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QUEENSLAND HISTORIC MOTORING COUNCIL (Inc)

(affiliated with Australian Historic Motoring Federation)

QHMC BULLETIN 4 of 2013

To: QHMC Affiliated Clubs
Subject: Seat Belt Rules in Queensland – Amendment to Legislation Approved

BACKGROUND

1. There are two levels of road rule in Australia – Federal and State/Territory. The Federal road rules are called Australian Road Rules (ARR). To make the rules enforceable, each State/Territory then has their own legislation, which should mirror the Federal legislation. For a number of years, the Queensland Road Rules (QRR) have been out of step with the ARR in relation to the carriage of children from the age of seven in our veteran, vintage and historic vehicles. A vast number of our old club vehicles do not have, and are not required to have, seat belts fitted to them.
2. The ARR and all States and Territories (except Queensland) have allowed an exemption for these vehicles of ours to carry anyone seven years of age and above where no seat belts have been fitted and there is no requirement for them to be fitted.

QHMC CONSULTATION

3. QHMC first made representations on this matter in 2010 by engaging closely with Department of Transport and Main Roads (DTMR) senior management and policy personnel. As part of this process, QHMC embarked upon statistical analysis in consultation with DTMR which involved Queensland registration data over more than 80 years. The then Ministers for Transport were kept informed of the work being conducted.

4. QHMC lobbied various LNP candidates in the lead up to the March 2012 State elections including the Parliamentary leader of the LNP. The LNP came to power in March 2012 following a landslide victory in the Queensland elections and a new Minister for Transport, Mr Scott Emerson, was appointed. QHMC subsequently made separate representations to the new Minister and the new Premier, Mr Campbell Newman. In the meantime, some of our clubs and individual members made representations to their local members on the matter. Some time later, the Minister agreed to progress an amendment to Executive Council for approval in the first quarter of 2013. We are grateful to the Minister for following through on his undertaking. Our thanks also go out to those clubs and individuals who added weight to the QHMC representations on the matter.

AMENDMENT TO LEGISLATION

5. QRR are contained in the document found at the following DTMR website.
<http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/T/TrantOpRURR09.pdf>

Section 267 paragraph 1(B) of QRR has been amended, effective 5th April 2013, to read "7" instead of "16". All of your members are encouraged to visit the site by using the above link, in order to make themselves familiar with QRR, particularly Sections 266 and 267.

6. Clubs should continually remind their members that this amendment to QRR carries with it an implied duty to act responsibly and to exercise the utmost care in the carriage of children in their club cars.

7. By gaining parity with the road rules in other States and Territories, historic vehicle events conducted in Queensland should once again benefit from family participation and it is trusted that interstate families in the movement will again support our rallies here in Queensland.

Yours in historic motoring,

Graham Allum

President QHMC

29th April 2013.

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QHMC website: www.qhmc.org.au