




Speech By
Hon. Mark Bailey

MEMBER FOR YEERONGPILLY

Record of Proceedings, 14 February 2017

**TRANSPORT OPERATIONS (ROAD USE MANAGEMENT) (OFFENSIVE
ADVERTISING) AMENDMENT BILL**

Second Reading

 **Hon. MC BAILEY** (Yeerongpilly—ALP) (Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply) (3.09 pm): I move—

That the bill be now read a second time.

I would like to thank the Transportation and Utilities Committee for its careful consideration of the Transport Operations (Road Use Management) (Offensive Advertising) Amendment Bill 2016. I thank the chair of the committee and all committee members for their hard work on the inquiry. I would like to extend my thanks to the committee staff as well.

Finally, I need to thank those members of the public who made submissions to the committee on this important legislation, some of whom appeared at the public hearing held by the committee on 30 November last year. On issues such as this it is important that the various interested parties are able to have some direct involvement in the process. The committee received 11 written submissions and heard direct evidence from eight organisations and two individual members of the community. One of those organisations was Wicked Pickets, a group that has been very active in this space since 2014. They have conducted pickets in Brisbane, Mackay and Cairns, they have held two rallies in Brisbane and have helped keep the issue in the public eye. There has also been support for these amendments from a range of organisations including the respected RACQ. I thank them for their efforts. I thank all those stakeholders who have contributed to the public discourse on these issues. Witnesses to the committee spoke passionately about removing misogynist and violent messages from our roads, about the need to protect our children from sexualised images and messages and about the link between these types of images and issues such as domestic violence.

I am pleased to see that at the end of that committee process the unanimous recommendation of the committee was that the bill be passed. That recommendation reflects the evidence that was given to the committee. The overwhelming majority of committee witnesses recognised the positive contribution this legislation can make towards removing offensive advertising from vehicles on our roads.

Before looking at the second recommendation made by the committee, I would like to quickly remind the House of the elements of this legislation and the benefits that it is designed to achieve. The bill amends the Transport Operations (Road Use Management) Act to establish a process under which the registration of a vehicle that displays offensive advertising can be cancelled. Offensive advertising includes advertising that uses obscene language, that is degrading, that deals inappropriately with sex or violence or, very importantly, that discriminates against or vilifies any section of the community. The assessment of whether a particular piece of advertising is offensive or not will be undertaken under long established processes used by the Advertising Standards Bureau and its associated board. As I

mentioned in my introductory speech, that assessment is made against the advertisers' code of ethics and is undertaken by a board of people from diverse backgrounds. The new provisions are activated after the ASB notifies the department that an advertisement on a Queensland registered vehicle has been found to breach the advertisers' code of ethics. Following that notification, the department will issue a registration cancellation notice to the registered operator of the vehicle and will give them 14 days to have the advertisement removed or have their vehicle deregistered. There are some safeguards built into the legislation to allow that deregistration to be delayed in limited circumstances, but the aim of the legislation is to have any offensive advertising on Queensland registered vehicles removed as quickly as possible.

Turning briefly now to the second recommendation by the parliamentary committee, that recommendation was that I, as the minister, should consider introducing annual safety inspections for hire vehicles over five years old. The issue of annual inspections for light vehicles arises periodically and has been the subject of a number of reviews both here and overseas. To provide just a snapshot of those studies, in 2012 the Monash University Accident Research Centre conducted a study into the road safety benefits of vehicle roadworthiness inspections in New Zealand and Victoria. Also in 2012 the Tasmanian government undertook a review of periodic vehicle inspections. Back in 2004, the ACT government undertook a review of vehicle inspection arrangements as well. The outcomes of those and other studies are relatively consistent: firstly, there are no substantial benefits to introducing compulsory annual inspections for light vehicles and the costs are likely to outweigh the benefits; secondly, the correlation between vehicle defects and road crashes is actually very low. The Department of Transport and Main Roads is not aware of any significant issue with the roadworthiness of older hire vehicles and believes that the current mix of targeted and random enforcement of vehicle standards it undertakes with the Queensland Police Service is the most effective means of dealing with this issue. Before imposing an industry-wide requirement for vehicle inspections and allocating resources to undertake those inspections, there has to be clear evidence to support it and that evidence is just not there. I now table the government's response to the committee's recommendation on this issue.

Tabled paper: Transportation and Utilities Committee: Report No. 33—Transport Operations (Road Use Management) (Offensive Advertising) Amendment Bill 2016, government response [\[165\]](#).

I also note that a minor typographical error occurred in the explanatory notes to the bill. On pages 6 and 7 of the explanatory notes the Transport Operations (Road Use Management) Act 1995 was referred to as the Transport Operations (Road Use Management) Act 1994. I table an erratum to the explanatory notes.

Tabled paper: Transport Operations (Road Use Management) (Offensive Advertising) Amendment Bill 2016, erratum to explanatory notes [\[166\]](#).

While the Queensland government is able to take some action in relation to Queensland registered vehicles, clearly a national approach to this issue is desirable. In that vein I have written to relevant ministers in other states and territories alerting them to our actions. The other jurisdictions are watching the progress of this legislation with interest and we have received encouraging comments from a number of them. In conclusion, I welcome the unanimous recommendation of the committee that the bill be passed. Offensive advertising has no place on vehicles on our roads and I commend the bill to the House.