Speech by

Tim Nicholls

MEMBER FOR CLAYFIELD

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TRANSPORT LEGISLATION AMENDMENT BILL

Mr NICHOLLS (Clayfield—Lib) (2.32 pm): I am delighted to be interrupted for that purpose. I welcome everyone from Charters Towers.

Before we adjourned for lunch, I was referring to new section 87 in the Transport Legislation Amendment Bill and, in particular, the requirement under new section 87B(3) for a driver of a limousine to ensure that the limousine has an electronic booking system in working condition—that is, a driver cannot use the limo without that device being available—for the operator to have an electronic record containing the prescribed details and for the electronic booking system in the limousine to display the prescribed details. A failure to comply with either subsection 87B(2) or subsection 87B(3) can result in a maximum penalty of up to 80 penalty units or $6,000.

In effect, this means that all operators of limousines must have an electronic booking device in the limousine and that device must be able to display details, which are yet to be described, of any booking made for that limousine service. It also requires an electronic record to be kept by the operator of the limousine service.

It is interesting to note that, in reference to this particular clause on page 26, the explanatory notes states—

It also requires a limousine driver to not use a limousine unless it is fitted with an electronic booking and recording system and a prior booking is displayed on the system.

I emphasise the word 'fitted'. It is quite clear that the intention of the drafter of the legislation, as explained in the explanatory notes, was that a limousine must be fitted with—that is, firmly attached to the vehicle itself—an electronic booking system. It has to be fitted with a system much as one would see in a taxi where the display is in the top right-hand corner of the dash and it tells the driver what is coming in. The driver can press a button and load in where they are going under their booking system.

A number of very valid and serious concerns have been raised by limousine operators and the Limousine Association Queensland in relation to this requirement. Firstly, there is the question of justification. The justification put forward is this: limousines are touting for taxi work, which they are not permitted to do. The area of the cab rank where taxis wait to pick up a fare is reserved solely for taxis because they have much higher entry costs and ongoing operational costs in terms of radios, licence fees and those sorts of things.

In his second reading speech the minister stated—

Regular complaints about this unfair and illegal activity are received from the taxi industry which has much higher entry and operating costs. This behaviour also disadvantages limousine operators and drivers who only provide services with a prior booking, as per the legal requirement.

In the briefing from the officers of the department I sought some information about the number of complaints that had been investigated and proven. In those briefings the comment was made that the driving force behind the requirement for electronic devices on non-special purpose limousines has been the incidence of touting by limousine drivers for work that would normally be undertaken by taxis.

In this respect, in its representations the limousine industry—as one would expect—indicates that this is not something that is so significant or prevalent that it would warrant this type of heavy-handed intervention in the operation of the limousine business. They do not deny that it does occur, but according to them the incidence of the occurrence does not warrant heavy-handed legislation which will make such a device mandatory.

In dealing with the issue, and I raised this in the briefing yesterday, I ask the minister to provide details of the number of complaints received about limousines touting, the number of investigations that have been undertaken in relation to those complaints, as well as the number of successful prosecutions for breaches by limousine operators of the current rules. There are currently in place rules in relation to requirements for bookings to be made before a limousine can undertake a job. In effect, what we are talking about is implementing an evidentiary system, as determined by the department, requiring an electronic device.

When such a requirement and an imposition is made on the limousine industry, it is important to test the assertion made in both the explanatory notes and the minister's second reading speech that widespread touting is being undertaken by limousine drivers to the detriment of the taxi industry. It is only fair that we see the numbers involved with the assertion that is being used to justify this scheme, given that it is the primary reason for the requirement.

This in turn raises the issue of the adequacy of the government in providing sufficient taxi licences in order to address the obvious transport needs of the travelling public. There is a particular problem at the Gold Coast where there is a limited number of taxis. My colleagues on this side of the House who represent seats on the Gold Coast report that the current operators have extreme difficulty in meeting the current demand, particularly on Friday and Saturday nights and at big event days when there is a significant influx of people.

It is also interesting to note that almost 200 limousine drivers ply their trade at the Gold Coast, which has by far the greatest number of limousine licences issued to one region in the state. The Gold Coast has the highest number of limousines operating. We have to consider whether the number of limousines operating on the Gold Coast is, in fact, a reflection of unmet demand for passenger transport services. In effect, there are not enough taxis. If one looks at a comparison of the number of taxi licences issued for the Gold Coast and those issued for Brisbane, there is a very significant discrepancy. Most people who go to the coast and use a taxi find that there is a significant delay. My colleagues on this side will mention some of their experiences in that respect.

