



Speech by

Vaughan Johnson

MEMBER FOR GREGORY

Hansard Tuesday, 20 February 2007

TRANSPORT LEGISLATION AND ANOTHER ACT AMENDMENT BILL

Mr JOHNSON (Gregory—NPA) (5.51 pm): It is with a great deal of pleasure that I rise to speak to the Transport Legislation and Another Act Amendment Bill 2006. It is a piece of legislation that has been lying on the table of the House for some time now. It is a result of the Queensland Road Safety Summit that was held early last year.

What is the price of road safety? I do not think we can put a price on it. From the outset I point out that the opposition will be supporting this piece of legislation in its entirety. I congratulate the minister and his government on bringing this legislation before the House. We have been waiting for a long while for certain aspects of this legislation to hit the decks.

The amendments in this legislation are aimed at improving road safety in Queensland. The minister rightly said this in his second reading speech. I believe the main issue is that of random roadside drug testing and the use of drugs that impair a driver's ability to drive in a safe manner. As the minister said in his second reading speech, in 2005 alcohol and other drug use were identified as the contributing factors in 114 deaths on Queensland roads or almost 35 per cent of Queensland's road toll. It makes one wonder how people can justify their right to get behind the wheel of a vehicle when they are under the influence of alcohol or a drug and how they can justify their actions if they are sincere about what they do in their community every day.

The statistics prove this. In the 25-year period from 1980 to 2005 some 11,222 people perished on Queensland roads as a result of 9,959 crashes. There are 431 fatalities a year. With the introduction of technology, in the last 10 years we have seen a significant decline in the number of fatalities. That technology and also our better roads have assisted in this regard. We have to admit that, whilst we harp on about the fact that we are not getting enough money for road construction around the state, our roads have improved. The number of people using the roads has increased. In the last 10 years, 1996 to 2005, we averaged about 325 fatalities a year.

The real issue that I want to bring to the attention of the House today—and no doubt people are aware of this—is not the fatalities but the number of people who are maimed or injured on our roads and will never again have a quality of life as a result of somebody driving a car under the influence of alcohol or drugs. When we look at the statistics I think Queensland is on the right track.

The coalition introduced speed cameras in this state in May 1997. The Queensland speed camera program is estimated to have resulted in a reduction in fatal crashes of 45 per cent in areas within two kilometres of speed camera sites. Corresponding reductions of 31 per cent, 39 per cent, 19 per cent and 21 per cent were estimated for hospitalisation, medically treated and non-injury crashes respectively.

If technology is going to make a difference let us have the technology. In New South Wales there are fixed cameras on the side of the roads. The traffic moves in a procession. People sit at 100 kilometres an hour. We do not see some rabbit try to pass on the wrong side or get ahead too quickly because they know that the cameras are there and they know that the breaking of the speed limit will not be tolerated. I totally support the introduction of fixed cameras in Queensland. I really believe that it would make a significant difference to the road toll in our state when that becomes a reality.

As the minister from 1996 to 1998—and the Hon. Paul Lucas would vouch for this, too—I saw the result of some fatal road crashes. In the chamber this morning we heard the Minister for Emergency Services talk about some of the fatal crashes we have had in recent times. It is a scary fact that in the last couple of weeks there have been 10 or 12 fatalities. This is since parliament rose a fortnight ago. The majority of the people killed were in the age group 17 to 24 years. The crux of what we are talking about today is getting the mix right.

We can look at the deaths per 100,000. In 1980 we had 24.58 deaths per 100,000 compared with in 2005 some 8.27 deaths per 100,000. The figure is slowly coming down while the population is growing and there are more vehicles on the roads. I salute the government and anybody else who is committed to making our roads safer and putting in place the technology that is going to assist in doing that.

We live in a technological age and we should take advantage of it. If it is going to save countless tens of millions of dollars in our hospitals and with our doctors so be it. If it is going to save countless tens of millions of dollars in insurance premiums so be it. The most important fact that many people are not aware of and do not realise—and the Minister for Emergency Services said this this morning—is that two people are cut out of vehicles every week in Queensland. Just think about the police, the fire officers and the ambulance officers who go to those scenes and are subjected to that every day of their working lives. I would not like to be one of them.

We can criticise these people from time to time but, by God, at the end of day they do a fantastic job. They have to do this because of the idiots who are driving on our roads. I applaud the government today for the provisions in the legislation relating to drug testing. Drug testing is something that we in Queensland have been waiting for for a long time. I know that it was talked about when I was the minister in this state. I know that Victoria has had it for some time. The government has probably used that as a template and done a lot of research.

The Centre for Accident Research and Road Safety, CARRS as it better known, conducted a study in Townsville. It found that 27 drivers tested positive to one or more illicit drugs out of 752 saliva tests supplied by drivers at RBT locations. This is 3.5 per cent of drivers or one in 28 drivers. This is from the minister's second reading speech.

