

Department of Transport and Main Roads response to issues raised in submissions to the Transport and Public Works Committee

Inquiry into the Operations of Toll Roads in Queensland 2018

Subject	Issues raised	Departmental response
<p>Toll prices</p>	<p>Tolls are too expensive and should be reduced or removed</p> <p>[Sub 2, 3, 5, 7, 9, 10, 11, 13, 14, 15, 18, 19, 20, 22, 23, 24, 28, 29, 30, 36, 37, 38, 40, 44, 45, 47, 48, 51, 53, 54, 55, 57, 58, 60, 69, 77, 81, 82, 84, 85, 86, 89, 90, 92, 95, 96, 98, 101, 102, 103, 104, 106, 107, 110, 111, 112, 114, 116, 118, 122, 124, 126, 127, 128, 129, 133, 134, 137, 141, 144, 145, 146, 147, 148, 149, 152, 154, 155, 156, 157, 160, 165, 170, 174, 176, 177, 183, 188, 190]</p>	<p>The Department of Transport and Main Roads (TMR) acknowledges concerns around levels of toll pricing.</p> <p>The Queensland government approves the maximum tolls for all Queensland toll roads. Toll levels increase annually in line with consumer price index (CPI) increases. Tolls are generally based on the cost of funding specific toll road projects and covering the cost of ongoing operation and maintenance with an appropriate return for the toll road operator. These costs are recouped under a 'user pays' system.</p> <p>Tolls on Queensland roads compare favourably with tolls charged interstate. The average toll per kilometre for the Gateway and Logan motorways is around \$0.19 compared to the average for comparable toll roads interstate of \$0.46 per kilometre. Tolls for tunnels are generally higher than tolls for surface motorways due to the increased costs of construction and maintenance. Queensland's tunnels are tolled at lower rates to the interstate average of \$1.29 per kilometre (Legacy Way \$0.90, Clem7 \$0.75 and Airportlink \$0.81).</p> <p>With current toll levels there has been continued traffic uplift over time with an increase in toll road traffic in the past two years of about 5%. Tolls have risen about 3.6% over this period indicating toll increases have not adversely impacted driver behaviour.</p> <p>TMR acknowledges the comments around the number of vehicles using the tolled tunnels each day. Initial traffic projections for Clem7 and Airportlink tunnels were proven to be unrealistic. Actual traffic at the opening of these tunnels was a fraction of the projected volume of traffic. These projections formed the basis for private sector investment and resulted in both original toll road operators entering receivership and litigation against the traffic modelling experts concerned.</p> <p>TMR notes RACQ's comments that growth on south east Queensland toll roads has not been consistent across all toll roads. Brisbane City Council (BCC) inner city toll tunnels have experienced less traffic growth than Gateway and Logan motorways and Airportlink, with growth on the free alternative local network outstripping growth on the BCC tollway tunnels.</p> <p>Should BCC seek a reduction of the maximum tolls for Legacy Way and Clem7 to encourage greater use of these tunnels, it would be a matter for BCC to decide how to fund these reductions.</p>

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	<p>Toll prices should reflect the distance travelled</p> <p>[Sub 3, 6, 26, 49, 75, 157, 173]</p>	<p>TMR notes suggestions that distance based tolling (DBT), where tolls are based on distance travelled as on the M7 toll road in Sydney, could provide a more equitable toll paying arrangement, particularly for the Gateway Motorway. Toll roads in Queensland generally rely on point-based tolls where tolls are payable for travelling through a particular point. This means some motorists could use the Gateway Motorway at no cost as tolls are incurred only by motorists crossing the Sir Leo Hielscher Bridges. DBT would result in some motorists having to pay more for toll road use while others could potentially pay less.</p> <p>Changes to the existing tolling arrangements are not being considered. If DBT was to be contemplated, impacts on toll road users, Transurban Queensland (TQ) and government would need to be considered. TQ's toll forecast revenue is based on tolls charged and forecast traffic. Extensive modelling would be required to satisfy the State that any proposal for DBT was revenue neutral so TQ would not experience windfall profits. Additionally, implementing DBT would require a significant investment in tolling infrastructure to ensure the tolling system could accurately record the length of trips and allocate the appropriate toll. These costs would be passed on to the toll road users. Changes to the tolling legislation and negotiations with TQ for changes to the contracts would also be required. Retrofitting a toll road to allow for a different tolling mechanism is a difficult proposition. While DBT may have merit as a tolling method, it may be better suited for application on a future toll road.</p>
	<p>Road pricing</p> <p>[Sub 23, 45, 144, 158, 159, 163, 166, 188, 196]</p>	<p>TMR notes a number of suggestions that tolling should be addressed in the broader context of road network pricing and that an independent road transport pricing regulator should consider all vehicle operator costs. These are complex issues of interest to all levels of government but are outside the scope of this inquiry. However, TMR can advise of a project at the national level investigating planning, investment, charging and funding reform for heavy vehicles. The Heavy Vehicle Road Reform (HVRR) is currently investigating an independent pricing regulator for heavy vehicles. The project is not confined to toll roads but includes investigation into new revenue sources such as user charges to replace the current registration and fuel excise charges for heavy vehicles. TMR will continue to provide input to the HVRR project and supports its intent in developing a more connected and efficient road system.</p>

