application) Act 2016*

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

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

Policy objectives and the reasons for them

This regulation amends a variety of departmental fees and charges for the 2018-19 financial year.

Queensland Treasury requires State Government fees and charges to be indexed annually. Each year the Department of Transport and Main Roads (the department) 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 current Government indexation policy. The current Government indexation policy is 3.5 per cent.

Heavy vehicle registration fees are not subject to the Government indexation policy. They are reviewed and adjusted through a national process and approved by the Transport Infrastructure Council. The heavy vehicle registration fees consist of regulatory and road use components. The adjustment to the heavy vehicle registration fees will reduce the regulatory component of the fees to reflect the growth in the number of heavy vehicles and change in the National Heavy Vehicle Regulator's budget. The road use component of the fees remains unchanged.

New fees for tow trucks and changes to fees for special interest vehicles that are motorbikes were legislated in March and April 2018 respectively and, as a result, are not being adjusted by the Government indexation policy.

The Regulation also clarifies the fee amounts for departmental products paid for prior to 1 July 2018, by including fees for products with terms that start on or before either 30 June 2018 or 1 July 2018.

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*
- *Gold Coast Waterways Authority Regulation 2012*
- *Tow Truck Regulation 2009*
- *Traffic Regulation 1962*
- *Transport Infrastructure (Dangerous Goods by Rail) Regulation 2008*
- *Transport Infrastructure (Public Marine Facilities) Regulation 2011*
- *Transport Infrastructure (Waterways Management) Regulation 2012*
- *Transport Operations (Marine Pollution) Regulation 2008*
- *Transport Operations (Marine Safety—Domestic Commercial Vessel National Law Application) Regulation 2016*
- *Transport Operations (Marine Safety) Regulation 2016*
- *Transport Operations (Passenger Transport) Regulation 2005*
- *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015*
- *Transport Operations (Road Use Management—Dangerous Goods) Regulation 2008*
- *Transport Operations (Road Use Management—Driver Licensing) Regulation 2010*
- *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010*
- *Transport Operations (Road Use Management—Vehicle Standards and 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.

Consistency with fundamental legislative principles

The amendments are consistent with fundamental legislative principles.

Consultation

In accordance with The Queensland Government Guide to Better Regulation, the Department of Transport and Main Roads applied self-assessable exclusions from undertaking further regulatory impact analysis for the amendments relating to updates for annual indexation, being Category (h) – Regulatory proposals that put forward standard annual fee variations in line with or below a government endorsed indexation factor and Category (g) – Regulatory proposals that are of a machinery nature.