Mr Lucas: Very concerning.

Mr JOHNSON: Absolutely. I take the interjection from the minister, because in the past these people have gone undetected. In the future they will not go undetected. As I have already said, the road toll is now down to around 300-odd deaths a year. I believe we can get it even lower by getting some of these other idiots off the roads and making them aware of the consequences. This testing is very professionally done with two saliva tests that will take up to three minutes on the side of the road compared to the five minutes it takes in the Victorian jurisdiction. I do not care if it takes an hour: if these people are breaking the law, they should be off the road. If that is not sufficient for the police at the time, they then have the power to be able to subject those people to a blood test, as is the case with RBT. We have been waiting for this legislation for a long while. The heavy transport industry is another industry that many people are waiting to see cleaned up. Those in the industry who do the right thing are paying the same penalty as the people who do the wrong thing. I make no apologies and no excuses for anyone who breaks the law by driving heavy transport under the influence of drugs so they can get from point A to point B in a certain time. It is just absolutely irresponsible. We are going to see the heavy transport industry tidied up while at the same time we will also see a different attitude by people driving on our roads.

Too many people for too long have said, 'It'll be right, mate. We'll run the gauntlet.' The days of running the gauntlet have just about come to an end. I have spoken with numerous people in the department of transport and with the minister face to face about loss of licence through loss of demerit points because of breaches in logbooks and heavy vehicle driving hours. Even though that is not applicable to this legislation, it is applicable to a regulation that the minister tabled in this House earlier this month—on 6 February I think it was. In canvassing that subject, it is an issue applicable to heavy driving. The operators of heavy vehicles who do the right thing are unfairly treated. That does not mean to say that I condone breaking the law. I certainly do not condone breaking the law. I urge the minister in his capacity as the custodian or creator of transport law and order in this state to look at that issue in a professional vein through the eyes of the industry with guidance and advice from the good owner-operators within the industry and the good companies within the industry to get the right mix, I suppose, so we can get a genuine resolution to this issue.

There has been input on this issue in the past and the Secretary of the Transport Workers Union, Hughie Williams, has been very vocal about this. I support Hughie Williams for the stand he takes on road safety, but at the same time we have situations where some of the rules and regulations are going too far in relation to the penalties incurred. In terms of logbook breaches, there are amendments in this legislation that the minister has put in place where they can get driving—

Mr DEPUTY SPEAKER (Mr Hoolihan): Member for Gregory, is the matter that you are dealing with the subject of your notice of motion?

Mr JOHNSON: It is, Mr Deputy Speaker.

Mr DEPUTY SPEAKER: Then perhaps that would be in anticipation of the debate.

Mr JOHNSON: I apologise, Mr Deputy Speaker, but I am just touching on the road safety aspect of it. But I will move away from that. I am sure I have not insulted the minister. I would not intentionally do that anyway.

Mr Lucas: I've got a very thick skin.

Mr JOHNSON: You have to have sometimes. When you are transport minister, you have to have thick skin.

Mr Lucas: Absolutely—a big man and a big box.

Mr JOHNSON: I know he does not walk away from his responsibilities, and nor do I, because at the end of day that is what this forum is for—trying to get the real picture.

While talking about road safety in terms of the licensing situation, the new concept for learner drivers is a magnificent concept and one which will put the responsibility back on young people in that it is not a right to have a licence but a privilege to have a licence. It is a privilege for any of us to have a licence to drive a vehicle of any type of description on the roads. This new P-plate concept of red plates and green plates—red plates for 12 months and green plates for two years—really shows that Queensland will be at the forefront of making our roads safer. If we see those kinds of plates on a vehicle, we will immediately back off and not stress them by driving too close. It is the same for learner drivers. We will see genuine outcomes as a result of this change in the legislation and the conditions applicable to young drivers.

A third of the drivers killed on our roads are in the 17 to 24 age group. How often do we see it? This legislation also reduces the age that a driver can get his or her learners to 16 years. I looked at that when the minister's advisers gave us a briefing on this legislation and thought to myself, 'Why would you do that?' When we think about that and the limbo period before they get an open licence, it is another three years. Over that three-year period those people have to do the right thing to ensure that they do not violate the law, because if they do they will lose their licence. As the minister said, in 2005 alone there were no fewer than 106 fatalities in Queensland as a result of young driver crashes, and that is 32 per cent of the state's road toll. Convening forums has also been good.

The other issue that I want to touch on in relation to road safety is people using cruise control on vehicles. This is an issue that we hear a lot about but people do not mention it often. I use cruise control on the western roads. It is the worst thing in the world if you are not aware of the road. People think that by putting cruise control on it is an automatic way of driving a motor car, but it is a damned dangerous way of driving a motor car if you do not know the road. That is something that should be taught to not only young drivers but all drivers—that is, if they do not know the conditions they should not use cruise control. There was a bad fatality between Emerald and Alpha a couple of years ago where a lady from Toowoomba perished because of the use of cruise control on a bad bend where people did not know the road.

