



Speech By  
**Shane King**


**MEMBER FOR KURWONGBAH**

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**TRANSPORT AND OTHER LEGISLATION (ROAD SAFETY, TECHNOLOGY AND OTHER MATTERS) AMENDMENT BILL**

**TRANSPORT LEGISLATION (DISABILITY PARKING AND OTHER MATTERS) AMENDMENT BILL**

 **Mr KING** (Kurwongbah—ALP) (12.39 pm): I rise today to make a contribution to the Transport Legislation (Disability Parking and Other Matters) Amendment Bill 2019 and the Transport and Other Legislation (Road Safety, Technology and Other Matters) Amendment Bill 2020 being debated today in cognate. I will start by thanking the members of the committee and parliamentary staff for their work on these two important pieces of legislation.

I would also like to thank those who made submissions to our inquiries and gave evidence at the hearings on both pieces of legislation, particularly Elisha Matthews, who is a long-term advocate in the area of disability parking and a former constituent of mine who certainly educated me on the topic. I also thank the Department of Transport and Main Roads for their cooperation. I would also like to thank the member for Hinchinbrook for bringing us part of the way here on disability parking and for his ongoing contribution to the debate on the significant issues faced by Queenslanders with a disability, in particular, the vision-impaired.

I will first address the Transport Legislation (Disability Parking and Other Matters) Amendment Bill. The objectives of the bill are to: extend the disability parking eligibility criteria to include vision-impaired persons who are temporarily or permanently blind; increase the penalty that applies for using a disability parking area without a permit; admit the Queensland specific definitions of level crossing and road or rail crossing; and provide that grounds to amend, suspend or cancel approval for permits can be specified in a regulation under the Transport Operations (Road Use Management) Act.

Our committee made four recommendations on this bill. Recommendation 1 was that the bill be passed, and that is with good reason. This is good and fair legislation. Currently the disability parking permit scheme has an eligibility criteria for a permit exclusively based on the applicant's functional ability to walk. After a review was conducted to assess the viability of expanding the eligibility criteria to include people with vision impairment, it was very clearly shown that there was a strong desire to expand this criteria. This bill recognises the unique mobility challenges faced by people who have been diagnosed as legally blind. It expands the eligibility criteria for a disability parking permit to include people who are diagnosed as legally blind whether on a temporary or permanent basis. To deter the socially unacceptable behaviour of illegally parking in a disability parking space and ensure disability parking bays are left available for permit holders, the bill increases the state based infringement notice penalty for illegally parking in a disability bay from a fine of \$266 to \$533.

Our second recommendation was that the Minister for Transport and Main Roads works with other Australian jurisdictions to undertake a review of the definitions contained in the Australian Disability Permit Scheme to include vision-impaired persons who are legally blind in its eligibility criteria. I was pleased to see the minister was seeking to have the issue of disability parking added to the agenda of the next Transport and Infrastructure Council for discussion.

Our third recommendation asked the Minister for Transport and Main Roads to undertake a review of the amendments to the disability parking scheme 12 months after commencement. We recommended the review include whether the amendments have had an impact on the accessibility of disability parking spaces and whether alternative measures, including demerit points, should be implemented. I understand that was agreed to as well, which is great.

Our final recommendation was that legislative amendments be considered to authorise council officers to have access to areas where disability parking spaces are situated for enforcement purposes. The bill recognises that local governments do issue most parking fines across Queensland and they play an important role in enforcing the misuse of disability parking bays. Local government parking inspectors currently enforce their local laws on public roads and parking bays administered by themselves. Under existing transport legislation, owners of private properties such as car parks and shopping centres may enter into an agreement with councils to allow council inspectors to access private land and issue parking infringement notices. Council and property owners are free to have these arrangements suit their own purposes and some councils do utilise this. The minister will work with councils across Queensland to encourage them to adopt the higher penalty of \$533 for the illegal misuse of disability parking and to enter into arrangements with car park operators to ensure spaces remain available for those who need them.

I turn now to the Transport and Other Legislation (Road Safety, Technology and Other Matters) Amendment Bill. The Palaszczuk government is committed to road safety. Every life lost on our roads is one life too many, so we make no apology for cracking down on distracted driving and enforcing our road safety laws. We applaud innovation and we are moving with the times. Through this bill we are making it possible to keep a licence or proof-of-identity document in digital form on a smartphone or mobile device. In an Australian first, we propose to use technology to enforce the law when it comes to wearing seatbelts. We heard in the minister's speech that one in four people killed in vehicle accidents is not wearing a seatbelt. This is a sad and shocking number and a potentially preventable loss of lives.

I fully support this bill and its objectives, which are: to introduce a digital licence mobile app; to facilitate camera enforcement of seatbelt and mobile phone offences; and to make some minor and technical improvements to clarify, preserve and update operation, intent and legal rights in various other pieces of existing transport legislation.

Our committee, as stated, made three recommendations. Recommendation 1 was that the bill be passed. Recommendations 2 and 3 relate specifically to the digital licence app provisions in the bill. This digital licence mobile application—app—will bring our over-100-year-old system of paper and, more recently, plastic licensing into this century, allowing users to store credentials issued by the Queensland government such as their driver's licence in a new digital format. It will not be compulsory to use a digital licence. People can absolutely continue to use their hard copy licence or proof-of-identity documents if they prefer. I understand that a pilot of the app, initially used as an electronic licence and proof-of-identity tools, has already commenced on the Fraser Coast, and I thank my colleague the member for Maryborough for his support of this trial.

With the passage of this bill, the app will become widely available. As it becomes more advanced, the Transport and Public Works Committee want to make sure we get it right. That is why recommendation 2 in our report is that a thorough review be undertaken subsequent to the implementation of the digital licence app prior to the expansion of the project to include other authorities.

Our third and final recommendation relates to whether an individual will be required to physically hand over a phone to display their digital licence or proof-of-identity document. As it stands, this legislation prohibits the seizure or confiscation of a mobile device as it relates to the app except by police; that is a good first step. The committee recommended that a review of the provisions relating to the legislative provision prohibiting law enforcement and other authorised officers from requiring an individual to hand over their device be undertaken to ensure the intent is clear. We came to this recommendation from the perspective of protection of privacy, but stopping the spread of COVID-19 could be added as an incentive to commence this review.

The Office of the Information Commissioner reiterated a need for a comprehensive education program to earn public trust about government handling of private information, transparency and the security features of this app. Therefore, I was pleased to see that this bill builds in a number of privacy protections and security features, and the department will certainly be undertaking a comprehensive communication strategy as the app rolls out.

Before I finish, I want to touch briefly on the provisions of the seatbelt and mobile phone offence enforcement. The bill proposes to add detection of these offences to the existing Camera Detected Offence Program, which currently detects speeding, running red lights, driving unregistered and uninsured vehicles, as well as some truck and vehicle load restrictions. It is estimated that this program helps prevent around 2,500 crashes, translating to annual savings to the community of \$1½ billion per

year. While some concerns have been raised about privacy, automated decision-making and reverse onus of proof—the latter as it relates particularly to potential court proceedings—there was broad support for the intent of the legislation. The committee suggested the department take the time to reconsider the issues raised by stakeholders with regard to any additional operational improvements that could be made to address the concerns raised.

In the beginning I said that we make no apologies for introducing these tough new measures as every life lost on our roads is one too many. It is time to end the heartbreak endured by so many families who lose their partners, children, parents and friends too soon. The Palaszczuk government is committed to providing a helping hand to the most vulnerable in our society. We know they need our help more than ever right now as we unite and recover from the COVID-19 pandemic. I commend the bills to the House.