




Speech By
Rob Molhoek

MEMBER FOR SOUTHPORT

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TOW TRUCK AND OTHER LEGISLATION AMENDMENT BILL

 **Mr MOLHOEK** (Southport—LNP) (12.08 pm): I rise to speak on the Tow Truck and Other Legislation Amendment Bill and reflect that it is a shame that we are not speaking in cognate with the original bill introduced by the member for Glass House, the Tow Truck (Towing from Private Property) Amendment Bill 2017. That said, we support the broad range of proposals that are contained within the legislation and we are pleased—and I am particularly pleased having sat on the committee and sat through some of the submissions and briefings from the department—that we are quite directly dealing with some of the challenges that have emerged in the tow truck industry over many years.

I enjoyed the contribution of the Minister for Education and her frank and candid reflections on her own personal experiences. I must say there but for the grace of God go I. There have been the odd occasions when a park may have been all too convenient and I have tried to run inside to ask someone permission to park, but they have not been there as it was after hours and I have wondered whether I will make it through. I can say that I have never been towed, for which I am thankful.

These changes are important because of the exploitative nature of the towing industry in times past. Before continuing, I should say that there are many great and honest tow truck operators. There have been occasions when friends and family have had breakdowns or been involved in significant incidents and tow trucks have been called. On one occasion, I attended an accident scene where the tow truck drivers were incredibly supportive and very practical and helpful.

This legislation is about closing the gap. In the past the regulatory framework for the tow truck industry has really only dealt with vehicles involved in crashes or significant breakdowns and this legislation is committed to dealing with a whole raft of areas that have been somewhat ambiguous. I am pleased with the caps that are proposed in the legislation, because in the past the punishment certainly has not fitted the crime.

We heard the Minister for Education reflect on the amount that was required for what some would suggest are reasonably minor misdemeanours. Some have had to shell out hundreds of dollars for towing fees, collection fees and after-hours call-out fees. For a lot of average families, mums and dads and young people, those sorts of costs are incredibly prohibitive. I will reflect further on that when we touch on the issue of SPER. There are hundreds of millions of dollars in unpaid fines and subsequent penalties loaded onto the people of Queensland which are impacting on many families and their ability to pay.

I acknowledge the work of the committee under the leadership of the old chair, the member for Kurwongbah, and his new cohorts, the members for Hervey Bay, Callide, Traeger, Aspley and Bundamba. I am pleased that they have seen fit basically to rollover and acknowledge the work done by the previous committee.

Mr Costigan: Great turn of phrase, member for Southport.

Mr MOLHOEK: The member for Whitsunday, sadly the former member for Redlands and I would like to take a little credit for where we find ourselves, along with the members for Lytton and Murrumba and the chair himself, the member for the electorate previously known as Kallangur.

I want to reflect on the recommendations of the committee. The committee recommended that the bill be passed. Its second recommendation related to the need to aggregate demand notices in respect of tolls. I have had some personal exposure to this issue. One of my sons borrowed an old vehicle that I had which was really just there as a spare and did not have a tolling tag in it. He decided to venture off to the Glasshouse Mountains, across the Gateway and back. He did that for a couple of weekends in a row. It did not occur to him that there were tolls to be paid. He is a typical teenager and I am sure there are many parents in the House who can relate to my frustration as a father. As a result, we ended up with four penalty notices for unpaid tolls. Because they were not paid on time, we received another four notices on top of that. We did not realise that there were four separate notices.

One of my sons thought that the four notices were for the one offence, so he paid once only to discover that further notices were then issued for the other three offences. In the end, \$16 or \$20 worth of tolls were going to cost several hundreds of dollars in potential penalties. Fortunately, on that occasion we were able to contact the toll company and sort it out. It is confusing. The change proposed in the bill to allow the tolling operator to consolidate missed tolls and to then require them to issue only a single penalty notice and subsequent notices for a number of tolls is a very significant and important initiative.

I am quite passionate about this issue, because about 12 or 18 months ago a tradesman came to my office to tell me his story and I referred the matter to the then treasurer. Following some misfortune, that man had replaced a couple of vehicles with some hire vehicles as he had work out towards Ipswich. Some of his young employees were not aware of the tolls and he had not realised that the vehicles were running through tolled areas. The notices arrived late and he ended up accumulating some \$12,000 worth of penalties simply from staff travelling from the Gold Coast, along the northern growth corridor, in and out of Logan and out to Ipswich for work. Had this particular change been in place, it is highly likely he would have received one notice with an accumulation of unpaid tolls and only one set of penalties relating to it, which would have been far more manageable for that particular business owner and tradesman.

I refer to my statement of reservation to the original committee report. I thank the then member for Kallangur and now member for Kurwongbah for pointing out some minor drafting difficulties or challenges in the statement in that perhaps the election did not turn out as we had hoped. One significant point that I raised in the report is that it was sad that the bills were not considered cogently, because both sides have done some good work on the issue.

There is one matter that still concerns me. I recognise that the legislation seeks to cap the amount of tolling charges, which will go some way towards addressing this issue. However, the bill does not seek to address the issue of the distance that a vehicle can be towed from private property. Basically, a car at Fortitude Valley—and the car of the Minister for Education may well have fallen into this category—could be towed to Logan or North Lakes. I do not believe that happened on that occasion. It is possible that a car could be towed from Southport to Mudgeeraba. Those are significant distances. I wish there had been some provision in the legislation to ensure that vehicles cannot be towed unreasonable distances in the case of local offences. I appreciate that it would be a difficult clause to draft, because there are other parts of Queensland where you probably would need to tow a vehicle a significant distance.

I am happy to support the legislation. I thank the committees and the committee secretariats for their hard work in putting together these reports.