

Transport Legislation (Fees) Amendment Regulation 2020

Explanatory notes for SL 2020 No. 89

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 2020*.

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

The *Transport Legislation (Fees) Amendment Regulation 2020* (the Regulation) amends a variety of departmental fees and charges for the 2020-21 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).

The Government Indexation Rate (GIR) reflects the Brisbane March quarter 2020 Consumer Price Index (CPI).

Not all fees are increased by the GIR. As a result of the COVID-19 pandemic, the Government approved a freeze to Heavy Vehicle Registration Fees for the 2020-21 financial year to provide financial assistance for the heavy vehicle industry.

To ensure a nationally consistent heavy vehicle plate fee is maintained into the future, participating jurisdictions agreed to base the annual indexation on the December quarter of the National All Groups CPI (weighted average of eight capital cities). On 1 July 2020, the heavy vehicle plate fee will be increased by 1.8 per cent.

The *Transport Legislation (Fees) Amendment Regulation 2020* will also amend the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2010* to incorporate heavy vehicle inspection services fees to the regulation. Currently, these fees are published on the website of the National Heavy Vehicle Regulator. Including them in the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2010* will provide consistency in how statutory fees are published.

Achievement of policy objectives

The new fees and charges will be introduced by amendments to the following 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 2018*
- *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

Queensland has the longest State-controlled road network of any Australian state or territory. Revenue from vehicle registration is applied to the maintenance, preservation and operation of the State-controlled road network.

More broadly, revenue from fees and charges is applied to provision of essential services, such as the driver licensing scheme, delivery and maintenance of marine infrastructure and services, and provision of public passenger transport.

The relief measures for the heavy vehicle industry will assist in minimising the burden for businesses impacted by the COVID-19 emergency.

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 a self-assessable exclusion 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.