



Queensland

South-East Queensland Congestion Relief Youth Bill 2008

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2008

A Bill

for

**A Youth Act relating to the relief of traffic congestion and the
improvement of public transport in South-East Queensland**

[s 1]

The Parliament of Queensland enacts—	1
Part 1 Preliminary	2
1 Short title	3
This Youth Act may be cited as the <i>South-East Queensland Congestion Relief Youth Act 2008</i> .	4 5
2 Commencement	6
This Youth Act commences on a date to be fixed by proclamation.	7 8
3 Definitions	9
In this Youth Act—	10
<i>congestion</i> means the heavy use of a major road or arterial by motor vehicles causing traffic to be slowed to a speed significantly below the designated speed limit.	11 12 13
<i>consultation</i> means a mandatory process by which government engages with the community to inform on the development of planning schemes outlined in section 13.	14 15 16
<i>credit</i> means an amount allocated to a registered vehicle to offset the Free Movement Collection Scheme.	17 18
<i>excess charge</i> means the value of levies which exceed the allocated credit amount.	19 20
<i>Free Movement Collection Scheme</i> is a scheme to promote free movement by discouraging the use of vehicles along roads and major arterials prone to congestion by charging for use.	21 22 23 24
<i>Free Movement Collection Account</i> means a record of credit or excess charges held by a registered vehicle under the Free Movement Collection Scheme.	25 26 27

<i>levy</i> means an amount charged each time a private vehicle uses a Free Movement Collection Scheme major road.	1 2
<i>major roads and arterials</i> means roadways under the authority of the State through the Department of Main Roads.	3 4
<i>peak hour</i> means 7.00a.m. to 9.00a.m. and 5.00a.m. to 7.00p.m. on weekdays.	5 6
<i>plan</i> means a statutory document which those with responsibility must enforce.	7 8
<i>public transport</i> means any bus, rail, light rail system or transport vehicle that is subject to the authority of Translink.	9 10
<i>registered vehicle</i> means a motor vehicle registered with Queensland Transport.	11 12
<i>regular congestion</i> means congestion that occurs as part of the regular peak hour traffic periods or any other common occasions.	13 14 15
<i>single journey</i> means the journey of a vehicle along 1 direction of a road without deviation.	16 17
<i>surplus refund</i> means the amount of credit remaining on completion of a vehicle's registration term and that is added to the new credit allocated with the vehicle's registration renewal.	18 19 20 21
Part 2	22
Introduction of Free Movement Collection Scheme	23
4 Investigation	24
(1) The Transport Minister, in conjunction with Queensland Transport, must conduct a comprehensive investigation of major roads and arterials subject to regular traffic congestion in South-East Queensland.	25 26 27 28
(2) This investigation must take place yearly.	29

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5	Establishment	1
(1)	The Transport Minister must direct Queensland Transport to establish a Free Movement Collection Scheme.	2 3
(2)	The Free Movement Collection Scheme will be implemented along the major roads and arterials identified as being subject to regular congestion in the investigations set out in section 4.	4 5 6
(3)	The Transport Minister must also establish the Free Movement Board that is to be responsible for the monitoring and review of the Free Movement Collection Scheme.	7 8 9
6	Members of the Free Movement Board	10
(1)	The Free Movement Board's membership will consist of representatives of the following—	11 12
(a)	Queensland Transport;	13
(b)	Main Roads;	14
(c)	Queensland Treasury;	15
(d)	the Royal Automobile Club of Queensland;	16
(e)	the Local Government Association.	17
(2)	The organisations represented may select any individual within their organisation as an appropriate representative.	18 19
(3)	Other groups identified by the board as key stakeholders in the Free Movement Collection Scheme can be invited to provide representation to the board on approval by the Transport Minister.	20 21 22 23
7	Role of the Free Movement Board	24
(1)	The board is required to meet twice yearly or at the request of the Transport Minister.	25 26
(2)	The board will determine account credit levels outlined in section 9.	27 28
(3)	The board will decide any changes to the levy.	29

