



Speech by

**Ian Rickuss**

**MEMBER FOR LOCKYER**

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## **TRANSPORT LEGISLATION AMENDMENT BILL**

**Mr RICKUSS** (Lockyer—NPA) (7.36 pm): I rise to speak on the Transport Legislation Amendment Bill 2007. There is not much to say that has not already been said on the bill. However, there are a few things I would like to cover. Part of it is about how the heavy vehicle industry has been reforming and is trying to move into the road safety area. Some of the stats quoted by the minister in his second reading speech, although probably correct, can be classed as a little misleading. I rang a couple of local transport operators in my area. The average local transport operators are doing 80,000 to 100,000 kilometres per year. The interstate vehicles that they run probably do 240,000 to 250,000 kilometres per year. At a minimum, that is probably five times as much as the standard person is doing in their operations. The interstate boys are probably doing 10 times as much. If we take that into account per kilometre of road usage, the stats do not look quite as bad as they first appear.

No-one wants to see deaths on the road. No-one wants to see the cowboys in the industry, who are a real problem. Unfortunately, there are drivers who have been driving for too long. I do urge the minister to look at putting in place more truck stops. There is one on the Warrego Highway in the Lockyer electorate. It is a well-utilised truck stop. It is full every night. It has solar toilets and all that sort of stuff. It is well used. Where they are available, the truckies do use them and that is good to see.

The livestock operators have known about the process for a long time. Some of the phrases mentioned by the minister in his second reading speech probably relate more to the smaller operators in the livestock industry and not so much the B-double transport decks. The real problem we have with the chain of responsibility that was introduced in 1996 is that, unfortunately, a lot of the smaller truck operators have been fined. I do not think that, in many cases, it has gone down far enough into who is actually pushing the people who drive the trucks. That is a bit unfortunate.

I think I heard before that some of the consignors involved have been fined over a million dollars. I would be interested to know whether that is right. Consent or a warrant is generally required to enter a place but this bill provides powers for authorised officers to enter and search specified premises relating to heavy vehicles without a warrant or consent. This seems to breach all of the principles of good legislation. I cannot understand why they cannot obtain a warrant if they need to go into these places. This provision in the bill seems to be a heavy-handed approach. I really do not know why the liberties of those who drive trucks have to be given up.

The previous minister, Mr Lucas, acknowledged that he did not want cowboys in the industry. I do not think anyone really wants cowboys in the industry but we do not want people victimised simply because of their poor literacy standards, for example. I ask the minister in his summing-up to give us an assurance that if an honest mistake such as a spelling error is made in a logbook he will not penalise people. We do not want good, honest, hardworking truck drivers penalised simply because of the fact that they made a minor error in their logbook.

I turn now to the national heavy vehicle scheme maintenance program. I know that the major trucking operations in my area have quality assurance and TruckSafe programs in place. I think this provision will actually fall into place. As trucks with technology like the satellite navigation equipment on

their dashes become available, the checking will fall into place. It makes sense for those provisions to be put in place.

Further on in his second reading speech the minister mentioned the drug-driving provisions which will come into effect on 1 December. I would like to make sure that these provisions are brought in. I think the problem of people driving under the influence of drugs and people with repeat drug-driving convictions is probably bigger than we realise. It is good to see that there will be some way of enforcing the drug-driving provisions.

I would be interested to know whether the minister has ideas concerning the rehabilitation of drug drivers. Unfortunately, we end up with a lot of people in our jails convicted of driving and traffic offences. I honestly do not know how else to handle them. It is a hard situation. Cars are so much a part of our lifestyle in the Western world. Some people who lose their licences continue to drive. I wonder whether the minister knows of any out-of-the-box ways that we might be able to solve this problem. Is there something they do in the Scandinavian countries that is a bit smarter or a bit brighter than what we do here? That should be investigated.

There are provisions relating to challenging the accuracy and operation of radar and laser based speed and red-light devices. I have to admit that I am in the process of dealing with an issue concerning one of my constituents. They have wrong numberplate numbers and wrong dates. Some of the clerical work done by some of the police leaves a lot to be desired at times.

Amendments to the transport act will give transport inspectors the power to seize things if the inspector reasonably believes a thing is evidence of an offence against the Motor Vehicle Insurance Act 1994. I think this is also a little heavy-handed. What right of appeal does a person have if they do not feel the seizure is appropriate? I would like the minister to advise if there is any right of appeal.

I have had a conversation with one of the limousine owners in my electorate. They are at Greenbank and run airport and regional corporate cars. They are a good operation. They actually use a booking service. They take phone bookings and log all of their bookings. I would like the minister to clarify whether they actually have to have an electronic booking system. They use a phone system now and log the bookings. Is that sufficient? I would like to clarify that point because unfortunately the Limousine Association does not seem to be aware whether that is sufficient. Is a mobile phone booking transferred into a logbook good enough?

**Mr Mickel** interjected.

**Mr RICKUSS:** I see the minister is acknowledging that. That is very good. These people have concerns about that. If a logbook is sufficient for the heavy transport industry, then surely a logbook is sufficient for the limousine industry. I am glad to see that the minister is acknowledging that the logbook is sufficient.

**Mr Mickel** interjected.

**Mr RICKUSS:** Then downloaded on to a manual log.

**Mr Mickel** interjected.

**Mr RICKUSS:** Onto a computer of some sort or something. Is there technology available to do that sort of thing? I am not an IT guru.

**Mr Mickel** interjected.

**Mr RICKUSS:** That is all right, but after a week it is gone. A mobile phone does not have an enormous capacity.

**Mr Mickel:** Come and see us.

**Mr RICKUSS:** That will be good. The bill also provides greater choice in terms of vehicles for chauffeurs. Many years ago my brother used to own a black Valiant. He used to get invited to a lot of weddings because he had a black Valiant. Is there any onus on a person if they are providing their vehicle for free for a wedding?

How many limousines have actually been booked for touting on the Gold Coast or in Brisbane? I have used the odd limousine service but I have always rung up and booked them. Have there been any limousine operators booked for touting and, if so, how many and when? If the minister could answer that it would make things clearer.

I support most of the provisions in this legislation. I think the transport industry supports most of this legislation. There really is a need for some reform. The heavy transport industry is trying to lift its game all of the time. As the trucks get better, the drivers get better and the operations get better, things will improve. There is a problem at the moment in terms of a shortage of drivers. With the mining industry boom and so on drivers are at a premium. Some people in my area are bringing drivers in on 457 visas and so on. There is a real shortage of drivers for the transport industry in Australia.

I thank the minister for providing staff to brief me on the railway loop in the Purga area. Thank you for that, Minister. Better rail freight operations between Toowoomba, Sydney and Melbourne will ease the transport problems, but unfortunately they are 10 to 20 years away. That is the sort of process that we need. I support the bill, but I will go and see the minister's staff.