




Speech By
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**TRANSPORT LEGISLATION (ROAD SAFETY AND OTHER MATTERS)
AMENDMENT BILL**

 **Mr MINNIKIN** (Chatsworth—LNP) (12.41 pm): It gives me great pleasure to rise as the shadow transport minister to speak on the Transport Legislation (Road Safety and Other Matters) Amendment Bill 2022. As is customary, at the outset I congratulate the Transport and Resources Committee for its report. The LNP will not be opposing this bill. On first glance, this makes for probably some of the more interesting reading that members in this august chamber would have the privilege of doing. Some of the issues are very important and need to be considered in a bit more detail. The Transport and Resources Committee has done a good job in examining the issues. In some ways this is a bit like an omnibus bill, tidying various things up. I will also speak about the amendments to the housing legislation.

In a transport minister or shadow transport minister role, one of the things that tends to come up with the fourth estate pretty regularly is in relation to the whole notion of speed detection gear being used for revenue raising. Members of the LNP have been very clear to state that we do not deem it to be revenue raising for the very fact that all transport ministers, both current and previous, know that revenue is to be quarantined to be used for road safety measures. It is also true that, since the introduction of mobile phone detection equipment, the amount of revenue flowing into the coffers of the government will continue with a fair degree of regularity. While I vehemently disagree with the Minister for Transport and Main Roads on so many issues, whether it be a backlog in maintenance of \$5.7 billion or \$3 billion in project blow-outs, I believe that he is very fair dinkum when it comes to the issue of road safety and road trauma.

I will go through the provisions of the bill. In terms of the use of penalties for camera detected offences for road safety, I have said already that this obviously needs to be put in play. The LNP has supported the introduction of this detection gear. The problem, though—I will outline this a little later in my contribution—concerns not only the money being raised to this point in time but, moreover, the bountiful amount that will be collected in the future. The efficacy of road safety programs is something the minister needs to review. As I will outline with a very sorrowful heart, very sadly the road fatality 'score' in this state is going the wrong way. It is going up; it is not levelling out. On a per capita basis, it is certainly not levelling out or reducing to the carefully considered point of being eliminated completely.

Currently all revenue from camera detected offences must be used for road safety education, road accident rehabilitation and safety improvements on state controlled roads where accidents most frequently happen. That is the current position and it will stay that way in the future. However, this bill proposes to broaden the areas in which revenue can be spent. It includes areas such as: collaborating with organisations and local communities to develop and implement safer traffic management practices; enabling vulnerable road users to participate in programs to improve their safety on the roads, such as bicycle user groups; and proactively researching innovative solutions to existing or emerging problems.

Changes are also proposed to where funding can be used for infrastructure safety improvements. This is a very important point about the intent of this particular bill. Currently the legislation limits this to state controlled roads where accidents most frequently happen. This bill will broaden this to fund any safety improvements on state controlled roads prioritised to maximise the reduction in the frequency and severity of road crashes.

Other parts of the bill that are picked up include legal protections for health professionals who report on medical fitness to drive for non-Queensland driver's licence holders. Medical professionals are protected from defamation or breach of confidence processes when providing the Department of Transport and Main Roads with information about the medical fitness of a Queensland driver's licence holder. The amendments in this bill will extend these protections when reporting on non-Queensland driver's licence holders. This makes eminent sense.

There are further evidentiary provisions for vehicle standards related prosecutions. This change will assist in enforcement of safety requirements for vehicles and standards for vehicle noise. Currently, providing the standards approved for the vehicle is complex—I have met with stakeholders in this particular area and I can say that it is very complex at the moment—as it may require interstate and international witnesses on some occasions to testify on non-contentious technical and administrative matters. The bill will allow certain documents to be admissible without requiring witness testimony.

Further parts of this bill that tidy up various provisions include increasing the range of allowable motorised mobility devices, MMDs. The bill reflects changes to national model legislation to remove regulatory restrictions for MMDs, mobility scooters and motorised wheelchairs. The key changes—these have been highlighted but I reiterate—increase the maximum unladen mass for mobility scooters from 150 kilograms to 170 kilograms; ensure MMD operators are consistently classed as pedestrians under Queensland Road Rules; and introduce a maximum speed capacity of 15 kilometres per hour for MMDs to match standards in international markets but maintain the existing 10 kilometres per hour speed limit when travelling on a public path.

I turn to the all-important, much anticipated updates to the definition of GVM, gross vehicle mass—the maximum loaded mass allowed for a vehicle. The bill will update the ways in which GVM may be stated and will clarify the order of precedence should the GVM be stated in more than one way; for example, if the GVM is listed on a vehicle's original compliance plate and on a modification compliance plate. In fact, it might not seem like that big of a deal but—again I reference the consultations over several years with key stakeholders in the compliance area—it has been a cause of consternation for many years. This bill will go a long way to making things a lot clearer for all stakeholders and industry in general.

The minister talked about the shelf life of digital photos when a person is less than 15 years of age. The photos taken by TMR for driver's licences and proof-of-age cards, which are issued to people over 15, can currently be used, as was said, similarly to a passport, for up to 10 years. However, TMR is now using the digital image library for blue cards and for disability worker screening, which can be issued to people as young as 10 years of age. As biometric features are often not stable until individuals are approximately 15 years of age, the bill will apply a five-year shelf life to digital photos taken of persons when they are less than the 15 years of age.

