



Memorandum

Date 11.04.2020

To: Transport & Public Works Committee | Queensland Parliamentary Committee

Re: Invitation to provide feedback on Transport and Other Legislation (Road Safety, Technology and Other Matters) Amendment Bill 2020 specifically on matters relation to Transport.

Accordingly, our comments below are in relation to those PARTS impacting Transport of the Amendment Bill 2020

Our feedback and comments are provided below

Part 8 Amendment of Transport Infrastructure Act 1994

Clause 32 – No issues

Clause 33 – No Issues

Clause 34 – No Issues

Clause 35 – (1) No Issues

Clause 35 – (2) No Issues

Clause 35 – (3) No Issues

Clause 35 – (4) No Issues

Clause 36 – No Issues

Clause 37 – No Issues

Clause 38 – (1) No Issues

Clause 38 – (2) No Issues

Clause 38 – (3) No Issues

Clause 39 – No Issues

Part 9 Amendment of Transport Legislation (Road Safety and Other Matters) Amendment Act 2019

Clause 40 – No Issues

Clause 41 – No Issues

Clause 42 – No Issues



Part 10 Amendment of Transport Operations (Passenger Transport) Act 1994

Clause 43 – No Issues

Clause 44 – No Issues

Clause 45 – No Issues

Clause 46 – No Issues

Part 11 Amendment of Transport Operations (Road Use Management) Act 1995

Clause 47 – No Issues

Clause 48 – No Issues

Clause 49 – No Issues

Clause 50 – No Issues

Clause 51 – No Issues

Clause 52 – No Issues

Clause 53 – No Issues

Clause 54 – No Issues

Clause 55 – No Issues

Clause 56 – No Issues

Clause 57 – (2 d) “ any requirements prescribed by regulation about the operation and testing of a photographic detection device were complied with for the specified device at all material times”

- **CILTA:** Clarification required – what is meaning or intent of “ALL Material Times” with relation to the “operation and testing of a photographic detection device”
 - Upon reading we could not identify the meaning or intent; we recommend further clarification is required

Clause 58 – No Issues

Clause 59 – 120D Photographic or video evidence about the use of approved seatbelt, “In the absence of proof to the contrary” –

(2) **A** The vehicle depicted in the image or video is taken to be moving but not reversing or stationery but not parked: and”

- a) To remove any doubt or ambiguity if the vehicle was traveling forward, we recommend this clause inserts the following
 - i) *To remove any doubt the image of the vehicle shall have the speed of travel when the image was taken in not wearing the seat belt*

Clause 59 – 120E Photographic or video evidence of mobile phone use



(2) In the absence of proof to the contrary the vehicle depicted in the image or video is taken to be moving, or stationery, but not parked

CILTA: Clarification required and Recommendation – Further meaning of stationery but not parked is required as this can be read many ways over various circumstances as to what stationery is – but not parked

Clause 60 – No issues

Clause 61 – No Issues

Clause 62 – No Issues

Part 12 Amendment of Transport Planning and Coordination ACT 1994

Clause 63 – No Issues

Clause 64 – No Issues

Clause 65 – No Issues

Clause 66 – No Issues

Clause 67 – No Issues

Clause 68 – No Issues

We thank you for the opportunity for feedback, and we hope our recommendations for additional clarity serves to improve the legislation intent once approved

Please feel free to contact us if you have any further questions in relation to our comments

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