




Speech By  
**Les Walker**

**MEMBER FOR MUNDINGBURRA**

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

 **Mr WALKER** (Mundingburra—ALP) (4.00 pm): Well, that was entertaining! I rise to speak in support of the Transport and Other Legislation Amendment Bill 2023. This bill is to facilitate the transition of certain regulatory services from the Department of Transport and Main Roads, DTMR, to the National Heavy Vehicle Regulator. This will give uniformity and consistency for the heavy vehicle industry in Queensland. The bill will also assist to improve road safety, streamline and improve administrative and legislative processes, and clarify existing requirements. It will bring a lot of services online to help the heavy transport sector carry out their work with minimal disruption for compliance.

Madam Deputy Speaker, as you are no doubt aware, we as a government are continually trying to reduce the state's road toll which impacts so many families across the state. I want to acknowledge the former minister for transport and main roads, Mark Bailey, for his continual efforts and messaging through media and different social media platforms to spread and reinforce the important messages about road safety. I would also like to thank the Department of Transport and Main Roads for the continual messaging about road safety. A life lost on our roads is one life too many.

The Heavy Vehicle National Law Act 2012 established the National Heavy Vehicle Regulator, the NHVR, to administer the Heavy Vehicle National Law, HVNL, which is contained in the schedule to the act. The HVNL is a single national law for the consistent regulation of heavy vehicle operations and has been adopted by all states and territories other than Western Australia and the Northern Territory. This gives consistency for the heavy transport industry to do business across borders, except, like I said, in the Northern Territory and Western Australia.

The NHVR, its authorised officers and its delegates have the power to enforce and monitor compliance with the HVNL. The NHVR also has the discretion to determine the manner in which heavy vehicle regulator functions are performed in particular jurisdictions. Following the commencement of the operational provisions of the HVNL in February 2014, the NHVR relied on state and territory agencies to deliver most of its frontline heavy vehicle regulatory services under a service level agreement with each jurisdiction.

Under its National Services Transition program, the NHVR has progressively assumed responsibility for direct delivery of heavy vehicle regulatory services in South Australia, Tasmania, the Australian Capital Territory, Victoria and New South Wales. Queensland will be the final participating jurisdiction to transition regulatory services to the NHVR.

To ensure the continuity of regulatory services in Queensland post transition, following an engagement process with impacted staff and relevant unions, up to 135 full-time-equivalent employees of DTMR who are currently performing regulatory services may transfer to the NHVR. To facilitate this transition, the bill proposes to allow the minister to create ministerial transfer schedules for transferring employees and vehicles, and Public Sector Act 2022 directives that will apply to staff choosing to

transfer to the NHVR and complement the operation of Fair Work Act 2009 provisions to preserve transferred employees' benefits, entitlements and remuneration. That is what good Labor governments do. We make sure staff are treated fairly. We do not cut, sack and sell like those on the other side of the House. The bill also proposes to provide authority for the NHVR authorised officers 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 NHVR.

As the Miles Labor state government continues with record investment in road infrastructure—such as my new \$96 million Townsville Connection Road on Stuart Drive and the \$99 million investment on Bowen Road Bridge duplication—road safety is one of the key points with this investment and many more like this across the state of Queensland.

**Mr Harper:** Not as good as Riverway Drive, though.

**Mr WALKER:** It is nearly as good as mine. That is the road to nowhere! Despite record investment in a wide range of road safety initiatives, the number of people losing their lives or being seriously injured on Queensland roads continues to be unacceptably high. To realise the commitment of zero deaths by 2050, Queensland's transport related legislation must continually evolve to accommodate changing risk profiles within the community, cater for the adoption of new and emerging technologies, and ensure that enforcement authorities have appropriate powers and can impose meaningful sanctions to positively impact behaviour change to improve safety for all users of roads and road related areas.

One area of interest for me was personal mobility devices, PMDs. One of the fastest growing and emerging technologies that has had rapid uptake in Queensland in recent times is e-scooters. As much as I like e-scooters, in Townsville we continually see e-scooters being used inappropriately and dangerously. That is one reason I support this bill. Amendments to the Transport Operations (Road Use Management—Road Rules) Regulation 2009 were progressed in 2022 in response to the emerging popularity of the PMDs in Queensland. To facilitate these changes, PMDs were reclassified as vehicles under the regulation. Previously they were considered pedestrians.

Following those amendments, further review of provisions in the Transport Operations (Road Use Management) Act 1995, the TO(RUM) Act, identified the following issues with the act: section 84(2), which relates to the driving of vehicles other than motor vehicles without due care and attention or without reasonable consideration for other road users, does not apply to road related areas such as bike paths and footpaths; section 92, which imposes duties on drivers and riders to stop and render assistance in the event of an incident resulting in death or injury, does not apply to drivers of vehicles other than motor vehicles on road related areas such as bike paths and footpaths; and section 93, which requires the drivers and riders of vehicles to provide certain information including their name and address in the event of a crash, does not apply to PMD riders.

The bill extends the scope of these provisions to enhance the safety of PMD riders and other members of the public that those riders may interact with. There is much more in this bill which I sincerely support. I will leave it there. I commend the bill to the House.