This legislation also puts in place a test for young drivers after 12 months. These are things that will make young drivers more aware of their responsibilities and make them better drivers in the long term during that probationary period of three years. Initiatives such as these are the good things in this legislation. All of us have been through learning how to drive. When I first came to Brisbane I thought, 'I'm not going to drive down here.' After a while you get your confidence and you learn how to do it. The same is applicable to city drivers driving some of those longer distances in western areas or some of the more difficult areas in the cape, the gulf and other parts of the state. A complete testing program is something that we should be looking at when it comes to these young people. Another aspect of this legislation in relation to young drivers relates to peer passenger restrictions between 11 pm and five am for holders of a first-stage provisional licence. This is a very good initiative and one that will create a safer environment for young people.

I have had a lot of people contact my office complaining about the high-powered vehicle restrictions for first- and second-stage provisional drivers aged under 25. They have sons and daughters who want to get their licences and the only car they have in which to do that is a high-powered turbo car. I know that the minister's advisers have said that a very small number of people throughout the state fall into that category, anyway. The law has to apply to everybody. We support what the government is trying to do through this legislation, and that is to create a safer environment for people and to make them more responsible.

I refer now to the old pet subject of the restrictions on the use of mobile phones—the bluetooth and all the other bits and pieces of technology that go with it. That is all good. Another important aspect of this legislation is the late-night driving restrictions for those young drivers who return to driving after having their licences suspended or disqualified. Another important aspect of this legislation is the requirement for drivers holding a first-stage provisional licence for 12 months to pass a hazard perception test.

I want to raise the issue of the requirement on a person to hold a heavy rigid truck licence for 12 months before that person can move to getting a semitrailer licence. I ask the minister, in his reply, to touch on what the criteria will be now, under this legislation, for young people aged under 25 who want to get their licences. How will that affect the heavy vehicle industry? I know that a lot of young people want to find their niche in that industry and get their heavy vehicle licence so that they can drive semitrailers or type 1 or type 2 road trains and move up through the scale. I think that this legislation could create problems for those young drivers.

The amendments to the Transport Infrastructure Act 1994 improve the administration of railway corridors by allowing a rail sublease to continue when the sublease has been surrendered by a railway manager. That is a good amendment. That will certainly allow the control of some railways to be transferred to tourist operators so that they can be converted into tourist attractions. That will allow some of these railway lines to be kept open. I applaud this part of the legislation.

The amendments to the Transport Operations (Passenger Transport) Act 1994 make minor administrative changes. They provide for driver disqualifying offences that have been amended or renumbered to continue to be disqualifying offences and for serious child related offences to continue to be regarded as disqualifying offences. I also think those are very good amendments, because it puts those people on notice that, regardless of the area of the industry they want to move into, they are not going to be accommodated.

This legislation also makes amendments to the effect that, if people lose their licence in another jurisdiction, they cannot come to Queensland and get their licences. I was not aware that that law was not already in place through the uniformity of road rules and the National Transport Commission. This amendment demonstrates a national commitment to road safety. In future, the net will catch everybody. So, if somebody has done the wrong thing in Western Australia, they certainly cannot come to Queensland and get off the hook. That is my interpretation of the amendment. I believe it is a very important part of this legislation. It is important to have uniformity in our road rules. This amendment certainly makes the process clearer for applicants, accredited persons and registered persons from outside Queensland to apply for licences in Queensland, as well as making it easier for the department to take action where a disqualifying offence was committed outside Queensland.

This legislation makes amendments to the Tow Truck Act 1973 to correct a cross-referencing error. That is good. I want to touch on the amendments that are modelled on similar provisions contained in the Commission for Children and Young People and Child Guardian Act 2000. At present, Queensland Transport conducts checks on persons to authorise, approve or accredit their criminal history to ensure that they have not been charged with or committed any offences that will disqualify them from holding positions of trust in the community—for example, to work as bus drivers, taxi drivers, marine licence examiners or tow truck operators. These new provisions will allow the electronic exchange of information on a daily basis. In that way the Police Service can provide Queensland Transport with the information so that Queensland Transport knows full well who they are dealing with when issuing licences. I think that is a very important part of crime detection as well as making certain that we have licensed drivers on the road doing the right thing. When it comes to the vulnerability of children, the old adage is that we cannot put a price on our kids. They are not negotiable. They are the most sacred people in our lives. We have to do everything possible to make certain that they are safe.