Other parts of the bill clarify that accommodation works may be undertaken as a result of a rail project providing certainty and consistency for landowners and occupiers and all transport infrastructure projects. Currently, a property owner can be issued with a notice to allow entry to build transport infrastructure for busways, light rail, road work and heavy rail. Accommodation works are transport-incident works carried out where necessary to remedy the impact to land caused by the establishment of transport infrastructure. Currently, a notice to enter to undertake accommodation works can only be issued for busway, light rail and road projects. The bill will extend this to heavy rail works, which is currently and unbelievably not included, so this is not before time.

I will also talk about the amendment of the Housing Legislation Amendment Act 2021. The bill will also correct a numerical drafting error in the Housing Legislation Amendment Act 2021. This needs to be corrected before section 83A commences on 1 October 2022.

I did say at the outset that the LNP will not oppose the bill. I have repeatedly said that there are many differences that this side of the chamber has with the member for Miller, the Minister for Transport and Main Roads, on many areas but a prudent opposition I believe is duty bound to not just say no for the sake of saying no. It is on that basis and on examination of this bill—and particularly with reference to the committee's report—that it makes sense that these amendments that tidy things up are put through this bill.

I would like to talk about the fact that, when we break down the many components of the bill, the key area the bill is trying to target is road safety. The other things are important, particularly to key stakeholders, but of importance to every Queenslanders is the whole notion of road safety. I would like to examine that in a little more detail in my contribution.

Things look pretty good at times with the government's plans, some of the programs they roll out and some of the social media opportunities, but, if we are quite blunt, many of the previous, not all but many, road safety action plans have failed and the road toll sadly—I repeat that; sadly—continues to rise. I would be flabbergasted if there was not one member in this 93-person chamber who sadly had not had some connection to somebody in their life who has had the misery of the knock on the door from the men and women of the Queensland Police Service giving them terrible news.

It was mentioned by the minister—and I think this is worth reflecting on—that as a society we sadly concentrate on the road toll, the fatalities. There is the long curve in relation to what it costs the economy—that figure of \$6 billion. There are many men, women, boys, girls whose lives have been effectively curtailed for the rest of their days as the result of a traumatic injury, particularly brain injury, and will never fulfil the destiny that was hoped for them when they were born.

The road toll in 2016 was 251 fatalities. In 2021 it was 275—almost 10 per cent higher. When I knew that this bill would be before the House this week and was writing notes for my contribution, I found that as of Sunday, which I believe was 29 August, the figure is 198. Very sadly, I have just seen a social media post by the Queensland Police Service revealing that that figure has now hit 200. That is too tragic for words. This figure is about 17 higher than for the same time last year. It is 37 higher than the five-year average. That is the key point.

We all know that the population of Queensland is increasing every single month, but the fact of the matter is that when we look at the road toll in this state more needs to be done. The opposition applauds measures to fund programs that will try to not only stabilise that statistic but arrest it and try to take it backwards. It is a lofty ideal to try to make it zero, but it is something that we have to aim for.

There will be streams of revenue, particularly from mobile phone detected offences. We keep making it clear that there is no drama with that. It is absolutely the correct thing to do. I can recall as a young tyke, in my case many years ago, that there was the notion in society that if you drink-drive you are—and I hope this is not unparliamentary; I will withdraw if I have to—a bloody idiot. I think that same moniker—

Mr DEPUTY SPEAKER (Mr Hart): Member, I will ask you to withdraw for the sake of it.

Mr MINNIKIN: I withdraw. I think the essence and spirit of that statement, which I obviously will not repeat, can now be very much applied to the use of these particular devices—mobile phones, which I am not going to table. On my drive in to parliament this morning I literally had to take evasive action because a young male who was on his mobile phone would have caused an accident if it were not for the action of myself and two other drivers.

There will be a huge amount of revenue coming into government coffers from this. I would urge the minister to have a look at the efficacy of the road safety programs that have been in place, in some cases, for many years. They need to be looked at in relation to their effectiveness because the fact of the matter is that we have a road toll which is sadly going in the wrong direction. It is not stabilising. I would also urge the minister—this is a separate topic but it is within his remit as the Minister for Transport and Main Roads—to urgently address the \$5.7 billion in backlog maintenance.

As I conclude my contribution, I cannot help but talk about the Housing Legislation Amendment Act. This act was passed on 14 October 2021. The LNP did not oppose the bill but we moved amendments on two key issues: with the proposed changes, periodic agreements can no longer be reasonably ended by a lessor, as is the case under current tenancy laws; and ensure that lessors are given the ultimate authority to refuse the right for a tenant to keep a pet, without reason, as is the case under current tenancy laws. This bill is one of 11 in the 57th Parliament that has had to have drafting errors corrected or clarifications made. There is another one I saw just before I got up to make my contribution that relates to the Transport Legislation (Road Safety and Other Matters) Amendment Bill. Our source is the Queensland Parliamentary Library.

We have a minister present today who knows full well about having to come in here and correct the numerical sequencing of bills before they become acts. We would urge all ministers to work closely with the parliamentary drafting service to make sure that after every third bill we do not have to come in here and correct the tidy work and homework of what is sloppy drafting.

The LNP will not oppose this bill. On the surface, some of the parts of it appear to be fairly dry. The reason it is being discussed today and will be discussed by subsequent speakers is that in different ways different stakeholders have had concerns with several areas contained in the bill. My closing

statement is this. The amount of money that the Queensland Labor government is collecting in relation to camera detected offences, in particular speed camera detected offences, is rivers of gold. I urge the minister to have a good look, if this bill passes and becomes an act, at the effectiveness of those things where this money is being spent.