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<p>Discounts, toll reductions and incentive schemes</p>	<p>Discounts for pensioners, students, veterans and sufferers of total and permanent disablement [Sub 10, 46, 70, 76, 131, 134, 170]</p>	<p>The Queensland government approves maximum toll levels for classes of vehicles. TQ may charge tolls up to the maximum approved level. Comments concerning the introduction of discounts for particular road user groups, for example, pensioners, would be more appropriately addressed by TQ.</p>
	<p>Incentive Schemes: Discounts for regular users, time of day tolling, reduced return trips, tolling caps, prepayment rewards and trials of lower tolls [Sub 3, 6, 8, 10, 28, 29, 36, 37, 40, 47, 68, 70, 75, 76, 90, 106, 107, 125, 128, 131, 146, 152, 157, 159, 160, 165, 168, 170, 174, 183]</p>	<p>TMR notes the suggestions that trials should be undertaken to determine whether lower tolls would increase toll road usage. TMR is aware of a number of trials undertaken by TQ in 2016-2017. These trials included discounts for return trips, off-peak discounts, free trips for regular users and value plans similar to mobile phone plans. TQ advised it did not record significant changes in travel behaviour and the proposals were not commercially viable.</p> <p>If the government were to require lower tolls, compensation would be payable for reduced toll revenue through government subsidies to TQ. Subsidies could be significant, with experience in NSW showing the state government provided \$6 million in subsidies for the first six weeks of its registration relief scheme for regular toll road users and an annual spend of over \$100 million for the M5 cashback scheme.</p> <p>TMR also notes Queensland Trucking Association (QTA) and BCC comments with respect to supporting further implementation of differential tolling (time of day tolling) for heavy vehicles on other toll roads in south east Queensland. Tolls are determined on a project by project basis, with options such as these considered when details of any individual project are being settled. If the State were to require differential tolling to be introduced on existing toll roads, a subsidy or compensation arrangement from the State would be required if the change could not be implemented in a revenue neutral way.</p> <p>Any State funding applied to compensate TQ or subsidise toll road users would result in less funding being available for road and transport projects or other government priorities. This would be inconsistent with the State's user-pays tolling policy, where motorists who choose to enjoy the benefits provided by toll roads pay for their use.</p> <p>Changes to approved maximum tolls are not being considered.</p>

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	<p>Lower tolls should be charged during periods of roadworks and maintenance or not charged when a free alternative route is faster</p> <p>[Sub 7, 23, 41, 48, 53, 60, 61, 64, 95, 133, 143, 146, 173, 174]</p>	<p>South east Queensland has a number of road operators including the state, various local councils, and TQ who all are required to undertake regular road maintenance to ensure safety of road users.</p> <p>Where maintenance may impact on road users the relevant road operator implements and co-ordinates a suitable traffic management plan with other road operators. Traffic management plans are prepared and implemented to assist in programming scheduled works on the road network to minimise overall network disruptions and monitor availability of alternative traffic routes. A comprehensive communication and consultation plan is also prepared and implemented. Whenever possible, works are scheduled at night to minimise the impact on motorists.</p> <p>Any decision to reduce tolls during TQ's maintenance programs is a matter for TQ.</p> <p>Alternatively, if another road operator sought a reduction in tolls on TQ's network to address the impacts from maintenance on its own network, that road operator would need to make suitable arrangements with TQ which may include compensation for any reduction in tolls.</p>
<p>Tolling concessions</p>	<p>The toll roads should have been paid for by now</p> <p>[Sub 9, 17, 23, 30, 31, 54, 56, 64, 70, 95, 103, 115, 125, 133, 150, 153, 186]</p>	<p>Successive Queensland governments have used tolling as a mechanism to bring forward large infrastructure projects and fund their ongoing operation and maintenance to improve road transport for Queensland motorists. Without tolling these large scale infrastructure projects would not have been possible at that time making less overall capacity available on the Queensland road network for motorists.</p> <p>Significant upgrades to existing toll roads have been undertaken over time to meet growing traffic demand through an extension of tolling arrangements. These upgrades included construction of the Gateway Extension, duplication of the Logan Motorway and construction of the second bridge over the Brisbane River as part of the \$2.12 billion Gateway Upgrade Project.</p> <p>Under the concession agreements toll roads are operated and maintained by TQ. The costs of operating these roads are recouped by charging tolls for the use of the roads. State monies are not used for the operation and maintenance of the toll roads. TQ currently spends around \$20 million per annum on maintenance for the Gateway and Logan motorways.</p>

