

Transport Legislation (Fees) Amendment Regulation 2024

Explanatory notes for SL 2024 No. 60

made under the

Transport Infrastructure Act 1994

Transport Operations (Passenger Transport) Act 1994

Transport Operations (Road Use Management) Act 1995

General Outline

Short title

Transport Legislation (Fees) Amendment Regulation 2024

Authorising law

Section 490 of the *Transport Infrastructure Act 1994*

Sections 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 2024 (Amendment Regulation) replaces public marine facility fees with fee units and updates other fees under regulations administered by the Department of Transport and Main Roads (TMR).

Since 1 July 2022, the majority of fees and charges under TMR legislation have been shown as fee units in accordance with Queensland Treasury's Fee Unit Model. Under the Fee Unit Model annual fee adjustments are applied through a regulation made under section 48B of the *Acts Interpretation Act 1954* which prescribes the monetary value of a fee unit. The value of the fee unit for the 2024-25 financial year will remain the same as the 2023-24 amount which is \$1.06.

Fees under the *Transport Infrastructure (Public Marine Facilities) Regulation 2023* (Public Marine Facilities Regulation) were previously exempted from the Fee Unit Model by Queensland Treasury. The exemption was granted due to the remake of the Public Marine Facilities Regulation. These dollar fee amounts will be replaced by fee unit values. The Amendment Regulation removes the taxi industry security levy from Schedule 8 of the *Transport Operations (Passenger Transport) Regulation 2018*. The taxi industry security levy is no longer charged.

The *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021* (Vehicle Registration Regulation) contains Category 2 vehicle registration fees and the national heavy vehicle number plate fees, both of which are determined by a nationally agreed process and are exempt from the Fee Unit Model. A Category 2 vehicle is defined as a vehicle with a GVM (gross vehicle mass), GCM (gross combination mass) or ATM (aggregate trailer mass) of more than 4.5t (commonly known as a heavy vehicle).

Heavy vehicle registration fees (which consist of a road use and regulatory components) are adjusted annually in accordance with updated schedules in the Heavy Vehicle Charges Model Law as agreed by the Infrastructure and Transport Ministers' Meeting (ITMM). ITMM has agreed to an increase of 6% to the road use component of registration fees for each of the financial years 2023-24, 2024-25 and 2025-26.

The regulatory component of heavy vehicle charges, administered through states and territory registration fees, is adjusted annually to recover the operating cost of the National Heavy Vehicle Regulator (NHVR) which is primarily industry funded. The regulatory component of registration charges needs to increase by 2.9% to recover the NHVR budget for 2024-25 in accordance with updated schedules in the Heavy Vehicle Charges Model Law as approved by ITMM.

The heavy vehicle number plate fee is adjusted by a nationally agreed indexation method. This year that adjustment is based on a 4.1% increase in the year to the December 2023 quarter for the National All Groups Consumer Price Index published by the Australian Bureau of Statistics.

Achievement of policy objectives

The Amendment Regulation amends:

- the Public Marine Facilities Regulation to replace dollar amount fees to fee units; and
- the Passenger Transport Regulation to remove the taxi industry security levy; and
- the Vehicle Registration Regulation to update the heavy vehicle registration and heavy vehicle number plate fees.

Consistency with policy objectives of authorising laws

The amendments are consistent with the policy objectives of the authorising laws.

Benefits and costs of implementation

Revenue from fees and charges funds the provision of essential services, such as public passenger services, commercial vessel operations, other services in state managed and non-state managed boat harbours and road safety activities.

The costs associated with implementation of 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

An Impact Analysis Statement (IAS) has been prepared and approved by the Director-General of TMR and the Minister for Transport and Main Roads and Minister for Digital Services. The IAS found, in summary, that the proposals are minor and machinery in nature and propose only standard fee variations, in line with, or below a government endorsed indexation factor. TMR considered no further regulatory impact assessment is required.

The National Transport Commission undertook national consultation about the increases to heavy vehicle registration fees. Following consideration of submissions, the national fee increases were approved by ITMM.

No public consultation was undertaken in relation to the removal of the taxi industry security levy amendment as it is considered a benefit.

As the remaining amendments apply an indexation rate and convert fees to the fee unit value in accordance with established Government policy, they have not been the subject of external consultation.