



Speech by

**Andrew Cripps**

**MEMBER FOR HINCHINBROOK**

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## **TRANSPORT LEGISLATION AND ANOTHER ACT AMENDMENT BILL**

**Mr CRIPPS** (Hinchinbrook—NPA) (12.04 pm): I rise to make a contribution to the debate on the Transport Legislation and Another Act Amendment Bill 2006. The bill will amend the Maritime and Other Legislation Amendment Act 2006, the Tow Truck Act 1973, the Transport Infrastructure Act 1994, the Transport Operations (Marine Pollution) Act 1995, the Transport Operations (Marine Safety) Act 1994, the Transport Operations (Passenger Transport) Act 1995 and the Transport Planning and Coordination Act 1994. I will be confining my contribution to the amendments concerning the Transport Operations (Road Use Management) Act 1995 with respect to the introduction of random drug testing and changes to the regulation regarding the licensing of young drivers.

The Transport Operations (Road Use Management) Act 1995 will be amended by this bill to introduce random drug testing for drivers based on the collection and analysis of a specimen of saliva, and this initiative should be welcomed by all members. I think it is a very positive step forward as far as road safety is concerned, and I congratulate the government for bringing this forward. The government is obviously confident that it has the technology to conduct these tests accurately and reliably. For anyone or any individual to get behind the wheel of a vehicle after taking an illicit drug and endangering the lives of anyone in that vehicle with them at the time or those who are innocently using the road in another vehicle is reprehensible, and this move to do something positive about catching and disciplining drug drivers is commendable. The provision of this bill will make testing for drugs in drivers very similar to the processes relating to existing drink-driving processes, except that it will be an offence to test positive for any concentration of drugs prescribed by the legislation. While the prescribed drugs will initially include cannabis, speed and ecstasy, I hope the government will move to add to this list as soon as it has the capacity to test accurately and reliably for other illicit drugs.

The Transport Operations (Road Use Management) Act 1995 is to be amended to provide for a set of new regulations regarding the licensing of young drivers. The changes proposed for young drivers under this legislation include reducing the learner licence age to 16 years and extending the minimum learner licence period to 12 months; requiring learner drivers to record 100 hours of certified supervised on-road driving experience; and requiring motorbike learners to hold a provisional car licence for 12 months prior to gaining a motorbike learner licence. I support these initiatives, particularly the initiative to require learner drivers to record 100 hours of supervised driving. One hundred hours is not an insignificant period of time, and I certainly think that having that amount of documented driving experience will bode well for people moving from learner to provisional licences.

A two-stage licensing regime is proposed for provisional licence holders. This proposal is an interesting initiative and involves the compulsory display of P-plates both during the initial or red stage of a provisional licence which will last for 12 months and the subsequent or green stage of the provisional licence which will be for two years. There are also peer passenger restrictions between 11 pm and 5 am for holders of a first-stage provisional licence under the age of 25 years, which means that P-plate drivers will only be able to carry one non-family member passenger aged under 21 years while they hold that licence.

**Ms Jones** interjected.

**Mr CRIPPS:** No, 26 recently. I am in the clear. Also in place will be high-powered vehicle restrictions for provisional drivers under 25 years of age which also applies for the full three years that the driver holds the provisional licence. I think the exemptions being considered for young drivers learning to drive under supervision in high-powered vehicles owned by their family are sensible, especially for regional and rural areas. There will also be a restriction on all mobile phone use including hands free, bluetooth accessories and loudspeaker functions for first-stage provisional licence holders under 25. I note that this restriction will also apply to learner licence holders. There will also be restrictions on mobile loudspeaker functions for supervisors and passengers of learner drivers and for passengers of first-stage provisional licence holders under 25 years of age. There will also be late night driving restrictions for young drivers returning from a licence suspension or disqualification. There will be a requirement for drivers holding a first-stage provisional licence for 12 months to pass a hazard perception test to progress to a second-stage provisional licence and a requirement that provisional and open licence holders less than 25 years of age who have been disqualified recommence at the first stage of a provisional licence. These are all very good initiatives from the government.

I have a suggestion for the minister that he may or may not like to pursue. I suggest that the minister considers giving provisional licence holders who can present some documentation to show that they have successfully completed a certified defensive driving course the opportunity to obtain their open licence after holding their green provisional licence for a period of 12 months instead of two years. The purpose of this suggestion is to try to encourage the uptake of defensive driving courses. This suggestion would give provisional licence holders an incentive to access and undertake defensive driving courses. Certainly I recognise that the best driver training is to have time in the car with responsible supervising open licence holders and I am not challenging that point of view.

This bill certainly takes steps to make sure that that occurs more than ever before by requiring 100 hours of documented supervision of drivers on learner licences. Provisional licence holders would still spend 12 months on the red P-plates and another 12 months on the green P-plates. If a provisional licence holder took the opportunity to obtain an open licence early, having successfully completed a certified defensive driving course, they would still have completed—

**Mr Reeves:** There is a bit of research around that if they do a defensive driving course they think that they are bulletproof.

