

# Transport Legislation Amendment Regulation (No. 2) 2023

Explanatory notes for SL 2023 No. 39

made under the

*Transport Operations (Road Use Management) Act 1995*

## General Outline

### Short title

Transport Legislation Amendment Regulation (No. 2) 2023

### Authorising law

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

### Policy objectives and the reasons for them

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 pressure on Queenslanders. *The Transport Legislation Amendment Regulation (No. 2) 2023* (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.

## **Achievement of policy objectives**

The Amendment Regulation achieves its objectives by amending the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021* to adopt the new nationally agreed heavy vehicle registration fees and plate fees and by amending the *Transport Operations (Road Use Management—Driver Licensing) Regulation 2021* to maintain the existing fee level for the grant or renewal of a learner driver licence that commences on or after 1 July 2023.

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

The Amendment Regulation is consistent with the policy objectives of the authorising laws.

## **Benefits and costs of implementation**

The Amendment Regulation will ensure that the relevant fees and charges will retain their value over time and accurately reflect the true cost of providing services.

Revenue from fees and charges contributes to funding the provision of services across Queensland, including road safety initiatives.

The costs associated with implementation of the new 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 Amendment Regulation is consistent with fundamental legislative principles, as set out in section 4 of the *Legislative Standards Act 1992*.

## **Consultation**

The National Transport Commission (NTC) undertook national consultation about the increases to heavy vehicle registration fees. Following consideration of submissions, the NTC presented recommendations for consideration to the ITMM.

No consultation was undertaken in relation to the heavy vehicle plate fee as these fees are increased in accordance with the nationally agreed process.

Public consultation on the non-indexation of the learner licence fee was not undertaken as these amendments will have a positive impact on the community who will benefit from a significantly reduced cost.

In accordance with *The Queensland Government Guide to Better Regulation*, TMR applied a self-assessable exclusion from undertaking further regulatory impact analysis for all amendments being Category (h) – regulatory proposals that put forward standard annual fee variations in line with or below a government endorsed indexation factor.

The Office of Best Practice Regulation was consulted on the amendments for the non-indexation of the fee for the grant or renewal of a learner driver licence and considered the proposal will not add to the burden of regulation and is unlikely to result in significant adverse impacts. No further regulatory impact analysis is required under the guidelines.