

## **Toll charges on the Gateway and Logan motorways**

The people of Queensland owned the Gateway and Logan motor ways until our government lead by Campbell Newman sold us out despite Anna Bligh being ousted in 2012 for selling our assets.

Many people would argue that we need tolls on our newly established bridges and tunnels to pay for their cost; however this is not the case with the Gateway and Logan motorways. Both motorways were initially built back in the late 1980's and despite them both undergoing upgrades more recently they rightfully should remain the property of the people of Queensland. For those that are still not convinced that we own these roads consider the following.

According to a report on the ABC on the 25<sup>th</sup> April 2014 our Queensland government sold the rights to these and other roads to a private company Transurban for \$7B dollars. If they did this then we must have owned the roads, as you cannot sell something you do not own, or have a substantial interest in. Where did the \$7B go?

**The Logan Motorway attracts 58 million vehicles per year and the Gateway Bridge attracts 42 million per year, which would put the income for Transurban just from these two toll roads alone at close to \$1B per year!**

**So where are the tolls of hardworking Queenslanders going? They do not go to the government; they are providing the executives of Transurban a life of luxury. CEO Scott Charlton received \$5.8M in salary in 2016.**

To make matters worse in October 2016 the Brisbane times announced that the Logan Motorway will be tolled up until 2051. The Gateway according to Wikipedia will be tolled up to 2041.

Can you or I stand by and allow this extortion racket to continue?

### **The way the tolls are being administered in Queensland is illegal**

On a typical invoice from the toll company a claim is made that you have the authority to do what you are doing from a Queensland state law "The transport Infrastructure Act 1994 Chapter 6. While it may appear that is the case let us explore this Act in conjunction with the Australian Constitution.

S94 (1) (b) sets out the methods of payments Cash, Touch tag or the E-toll system. This section goes on to further define these methods of payments.

In S94 (3A) "The driver may satisfy the driver's liability for the toll payable at a toll plaza by— (a) If a part of the toll plaza is designated by appropriate signs as available for making a toll payment in cash - making a payment in cash of the toll payable." This provision is in conflict with the Australian constitution S 115 which states that cash (gold and silver coins) is legal tender for the discharge of debts. By not providing a way for drivers to pay cash at the point of sale you as an operator are in fact operating illegally, as the Australian constitution overrides the state laws.

Under Division 3 it deals with the Failure to pay tolls

S96 provision is also impossible to fulfil and therefore illegal as how can a Driver satisfy the discharge of debt with legal tender if at the time of the creating the toll debt there was no provision to pay the amount required in cash.

S99 (3) "The registered operator must comply with the notice given under subsection (2) unless the registered operator has a reasonable excuse." Subsection (2) deals among other things with the payment of the toll. So I as the driver I have a reasonable excuse under this provision I tried to pay the toll in cash but it was impossible for me to execute this method as the toll company was not there to receive it.

### **An example of excessive interest charges by the toll company for a non-payment of a toll**

The original toll fee that you are claiming from me was for \$7.11 on the 28/12/2017. Fourteen days later on the 11th January 2018 you issued an invoice for \$16.43 for the same toll, a gain of \$131%. Nineteen days later on the 30th January you issued me with a 2nd invoice which had risen to \$31.48 for the same original toll, a gain of almost 92%. So in a one month period you have increased my fee from \$7.11 to \$31.48 a total gain of 343%!! This is way out of the boundaries that normal business practice operates from.

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