Returning to the issue of the electronic booking device, on a number of occasions it has been stated to me in briefings and to members of the industry that a mobile phone could be an electronic booking system. I say quite clearly that a mobile phone would not seem to be adequate if one reads the explanatory notes, which state that section 87B requires a limousine driver to not use a limousine unless it is—and I emphasise the word—'fitted' with an electronic booking and recording system. Quite clearly this rules out the use of a mobile phone, which by its very nature is not fitted to the vehicle. Most probably it is carried by the driver and used independently by that driver when not engaged in limousine services. It is their mobile phone and they use it for business and they may use it for other purposes, but it is certainly not a device that is 'fitted' to a vehicle.

I have also asked for details of any electronic booking device that might be reasonably available at a reasonable cost to meet the requirements of proposed section 87B. To date I have not been provided with details of any system that can reasonably meet the requirements set out in the legislation. I am not aware of, or information has not been provided to me of, a readily available device to meet this requirement in the legislation.

Such a device is not going to be the same device that the taxi booking systems use. Theirs is a much different system. They have GPS systems and they monitor the location of vehicles. They run a cab rank system so the first job up gets sent through, someone hits a button and says they will take that job. That is completely different from the type of booking system that a limousine uses which is usually by way of a phone call and a recording is made and so on.

Clearly, proper consultation with the industry would have led to a cooperative resolution of these issues. The limousine industry has stated to me that it does not oppose the requirement for booking details to be maintained. It is supportive of the requirement and encourages the lawful conduct of business by operators and drivers in the limousine industry. But unfortunately there has not been sufficient consultation to address these particular issues. Again I emphasise that there has been a lack of consultation with the limousine association in a meaningful way that will address these issues. I have previously tabled letters from the association to both the Premier and the minister. It is important again to highlight some of the things that have occurred.

On 16 August 2006 a strategic planning meeting was held between officers of Queensland Transport and Limousine Association Queensland. The minutes of the meeting record that the president of the association agreed to look at an electronic booking system but that general service operators should have the system as well. So other people other than limousine operators who took people for journeys—

say, people who operate airport transfers, shuttle buses, resort buses—should have a booking system in the interests of fairness because it is a cost of business and those people directly compete with the limousine industry in the provision of that service. There was some discussion about that. That matter is a separate issue from the one we are talking about here.

Subsequent to that meeting on 16 August 2006, the president of the association went out and consulted with his members. He spoke to operators and determined that an electronic booking system was both impractical and unworkable. At a meeting with Queensland Transport in December 2006 the president advised Queensland Transport that there were difficulties with an electronic booking system and that it was unworkable for both financial and practical reasons. On 11 December 2006 the association received a letter from QT where reference was made about further consultation to implement the recommendations of the taxi and limousine industry strategic review. In that correspondence mention is made of a mandatory recording system but, importantly, no mention is made of an electronic system. It talks about the requirement for a recording system but no mention was made of the particular device or whether it had to be on paper or whatever it had to be. On 21 February 2007 another letter was received by the association from Queensland Transport calling for the establishment of a taxi and limousine industry development project implementation steering committee, a beloved acronym and a high-sounding name. That letter stated, 'Input will be critical to implement the package in the tight time frame required.' So QT writes to the association and says, 'We need your input if we are going to get the package right in the tight time frame required.'

The letter suggested a meeting be held with the industry in the week commencing 19 March to discuss implementation—a meeting which was critical to the implementation of the package, as I mentioned. As at 30 September this year that meeting had still not taken place. In fact, we know that this legislation was introduced on 6 September 2007. So much for consultation. It is as a result of that that the problems that have been raised, and I am raising today, have occurred. There has been no practical consultation with the industry about its needs and to inform them about what was going on. These details are clearly set out in the letter of 30 September 2007 to the minister that I have tabled. I understand that on 2 October the limousine association had a meeting with officers of Queensland Transport where there was discussion of some of these issues and there was a subsequent meeting yesterday afternoon between the association and the parliamentary secretary to the minister in relation to these issues where yet again the issue of the electronic booking system was raised.

