



Queensland

# Transport Legislation Amendment Regulation (No. 2) 2012

## Explanatory Notes for SL 2012 No. 159

made under the

*Transport Infrastructure Act 1994*

*Transport Operations (Road Use Management) Act 1995*

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## General outline

### Short title

*Transport Legislation Amendment Regulation (No. 2) 2012.*

### Authorising law

Section 490 of the *Transport Infrastructure Act 1994*.

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

### Policy objectives and the reasons for them

This amendment regulation implements a number of red tape reduction measures and makes some minor amendments to enhance the operation of existing provisions.

## **Achievement of policy objectives**

The regulation removes restrictions and obligations from industry and the community in the following ways.

### Dealer plates

Currently, motor dealer registration plates must be attached to a vehicle in the same manner as number plates, including the requirement that they be permanently attached. Dealer plates are typically only used on vehicles for very short periods. Provided dealer plates are attached in a way that keeps them firmly fixed to the vehicle, they do not need to be permanently attached. For example, industry has developed a 'strap and buckle' mechanism which is appropriate for dealer plates and the amendment will allow this method of attachment.

### Motor dealer vehicle stock

Generally, motor vehicles must be registered to be used on roads. The definition of 'road' for registration purposes is broad and could include certain areas within a motor dealer's premises such as car parks and vehicle display areas. It is not the intention of the legislation to require motor dealers to register vehicles that may be moved about within the dealers' premises for display or storage purposes. The amendments will clarify that a dealer's vehicles do not need to be registered when moved within the dealer's premises. This will provide greater certainty for motor dealers and will clarify that these unregistered vehicles should be included under the dealers' public liability insurance rather than under Compulsory Third Party (CTP) insurance.

### Driver trainers

Currently, driver trainers must display information such as their name, business address and/or accreditation number on the side of their training vehicles. For some driver trainers, their business address is the same as their residential address and their accreditation number may be the same as their driver licence number. To minimise any intrusion on driver trainers' personal privacy, the amendments will provide some flexibility as to what identifying information must be displayed on their vehicles. For example, rather than display their accreditation number, a driver trainer will be able to choose to display their business telephone number, website address or their employer's business address.

### Defence force members

When a person moves to Queensland from another state or territory, they are generally required to transfer the registration of their vehicles to Queensland registration within 14 days. Members of the defence forces are subject to interstate transfers far more frequently than other members of the community. In recognition of this, the amendments will allow defence force members and their families to continue driving in Queensland on their interstate registration until it expires.

#### Unregistered vehicle permits

The department issues approximately 2,200 unregistered vehicle permits each month which allow unregistered vehicles to be driven on the road in limited circumstances. For example, an unregistered vehicle may need to be driven to a mechanic for repairs or to a vehicle inspector to have a modification approved. Currently, a person wanting to apply for a permit must first obtain a CTP insurance certificate from a licensed insurer. The amendment will remove this requirement and give customers the option to nominate their CTP insurer and pay the relevant premium at a customer service centre at the time of applying for the permit.

#### Other amendments

The regulation also makes minor amendments to enhance the operation of certain provisions in the *Transport Infrastructure (State-controlled Roads) Regulation 2006*, the *Transport Operations (Road Use Management-Accreditation and Other Provisions) Regulation 2005*, the *Transport Operations (Road Use Management-Driver Licensing) Regulation 2010* and the *Transport Operations (Road Use Management-Vehicle Registration) Regulation 2010*.

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

The amendments to regulations made under the *Transport Operations (Road Use Management) Act 1995* are consistent with the policy objectives in section 3 of that Act which include providing for the effective and efficient management of road use in the State and improving road safety and the environmental impact of road use.

The amendments to the *Transport Infrastructure (State-controlled Roads) Regulation 2006* are consistent with the policy objective in section 2 of the *Transport Infrastructure Act 1994* which is to provide a regime that allows for and encourages effective integrated planning and efficient management of a system of transport infrastructure.

### **Benefits and costs of implementation**

There are no additional costs in implementing the majority of the amendments. Where costs are incurred for the remaining amendments they will be minimal and will be met from existing budget allocations.

### **Consistency with fundamental legislative principles**

The amendments are consistent with fundamental legislative principles.

### **Consultation**

Relevant Queensland government departments have been consulted and support the amendments.

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#### ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Transport and Main Roads.

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