1. Cabinet approved the introduction of the Transport and Other Legislation Amendment Bill 2009.
2. The Bill amends legislation administered by the Department of Transport and Main Roads (TMR), and the Department of Justice and Attorney-General. The amendments are to:
* remove a redundant requirement for the general manager of Maritime Safety Queensland to prepare a strategic plan;
* clarify that TMR’s jurisdiction for railways includes preventing significant adverse impacts from environmental emissions, and extend that jurisdiction to land affected by environmental emissions from Queensland’s ports so that an appropriate development assessment regime may be established; to recognise transport infrastructure as an asset that provides economic, social and environmental benefit to the State and clarify the chief executive’s obligations with regard to environmental impacts resulting from the operation or use of transport infrastructure; to relocate authorised officer powers from the waterways management plans; to update references to Cairns Port Authority and Port of Brisbane Corporation to Far North Queensland Ports Corporation Limited and Port of Brisbane Corporation Limited respectively; and to clarify that the powers of a port authority are subject to the *Transport Operations (Marine Safety) Act 1994;*
* create a power to enable the general manager of Maritime Safety Queensland to direct the master of a ship to navigate or otherwise operate the ship in a specified way; and create a consequential power to direct a person in charge of a place to allow a ship to be berthed at the place, to allow access through the place to the ship or such other things as are necessary to deal with the exceptional circumstances;
* classify all category A driver disqualifying offences as category B if the offender was a child (that is under 17 years old) at the time of the offence; provide for a regulation to allow the chief executive to suspend or cancel a taxi service licence for non-payment of the taxi industry security levy and ensure consistency with the proposed amenity and reverse amenity amendments;
* clarify that the Department of Transport and Main Road’s existing jurisdiction for public passenger transport includes preventing significant adverse impacts from environmental emissions; and ensure that the TMR’s jurisdiction under the *Integrated Planning Act 1997* includes the ability to place conditions on development applications to prevent significant adverse impacts from transport generated environmental emissions;
* provide for a trial of transport inspectors powers to stop private vehicles and require a driver licence and name and address information from drivers who are unlawfully using high occupancy vehicle lanes (bus lanes and T2/T3 lanes);
* include a definition for “law enforcement agency”; and
* update cross references for authorised officer powers relocated to the *Transport Infrastructure Act 1994*.
1. *Attachments:*
* [Transport and Other Legislation Amendment Bill 2009](Attachments/Bill.pdf)
* [Explanatory Notes](Attachments/Exp.pdf)