

# Transport Legislation Amendment Regulation (No. 2) 2023

## Human Rights Certificate

### Prepared in accordance with Part 3 of the *Human Rights Act 2019*

In accordance with section 41 of the *Human Rights Act 2019* (HR Act), I, Mark Craig Bailey MP, Acting Minister for Transport and Main Roads, provide this human rights certificate with respect to the *Transport Legislation Amendment Regulation (No. 2) 2023* (the Amendment Regulation) made under the *Transport Operations (Road Use Management) Act 1995*.

In my opinion, the Amendment Regulation as tabled in the Legislative Assembly, is compatible with the human rights protected by the HR Act. I base my opinion on the reasons outlined in this statement.

## Overview of the Subordinate Legislation

The Department of Transport and Main Roads (TMR) administers Queensland's transport legislation framework and the subordinate legislation that prescribes the fees and charges for related services and activities.

Queensland Treasury's Fee Unit Model, which commenced on 1 January 2022, generally requires Queensland Government regulated fees and charges to be expressed as fee units.

The *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021* 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 roads and regulatory component) 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 per cent to the roads component of registration fees for each of the financial years 2023–24, 2024–25 and 2025–26, and to apply a re-calculated regulatory component of registration charges for 2023–24.

The heavy vehicle number plate fee is adjusted by a nationally agreed indexation method. This year that adjustment is based on a 7.8 per cent increase in the year to the December 2022 quarter for the National All Groups Consumer Price Index published by the Australian Bureau of Statistics.

From 1 March 2023, the fee for the grant or renewal of a learner driver licence was reduced to \$75 in recognition of ongoing cost of living pressures on Queenslanders. The Amendment Regulation ensures this lower fee continues to apply in relation to learner driver licenses with a term commencing on or after 1 July 2023 and will apply for the 2023–24 financial year.

## Human Rights Issues

### Human rights relevant to the subordinate legislation (Part 2, Division 2 and 3 HR Act)

The Amendment Regulation does not engage any human rights by increasing heavy vehicle registration fees and plate charges by the agreed national process, or by maintaining the fee for learner driver licences.

## Conclusion

I consider that the *Transport Legislation Amendment Regulation (No. 2) 2023* is compatible with the HR Act because it does not raise any human rights issues.

**Honourable Mark Bailey MP**  
Minister for Transport and Main Roads