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	<p>Registration, taxes and fuel excise have paid for the toll roads</p> <p>[Sub 17, 18, 22, 28, 40, 54, 56, 64, 96, 98, 116, 131, 146, 197]</p>	<p>TMR notes the comments around the use of vehicle registration fees.</p> <p>Registration revenue is used to build, operate and maintain the State's road infrastructure, not toll roads. In particular, a significant portion is spent on maintaining an ageing road asset base. Expenditure on the State's roads exceeds the revenue collected through vehicle registration charges.</p> <p>Fuel excise is collected by the Commonwealth government, not the State. Fuel excise is a general Commonwealth government revenue source which is used to fund various federal government programs and priorities.</p>
	<p>Foreign ownership/government ownership</p> <p>[Sub 24, 34, 52, 54, 56, 79, 88, 92, 104, 115, 125, 133, 139, 152, 153, 165, 167, 184, 188]</p>	<p>TQ is a consortium comprising Transurban (62.5% - Australian publicly listed company), AustralianSuper (25%) and Tawreed Investments (12.5% - a wholly owned subsidiary of the Abu Dhabi Investment Authority). The majority of the investment is held by Australian investors and superannuation holders, with only one-eighth of TQ owned by a foreign entity.</p> <p>Decisions around whether private sector involvement is required for particular road projects are made on a case-by-case basis by government.</p>
	<p>Investigate current concession arrangements</p> <p>[Sub 57, 87, 98, 104, 117, 165, 188]</p>	<p>The current concession agreements are long term contracts between the state and TQ. The concession agreements cover arrangements over the life of the concession, including operation and maintenance requirements, hand back arrangements, maximum fees and charges, and key performance indicators. The concession agreements provide certainty for the parties in relation to the operation of the toll roads over the life of the concession. Any change to the concession agreements that cannot be negotiated by agreement between the parties may give rise to a claim for compensation.</p>

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	<p>Competition</p> <p>[Sub 119, 129, 139, 157, 165, 188]</p>	<p>The Queensland Motorways network (Gateway and Logan motorways, Go Between Bridge, Clem7 and Legacy Way) and Airportlink were acquired by TQ under competitive processes. When TQ was announced as the preferred proponent for each process, the Australian Consumer and Competition Commission (ACCC) considered whether any competition issues would arise as a result of the proposed acquisition. The ACCC concluded the acquisitions were unlikely to substantially lessen competition in the market for:</p> <ul style="list-style-type: none"> • the supply of tolling services to motorists (noting maximum toll prices are regulated); • the supply of tolling services to toll road operators (noting a number of toll service providers offer toll payment products for toll road users that are interoperable on all Australian toll roads); and • the construction and operation of new toll roads (noting tender processes for construction and operation of new toll roads have been subject to significant competitive tension).
	<p>Toll roads are unconstitutional</p> <p>[Sub 39, 54, 104]</p>	<p>Queensland toll roads operate within a legal and contractual framework under the <i>Transport Infrastructure Act 1994</i>.</p> <p>TMR is confident the collection of tolls is lawful and does not offend the Australian Constitution.</p>
<p>Industry issues</p>	<p>Why businesses pay more - LCV and HCV toll class</p> <p>[Sub 9, 12, 21, 30, 40, 50, 54, 58, 64, 72, 78, 81, 99, 109, 123, 124, 134, 155, 157, 159, 167, 170]</p>	<p>TMR notes a number of comments around costs of tolling incurred by businesses. Tolls are levied according to the classification of vehicle – motorcycle, car, light commercial vehicle (not registered for personal use) and heavy vehicles. The approved classes and maximum toll levels were a decision of government at the time. TMR acknowledges vehicles in the light commercial and heavy vehicle categories are tolled at a higher rate, however, research has highlighted the broad benefits of the toll roads to business. Businesses may also be eligible for relief through the taxation system. Should companies not be convinced of the merits of the toll roads, like all motorists, they may choose to use the free alternative routes maintained by the State and local governments.</p>