The issue is that the legislation was introduced on 6 September without any prior consultation despite what I am informed is the prior promise of consultation and, in fact, the setting of a date for a meeting back in March 2007. If that consultation had taken place we may have had a different piece of legislation than we have here today and these issues in relation to the electronic booking system, which is the single biggest issue—the only issue, in fact, that has been raised with me—might have been resolved in a much more practical fashion which would have resolved a lot of these issues we are raising today and which would have substantially shortened what I am here talking about, which I am sure most people would have been pretty happy about.

What this displays is a lack of practical consultation which has resulted in legislation that would be an unnecessary financial burden on the limousine industry and for which there has been no practical demonstrated application provided. This burden is being placed on the industry to address a problem for which no clear evidence has been provided—that is, that touting is of such a magnitude so as to cause substantial and significant harm to the limousine industry.

It is the coalition's view that the manner and implementation of these changes so far as they relate to the electronic booking system requirements and the requirement for a device to be fitted to a vehicle—I emphasise 'fitted to a vehicle'—are a severe and unwarranted imposition on the small business operators in the limousine industry. The limousine industry is not made up of great big booking companies, it is not made up of people who own 20 or 30 limousines; it is made up of people who own between one and five in the main. They are small business operators who have the costs of business, increasing fuel costs and increasing regulation costs. They are prepared and acknowledge the need for a system to record bookings. What they are saying is, 'An electronic booking system is impractical and unworkable,' and 'Can we talk about a system of recording that information that meets evidentiary requirements to make sure that we are not breaking the law, but also meets our requirements to make sure it is not an unwanted imposition on our business?'

The provisions of the legislation ignore significant practical operational requirements of the limousine industry. For example, a limousine may have a booking to collect a fare at the international airport terminal in Brisbane. However, due to this government's mismanagement of its infrastructure plan, that limousine is substantially delayed in getting through the airport roundabout because of the traffic lights.

Mr Lucas: How much federal money went into the Gateway duplication? Not one cent. How dare you have the bald-faced cheek to come in here and say that.

Mr NICHOLLS: The roundabout is clearly a state road.

Mr Lucas: No, it is not. It is National Highway. You know it.

Mr NICHOLLS: The East West Arterial, which runs from Sandgate Road across Nudgee Road through the airport roundabout out to the airport, is quite clearly a state government responsibility.

Mr Lucas: National Highway, you know it. It just shows what a good transport minister you would be. You would want to hand over the responsibility of it.

Mr NICHOLLS: It is quite clearly a state government responsibility and has been quite clearly ignored by this government for far too long in terms of coming up with a long-term solution that will meet the needs of the people of Brisbane. It will be forever a stain on the record of the former minister for transport and main roads, which would otherwise be quite good, that he has done nothing to improve that roundabout, which is not only of concern to limousine and taxi operators. One only needs to listen to the radio every afternoon to hear people ring in and complain about it. It is not only a problem for all of Brisbane but it is a significant concern for my own electorate of Clayfield. But I digress.

A limousine operator, who is held up because they cannot get through the roundabout because this government cannot build a road, is delayed for half an hour in collecting a fare at the international airport terminal in Brisbane. As a result, he rings up one of his colleagues who he knows will be at the international terminal and who may be able to pick that passenger up and fulfil the booking, therefore ensuring that the passenger does not receive a second-rate service and gets to where he or she may be going in due course. The first booked operator contacts his or her colleague and arranges for that colleague to pick up the passenger. In those circumstances there would not be a prior booking and the operator would be unable to display that prior booking, it having been made with the first person who cannot make the original pick-up because of the delay and so there is no record of that.

I am advised that this is typical of the type of knock-for-knock arrangement that operates in the limousine industry and, given the substantial traffic delays in and around the airport, that it occurs quite frequently. In fact, it is not unusual for there to be delays on a Friday afternoon of more than half an hour in traffic moving from the domestic terminal to the international terminal. This is just one of the practical difficulties that limousine drivers will have to deal with that this legislation does not take into account: this type of knock-for-knock arrangement where one person cannot make it for whatever reason—and at the airport it is because of the roundabout—and they make an arrangement with another driver to pick up that fare for them and move them through.

