

Impact Analysis Statement

Summary IAS

Details

Lead department	Department of Transport and Main Roads
Name of the proposal	<ol style="list-style-type: none"> 1. Amendment to section 284 of the <i>Transport Operations (Passenger Transport) Regulation 2018</i> to extend the date of application of the section. 2. Amendments to Part 16 Miscellaneous, Division 2 Other Authorised Persons, Subdivision 2 of the <i>Transport Operations (Passenger Transport) Regulation 2018</i>.
Submission type	<ol style="list-style-type: none"> 1. Minor and machinery 2. Regulatory proposal where no RIA is required.
Title of related legislative or regulatory instrument	<i>Transport Operations (Passenger Transport) Regulation 2018</i>
Date of issue	30 April 2024

For proposals noted in table below

Proposal type	Details
Minor and machinery in nature	<p>The proposal amends the transitional provision (section 284) of the <i>Transport Operations (Passenger Transport) Regulation 2018</i> (the Regulation) by extending the period for which substitute taxis can be used under peak demand arrangements to 30 September 2026.</p> <p>The proposal is considered minor and machinery in nature as it does not result in a substantive regulatory or policy change”</p>
Regulatory proposals where no RIA is required	<p>Amendments to Part 16 Miscellaneous, Division 2 Other Authorised Persons, Subdivision 2 of the Regulation.</p> <p>The proposal does not increase costs or regulatory burden for business or other stakeholders so regulatory impact analysis is not required under the Queensland Government Better Regulation Policy (the Better Regulation Policy)</p>

*Refer to [The Queensland Government Better Regulation Policy](#) for regulatory proposals not requiring regulatory impact analysis (for example, public sector management, changes to existing criminal laws, taxation).

Current situation

Amendment to section 284 of the Regulation to extend the date of application of the section

Currently, vehicles cannot provide taxi services unless the vehicle is stated in a taxi service licence. However, due to the cap on the number of issued taxi licences, during peak patronage periods there may be times when there are not enough taxi services available and customers can be adversely impacted.

A transitional arrangement is in place until 30 September 2024 to allow the Department of Transport and Main Roads (TMR) to issue a notice to allow substitute taxis, to be used to supplement existing licensed taxis during peak patronage periods. In effect, allowing an increase in taxi supply. A substitute taxi is an authorised motor vehicle that is not a licensed taxi which has been approved to provide a booked hire service, or taxi service, in certain circumstances.

An amendment to the transitional provision (section 284) of the Regulation will extend the period for which substitute taxis can be used under peak demand arrangements to 30 September 2026.

Amendments to Part 16 Miscellaneous, Division 2 Other Authorised Persons, Subdivision 2 of the Regulation

Authorised persons perform compliance and enforcement roles on public passenger services largely to address fare evasion and to support the safety and security of bus drivers and passengers. *The Transport Operations (Passenger Transport) Act 1994* and the Regulation (section 268A) set out arrangements associated with appointing authorised officers. In relation to contracted public transport services, these appointment arrangements potentially limit deployment of these persons only to services provided by the operator who holds the service contract.

Following a successful trial of authorised persons (Network Officers) being deployed on certain Queensland bus services the Queensland government committed to 79 additional network officers on other bus services by June 2024. This commitment supports the bus delivery partners that have requested Translink's assistance with fare evasion and behavioural issues.

However, some individual bus delivery partners have expressed concerns about employing Network Officers as their deployment is restricted to their employer, which prevents their deployment on the services of other delivery partners.

Purpose of amendment

Amendment to section 284 of the Regulation to extend the date of application of the section

This amendment will ensure continuation of current arrangements whilst TMR finalises the review of the taxi licensing framework to determine the long-term approach. As a result, the amendment is considered minor and machinery in nature and does not result in a substantive regulatory or policy change.

Amendments to Part 16 Miscellaneous, Division 2 Other Authorised Persons, Subdivision 2 of the Regulation

The amendment to Part 16 Miscellaneous, Division 2 Other Authorised Persons, Subdivision 2 of the Regulation will clarify that authorised persons for service contracts can, where agreed, perform duties for multiple operators providing public passenger services under service contracts.

This amendment expands the ability to deploy network officers across the public passenger networks and will allow them to assist across the entire network rather than limiting resources to one service area.

This amendment seeks to create greater flexibility in the way that network officers are deployed. The amendment does not alter the powers or role of these persons and does not impose additional obligations on operators to engage network operators.

As a result, this amendment does not increase costs or regulatory burden for business or other stakeholders. Accordingly, this amendment does not require further regulatory impact analysis under the Better Regulation Policy.

Signed



Sally Stannard
Director-General
Department of Transport and Main Roads

Date: 17/05/2024



Bart Mellish MP
Minister for Transport and Main Roads
Minister for Digital Services

Date: 28/05/2024