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	<p>Free alternative route for heavy vehicles</p> <p>[Sub 159, 163]</p>	<p>TMR notes the QTA is broadly supportive of toll roads as representing value for money and acknowledges the provision of a free alternative route is not applicable to certain larger multi-combination vehicles. These larger heavy vehicles, such as B-doubles, have restricted access to the road network and can only travel on approved routes. Construction of motorway standard roads such as the Gateway and Logan motorways allowed these routes to be designated as B-double routes. Without the Gateway and Logan motorways, B-double access in these areas would either not have been possible or consideration would have to have been given to allow access on lower standard roads.</p> <p>Also, oversized vehicles and vehicles carrying dangerous goods may be restricted from travelling through tunnels.</p>
	<p>Greater consultation with industry</p> <p>[Sub 159, 163]</p>	<p>TMR supports comments around the value of consultation with the heavy vehicle industry. Consultation undertaken by TQ for the Logan Motorway Enhancement Project is a good example of early and continued industry input enhancing the outcomes of a project.</p>
<p>Fees</p>	<p>Fees should be reduced or reviewed</p> <p>[Sub 9, 20, 35, 37, 40, 41, 42, 49, 54, 57, 65, 66, 69, 71, 76, 77, 79, 87, 96, 97, 98, 100, 104, 113, 123, 125, 130, 133, 135, 138, 139, 140, 142, 144, 145, 155, 157, 161, 170, 174, 181, 186, 188, 193, 194, 195, 197]</p>	<p>TMR acknowledges the comments around administration fees, the demand notice process and rapid escalation of debt associated with unpaid tolls and has worked with TQ and BCC to introduce changes to address the issue.</p> <p>In early 2018, the Queensland Parliament passed an amendment to the <i>Transport Infrastructure Act 1994</i> to provide for demand notice aggregation (DNA). TQ now issues a single demand notice for all tolls (and associated video matching fees) incurred over a three day period with only one administration fee applying to the notice regardless of the number of trips listed. TQ estimates the introduction of DNA will result in up to 1.7 million fewer demand notices each year and a reduction of up to \$36.5 million in administration fees passed on to customers. TQ has noted a significant decrease this year in complaints received about administration fees and demand notices, which indicates the benefits of DNA are being realised.</p> <p>Maximum fees and charges that may be levied for the Gateway and Logan motorways and Airportlink were approved by government. Fees increase annually in line with CPI.</p>

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		<p>TQ has discretion to levy fees and charges up to the approved maximum. TQ has recently exercised this discretion by removing a number of fees - the manual top-up fee and retail purchase fee - and reducing other fees. Any other reductions to the fee levels, including where cost savings could be passed on as a result of TQ's improved processes or technological innovations are a matter for TQ's consideration. TMR notes BCC recently reviewed TQ's administration and user administration charges for local government tollways and found they were consistent with TQ's assertions that they reflected the reasonable costs involved.</p> <p>On 1 July 2018, TQ introduced a payment card surcharge fee, which reflects the costs imposed on TQ by financial institutions for card payments. While this fee was allowed under the concession agreement for the Gateway and Logan motorways (Road Franchise Agreement (RFA)), TQ had previously absorbed the costs associated with card transactions. A pass through of financial institution fees is also observed by a number of other industries and businesses around Australia. TQ is able to provide further information on fee-free options for account holders.</p>
	<p>Technology changes and improved access to user details may provide for fee reduction [Sub 125, 174]</p>	<p>TMR notes comments around the general levels of fees levied by TQ and supports suggestions that these fees should decrease over time with process efficiencies and improved technology.</p>
	<p>The period over which unpaid toll invoices and demand notices are aggregated could be examined with a view to potentially extending this period [Sub 76, 132, 174, 179, 195]</p>	<p>TMR notes a number of comments suggesting demand notices should include trips aggregated over 30 days rather than three days. It is important for motorists with toll debt to be informed early of outstanding debt obligations. During consultation on DNA, RACQ supported early notification. It is the nature of travel on toll roads that toll debt can be accumulated quickly. If extended to 30 days, a motorist may be unaware they are using a toll road and continue to incur tolls and fees without realising the extent of their accumulating debt. Regular toll road users are encouraged to contact TQ to understand how they can avoid fees by establishing appropriate account arrangements.</p>
	<p>Three days to pay is too short, should be a 30 day billing cycle [Sub 76, 125, 179]</p>	<p>TMR notes the suggestion that three days is too short a period in which to pay tolls and a 30 day billing cycle for unpaid tolls similar to 30 day billing terms for public utilities would be fairer. "Three days to pay" is a national standard for payment requirements across toll roads. In terms of public utilities, these organisations have pre-arranged payment account details for their customers. Most motorists with tolling debt have chosen not to establish or appropriately maintain accounts and are therefore</p>