8	Scheme operation	1
(1)	All major roads and arterials subject to the Free Movement Collection Scheme must be monitored by an automated traffic toll surveillance system.	2 3 4
(2)	The system must observe and record all traffic using the major roads and arterials by—	5 6
(a)	identifying registration plates; and	7
(b)	recording on a central database the number of times a registered vehicle uses a road subject to the Free Movement Collection Scheme.	8 9 10
(3)	The amount of the levy to be charged for a single journey along a major road or arterial is to be decided by Queensland Treasury.	11 12 13
9	Free Movement Collection Accounts	14
(1)	All registered vehicles will be issued with a Free Movement Collection Account.	15 16
(2)	Each account will have a preliminary level of credit as decided by the Free Movement Board outlined in section 7.	17 18
(3)	Credit will offset the levy and allow a registered vehicle to travel along a major road or arterial a number of times without incurring excess charges.	19 20 21
(4)	Credit will be provided by the State inclusive of existing registration costs.	22 23
(5)	The owner of a registered vehicle will receive a monthly account statement which outlines—	24 25
(a)	the amount of credit used; or	26
(b)	the amount exceeding the credit allocated to a registered vehicle.	27 28

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10	Excess charges	1
(1)	The owner of a registered vehicle which incurs levies exceeding the credit allocated to a vehicle will incur excess charges.	2 3 4
(2)	Excess charges will be based on the number of levies incurred in excess of the account credit.	5 6
(3)	The owner of the registered vehicle is required to pay the excess charge by the due date.	7 8
(4)	Failure to pay excess charges by the due date will incur a fine of \$100.	9 10
(5)	Failure to pay excess charges within 2 months of the due date will result in immediate loss of the vehicle's registration until all charges and fines are paid.	11 12 13
11	Surplus refunds	14
(1)	Registered vehicle owners who have unused credit will earn a surplus refund.	15 16
(2)	The surplus refund will be an amount equivalent to the remaining level of credit in the registered vehicle's account.	17 18
(3)	The surplus refund will be transferred to the next registration renewal and added to the renewed credit of the account.	19 20
12	Levy rates	21
(1)	Levies will vary between vehicles of different types and fuel efficiency as follows—	22 23
(a)	smaller, more fuel efficient vehicles will incur a smaller levy;	24 25
(b)	larger and less fuel efficient vehicles will incur larger levies.	26 27
(2)	Vehicles using cleaner alternatives to fossil fuels will incur smaller levies.	28 29

(3)	When reviewing the levy, the Free Movement Board can not increase the levy beyond the Consumer Price Index.	1 2
(4)	The Free Movement Board will decide the types of vehicles which will incur each levy rate.	3 4
13	Exemptions	5
(1)	Vehicles used by businesses and industries heavily reliant on them for income or transport of vital goods and services will be exempt from the scheme, including—	6 7 8
(a)	taxis;	9
(b)	freight vehicles;	10
(c)	vehicles whose travel on major roads and arterials is a practical necessity as decided by the Free Movement Board.	11 12 13
(2)	The exemption outlined in section 13(1) must not be applied to—	14 15
(a)	private company cars for the use of employees; or	16
(b)	vehicle use strictly related to travel between work and home.	17 18
(3)	Other vehicles exempt from the Free Movement Collection Scheme include—	19 20
(a)	buses; and	21
(b)	public transport; and	22
(c)	emergency services vehicles; and	23
(d)	transport for persons with disabilities.	24

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Part 3	Improved public transport planning and delivery	1 2
14	Extensive public consultation	3
(1)	The Minister responsible for Planning must direct all local governments in South-East Queensland to undergo a comprehensive process of consultation with all residents and businesses that—	4 5 6 7
(a)	are within a 500m radius of a major road or arterial subject to the Free Movement Collection Scheme; or	8 9
(b)	are located outside a 400m radius of a public transport stop.	10 11
(2)	The consultation must be conducted through the following—	12
(a)	direct door to door consultation;	13
(b)	surveys supplied to all residents;	14
(c)	community workshops.	15
(3)	All direct consultation, surveys and workshops must investigate residents' travel behaviour including the following—	16 17 18
(a)	journey to and from work;	19
(b)	journey to and from school;	20
(c)	other regular journeys.	21
(4)	A report on the findings from the consultation must be prepared and provided to Queensland Transport, Translink and the Department of Infrastructure and Planning.	22 23 24
(5)	Before the report is provided to Queensland Transport, Translink and the Department of Infrastructure and Planning, the findings of the consultation must be reviewed with the public by—	25 26 27 28
(a)	public notification of all data collected; and	29

