



Tuesday, 14 January 2014

Mr David V Schembri
Principal Policy Officer
Transport Regulation Office - Program Office
PO Box 673
Fortitude Valley Qld
4006

Email: david.v.schembri@tmr.qld.gov.au

Dear Mr Schembri

**Re Transport Legislation Amendment Bill (H) Consultation
Specifically the proposal to remove s92(1)(i) of the TORUM Act**

Thank you for your email of 20th December 2013 consulting the Motor Trades Association Queensland (MTA Queensland) as a stakeholder on the proposal to remove 92(1)(i) of the *Transport Operations (Road Use Management) Act 1995* (TORUM Act). The Association has considered the proposed initiative and is pleased to respond from the purview of its membership.

Motor vehicle incidents (collisions) are the unexpected happening of a driving journey. Drivers generally, are unprepared for the incident. The removal of red tape that enables a minor incident to be handled by impacted drivers legally, expeditiously, safely and consultatively is welcome.

Motor vehicle technology is ever changing and self assessing in a circumstance of stress, damage from a minor collision that may require repairing to the manufacturer's standards is difficult at any time. Changing too is the ever increasing repair costs which usually are outside the drivers' immediate knowledge. The requirement to report the minor incident quantum above the regulated \$2,500 to the Queensland Police Service (QPS) in these circumstances is subjective. More than likely, the incident will be reported simply due to the inability to assess damage quantum and to avoid any possible legal complications from not reporting.

Specifically, the Department of Transport (DOT) proposes 'to remove s92(1)(i) of the TORUM Act to enable drivers so that drivers will no longer be required to report collisions which only involve property damage.' As indicated in the Department of Transport's (DOT) brief, a consequential change will be required to remove Sections 287(3)(e) and (4) of the Road Rules.

Clarification is sought on the requirement to report a minor incident in the event that a vehicle is towed. The DOT's brief indicates that "drivers will only be required to notify QPS of motor vehicle collisions if the collision results in a fatality or injury or if a vehicle(s) requires to be towed from the scene (s287(3)(a) and (d) of the Road Rules)."

Motor Trades Association Of Queensland

Address Building 8, 2728 Logan Road
Eight Mile Plains Qld 4113
Postal PO Box 4530 Eight Mile Plains Qld 4113
Email info@mtaq.com.au
Website www.mtaq.com.au
Tel (07) 3237 8777 **Toll Free** 1800 177 951

A minor incident can cause wheel alignment or balance dysfunction or a crumbled bumper to chaff a tyre to the extent that the driver may feel the vehicle is unsafe to drive. In such instances, the driver may choose to have the vehicle towed. Under the proposed changes such a minor incident would require it to be reported to the Queensland Police Service (QPS) and to seek attendance which seems unnecessary. Your consideration of this matter would be appreciated.

The MTA Queensland is supportive of this proposed practical and common-sense initiative. It has the potential to remove a layer of concern for the driver/s at the time of minor incident for and Queensland Police Service (QPS) in terms of administration.

Thank you for consulting with the MTA Queensland as a stakeholder.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'K. Dewar', with a stylized, cursive script.

Kellie Dewar
General Manager