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		subject to further fees. Regular toll road users are encouraged to establish appropriate payment arrangements to avoid fees and escalation of debt.
Customer Service	<p>TQ's customer service, complaints handling processes and KPIs</p> <p>[Sub 4, 27, 33, 54, 55, 59, 66, 69, 76, 79, 80, 83, 91, 93, 108, 114, 120, 130, 132, 136, 138, 139, 146, 161, 162, 164, 165, 170, 175, 179, 180, 186, 188, 189, 191, 195, 197, 198]</p>	<p>TMR notes a number of both positive and negative comments were made around customer service.</p> <p>TQ's customer service performance is assessed under a number of Key Performance Indicators (KPIs) identified in the toll concession agreements.</p> <p>An audit of KPIs is undertaken each year by an independent third party from a top tier accounting and advisory firm. TMR reviews the auditor's recommendations and works with TQ to progress recommendations. To date, TQ continues to meet KPI benchmarks set by the State.</p> <p>TMR supports RACQ comments around KPI measures and improving customer service. In 2015-16, changes were made to the commercial operations (customer service) KPIs to provide a broader picture of service to TQ's customers, including a focus on early resolution of issues. The changes included three new KPIs - first call resolution, call waiting time and TCO referrals.</p> <p>TMR is also aware of a large number of initiatives implemented by TQ since 2014 aimed at improving customer service and TQ's mystery shopper surveys indicate a high level of customer satisfaction.</p> <p>TQ provides a quarterly report on complaints (data and trends) as part of the reporting required under the concession agreements. While there has been a focus on complaints throughout the inquiry, the number of complaints received by TQ should be viewed in relation to the scale of the toll road network operation. The number of trips recorded across the south east Queensland toll road network for each quarter is in excess of 35.5 million trips. TQ has advised the numbers of complaints it receives is decreasing while toll road traffic is increasing. Based on the latest statistics received by TMR, TQ receives one complaint for around every 21,500 trips.</p> <p>It is reasonable to expect complaints will arise given the vast number of trips each day and TMR is satisfied the concession agreements contain sufficient customer service protections. TMR notes comments that complaint numbers are low because various types of complaints are excluded. TMR can confirm that TQ reports on and categorises all complaints received.</p> <p>TMR also notes Linkt Brisbane is independently certified as compliant with the international standard for complaints handling in organisations.</p>

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	<p>Comments around the TQ call centre being offshore</p> <p>[Sub 10, 32, 33, 40, 54, 67, 71, 79, 80, 84, 85, 119, 145, 155, 164, 167, 188, 191, 195]</p>	<p>Comments relating to the call centre are a matter for TQ. However, TMR can confirm:</p> <ul style="list-style-type: none"> • TQ continues to maintain a Brisbane-based call centre for calls involving more detailed matters or calls requiring escalation. • TMR audits TQ to ensure measures are in place to protect customer data and information privacy. • TMR has noted a decrease in customer service complaints since the transition to a new call centre provider in mid-2017.
	<p>First time forgiveness program and financial hardship policy</p> <p>[Sub 76, 132, 172, 195]</p>	<p>TMR notes the positive response in a number of submissions to TQ's introduction of programs to support those in financial hardship and supports efforts to expand services in this space. TMR notes the introduction of the first time forgiveness program, financial hardship policy and community trials, in conjunction with a number of customer service improvements appears to have had positive outcomes for vulnerable customers.</p>
<p>Payment Options</p>	<p>Existing toll payment options</p> <p>[Sub 10, 25, 26, 28, 40, 41, 49, 53, 55, 59, 62, 65, 67, 68, 71, 73, 87, 94, 100, 123, 125, 146, 161, 181, 188, 189, 194]</p>	<p>Under the concession agreements, TQ is required to provide a variety of toll payment options and consider changes in technology in the development of these toll payment options. TQ may introduce further payment options to assist customers, subject to the requirements of the concession agreements. TMR is aware of a recent change to the conditions for the Toll Credit Pass which addressed concerns that the time period for expiry of credit was too short. TQ is also required to notify customers of their rights and obligations through Customer Service Agreements, including matters such as pre-paid accounts and direct debit arrangements.</p>
	<p>Lack of ability to pay in cash</p> <p>[Sub 25, 97, 104, 181]</p>	<p>Given the nature of a motorway environment under free-flow tolling arrangements, it is no longer safe to provide a manual payment system at the roadside. TQ provides an option for motorists to pay their tolls in cash through designated retail outlets. TMR notes the Queensland Law Society's comments surrounding the use of non-cash payment and ASIC's Regulatory Guide.</p>

