

Transport Legislation (Fees) Amendment Regulation 2019

Explanatory notes for SL 2019 No. 74

made under the

Gold Coast Waterways Authority Act 2012

Photo Identification Card Act 2008

Tow Truck Act 1973

Transport Infrastructure Act 1994

Transport Operations (Marine Safety) Act 1994

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 2019*.

Authorising laws

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

Section 49 of the *Photo Identification Card Act 2008*

Section 43 of the *Tow Truck Act 1973*

Section 490 of the *Transport Infrastructure Act 1994*

Sections 207 and 209 of the *Transport Operations (Marine Safety) Act 1994*

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 2019-20 financial year.

Each year the Department of Transport and Main Roads 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 indexed annually by the current Government Indexation Rate (GIR).

On 20 March 2019, Queensland Treasury advised that the GIR would increase fees and charges by 2.25 per cent, on 1 July 2019. The increase is based on the Consumer Price Index (CPI) forecast in the annual Mid-Year Fiscal and Economic Review (MYFER) publication.

Heavy vehicle registration charges are not subject to the GIR. They are reviewed and adjusted through a national process and approved by the Transport and Infrastructure Council. On 10 November 2017, the Transport and Infrastructure Council agreed to freeze heavy vehicle charges for a two year period from 2018-19 to 2019-20. This decision recognised the need for governments to continue to invest in infrastructure to support heavy vehicle productivity, and the need to provide revenue and price certainty to road management agencies and heavy vehicle operators as heavy vehicle road reform is accelerated.

To ensure a nationally consistent heavy vehicle plate fee is maintained into the future, participating jurisdictions agreed to a consistent method to index or increase the plate fee (from 2019-20). The agreed method was to use the December Quarter of the National All Groups Consumer Price Index (weighted average of eight capital cities), which is released by the Australian Bureau of Statistics in the last week of January each year. This year the increase is 1.8%.

Achievement of policy objectives

The new fees and charges will be introduced by amendments to the following pieces of legislation:

- *Gold Coast Waterways Authority Regulation 2012*
- *Photo Identification Card Regulation 2019*
- *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 Safety) Regulation 2016*
- *Transport Operations (Passenger Transport) Regulation 2018*
- *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015*
- *Transport Operations (Road Use Management—Dangerous Goods) Regulation 2018*
- *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 amendment regulation will ensure that the fees and charges prescribed in the Department of Transport and Main Roads portfolio regulations retain their value over time and accurately reflect the cost of providing services.

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 met from existing resources.

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.

As this amendment regulation fully met the requirements of The Queensland Government Guide to Better Regulation, specifically Category (h), no external consultation was undertaken.