



Speech by

# Vaughan Johnson

MEMBER FOR GREGORY

Hansard Wednesday, 14 March 2007

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## MOTION: DISALLOWANCE OF STATUTORY INSTRUMENT

**Mr JOHNSON** (Gregory—NPA) (7.30 pm): I move—

That the Transport and Other Legislation Amendment Regulation (No. 1) 2006 and subordinate legislation 2006 No. 289 tabled in the parliament on 6 February 2007 be disallowed.

I have to say from the outset this evening that the opposition is not in the business of disagreeing with the government's strategy on road safety. We are certainly supporters of road safety in this state, and I think we identified that very precisely and very clearly with the legislation on drug driving and other issues relating to transport that went through the House recently. The heavy road transport industry certainly applauds that legislation. Anybody who is sane, sensible and responsible will certainly endorse it and support the government in that initiative.

I do not condone breaking traffic laws and the opposition supports the great majority of bills in this House on road safety and related issues. But I do believe that this is a victimisation of innocent people who need their heavy vehicle licence to go about their employment. These are people who keep this state and nation moving—whether they are driving semitrailers, heavy rigid trucks, type 1 or type 2 road trains, B-doubles, AB-triples or whatever configuration it may be. The government's regulations on logbook demerit points will be the scourge of the heavy transport industry. Like many other industries, many of these good operators are leaving to go to the mining sector or other employment.

I do not say this lightly, as I said at the outset. I have spoken with the minister and transport industry leaders about this issue. Nobody—and I mean nobody—endorses breaking the law, but heavy transport fines have now been doubled as a result of the government's policy and demerit points have also been included in the penalty system. While the fines are certainly a deterrent, I believe that the demerit points system will be an absolute impediment to the heavy transport industry. The heavy transport industry employs people who are professionals in their field of expertise; they are people with a lot of training. You cannot just get a motorcar licence and go and drive a type 1 road train, a type 2 road train or a semitrailer, for that matter. You have to go through the channels that lead up to that, whether it be heavy rigid and then semitrailer.

I am directing a lot of my comments tonight to the fact that irritated and agitated police officers can utilise their authority to make it difficult for these operators, and the demerit points system will certainly come into play. In the briefings from departmental officers we heard that 85 per cent of people are fined on the road because they do not have a logbook or do not fill in a logbook. I know perfectly well that during the last week or so there were six or seven of these cases where heavy transport operators were fined for not filling in logbooks or whatever and are therefore now subject to the loss of demerit points.

I am worried that if we lose these people—and, as I say, they are professionals; it is not an apprenticeship that is done in one or two years—road safety will become an issue, because desperation will creep in and the people who operate these vehicles will be those who have lost their licence before or who have a 'don't care' attitude and snub their noses at authority. At the end of the day, the driving regulations require drivers to drive for five hours, have an hour off and then drive for another five hours and unload or whatever. The people who are in the regulated industry and who have done the TruckSafe program and maintain the criteria that goes with fatigue management are certainly upholding the law. I

have spoken to many of those operators and they are quite happy with it. I spoke to one of my brothers the other day and asked him about it and he said, 'I've never been knocked off for a logbook fine.'

I believe the people in the livestock industry are the ones who will be at the wrong end of the scale here. They may have a load of cattle but they may not be able to make their driving time hours of 12 hours or whatever it is because there were problems loading the cattle. I will use the example of the Quilpie to Dinmore stretch where it takes about 12 hours to get a road train through there by the time you break it up in Toowoomba, get someone to pull the dog trailer down the range and unload that truck and get it back to, say, Blacksoil where they will pull up. That truck has to stay there then for five or six hours while the driver rests.

This is another situation, and I have spoken to the minister about this and he has agreed that Main Roads will now look at where extra rest areas can be placed. I know that heavy transport companies from the far north in the gulf country region—companies like Road Trains of Australia, Curly's Transport at Cloncurry, Grants Transport from Winton and other companies that haul from further out—will never be able to make the time schedules to Brisbane or wherever. We have to bear in mind that two-thirds of livestock that are slaughtered or go to market in this state come to the south-east corner, whether it is through an abattoir or a saleyard. The important thing is that transport inspectors and police show understanding and compassion at this time. I know the minister has been sympathetic about this situation. I know he is the one who is trying to clean up the industry, and we support him in that.

