




Speech By  
**Joan Pease**

**MEMBER FOR LYTTON**

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Record of Proceedings, 14 February 2024

## **TRANSPORT AND OTHER LEGISLATION AMENDMENT BILL**

 **Ms PEASE** (Lytton—ALP) (3.43 pm): I rise to speak to the Transport and Other Legislation Amendment Bill 2023. Firstly, I acknowledge the important work done by the heavy vehicle industry. Our entire state and each and every one of us relies on the work of heavy vehicles, the drivers and their families. I acknowledge and commend them and the mighty TWU for their work in representing this important workforce, ensuring the sector is as safe as it can be for drivers.

The Transport and Other Legislation Amendment Bill 2023 was introduced into the Legislative Assembly on 12 October 2023 and referred to the Transport and Resources Committee for consideration. This bill will facilitate the transition of certain regulatory services from the Department of Transport and Main Roads to the National Heavy Vehicle Regulator and improve road safety, streamline and improve administrative and legislative processes, and clarify existing requirements. The committee recommended that the bill be passed and there was no statement of reservation.

During the course of the inquiry, through the 10 submissions that we received and various public hearings, the committee heard from representatives from motorists, cyclists, surgeons, the tourism industry and the Queensland bus industry. Despite the comments made by the member for Gregory, this bill ensures the transition of certain regulatory services from the Department of Transport and Main Roads to the National Heavy Vehicle Regulator, including—in case the member for Gregory missed what we talked about in the hearings—the transfer of some staff and all employee benefits, entitlements and remuneration will be preserved for the approximately 100 employees who have chosen to be transferred with the bill. At no stage did any employee of DTMR make representations to the committee nor did any employee make a submission. All the indications that we received were that they would be taken care of and given an opportunity to work for the National Heavy Vehicle Regulator—unlike the comments made by the member for Gregory.

I am going to continue to talk about the Transport and Other Legislation Amendment Bill 2023, unlike the member for Gregory who decided to go off on a tangent and talk about other things. Since 2017, the National Heavy Vehicle Regulator has progressively assumed responsibility for the direct delivery of heavy vehicle regulatory services, which is enforcing and monitoring compliance with the heavy vehicle national law. In participating jurisdictions, under the National Services Transition program, Queensland will be the final participating jurisdiction to transition. Western Australia and the Northern Territory have chosen not to participate.

The bill facilitates this transition through amendments to the Heavy Vehicle National Law Act 2012 and several other acts and regulations that will allow the minister to create a ministerial transfer schedule that will identify the TMR employees and assets to be transferred to the NHVR and identify Public Sector Act 2022 directives that apply to the transferring staff. It will also complement the operation of the Commonwealth Fair Work Act 2009 provisions to preserve transferred employees' benefits, entitlements, remuneration and rights to superannuation, recreation leave, sick leave, long

service leave and other leave. Further, it will provide authority for an NHVR authorised officer to undertake state-based non-HVNL regulatory services to maintain efficient and quality service delivery for industry and support post-transition information access arrangements between TMR and the National Heavy Vehicle Regulator.

The bill incorporates amendments to the Transport Operations (Road Use Management) Act 1995 for the next phase of the reforms for personal mobility devices, or PMDs, to enhance safety in Queensland, with future PMD reform phases focusing on preventing drink driving. The proposed amendments in the bill respond to the rapid uptake in the use of PMDs and the ongoing need to protect vulnerable users of road and road related areas by expanding the application of careless riding offences to PMD and bicycle riders on road related areas such as footpaths and bikeways, and requiring PMD and bicycle riders to stop and render assistance following a crash and to give particulars including their name and address following an incident.

In the beautiful bayside that I represent, there has been a significant uptake in the use of PMDs, both rented and privately owned, and cycling. I am a novice cyclist and I enjoy riding in my beautiful electorate as do many others from across Queensland. Popular rides include the Esplanade, the Moreton Bay Cycleway and through Lota Reserve to Chelsea Road. They are great rides, except of course if it is high tide on the causeway. It is part of the Moreton Bay Cycleway and it floods at high tide. People with bikes, prams, scooters or personal mobility devices have to pick up their devices and wade through the tide to complete the Moreton Bay Cycleway. Unfortunately, the Brisbane City Council has indicated little interest in doing anything to sort out the problem.

On the flip side, though, it is really wonderful to see so many people getting fit, being out and enjoying using PMDs and bicycles. Improving safety is always a great thing. The bill provides amendments to the Transport Operations (Passenger Transport) Act 1994 to apply a consistent risk-based safety duty approach across road-based public transport passenger services, accompanied by a requirement for operators and booking service providers to have a plan to manage safety. Further, audit and direction provisions have been updated to ensure they apply consistently across these services.

The bill also includes a number of minor and technical amendments including an amendment to the School Transport Assistance Scheme to ensure TMR can confirm enrolment details of students attending non-state schools to facilitate payments to assist students getting to and from non-state schools.

I thank the committee secretariat for their work and acknowledge the work of Shane King, the member for Kurwongbah and former chair of the committee. He did a great job. He was very well respected by all on the committee and across the industry. I am relatively new to the committee. The member was a great mentor and a great role model. Thank you very much. I commend the bill to House.