It is also important to note that the limousine industry itself has a number of complaints in relation to the unlicensed or unauthorised operation of a number of vehicles which have been made to the department of transport and which appear to them to have not been fully investigated. This includes the operation of Hummer vehicles and Ford stretch Territories as limousines which it is alleged do not have appropriate licences for their businesses and which have been reported. There is also the issue of forward control vehicles such as Taragos and VW vans, which are operating without appropriate limousine or taxi licences, in relation to providing services as well as accommodation tourist transfer operators providing services contrary to legislation.

Obviously, there is healthy competition between various passenger transport providers and each side has its own particular point of view. It is, however, the case that it is the perception of the limousine association that—

There has been a lack of practical understanding of the limousine operation and the legislative requirements that are imposed on small business operators. Consequently the added impost put forward in this draconian and discriminatory document is abhorrent and has been instigated in a manner that is not transparent and is not applied equally across the public transport industry.

The coalition would support very strongly amendments to this legislation which would remove the requirement for an electronic booking system to be fitted to a limousine but which would still require a properly maintained paper system in the vehicle which would much more easily suit the requirements of the industry yet still meet the evidentiary requirements of the legislation.

I turn to the taxi industry. The legislation also tries to deal with the problems of providing sufficient taxis during peak demand times. Firstly, I would like to acknowledge the tremendous service that taxis provide in our public transport system. It is often not recognised by the broader public that taxis are a vital component of the public transport network. Indeed, most passenger trips on Friday and Saturday evenings and at big events are undertaken in taxis provided by private operator and private booking companies. I want to reiterate the coalition's commitment to a well-regulated taxi industry, recognising the benefits that proper regulations provide in terms of accessibility, security and maintenance of standards as well as provision of services at other times when it might otherwise be uneconomical to provide those services.

The coalition also recognises the job that taxidrivers do in assisting those in our community who for a variety of reasons, whether because of disability, injury, age or other infirmity, cannot use our public transport network. This legislation proposes to require taxi booking companies—for example, Yellow Cabs or Black and White Cabs—to develop peak demand management plans. It is interesting to note that this is an acknowledgement of the government's failure to provide a framework to enable the taxi industry to meet increased demand on Friday and Saturday nights and when large special events occur. This is despite the former minister's repeated claims that taxi targets in terms of response times were being met and that

there was no trouble with people being left behind at queues and not meeting industry standards. Obviously this legislation puts those claims into clear perspective and highlights them for the spin they were at the time.

One does not have to go very far at any stage in recent times to find live examples of people waiting hours at ranks for taxis on busy nights. This amendment is a much delayed response and again is typically bureaucratic and heavy handed. It requires a plan to be formulated and submitted to QT. If a booking company fails to do so, it is subject to a penalty of 40 penalty units or $3,000. It assumes that the taxi industry does not already know where the problems are and cannot suggest its own solutions. This is not the case, as the taxi industry is, and has been, innovative and forward thinking in relation to the myriad problems facing the taxi industry and passenger transport issues generally. It is important to note that the introduction of NightLink taxis was initially an initiative of the taxi industry and the Brisbane City Council which was subsequently picked up and adopted by Queensland Transport to provided additional services late at night in the Brisbane CBD.

The provision for a capacity for peak demand taxis is welcome. However, I would urge the government to not stop with this amendment but to consider alternative suggestions put forward by the taxi industry to make full use of vehicles that would not otherwise be running during peak demand times and to provide services as and when they are needed.

I would also take the opportunity to raise the very real concerns the industry has in relation to the forthcoming deadline regarding accessibility requirements for the taxi industry. This is something that the taxi industry has been grappling with, and I want to commend in particular the Taxi Council and its chief executive officer, Mr Blair Davies, for the work they are doing to disseminate information about the obligations of operators, booking companies and drivers in relation to the provision of accessible services from, I think, 1 December this year.

There are, however, some very real problems that this legislation fails to take the opportunity to address in relation to those issues. For example, it is often difficult for taxi booking companies, despite the requirements of legislation, to control drivers once they leave the depot. This is a problem in terms of providing services to people who might require wheelchair accessible taxis. Drivers can, and it is perfectly legal to, switch off their tracking devices, thus negating control that the booking company may have over the dispatch of wheelchair accessible vehicles to those people requiring those services.