Although this issue might not be applicable to the contents of this legislation, I want to refer to a headline that appears in today's *Toowoomba Chronicle*, which states, 'Politicians at odds over roads'. I am talking about the second range crossing in Toowoomba. Accompanying the article is a photograph of a sign that states that since 1992 on the range crossing there have been 12 fatalities, 153 casualties and 159 closures. I have heard the bantering that is going on around the state at the moment in relation to the \$19 billion that the federal government is going to expend on roads right across the Commonwealth over the next two or three years. I say here today that I do not care what government is in power; it is a bit late, during an election year, to start saying, 'We are going to spend this sort of chaff.' For about 10 years there has been a crying need for a second Toowoomba range crossing. I say to Mark Vaile, John Howard, Kevin Rudd and Julia Gillard that we need that second range crossing. At the moment, 80 per cent of the cattle that comes down the range on the back of a truck is killed at Dinmore. That impacts on road safety. It is no good putting legislation through this House if we are not going to get our fair share of the dollars to upgrade these roads in question.

Mr Lucas: Can I say this: I acknowledge that you have been consistent on this. Many others have not. You have been consistent on it. From your time as minister, you have been consistent.

Mr JOHNSON: I will continue to be, too. If we went out in our motor cars and poked out onto the Ipswich Motorway, we would just about go off our rockers sitting in traffic wondering, 'How much longer? How much longer?' That is an impost on commerce, family time, the health system—everything—because somebody wants to play politics with it. I have to say that there is no room for politics when it comes to safety and when it comes to the dollars that should be paid from the taxpayers of this nation into the coffers

of Main Roads in this state or Main Roads in any other state to upgrade the roads in question. I was the minister who was responsible for the upgrade of the Pacific Motorway. There is no reason that the Ipswich Motorway cannot be upgraded so we can have a safe environment for people. The same applies to the Bruce Highway going north, the Warrego Highway going west and the Barkly Highway. That is just about finished, but how long did we have to scream about that?

Mr Lucas: Ron Boswell actually played a very important role in the Barkly Highway.

Mr JOHNSON: I recognise that and I thank him that it happened. If members know the Barkly Highway like I do, they would know that it is 180 kilometres from Mount Isa to Camooweal. If members drove from Mount Isa to Camooweal along that highway late in the afternoon, they would not know whether they were going to hit a beast, a motor car or a road train because they are driving into the western sun. Other issues such as narrow bridges and narrow bitumen roads are recipes for disaster. That is our National Highway, yet here we are trying to get our road toll down.

The statistics that I have read out today show the hard cold facts. When we analyse the statistics of road fatalities in Queensland and multiply them out, they equate to about 2,000 deaths per annum right across Australia. When we equate that to serious injuries right across Australia, we can probably multiply that number of fatalities by five. So there are probably 10,000 people per annum who receive some serious injury as a result of a road accident. We cannot sing this song about receiving our fair share of road funding enough so that we can make our roads safer.

We support the government on road safety. This is not about politics; this is about being sincere and fair dinkum in our resolve to get genuine outcomes. Young people are learning to drive motor cars every day and we have to make our roads safer. I look around this chamber and see many members here—and the member for Clayfield is one—who have young families. I know the minister himself has a young family. Those young families are going to be the motorists of tomorrow. We have to make certain that as we progress through the 21st century Queensland has the best roads in this nation because this is where the wealth-generating capacity is. This is where the dollars will be generated.

There was a debate in the House this afternoon about nuclear energy. We talked about our coalmining industry—and I know that it is as sacred to your part of the world, Mr Deputy Speaker Hoolihan, as it is to mine. That industry has a wealth-generating capacity. At the same time we need improved infrastructure for such industries, and that comes down to better roads and better rail services every time. We have a lot of that here in this state but we cannot do it on our own. We need support. At the end of the day, if Queensland is going to grow we have to get those dollars to go to the right places.

Mr Deputy Speaker, you might think I am off course with this legislation, but I will say this: there is a social impact on all of us with this legislation. The social part of this legislation is that we have to get the mix right between safety and good driving conditions, good road conditions. Look at what Campbell Newman is trying to do here in Brisbane. He is trying to build tunnels and other infrastructure to cater for the population explosion in the south-east corner over the next 10 to 15 years. This will be a city of over two million people. Yes, we can do it, but the Brisbane City Council cannot do it and the state government cannot do it. We need some of those federal dollars to come here.

It is a waste of time for us to put transport legislation like this through the House if we cannot build the roads to go with it. That is exactly where I am coming from. While as a member of this parliament I represent the people of far-western Queensland, when it comes to better roads, safer roads and better driving conditions I represent every Queenslander and every part of Queensland. I believe that is what we should be all about—getting the best outcome for our people regardless of where we live.

It gives me great pleasure to support this piece of legislation. I thank the minister and his advisers for the briefing they have given me and for the detail they have been able to provide us in relation to the amendments. While we can see that those numbers of fatalities have been slowly coming down over the past 25 years, I hope that over the next five to 10 years we will see them reduced even further.