

Transport Operations (Road Use Management— Vehicle Registration) (Heavy Vehicles) Amendment Regulation 2018

Explanatory notes for SL 2018 No. 76

made under the

State Penalties Enforcement Act 1999

Transport Operations (Road Use Management) Act 1995

General Outline

Short title

*Transport Operations (Road Use Management—Vehicle Registration) (Heavy Vehicles)
Amendment Regulation 2018*

Authorising law

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

National heavy vehicle number plates

The *Heavy Vehicle National Law Act 2012* (the Act) provides a single national law for the consistent regulation of heavy vehicle operations across most of Australia. The schedule to the Act contains the Heavy Vehicle National Law. All Australian states and territories, except Western Australia and the Northern Territory, are participating jurisdictions for the purposes of the law, and have applied it as a law of their jurisdiction.

Participating states and territories have agreed to the design and introduction of national heavy vehicle number plates from 1 July 2018. The agreed fee for issuing a set of plates will be \$25, subject to a national annual indexation process.

It was also agreed that the registered operator of a heavy vehicle may continue to use a national heavy vehicle number plate if the vehicle's registration is transferred between participating

jurisdictions, provided it is registered in the same name. This will provide an efficient process to assist in the transfer of registration of heavy vehicles between jurisdictions. That is, registered operators will not be required to surrender their national heavy vehicle number plates to the jurisdiction from which the registration is being transferred, or to pay for new number plates in the jurisdiction to which the registration is being transferred.

All applicants for new registrations from 1 July 2018 will be issued with national heavy vehicle number plates. While existing registered operators may choose to replace their existing number plates with national number plates from 1 July 2018, operators may also continue to use their existing number plates until they need to be replaced.

Registered operators transitioning the registration of their vehicles from the Federal Interstate Registration Scheme (FIRS) to Queensland will be issued their initial set of national heavy vehicle plates free of charge. This is in response to the closure of FIRS, as heavy vehicles registered under that scheme will be required to transition to state or territory based registration systems by 30 June 2019.

Removing the requirement to issue and display registration labels for heavy vehicles

Since October 2014, light vehicles (for example, cars and motorcycles) registered in Queensland have not been required to display a registration label.

In late 2016, participating jurisdictions agreed that registration labels will no longer be required to be attached to heavy vehicles from 1 July 2018. This will provide a consistent approach across all participating jurisdictions and Western Australia. It also ensures that Queensland has a consistent approach to registration labels across vehicle types, as registration labels will no longer be issued for any vehicles.

When the registration label requirement for light vehicles was removed in 2014, the Department of Transport and Main Roads developed an online tool and the Queensland Rego Check mobile app to provide up-to-date information about a Queensland vehicle's registration status. Registered operators and drivers of heavy vehicles already have access to these products, and may find them useful to check the currency of a vehicle's Queensland registration and certificate of inspection after the phasing out of registration labels. Other states and territories have similar products that may be used to check the currency of registration in their jurisdictions.

Replacement number plate fees for unlawfully copied plates

There have been occasions where the unique combination of letters and numbers on a number plate has been unlawfully copied onto a plate that was not issued by the chief executive, and attached to a vehicle to which the number plate was not assigned.

This has resulted in unsuspecting customers receiving traffic and tolling infringements because their number plate combination has been used on other vehicles to commit offences. This can result in major inconvenience for customers, some of whom may need to obtain a new number plate to avoid receiving fines for offences that they did not commit. In response, the Department of Transport and Main Roads has developed a policy to allow a standard replacement number

plate to be issued without payment of a fee where the plate combination has been unlawfully copied by another person.

Achievement of policy objectives

To achieve the policy objectives, the *Transport Operations (Road Use Management—Vehicle Registration) (Heavy Vehicles) Amendment Regulation 2018* (amendment regulation) amends the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010* (Vehicle registration regulation) to:

- allow the chief executive to issue a set of national heavy vehicle number plates for the nationally-agreed fee of \$25;
- recognise that national heavy vehicle number plates can remain attached to vehicles transferring registration to and from Queensland;
- provide a plate fee exemption for the initial issue of heavy vehicle number plates to vehicles transitioning registration from the Federal Interstate Registration Scheme to Queensland;
- remove the requirements for the chief executive to issue heavy vehicle registration labels, and for operators to display registration labels on their vehicles; and
- allow replacement standard number plates to be obtained without payment of a fee if the combination of letters and numbers on a number plate has been unlawfully copied.

The amendment regulation also amends the *State Penalties Enforcement Regulation 2014* to reflect the removal of offence provisions about heavy vehicle registration labels from the Vehicle registration regulation.

Consistency with policy objectives of authorising law

The amendments to the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010* are consistent with the main objectives of the *Transport Operations (Road Use Management) Act 1995*, in particular the objective of providing for the effective and efficient management of road use in Queensland.

Inconsistency with policy objectives of other legislation

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

Benefits and costs of implementation

In addition to the benefits outlined above, there will be a benefit to the heavy vehicle industry as the cost of the national heavy vehicle number plate will be \$25, which is less than the current cost of number plates for heavy vehicles in Queensland (\$29.20).

Registered operators of heavy vehicles will also no longer need to attach new registration labels and remove expired labels, which will result in a reduction of regulatory requirements for business. Additionally, the removal of labels for heavy vehicles will result in cost savings for the state government, including in relation to postage, printing and stock wastage.

The costs of implementing the amendments are minimal, and will not have a significant impact on the state government or other stakeholders. Any costs will be met within existing resources.

Consistency with fundamental legislative principles

The amendments are consistent with fundamental legislative principles.

Consultation

Consultation indicated that a national registration scheme for heavy vehicles is supported by key stakeholders. These stakeholders include the Australian Trucking Association, the Australian Livestock Transporters Association, NatRoads, the Australian Logistics Council, the National Farmers' Federation, the Australian Local Government Association and the Transport Workers Union. These groups represent the interests of heavy vehicle operators in Queensland.

The proposed amendments regarding number plates and registration labels for heavy vehicles will contribute to the ongoing program of delivery for the national registration scheme.

The National Heavy Vehicle Regulator and participating jurisdictions have agreed for the regulator to lead the development of a national engagement and communications plan about the introduction of the national heavy vehicle registration scheme. This will ensure nationally consistent messaging and a co-ordinated approach across jurisdictions. The communications plan will include information about the new national heavy vehicle number plates and the removal of the requirement to display registration labels. The communications plan will target industry, insurers, heavy vehicle operators, toll companies and local governments.

The Queensland Police Service was consulted in relation to the proposal to replace number plates for victims of number plate cloning at no charge. It is supportive of the amendments.

The Office of Best Practice Regulation has advised that no further assessment is required under the Queensland Government Guide to Better Regulation as the amendments are unlikely to result in significant adverse impacts.