At other times it is often difficult to ask a driver to forgo a hail fare or a much closer fare to drive a considerable distance for no reward—in terms of being paid to cover that considerable distance—to collect a passenger requiring a wheelchair accessible vehicle and not to receive recompense for doing so. In addition, drivers lose income during that period that they are assisting people to enter and exit wheelchair accessible taxis. Although legislation allows for the taxidriver to charge for the time spent assisting people to get in and out of their taxis, most drivers do not do so, believing that it would be an unwanted further imposition on people already facing hardship.

There are solutions to this dilemma which have been proposed by the taxi industry and which an innovative and perceptive government would consider and take up with a view to enhancing the availability of wheelchair accessible taxis to meet the Australian disability standards requirements. I would again urge the minister to review this area of the taxi industry with a view to bringing amendments to the House to address this issue, which is of major concern. I know in discussions that I had with many members of the taxi industry at their recent annual conference that this was by far and away the most significant issue they faced and it was concerning them. To date the response of the government has been lukewarm at best and it is an area where a further and substantial improvement could be made through proper consultation and a willingness to consider solutions proposed by the taxi industry. This legislation would have been an ideal opportunity to address those concerns.

I also want to draw attention to clause 17 of the bill which amends section 45 to increase by a magnitude of 10 the penalty imposed on contract holders who breach their contract requirements. This means that a maximum penalty can be now $3,000 for a breach of contract—that is, contracts entered into after this legislation, not existing contracts. On page 12 of the explanatory notes the justification is that the bill will place a greater emphasis on QT contract holders to meet their contract obligations. The question that will now need to be asked, given the restructure announced this morning by the Premier and the minister, is whether these obligations are going to still apply between the new south-east Queensland transit authority—whatever form that might take—and the contract providers. Is that where those obligations are going to be provided for in the generation four contracts that are going to be up for negotiation?

The other question that needs to be asked is whether these obligations are going to apply to Queensland Rail in its Citytrain and Traveltrain operations which will presumably be operating under contract to the new transit authority. We know, for example, that Citytrain service cancellations are an increasing feature of the way this government handles passenger demand. By simply not providing a train service, they push passengers onto a bus service which in Brisbane is much more efficiently run than the

rail network and in Brisbane carries many more passengers than the entire south-east Queensland Citytrain network.

A total of 590 cancellations in the month of July alone shows how poorly the government has managed to plan for public transport infrastructure growth. It will be important to ensure that, should the need for enforcement action occur, those subject to the review are not just the taxi industry or the limousine industry but also other service providers such as Queensland Rail, Citytrain and Traveltrain. That is, the penalties provided for in this legislation should apply to all contract providers, whether it is Brisbane Transport, Sunbus, Yellow Cabs, or Citytrain and Traveltrain. There are a number of very significant concerns in relation to those areas that I would urge the minister to further review and perhaps further amendments could be introduced to address those concerns that I have highlighted here today.

The second major area of change in relation to this legislation is the changes made to the Transport Operations (Road Use Management) Act. These changes reflect the National Transport Commission's compliance and enforcement model legislation—or model bill, as it is called. In his second reading speech the then minister referred to the amendments. He also referred to crash statistics in Queensland and the impact of heavy vehicles in relation to those crash statistics. In his second reading speech the minister referred to the potential hazard heavy vehicles can pose when not managed properly.

In 2006 heavy vehicles including rigid trucks, articulated trucks, road trains and B-doubles were involved in 53 fatal crashes, resulting in 54 fatalities. This represents 16 per cent of the Queensland road toll and is six fatalities or 12½ per cent higher than 2005 and 13 per cent higher than the previous five-year average. It is certainly the case that crash statistics in Queensland need to be closely observed. In fact, under this Labor government the road toll has increased over the last couple of years to the extent that this year if the rate of road fatalities continues we will have the highest number of road fatalities in over a decade.

As at 30 September 2007 the road toll was 281. That is some 40 more than the road toll at the same time last year. This is a trend that is alarming and is continuing and is seemingly incapable of being solved by this Labor government. Despite spending $5 million a year on television advertising, this government has no measure of the effectiveness of that advertising. While some of this may be explained by population growth, it is of course the case that while our population has increased by two per cent, the number of road fatalities has increased by 17 per cent. As I have said on a number of occasions, the state government needs to get serious about road safety activities. It needs to do more than revise targets downwards and send out spin. It needs to adopt recommendations to build safer roads and consider adopting models that acknowledge that accidents occur and develop road networks that minimise the chance of a fatality when that accident occurs. There are numerous examples that I have highlighted in the past that relate to the benefits of such a system, particularly examples from Europe and Scandinavia. It is also important to note that the national road safety strategy endorsed by this government states that the focus of road safety efforts should be on building and maintaining safe roads, which is twice as effective as addressing road user behaviour or improving the safety of vehicles. This government should be addressing these issues rather than engaging in self-promotion and spin using glossy advertising campaigns for which it has no measure of effectiveness.