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<p>Tag and Account Issues</p>	<p>Customers encountering tag faults and difficulty in account management issues</p> <p>[Sub 1, 4, 9, 10, 15, 27, 30, 32, 33, 43, 48, 83, 93, 96, 105, 113, 114, 121, 130, 136, 138, 142, 180, 181, 187, 189, 198]</p>	<p>Failure of battery operated tag equipment, levying of video matching fees and account management issues are operational matters managed by TQ. TMR understands TQ addresses issues where customers are charged video matching fees due to faulty tags and has added information on this matter to its website.</p>
<p>Tolling Customer Ombudsman</p>	<p>Independence of the Tolling Customer Ombudsman (TCO)</p> <p>[Sub 67, 69, 74, 76, 80, 131, 132, 155, 170, 174, 175, 179, 188, 195]</p>	<p>TMR notes comments around the independence of the Tolling Customer Ombudsman (TCO). The provision for a TCO was included in the RFA to ensure customers had access to a separate review party to the Minister and the toll road operator at no cost to the customer or the State. Mr Arnold was appointed by Queensland Motorways in 2011 under the original RFA to provide ombudsman services for customers of go via. Mr Arnold was also appointed by BrisConnections to provide the same services for Airportlink. The arrangement was continued by TQ in 2014 when it acquired the Queensland Motorways franchise and in 2016 on acquisition of the Airportlink franchise.</p> <p>Prior to 2014, TMR is not aware of any assertions that the TCO could not provide an independent review of go via and Airportlink cases. TMR is aware of allegations of bias due to the TCO funding being provided by the toll road operator and legacy issues associated with the initial appointment of Mr Arnold by Transurban (Melbourne) in 2004. TMR is also aware of suggestions that the TCO is ineffective as complaints may be referred back to TQ for resolution. TMR does not share these views. Resolution of the issues, whether by the TCO or TQ, and provision of the service at no cost to the customer, would appear to achieve the requirements of the service required under the RFA.</p> <p>In terms of suggestions that TQ is overrepresented in the TCO statistics, TMR notes the TCO's observation that the number of complaints about Linkt Brisbane (as the operator for six toll roads in Queensland) referred to the TCO compares favourably to the number of complaints aggregated by state (NSW and Victoria) rather than by individual toll roads.</p> <p>TMR also notes the TCO is currently seeking membership of Australian and New Zealand Ombudsman Association (ANZOA).</p>

