

Queensland



Subordinate Legislation 1994 No. 18

State Transport Act 1960

**STATE TRANSPORT AMENDMENT
REGULATION (No. 2) 1994**

TABLE OF PROVISIONS

Section		Page
1	Short title	2
2	Commencement	2
3	Amended regulation	2
4	Amendment of s 91A (Driving limits)	2
5	Amendment of s 91B (Prohibition from driving beyond driving limits) ...	2
6	Amendment of s 91F (Completing log books generally)	3
7	Amendment of Sch 6 (Penalties)	3

Short title

1. This regulation may be cited as the *State Transport Amendment Regulation (No. 2) 1994*.

Commencement

2. This regulation commences on 1 March 1994.

Amended regulation

3. The *State Transport Regulation 1987* is amended as set out in this regulation.

Amendment of s 91A (Driving limits)

4. Section 91A(3)—

omit, insert—

‘(3) A person, other than an authorised officer under section 91B(1A), must not allow or cause another person to contravene subsection (1).’.

Amendment of s 91B (Prohibition from driving beyond driving limits)

5.(1) Section 91B(2) to (4)—

renumber as section 91B(5) to (7).

(2) Section 91B—

insert—

‘(2) The officer may defer the start of the prohibition to allow the driver to drive to a safe place specified by the officer.

‘(3) The start of the prohibition may only be deferred for up to 2 hours calculated from the time, that the officer suspects, the contravention happened.

Example of subsection (3)—

A driver intercepted after driving 13 hours in a day can be given up to 1 hour to drive to a safe place.

‘(4) The driver does not commit a further offence under section 91A(1) if the driver drives to the specified safe place.’

(3) Section 91B—

insert—

‘(8) The officer does not incur any civil liability for an act or omission done in good faith and without negligence under subsection (2).

‘(9) Any liability that would, apart from subsection (4), attach to the officer attaches instead to the State.’

Amendment of s 91F (Completing log books generally)

6. Section 91F (before penalty)—

insert—

‘(4) The driver of a heavy vehicle must not carry in the vehicle a log book that has not been completed as required by subsection (1) or by section 91G or 91H.’

Amendment of Sch 6 (Penalties)

7.(1) Schedule 6—

omit ‘91B(4)’, insert ‘91B(7)’.

(2) Schedule 6—

insert—

‘91F(4)) 3 3’.

ENDNOTES

1. Made by the Governor in Council on 3 February 1994.
2. Notified in the Gazette on 4 February 1994.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Transport.