(b)	a follow up round of community workshops to approve the findings of the consultation as an accurate reflection of the community's response.	1 2 3
(6)	The consultation process must occur every 3 years.	4
15	South-East Queensland Public Transport Plan	5
(1)	Queensland Transport in conjunction with Translink and the Department for Infrastructure and Planning must review the outcomes of the consultation process outlined in section 14 and develop a South-East Queensland Public Transport Plan.	6 7 8 9
(2)	The Department for Infrastructure and Planning is responsible for the development of the plan.	10 11
(3)	Queensland Transport is responsible for the delivery of the plan's infrastructure.	12 13
(4)	Translink is responsible for delivering the services set out in the plan.	14 15
(5)	The plan must provide all major roads and arterials subject to the Free Movement Collection Scheme with an alternative high frequency public transport corridor.	16 17 18
(6)	The type of public transport provided in each case is to be decided by Queensland Transport as the most appropriate to each community's needs as identified in the consultation process.	19 20 21 22
(7)	Any amendment to the plan must have—	23
(a)	undergone a public notification period of 2 months; and	24
(b)	the general support of any community directly effected by the amendment through the processes set in section 14(2).	25 26 27
(9)	Consultation for amendments is the responsibility of the Department of Infrastructure and Planning.	28 29
(10)	The plan must be reviewed every 3 years following the extensive consultation process in section 14.	30 31

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Part 4	Additional congestion relief mechanisms	1 2
16	Staggered Peak Hour Program	3
(1)	Employees of the State working in South-East Queensland must undergo a 6 month trial period of staggered work hours in order to reduce peak hour congestion.	4 5 6
(2)	Starting times for work will be staggered over 3 periods which will be—	7 8
(a)	8.00a.m; or	9
(b)	9.00 a.m; or	10
(c)	10.00a.m.	11
(3)	The State must negotiate the implementation of this trial with its employees.	12 13
(4)	All State Government employees will be exempt from the Free Movement Collection Scheme over the life of the trial and in the event of the programs permanent adoption.	14 15 16
(5)	Non-Government organisations operating in a central business district who conduct a trial or adopt the staggered work hour program may also apply for its employees to be exempt from the Free Movement Collection Scheme.	17 18 19 20
(6)	Government employees exempt from this program include—	21
(a)	primary and secondary school staff; and	22
(b)	emergency services workers.	23
(7)	The staggered peak hour program is not required to commence until the establishment of the Free Movement Collection Scheme.	24 25 26
17	Decentralised workplaces	27
(1)	Local councils in South-East Queensland must amend their local planning schemes to accommodate office development	28 29

in any principal or major centre prescribed by the South-East Regional Plan in their administrative area.	1 2
(2) The State Government in conjunction with South-East Queensland Local Government must undergo a review of all statutory charges related to office developments with the objective of reducing all such charges in principal and major centres outside of a 5km radius of the Brisbane central business district.	3 4 5 6 7 8
Part 5 Commencement	9
18 Free Movement Collection Scheme	10
(1) The Transport Minister must direct Queensland Transport to investigate and report back on roads identified as being subject to regular congestion by no later than the end of 2009.	11 12 13
(2) Within 18 months of the identification of major roads and arterials subject to regular congestion, Queensland Transport is required to implement the Free Movement Collection Scheme and all related components such as—	14 15 16 17
(a) the Free Movement Board; and	18
(b) Free Movement Collection Accounts.	19
19 South-East Queensland Public Transport Plan	20
(1) Local Governments in South-East Queensland must undergo the consultation process outlined in section 14 immediately.	21 22
(2) All councils must report to Queensland Transport, Translink and the Department for Infrastructure and Planning by the end of 2009.	23 24 25
(3) The Department for Infrastructure and Planning must release the South-East Queensland Public Transport Plan by the end of 2010.	26 27 28