

# Transport Legislation (Fees) Amendment Regulation (No. 2) 2024

Explanatory notes for SL 2024 No. 87

made under the

*Tow Truck Act 1973*

*Transport Operations (Road Use Management) Act 1995*

## General Outline

### Short title

*Transport Legislation (Fees) Amendment Regulation (No. 2) 2024*

### Authorising laws

Section 43 of the *Tow Truck Act 1973*

Section 171 of the *Transport Operations (Road Use Management) Act 1995*

### Policy objectives and the reasons for them

Consistent with Queensland Government policy, the Department of Transport and Main Roads (TMR) must apply the current Government Indexation Rate (GIR) to all prescribed fees and charges in legislation which it administers.

TMR administers not only government fees but fees charged by industries which TMR regulates. These industries depend on the GIR increase to manage business costs. Industry schemes involve the regulated tow truck scheme under the *Tow Truck Regulation 2009* and the Approved Inspection Station (AIS) scheme under the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2021*. These fees are levied directly by industry to consumers, and no revenue is directed to government.

The GIR for 2024-25 is 0% to be applied to all fees and charges set by the Queensland Government. This would have had unintended impacts on industry. Supporting the regulated tow truck and AIS industries is critical to TMR in providing a responsive environment for road safety. TMR has received approval to apply an indexation rate of 3.4% in 2024-25 for fees within these schemes.

These fees are usually adjusted by amendments to the fee unit value prescribed in the *Acts Interpretation (Fee Unit) Regulation 2022*. However, as a general 0% GIR has been applied, there will be no amendments to this Regulation. The fee units prescribed within the *Tow*

*Truck Regulation 2009* and *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2021* will be adjusted in the Transport Legislation (Fees) Amendment Regulation (No.2) 2024 (the Amendment Regulation) by 3.4% to reflect the approved increase.

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 Amendment Regulation proposes only standard fee variations in line with a government endorsed indexation factor and are not subject to regulatory impact assessment requirements under the Queensland Government Better Regulation Policy.

## **Achievement of policy objectives**

The Amendment Regulation updates:

- fees in schedule 3 of the *Tow Truck Regulation 2009*; and
- fees in items 1 and 2 of schedule 3 of the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2021*.

## **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 these industry fees will benefit the tow truck and AIS industries to remain viable and address cost of living pressures.

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**

These amendments apply an indexation rate in accordance with established Government policy, they have not been the subject of external consultation.