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<p>Signage</p>	<p>Failure to display toll road prices</p> <p>[Sub 49, 52, 100, 102, 188]</p>	<p>TMR notes a small number of concerns related to toll road signage. TMR, TQ and BCC have worked collaboratively to standardise toll road signage and achieve consistency between the differing toll roads and the surrounding road network. The standardised blue and gold toll road signage provides clear information to inform motorists which roads are toll roads and their toll payment obligation for use of the toll road.</p> <p>As there are different tolls levied at each toll point for the four different vehicle classes, it is not practical or safe to display detailed toll price information in constrained or high speed environments. Toll levels for cars are clearly signed at each toll point and detailed price information for all vehicles is available on the Linkt Brisbane website.</p>
	<p>Lack of toll road signage resulting in unintended travel on toll roads</p> <p>[Sub 52, 55, 94, 100, 164]</p>	<p>Signs indicating “Last exit before toll point” are erected to alert motorists of their last opportunity to exit the motorways without incurring a toll. Should a motorist travel inadvertently on a toll road, they are encouraged to discuss the matter with TQ.</p>
<p>Compliance and enforcement</p>	<p>State is acting as a debt collector for TQ [Sub 28, 35, 53, 66, 80, 102, 119, 135, 161, 186, 188, 197]</p>	<p>The State is not a debt collector for TQ. Money received through payment of Penalty Infringement Notices (PINs) issued by the State is paid into the State’s consolidated fund and no portion is shared with TQ. Any toll debt owed under a demand notice can no longer be pursued by TQ once it has been referred to TMR for enforcement.</p>
	<p>TQ civil debt recovery process</p> <p>[Sub 66, 69, 181, 195]</p>	<p>Toll compliance activities undertaken by TQ include the sending of tolling invoices for unpaid tolls, sending toll demand notices and pursuing civil debt recovery processes (via approved agents only). The civil debt recovery processes used by these agents are set out in the ASIC and ACCC <i>Debt Collection Guidelines: for collectors and creditors</i>. All civil debt recovery agencies engaged by TQ must be approved by TMR.</p>
	<p>Debtors in receipt of prescribed social security benefits should be recognised as “judgment proof”</p> <p>[Sub 182]</p>	<p>TMR acknowledges that people on low incomes and social security benefits can have difficulty making ends meet. This proposal would potentially apply to both toll debt owed to TQ as well as PIN debt owed to the State (which is managed by SPER). The concept of “judgment proof” debtors raises matters of public policy broader than toll roads and will require consideration by other government departments. TMR notes it is potentially inequitable for a “judgment proof” debtor to continue to use</p>

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		<p>toll roads without paying, while other toll road users pay for their use. There are untolled roads for those who choose not to pay or cannot afford to pay to use a toll road.</p>
	<p>Is the tolling debt a civil matter and how can action be taken by government and non-government entities with different legal and commercial obligations</p> <p>[Sub 80, 135, 179, 195]</p>	<p>In instances where a toll road user has accumulated a significant tolling debt, TQ may elect to institute legal proceedings. TQ may also refer the matter to TMR, or BCC, for enforcement up to six months after a toll road user has failed to address a demand notice.</p> <p>Decisions about which matters are pursued through legal proceedings, and which are referred to TMR for enforcement, are a matter for TQ to determine. However, minimum debt thresholds must be exceeded before TQ can take matters to court.</p> <p>Any debt owed under a demand notice can no longer be pursued by TQ once it has been referred to TMR for enforcement. TMR may issue a PIN for matters that TQ refers to the State for enforcement, and a person may elect to contest the PIN in court.</p> <p>If the PIN is not actioned, TMR refers the matter to SPER for further enforcement action. The referral to SPER is standard practice for all unpaid TMR issued PINs. There is no relationship between TQ and SPER.</p> <p>TMR acknowledges there are a number of entities (TQ, TMR/BCC and SPER) involved in the compliance and enforcement process and toll road users could potentially be involved at different stages of the process for different toll road journeys. Customers who are aware of having had unpaid tolls are advised to contact each of the entities to fully establish their outstanding obligations.</p>
	<p>Transferring of registration and tolling details upon sale of a vehicle (including by dealers) and the delay in transfer resulting in toll expenses</p> <p>[Sub 63, 74, 108, 120, 171, 194]</p>	<p>In relation to vehicle registration transfer processes, both the acquirer (buyer) and the disposer (seller) of the vehicle may notify TMR of the transfer at any time after the transfer has occurred. However, obligation remains on the buyer to apply to TMR for the transfer within 14 days of acquiring the vehicle.</p> <p>TMR is aware that, on occasion, buyers have failed to lodge the necessary transfer application promptly and this has led to tolls being incorrectly attributed to the seller of the vehicle. While these tolls can be corrected by the seller contacting TQ and nominating the buyer as the person who incurred the tolls, this is an inconvenience to sellers.</p> <p>To address this issue, in February 2017, legislation was amended to provide an option to the seller to provide a disposal notice to TMR immediately upon the transfer. The effect of this notice is to transfer</p>

