

# **Transport Legislation (Road Safety and Other Matters) Amendment (Postponement) Regulation 2020**

Explanatory notes for SL 2020 No. 185

made under the

*Acts Interpretation Act 1954*

*Transport Legislation (Road Safety and Other Matters) Amendment Act 2019*

## **General Outline**

### **Short title**

*Transport Legislation (Road Safety and Other Matters) Amendment (Postponement) Regulation 2020*

### **Authorising law**

Section 15DA of the *Acts Interpretation Act 1954*

Section 2 of the *Transport Legislation (Road Safety and Other Matters) Amendment Act 2019*

### **Policy objectives and the reasons for them**

The *Transport Legislation (Road Safety and Other Matters) Amendment (Postponement) Regulation 2020* postpones the automatic commencement of drink driving reform provisions in the *Transport Legislation (Road Safety and Other Matters) Amendment Act 2019* (Act No. 25 of 2019) (the Amendment Act).

The Amendment Act makes amendments to enhance the alcohol ignition interlock program and to introduce alcohol education programs for drink driving offenders. While the Amendment Act received assent on 12 September 2019, these provisions were drafted to commence by proclamation. These provisions have not yet been proclaimed to commence.

In line with section 15DA(2) of the *Acts Interpretation Act 1954*, the drink driving reform provisions will commence automatically on 13 September 2020 unless the commencement is postponed under section 15DA(3) of the Act.

Implementation of these significant reforms requires the development of comprehensive and contemporary training materials for drink driving offenders, as well as the procurement of service providers to deliver face-to-face training to repeat offenders throughout the State. Information technology system enhancements are required to ensure the appropriate re-entry of these offenders into the driver licensing system, and to ensure the ongoing monitoring of interlock performance and repeat offender requirements. The implementation of the package also requires the development of a comprehensive communications package.

While considerable progress has been made on these implementation tasks, in order to provide sufficient time to properly implement all the reforms, it is necessary to postpone the automatic commencement of the drink driving reform provisions in the Amendment Act.

## **Achievement of policy objectives**

The policy objective is achieved by postponing the automatic commencement of the drink driving reform provisions in the Amendment Act. The postponement regulation will extend the period under section 15DA(2) of the *Acts Interpretation Act 1954* to the end of 9 September 2021, so that the provisions will automatically commence on 10 September 2021.

## **Consistency with policy objectives of authorising law**

The postponement regulation is consistent with the objectives of the *Transport Legislation (Road Safety and Other Matters) Amendment Act 2019*.

## **Inconsistency with policy objectives of other legislation**

There is no inconsistency with the policy objectives of other legislation.

## **Benefits and costs of implementation**

There are no costs associated with the implementation of the postponement regulation.

The postponement regulation will enable finalisation of all implementation tasks, including the information technology system enhancements. This will ensure the smooth implementation of the drink driving reforms.

## **Consistency with fundamental legislative principles**

The regulation does not breach any 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 (Category G – Regulatory proposals that are of a machinery nature).

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