In relation to the amendments currently being considered to the legislation, it is again interesting to note the tardiness with which this government has acted notwithstanding the then minister's own recognition of the hazard that heavy vehicles can pose when not managed properly. Despite the increase in fatal crashes identified over the past six years and the fact that in 2006 heavy vehicle fatalities were 12½ per cent higher than in 2005 and 13 per cent higher than the previous five-year average, this government delays and cannot get its legislation in relation to heavy vehicles into this House in a timely fashion. It is instructive to note that the discussion paper to implement the national compliance and enforcement reforms in Queensland about which we are talking today was issued on 18 July 2005. That is two years after an initial discussion bill was put forward by the National Transport Commission. That original national model bill was proposed in November 2003.

The discussion paper distributed by this government in 2005 put out the draft document and required a response within one month. It is also instructive to note the timing proposed in that discussion paper which called for the introduction of legislation by this government in early July 2006. That is according to paragraph 11 of the discussion paper. Here we are in October 2007, 14 months later, only just discussing the implementation of this momentous legislation in the face of what the then transport minister himself outlined as the dangers of the increasing road toll. This is again another sign of this government's bureaucratic incompetence in bringing legislation to the House in a speedy manner.

The coalition will be supporting the legislation as it implements the nationally agreed scheme in relation to compliance and enforcement activities of heavy vehicles. I want to put it clearly on the record that the coalition has been assured in briefings that the current 7½ per cent load tolerance for grain on heavy vehicles will be used as the basis for considering any overload breaches and that the volumetric standard for carrying livestock will continue to be implemented and that this legislation does not impact on either of those two schemes. That reassurance from the officers is welcome and it is very much part of the

support the coalition gives in relation to this legislation. That 7½ per cent mass tolerance and the maintenance of the volumetric loading requirements for livestock are very much part of it.

The coalition strongly supports the introduction of the chain of responsibility components, including the clarification of those parties who can be considered liable under the broad provisions of the chain of responsibility legislation which to date has not been as widely defined as it ought to in terms of bringing people involved in the supply chain before the courts. I think it is important that in doing this the government gives a very clear commitment to the trucking industry, both operators and drivers, that it will not just be the operators and drivers who will be the subject of enforcement and compliance activities. It will be important to set examples in relation to chain of responsibility where it can be shown and proven that consignors, consignees, loaders or others in the chain of responsibility have breached their obligation.

The member for Gregory raised the issue earlier on this afternoon in relation to some of the fines that have been imposed. It has been reported to me that in New South Wales, which introduced this legislation over 12 months ago, there have been $13 million in fines collected under the chain of responsibility legislation, including actions against consignors and consignees. It is important that all those involved in any breaches of the requirements are held to account and that the operators and drivers who have been at the forefront of substantial reforms for a substantial period of time are not the only ones subject to the compliance and enforcement activities. It was interesting to note, again in talking to someone involved in the trucking industry earlier today, that recently in New South Wales over a 72-hour period RTA inspectors weighed about 6,000 vehicles of which 5,500 were found to be overweight. So there is a significant issue in relation to this. That is why we support this legislation. It is important that the chain of responsibility issues be tested fully and it is not just the drivers and operators who are held responsible.

There are many provisions of the legislation which do contravene the fundamental legislative principles. Indeed, in this place we see so many pieces of legislation that contravene fundamental legislative principles that one wonders why the government even bothers with them. It is a bit like its attitude to FOI applications. The attitude is often at best lip-service. If this were not the case, why do the explanatory notes spend 6½ pages explaining why possible breaches of the fundamental legislative principles should be accepted? I do note that safeguards have been put in place in relation to powers to enter places of business for the purpose of gathering evidence as well as prohibition on entering places that are used primarily for residences where that may occur without warrant or reasonable excuse. Nevertheless, it is concerning that there is an increased use of the coercive powers of the state and this is particularly so in cases where people may not have the means to resist or the knowledge either in a corporate or a legal sense as to their own rights and responsibilities. They may not have the means to be able to get that information, either through engaging lawyers or industry advocates. Owner operators are often so busy earning a quid that they have little or no time to be able to brush up on the finer points of legal etiquette in relation to investigation of complaints.