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		<p>the registration of the vehicle out of the seller's name. This assists in ensuring that any tolls incurred following the receipt of the notice are not attributed to the vehicle seller. Where a seller does provide a disposal notice, the obligation remains on the buyer to apply to have the registration of the vehicle transferred into their name and to pay any fees associated with the transfer (for example, the registration transfer fee and stamp duty).</p> <p>It would be unnecessarily burdensome to impose a legislative obligation on both the seller and the buyer of a vehicle to lodge transfer paperwork with TMR. The current system places that obligation only on the buyer but provides the seller with an option to also advise TMR of the sale should they wish to do so.</p> <p>In the case of a vehicle transfer between two motor vehicle dealers, while the onus is on the acquiring dealer to apply for transfer, both the acquiring and disposing dealers, may agree in writing, that the disposing dealer will apply or notify the chief executive directly of the disposal. If this agreement in writing exists, the acquiring dealer's obligation to notify TMR of the transfer is exempted. This process ensures that a disposing dealer can notify TMR of the disposal immediately after it takes place, ensuring that the tolling notices and infringements are sent to the correct registered operator.</p>
	<p>State Motor Vehicle Registration system should automatically notify TQ of the change to a vehicle owner (for when the customer doesn't advise TQ they've sold the vehicle.</p> <p>[Sub 74]</p>	<p>To develop a system whereby TMR automatically notifies TQ of changes to the registered operator of a vehicle would be complex and expensive and would need to address certain privacy issues that would arise. For example, the purchaser of the vehicle may have no intention of using toll roads and becoming a TQ customer.</p> <p>There is currently no capacity within the registration system to allow for an automatic notification about changes in the registered operator of a particular vehicle. TMR is not aware that this is a significant issue and, at this stage, is not looking to develop this capability.</p> <p>The primary responsibility for ensuring TQ account details are up-to-date ultimately lies with the tolling account holder, in the same way it does with a range of other accounts they might hold (for example, phone, electricity).</p> <p>TQ may be able to provide the Committee with further details about the terms and conditions that apply to its accounts, including requirements to keep contact details up to date.</p>

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	<p>Enforcement action should not be taken by BCC or TMR where there is a genuine dispute about the liability for the unpaid toll and there has been no reasonable attempt to investigate or resolve the dispute</p> <p>[Sub 162]</p>	<p>TQ may not refer a demand notice for enforcement if it is aware the matter is the subject of TCO consideration. Additionally, TQ may not pursue tolling debt after a matter has been referred to TMR for enforcement.</p>
<p>Privacy</p>	<p>Comments about TQ's Privacy Policy</p> <p>[Sub 195]</p>	<p>Issues relating to TQ's Privacy Policy and its use of any road usage information it collects are best responded to by TQ.</p> <p>In relation to vehicle registration information that TMR provides for tolling compliance, the written agreement between the parties provides that:</p> <ul style="list-style-type: none"> • the entity must comply with relevant provisions of the <i>Information Privacy Act 2009</i> (Qld) in relation to the storing, security, use and disclosure of the information; • the information is provided to the entity solely for tolling compliance purposes and must not be used for any other purpose; • the entity must not disclose that information to any other party (e.g. a sub-contractor) without the prior written approval of TMR; • where TMR grants approval for the entity to disclose the information to a sub-contractor (e.g. to a mailhouse for the distribution of notices), on request from TMR, the tolling entity must obtain an executed Deed of Privacy from that sub-contractor. <p>These agreements are supported by provisions of the <i>Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010</i> which make it an offence for a tolling entity, or a person acting for that entity, to use or disclose vehicle registration information provided to them for tolling enforcement outside the terms of the written agreement. A maximum penalty of \$2,611 applies to these offences.</p>

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		The agreements are also subject to an annual audit by TMR to ensure that the tolling entities have sufficient controls in place to ensure the ongoing privacy and security of personal data provided by TMR.
Planning and road design	Integrate transport planning and limit toll roads [Sub 76,147]	TMR notes comments around transport planning and the need to take a long-term, integrated network view. Queensland's tolling policy provides the framework for consideration of new toll roads to ensure any toll road meets an identified need and produces an equitable transport outcome for the community. The toll roads have proven successful in providing motorists with greater travel time reliability and additional route choice while providing relief for the free, local road network.
	Road design [Sub 1, 2, 57, 77, 91, 146, 156, 157, 173, 177, 183, 198]	In relation to toll road design and integration with the existing road network, these issues are considered on a case by case basis when the project is being assessed and must align with TMR's engineering standards for road design.
Positive sentiment towards toll roads	Toll roads produce good outcomes [Sub 16, 151, 159, 168,175, 178, 192]	TMR notes a number of positive comments surrounding toll roads.