



**Queensland Government Response to  
Transport and Resources Committee Report No. 43**

Queensland Legislative Assembly	
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MP: HON. MELISH	
Clerk's Signature: 	

Examination of the Transport and Other Legislation Amendment Bill 2023

### **Introduction**

The Transport and Other Legislation Amendment Bill 2023 (the Bill) makes a number of amendments to transport legislation including to support the transition of heavy vehicle regulatory functions to the National Heavy Vehicle Regulator, the next phase of e-scooter reforms in Queensland, a consistent framework of safety duties that applies across road-based public passenger services, and tolling demand notice processes. The Bill also makes other minor technical amendments that clarify requirements, improve operational processes, reduce legislative burden and update legislation to a contemporary state.

The Transport and Resources Committee Report No. 43 outlines the committee's analysis of the Bill and includes two recommendations. The first recommendation is that the Transport and Other Legislation Amendment Bill 2023 be passed.

In accordance with s107 of the *Parliament of Queensland Act 2001*, the Queensland Government response to recommendation two is below.

### **Response to Recommendations**

#### **Recommendation No. 2**

The Committee recommends that the Department of Transport and Main Roads liaises further with industry if the Bill is passed to strengthen industry understanding of the purpose and implications of section 67(K) of the Bill, and therefore enhance compliance.

#### **Government Response: *Supported***

The Government supports and will adopt the committee's recommendation.

Proposed section 67K expressly contemplates the relationship between the safety duty provisions in the *Transport Operations (Passenger Transport) Act 1994* (TOPTA), the *Heavy Vehicle National Law (Queensland)* (HVNL) and Queensland's *Work Health and Safety Act 2011* (WHS Act) to ensure they will work together and avoid duplication for industry. Section 67K ensures a person cannot be punished twice for an act, omission or circumstance that constitutes an offence under the TOPTA safety duty requirements and under the HVNL or WHS Act. Section 67K also ensures that, where there is conflict between the TOPTA provisions and the other safety laws, the other safety laws will prevail.

The Department of Transport and Main Roads (TMR) has commenced implementation planning for the safety duty framework in anticipation of the Bill being passed. TMR's implementation activities will include ongoing consultation with industry and provision of information and guidance about how the new safety duty provisions will work with the HVNL and WHS Act.