These amendments provide a nationally consistent framework for improved compliance with and enforcement of road transport regulations and the implementation of a national framework is supported. We commend the government for bringing this to the House, even if it is somewhat late.

The implementation of provisions allowing cross-border compliance and enforcement is also to be commended, and the coalition supports those changes. The legislation also makes some minor amendments as detailed in the explanatory notes in relation to commencing actions for hit-and-run offences. Although the bill currently before the House proposes extending the time period for commencing proceedings from the current maximum of two years to three years, I understand that the minister will be introducing an amendment to extend that to five years. I can advise the minister that the coalition will be supporting that extension of time. We just ask if there will be an explanation for why the difference between three years and five years has been introduced.

In relation to infrastructure, the bill also implements some necessary changes in order to enable the procurement of land to enable transport infrastructure and public-private partnerships to proceed. In particular, I note this amendment is required to support the activities of the state government owned company City North Infrastructure Pty Ltd, which is currently procuring the development of the Airport Link and the northern section of the northern busway as a PPP. In passing, I acknowledge that this project had its genesis as part of the Liberal Party in the lead-up to that outstanding 2004 council campaign that saw the election of Campbell Newman and has been pushed through with great aplomb by Campbell and his council team. It is supported, I acknowledge, by this government which has taken the running and is now managing the Airport Link through the electorates of the member for Stafford, the former member for Brisbane Central and my electorate. There are other issues in relation to Airport Link which are being worked through. However, this amendment is clearly necessary if that project is to proceed, and it is supported.

In relation to that, I would like to mention some restrictions that seem somewhat ridiculous. They relate to land acquired for hardship purposes. I have a situation in my own electorate where the department has acquired land on a hardship basis for Airport Link. That is, it has not necessarily been

acquired for the tunnel. A resident has had concerns and the department has made a decision to buy that resident's property off them. There is, in fact, a neighbour across the road who would love to buy that property off the department for the same price that the department paid. They have made an offer to do so but they have been told that it cannot be sold back until after the project is finished. There is a willing buyer who would like to buy that block of land for the same price as the department paid of it, which it acquired on a hardship basis. The original owner would dearly love to do that. He has actually got a buyer for his property. So there are two people fully aware of Airport Link who want to buy land sitting right over the top or in close proximity to it at full market price. He has been told that, for some reason, the sale cannot go through. I will be writing to the minister separately about it. It seems to me that there is a win-win situation there. If it can go ahead, it ought to be able to do so. If there is a restriction on selling it, it might be appropriate to bring in some changes to allow the flexibility for that to occur. That is something that might come out of this legislation.

Other amendments are made in relation to validating certain actions taken by prior governments. I mentioned those in relation to the acquisition of lands for the busway where obviously there has been some form of bureaucratic bungling and the chief executive of the wrong department has made those acquisitions.

In summary, I reiterate the coalition's support for the broad thrust of the bill. I think it is somewhat lamentable that so many pieces of legislation have been rolled into one, not allowing a full debate on some issues which would be worthy of quite substantial contribution by all members of the House, particularly in relation to the taxi and limousine industry. I know that that is a contentious part of this legislation. It would have been good to separate that out and to have perhaps had a separate debate about that—including a debate on the balance of the package of reforms approved in November last year.

I would again urge the minister to reconsider the requirement for electronic booking system devices to be fitted to all non-special purpose limousines as this is by all accounts unnecessary and impractical and is the major bone of contention for that industry. Proper consultation with the limousine industry would, I am sure, have delivered a much better outcome than that currently being proposed by the legislation.

The opposition supports the implementation of the changes to give effect to the national scheme for road transport reform compliance and enforcement, although again we do have reservations about the number of breaches of the fundamental legislative principles. I also understand that there will be some discussion in relation to the Intelligent Access Program that will come through in the amendments moved in the consideration in detail stage. I will discuss some of those issues when they are brought up by the minister.