**Mr CRIPPS:** I take the interjection from the member for Mansfield. I recognise that point, but if the member gives me the opportunity I will demonstrate that it will be complementary to the other arrangements that the government is trying to implement through this bill.

If a provisional licence holder took the opportunity to obtain an open licence early, having successfully completed a certified defensive driving course, they would still have held a restricted learner licence and then provisional red and green licence for a period of three years, but they would have the defensive driving course and the benefit of all the other experiences provided for by this bill. It is just a suggestion.

A proposal to explore the need for post licence education courses was recommended by the Travelsafe Committee of the 50th Parliament in report No. 40 titled *Reducing the road toll for young Queenslanders—is education enough?* and report No. 41 titled *Provisional driver and rider licence restrictions*, respectively. Certainly many of the provisions in this bill clearly reflect a number of the recommendations made in those two important Travelsafe Committee reports. Recommendation one of report No. 40 discusses post licence driver training, specifically things such as hazard perception, visual scanning and risk assessment. I suggest that defensive driving courses would not be inappropriately added to that list.

Even if the minister does not consider it appropriate to pursue that suggestion, I urge him to consider some other mechanism for encouraging the uptake of defensive driving courses for young people. It may not be effective to offer a defensive driving course at the secondary school level, as under this legislation young people at secondary school will generally still be learner licence holders or at the most hold a red provisional licence. At that stage, it is not likely that the majority of learner or red P-plate drivers have enough experience in the general handling of a vehicle to get some real benefit out of a defensive driving course.

Perhaps when provisional drivers move from their red P-plate to their green P-plate, the government may offer the provisional driver the opportunity to access a defensive course at a subsidised rate, where the government provides the subsidy. This might give the government the opportunity to pursue some general certification standards for defensive driving operators that it feels provide a high level of training, offering the subsidy to provisional drivers to undertake the defensive driving course of that operator. This was also recommended in report No. 40 of the Travelsafe Committee. That report identified a need to

explore the possibility of the government making arrangements to require accreditation, registration and minimum standards for post licence education and training.

Certainly the Queensland coalition has a strong commitment to improving young driver training. The Queensland coalition believes that better training for young drivers and rewards for drivers with good driving records will reduce the road toll, educating young drivers more effectively about the dangers associated with speeding, drink driving and driving whilst under the influence of drugs or while tired. The Queensland coalition's good driver initiative will allow drivers who have not had demerit points recorded against them to receive discounts upon the renewal of their drivers licence. This type of initiative provides incentives for drivers to improve their driving habits and, as a result, can have a positive impact on the safety of our roads.

One matter that I am concerned about is the advice that a regulation attached to this legislation will place significant restrictions on drivers of heavy vehicles. Yesterday the member for Gregory indicated the strength of our concern with respect to this matter when he moved a disallowance motion against that particular regulation. I acknowledge that we need to reserve our remarks with respect to that matter until a later time.

At the moment in my electorate of Hinchinbrook, transport issues and road infrastructure is the topic of much conversation in the wake of extensive and extended flooding in the region. Current flood mitigation works on the Bruce Highway are either being planned or designed for several sites, including just south of Tully between Corduroy Creek and Tully State High School, just north of Ingham at the crossing of the Seymour River and the Gairloch floodway, just south of Ingham between Lannercost Street and Tokalon Road including the Pound Creek crossing, and just south of Innisfail near the August Moon Caravan Park. I welcome those projects and the funding from the federal coalition government that made them possible, although I note that they are long overdue.

The minister knows that I have a strong interest in two other projects in my electorate, which I am currently pursuing with him and the federal government. They are the upgrade of the Bruce Highway between Black River and Bluewater, which has been identified as a secondary upgrade following the pressing need to upgrade the adjacent stretch of highway between Woodlands and Black River, which includes the notorious Mount Low/Bushland Beach intersection. There are plenty of willing participants in that debate, but I draw to the attention of the minister the need to be mindful that we ought not shift the problem at that site north by failing to follow through with the subsequent upgrade to the Black River to Bluewater stretch of the highway.

Lastly, as the minister knows, I have expressed the opinion that the northern section of the Cardwell Range crossing is a very important project that needs urgent attention. That relatively short section of road is notorious, especially in wet weather which we have plenty of. Recently, pressure on the road has increased with more heavy vehicles using it following the commencement of the harvest of state forest plantations at Cardwell and in the Kennedy Valley. More and more large trucks with full loads of timber are crossing the Cardwell Range with greater frequency.

I look forward to working with the minister to lobby the Commonwealth government to secure more funds to pursue that project, although he ought to note and recognise the fact that the Commonwealth was forthcoming with the funds to complete the consultation and planning process for that upgrade. I sincerely hope that the minister has resolved to list the Cardwell Range crossing as a priority as he engages the federal government with respect to the next AusLink package.

With those few comments I reiterate my satisfaction that the government is moving to introduce random drug testing for drivers. I also acknowledge the work of the Travelsafe Committee of the 50th Parliament, which obviously put together some very relevant and commonsense recommendations in reports Nos. 40 and 41, which are now being implemented through this bill.