

CARRIAGE OF DANGEROUS GOODS BY ROAD AMENDMENT BILL 1993

EXPLANATORY NOTES

Clause 1 states the Short Title (Citation) of the Act.

Clause 2 provides for the Act to commence on a date to be fixed by proclamation.

About 2,000 vehicles involved in the transport of Liquefied Petroleum Gas (LPG) and other hydrocarbon gases will be required to be licensed by the Department of Transport in accordance with the Dangerous Goods Act. Licensing of these vehicles is not required under the Gas Act at present.

Approximately 400 drivers are currently licensed by the Department of Minerals and Energy to drive vehicles transporting bulk LPG and other hydrocarbon gases. This function will be transferred to the Department of Transport.

It is proposed that proclamation be delayed by 2 months to allow information dissemination to industry about the new requirements.

Following proclamation an administrative amnesty of 6 months will be applied to vehicle licensing and 12 months for bulk driver authorisation to allow full progression by industry into the new scheme. This time needs to be allowed as the department cannot begin to issue new licences or authorisations until proclamation.

Clause 3 identifies the Act to be amended.

Clause 4 amends the application of the Act such as to include the transport of LPG under most circumstances and the transport of all other hydrocarbon gases.

To implement the relevant recommendations of the Public Sector Management Commission (PSMC) to transfer administrative responsibility for the road transport of LPG and all other hydrocarbon gases from the Department of Minerals and Energy to the Department of Transport.

Industry consultation has identified that certain operators transporting LPG would be faced with unnecessary difficulty if compliance with the Carriage of Dangerous Goods by Road Act was required. These people are small scale LPG distributors, farmers and tradespersons where the load aggregates to 1,000 litres capacity or less.

Clause 5 amends the meaning of the terms “dangerous goods” and “the Code” and deletes obsolete meanings.

The new meaning for “dangerous goods” is to avoid reference to Orders in Council and alternatively refer to regulations. In addition adopt a new meaning for “the Code” which was endorsed by the Australian Transport Advisory Council.