



Speech by

Michael Choi

MEMBER FOR CAPALABA

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TRANSPORT (AMENDMENT OF QUEENSLAND ROAD RULES) BILL

Mr CHOI (Capalaba—ALP) (9.16 pm): I rise to oppose this private member's bill, the Transport (Amendment of Queensland Road Rules) Bill 2006. This bill proposes to introduce new requirements that passengers in motor vehicles who are younger than seven years of age must be restrained in an approved child restraint, as well as create a legal requirement that the sale, hire and installation of all child restraints in Queensland be performed by an accredited business with certified staff.

I have a lot of regard for the honourable member for Chatsworth. As he is the only other engineer in the House and the not-too-distant future leader of the opposition, I was looking forward to reading his legislation. The policy objectives of the legislation state—

The objective of this Bill is to amend Section 266 of the *Transport Operations (Road Use Management—Road Rules) Regulation 1999* to create a legal requirement that all child restraints sold, hired and professionally installed in Queensland are by an accredited business with certified sales people and/or installers.

So far so good. The second paragraph of his policy objectives indicates—

These amendments seek to reduce the rate of child fatalities in Queensland that are a direct result of an unsuitable child restraint being used and/or being installed incorrectly in the vehicle. They aim to do this by ensuring—

I highlight the word 'ensuring'—

that all parents and carers are given the best advice on selection, use and installation of suitable child restraints.

The first objective of the legislation is fine by me, but the problem is that there is no requirement whatsoever on the user of the restraint—in other words, the mums and dads, the owner of the vehicle—to purchase from an accredited business, to hire from an accredited business or to have the restraint installed by an accredited business. What happens if a person acquires a restraint from a second-hand market? What happens if they buy one from eBay or the *Trading Post*? What happens then? There would be no professional advice received.

I oppose this bill on the ground that it would have to be mandatory for it to work, and if that were the case it would impose an appreciable cost on the Queensland community that I believe would outweigh any possible benefits such a scheme would provide. The member for Currumbin said in the House not so long ago that every life is important. Indeed, every life is important, and I say this with the greatest of respect for human lives.

The shadow minister for transport, the honourable member for Chatsworth, being the proponent of this bill, should be well placed as a qualified engineer to understand the principle of design compromise between various design criteria. One of the design criteria or constraints of any design is cost. Cost is important because if the cost is prohibitive, firstly, the design or the idea will not be adopted; and, secondly, even if adopted it will not be built or manufactured. There is no point having a wonderful idea—half-baked in this case—or a wonderful design when it will not be accepted by the community.

Let us take road design, for example. The Australian road design manual uses templates which are the product of engineering designs which take into consideration the speed of vehicles, service conditions, climatic conditions as well as cost considerations. In other words, it is possible to design a road which can cut down the chance of a fatal accident, even if the driver exceeds the speed limit, by 100 per cent. But at

what cost? Is it better to build a road which caters for 99 per cent of situations or one that caters for 100 per cent of situations? The cost penalty of building for 100 per cent simply means that fewer roads can be built. No engineer can design a product or implement an idea without considering the impact of cost.

Having been a structural engineer before my time in politics, I could in fact design this parliament to withstand the impact of two 747s, but at what cost? Someone once asked me why we cannot design aircraft with the same strength as the black box which usually survives a crash. The answer to that question is that it would be too heavy to fly and, even if it could be, it would be so expensive to manufacture that no-one would be able to afford to build it, let alone fly in it.

As I said, the scheme proposed in this bill is fundamentally flawed, for if it is to be effective in achieving its aim of improving the safety of children who are passengers in vehicles it would have to be a mandatory scheme which would remove the ability of parents and caregivers to self-install child restraints.

I will highlight a number of key considerations that point towards the high cost that the scheme would involve. Since the use of a child restraint for children under the age of one became mandatory in 1979 there have been significant improvements in the design engineering of both restraints and vehicles. This has improved the ease of use of child restraints in terms of installing and ongoing adjustment. For example, the majority of vehicles now have factory-fitted anchorage bolts which makes it easier to fit the child restraints rather than having to seek advice from a vehicle mechanic regarding installation of such anchorage points.

The introduction of a mandatory fitting scheme by accredited businesses would also prohibit self-installation of restraints, including the use or swapping of restraints between multiple vehicles. Considering that the Australian Bureau of Statistics census data for 2001 indicated that 53 per cent of Queensland households run two or more vehicles, this would impose significant financial costs on households by potentially requiring them to fit each vehicle they own with a child restraint and would require every person involved with the child's care on a routine basis to also have a restraint fitted.

What do people do when they have to pick up their neighbour's daughter to go to Sunday school? According to the opposition, they would have to go to an accredited installer on a Saturday and have an extra restraint installed, only to return on Monday to have it removed. This potentially limits the ability of others to participate in the care and support of families with young children. If this scheme was made mandatory it would impose a very significant financial cost to lower socioeconomic families and communities who rely on the ability to transfer child restraints, which of themselves can already be quite expensive.

I would also like to remind members of this House that a child restraint for children in the six- to 24-month age group currently retails for between \$150 and \$500—a significantly costly item that families are already required to purchase. Aside from the cost to parents and carers, the cost of establishing such a scheme is also significant. It is estimated that in the first year of the scheme the operating cost to government would be around \$2.8 million, with ongoing costs of \$1.1 million per year. This cost would cover the development of training programs which would have to be accessible statewide.

There are significant set-up costs, including auditing of training programs and accredited businesses and an enforcement regime. Of course, these costs would ultimately be borne by the industry and these costs are significant. For example, based on a full cost recovery to government model, costs to industry would be around \$1,400 for an application fee and the renewal fee payable every two years would be approximately \$1,200. A number of associations currently offer a child restraint fitting and checking service. It is expected that these charges would rise under the proposed bill. One would assume that the costs, in order to cover compliance with the proposed scheme, would be passed on to consumers.

In rural and remote areas, the added cost associated with stocking child restraints as per the proposed scheme could result in businesses in these areas possibly withdrawing from the market, therefore limiting access to these currently reasonably readily available items. In addition, if compliance with the scheme resulted in limiting market availability of child restraint products, increased financial and travel costs would be imposed on families in rural and remote Queensland. Furthermore, particularly in remote Indigenous communities, access to such products is already limited. By introducing such a scheme, further disadvantage would be imposed on such communities.

It was a wonderful idea. Unfortunately, without a mandatory regime it would not work. I strongly suggest that perhaps the answer to this issue is to encourage people when they purchase a child restraint to go to their local Queensland ambulance station to obtain proper advice.