




Speech By  
**Shane King**

**MEMBER FOR KURWONGBAH**

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Record of Proceedings, 13 June 2018

## **HEAVY VEHICLE NATIONAL LAW AND OTHER LEGISLATION AMENDMENT BILL**

 **Mr KING** (Kurwongbah—ALP) (3.15 pm): I rise today to make a contribution to the Heavy Vehicle National Law and Other Legislation Amendment Bill 2018. As we are the host jurisdiction for the heavy vehicle national law, our Queensland parliament must first consider and pass these amendments to the national law before it can be applied by the other participating jurisdictions.

This bill will require the National Heavy Vehicle Regulator to maintain a database of heavy vehicles. It will provide a one-off exemption from vehicle registration duty for heavy vehicles transitioning from the Federal Interstate Registration Scheme to the Queensland registration scheme. Importantly, it will allow Queensland to continue performing registration related functions for heavy vehicles beyond 1 July 2018. Finally, it will seek to improve road safety by increasing penalties for driving offences involving death or grievous body harm, which we have heard a lot about today; allowing a registered operator of a vehicle to be notified of offences committed in their vehicle by another person; allowing a police officer who conducts a roadside test for drug driving to also conduct any subsequent saliva analysis; making amendments relating to the duties of drivers involved in crashes; and improving customer identification processes for the learner licence online training and assessment program.

I will first touch on the increase of penalties for driving offences causing death. At the public hearing we heard from many families, some of whom have been named previously, who tragically suffered the loss of a loved one due to a driving offence. It was hard to listen to and very emotive. Their stories moved the whole committee. I commend those families who took the time to come in and share their grief with us. It was a brave effort and one that certainly got our attention.

One of our recommendations about this part of the legislation was 'that the government consider an amendment to include the term 'negligent' to better reflect the intention of tiered offence provisions to close the gap between the existing offence of dangerous driving and driving without due care and attention'. I am pleased to see that the minister has listened to this recommendation, and, although the wording of 'negligent' will not appear, the intent is now there as the gaps have been filled and much stronger penalties have been applied. I sincerely hope the families feel that their persistence has paid off with this result.

Simplifying the work of police officers by allowing a police officer who conducts a roadside test for drug driving to also conduct any subsequent saliva analysis will be accepted warmly. I know this from conversations I have had with officers from both police stations in my electorate of Kurwongbah. I think the biggest benefit of this streamlining will be felt in the regions where this will allow policing resources to be used more efficiently.

I will touch on the concerns and confusion that has been felt by the agricultural sector where there is the mistaken belief among producers that they would be required to monitor and evaluate if a driver and their vehicle is fit for purpose, entailing the need for producers to check logbooks and maintenance logs. The member for Traeger was concerned about this also in his statement of

reservation. I am happy to say that this is not the case. At the public hearing AgForce acknowledged this and agreed to help with an education campaign to let their members know that the chain-of-responsibility amendments in this legislation are there to help safety and not to create this sort of inconvenience.

AgForce Queensland also helped outline that the chain of responsibility is there to help all stakeholders with their acknowledgement that—

... primary producers have a role to play in improving safety outcomes and we must do our bit to ensure that everyone gets home safely at the end of the day, irrespective of whether you are a farmer, a transporter or a general road user.

I thank them for that. Finally, currently there is only a six-month retention period for a licence holder's photo and signature. This causes an unintended inconvenience for people who have attended a licence issuing centre to have their photo and signature recorded yet do not complete the online course within a six-month period, as the enrolment period can be 12 months. In this case, they would have to go back to a licence issuing centre to get their photo taken again. This legislation will allow a photo and signature to be retained for a period of 12 months. This will allow TMR to issue the learner licence automatically once the person has satisfied all requirements for the licence—that is, the learner will not be required to attend a licence issuing centre again.

Our Transport and Public Works Committee made two other recommendations—the first being that the bill be passed and the other asking for the minister to consider the issue of stakeholders' support for a timely review of the heavy vehicle national law in consultation with the Transport and Infrastructure Council, and we thank the minister for his action on this. I would like to thank my fellow members of the Transport and Public Works Committee for their work in getting our report done. I also thank our hardworking secretariat staff—Deb, Margaret, Lyn and Mishelle—the departments and all of the stakeholders who put in submissions and appeared at our public hearing. I commend the bill to the House.