The other side of the equation is the produce carriers in the far north who can also run into the same fate. I spoke today to a long distance operator who operates between Brisbane and Darwin. While it is all very well to have hot-seat driving or two-up driving and they change drivers at places like Mount Isa, they still have to get to Mount Isa and they cannot drive a truck from Brisbane to Mount Isa inside the given time. This is another aspect of the regulation that I make reference to and bring to the minister's attention tonight. Whilst I know he will not support where I am coming from, I hope he will support my arguments on the viewing of the logbook. For example, in the logbook where it starts at midnight and finishes at midnight, the inspectors can go through that logbook in any 24-hour period. I do not think that is fair, because in real terms any 24-hour period can start at four o'clock one morning and finish at four o'clock the next morning. If that is outside the guidelines of that midnight to midnight, that driver can be suspended, fined or whatever for driving outside the hours. I say to departmental officers and the minister that a fair equation here would most definitely be a situation where midnight to midnight is the regulation for logbooks.

The other issue I want to touch on tonight is the driving hours prescribed for livestock and produce drivers. They are the ones who really have to make the markets. I can give examples. Problems are caused if a driver has an ugly time loading livestock, runs into a flooded creek or river or gets a flat inside dual tyre at two o'clock in the morning in driving rain. They cannot change those tyres in 20 minutes; it could take a couple of hours to do it by the time they find somewhere to pull over and get that wheel off. These are all situations where drivers will run out of time.

The fatigue management operation is a great provision. It is going to be around for a long time. All transport operators will have to be part of that if they are fair dinkum about staying in this industry long term. At the end of day, there is not going to be any room for cowboys in this industry anymore. I join with the minister and the government, as do other members of the opposition, in their endeavours to make absolutely certain that this industry is cleaned up and made safe. We are not going to do it if we subject drivers to this extra scrutiny. They could be apprehended and knocked off for a breach of logbook laws. There are good drivers out there and they are professionals. These are the people that we have to make sure we keep in the industry.

There are a couple of other things that I want to touch on this evening. The only way to meet the requirements is by hot seat-driving. That is certainly not acceptable to livestock drivers. I have referred to the two-up driver operations or the hot-seat driving. A driver does not get a proper night's sleep when they are sleeping in the bunk of a sleeper cab. It is impossible to get proper sleep. Most accidents that occur with heavy transport occur as a result of two-up driving.

On the other side of the equation there is a lack of rest areas. I have canvassed that issue this evening. The 24-hour logbook period is very important. I appeal to the minister to make certain that that period becomes part of the government's regulation because I think it will add fairness to the equation. The important factor here is that we need to look after those people who are trying to do the right thing.

When I was the minister I gave the livestock and other produce drivers extra time to get their stock or produce off if they experienced a difficult situation. I know that heavy transport drivers from the north and gulf regions are going to build some spelling yards or upgrade the yards at Blackall so that they can unload. Still they would be pushing to get to Dinmore or wherever in time because their type 1 configuration has to be broken up at Toowoomba. Please God, I hope the federal government comes to the aid of the state government soon and we see the Toowoomba bypass built. These heavy transports could descend on the south-east corner without being subject to the trauma they go through now.

The real issue to be considered here is the issue of animal welfare. Animal welfare is an integral part of where I am coming from tonight. If drivers run out of driving hours in the middle of the midday sun or in the afternoon we will find that we could have fat bullocks standing in a road train for five hours. The kidney fats will melt and they will die in the trucks. Then we would have an animal welfare issue. If they are drought stock they will go down. If they are lactating or heavily pregnant cows they will go down. This is a case where animal welfare comes into play.

I have spoken to the minister about this. I hope that we can see a way clear to have some compassion and understanding in the law. The real issue for the produce people from the far north is meeting the market timetables. If this cannot be avoided we are going to see the biggest heap of vegetables and probably the best soil in the world in a refuge pit outside the markets in Brisbane. That is something we do not want to see happen.

Mr Deputy Speaker O'Brien, I have spoken to people in the area of far-north Queensland that you represent. If people are pulling cattle out of a place like Weipa and it takes 12 hours to get to Cairns, they will face the situation where they will not get to Townsville or wherever before the deadline.

These are contentious issues. The real issue is securing the right people in this industry and making absolutely certain that they are treated as professionals and given the recognition that they deserve to get the livestock to their destination. At the same time they should not be subject to blatant abuse by transport inspectors and irate police who see them as the ones on the roads who cause the most problems.

There are no sealed roads in the gulf region, which you represent Mr Deputy Speaker, and in some other regions such as that which the honourable member for Mount Isa represents. It takes drivers nearly a week and a day to get back on to sealed roads before they can make the trip further south. A lot of people do not take that into account. I appeal to the minister and to the department of transport to show some understanding. I trust that they can see merit in where the opposition is coming from. These people are professional working men. They have families and they need to keep their jobs.