

Queensland



Subordinate Legislation 1994 No. 380

Transport Operations (Passenger Transport) Act 1994

TRANSPORT OPERATIONS (PASSENGER TRANSPORT) INTERIM STANDARD 1994

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PART 1—PRELIMINARY

Short title

1. This standard may be cited as the *Transport Operations (Passenger Transport) Interim Standard 1994*.

Commencement and expiry

2.(1) This standard commences on the commencement of the Act.

(2) This standard expires 6 months after it commences.

Authority

3. This interim standard is made under section 98¹ of the *Transport Operations (Passenger Transport) Act 1994*.

Application

4. This standard applies to operator accreditation and driver authorisation under the Act.

PART 2—DRIVER AUTHORISATION

Purpose

5. The purpose of this Part is to establish performance criteria for drivers of public passenger services about the safe operation of vehicles and the provision of customer service.

¹ Interim standards

Competence

6.(1) A driver must be competent to operate safely the type of vehicle used to provide the service.

(2) This is to be evidenced by—

- (a) for all drivers—holding a current driver’s licence of the appropriate class; and
- (b) for drivers of taxi services and luxury limousine services—having held a driver’s licence of the appropriate class continuously for at least 3 years; and
- (c) for drivers of motorcycles—having 5 years riding experience, or having 3 years riding experience and successfully completing a test of competence to safely operate a motorcycle with a pillion passenger.

(3) In this section—

“**driver’s licence**” has the same meaning as in the *Traffic Act 1949*.

Service

7.(1) A driver must be competent in providing customer service.

(2) This is to be evidenced by—

- (a) for all drivers—behaving courteously towards passengers and the public; and
- (b) for drivers of taxi services and luxury limousine services—being able to speak and understand English; and
- (c) for drivers of taxi services beginning after 1 May 1993—having successfully completed a training course for taxi drivers approved, and delivered in a way approved, by the chief executive; and
- (d) for drivers of scheduled services and long distance scheduled services—following advertised routes and timetables.

Fitness

8.(1) Drivers of taxi services and luxury limousine services must be medically fit to operate safely the vehicle.

(2) This must be evidenced by the driver giving a certificate of medical fitness, or undertaking a medical assessment, if asked by the chief executive.

(3) Drivers of motorcycles must be fit to operate safely the vehicle whenever providing a service.

(4) This must be evidenced by the driver having a zero concentration of alcohol in his or her blood.

Driving Time

9. A driver operating a heavy vehicle, within the meaning of Part 6² of the *State Transport Regulation 1987*, must regulate his or her driving time in accordance with that Part.

PART 3—OPERATOR ACCREDITATION*Division 1—Vehicles***Purpose**

10. The purpose of this Division is to establish performance criteria for operators of public passenger services about the safety and operation of vehicles used to provide public passenger services.

Design and construction

11.(1) All vehicles must be of a design and construction that makes them safe to provide a public passenger service.

² Fatigue Management for Heavy Vehicle Drivers

(2) This may be evidenced by—

- (a) compliance with Australian Design Rules at the date of manufacture; or
- (b) for buses manufactured before 20 May 1992—compliance with the Code of Practice ‘Omnibus Licensing Evaluation S6’.

Type and age

12.(1) All vehicles must be of a type and age safe for the particular service being provided.

(2) This may be evidenced by complying with information bulletins about the following subjects issued, from time to time, by the department³—

- Heavy Omnibus Service Life Extensions
- Bus Safety Standards Policy
- Bus Safety Padding.

Operation

13.(1) Vehicles must be in a safe condition to provide a public passenger service whenever being operated.

(2) This must be evidenced by—

- (a) complying with the *Motor Vehicles Safety Act 1980* and the *Traffic Act 1949*; and
- (b) having the appropriate current registration and third party insurance.

Operational safety

14. Vehicles must be operated safely and, in particular—

- (a) vehicles must not be overloaded; and

³ Information bulletins are available from Department of Transport customer service centres.

- (b) buses may carry persons who are standing only if—
 - (i) the buses are specifically designed and constructed for the purpose; and
 - (ii) the persons standing travel for less than 20 km; and
- (c) long distance scheduled services and tourist services must not carry persons who are standing; and
- (d) subject to section 15, vehicles must not carry more than 1 seated passenger per seat.

Bus seating

15. Three primary or pre-school children may be carried in a bus seat designed for 2 adults if—

- (a) the seat is not required to be fitted with seat belts; and
- (b) it is safe.

Driver records

16. Operators must maintain records of drivers operating each vehicle in use by date and time.

Division 2—Customer service

Purpose

17. The purpose of this Division is to establish performance criteria for operators of public passenger services about customer service.

Reliability of service

18.(1) Operators must provide services in accordance with their advertised schedules.

(2) The schedules for services must be realistically achievable.

Division 3—Driver management

Purpose

19. The purpose of this Division is to establish performance criteria for operators of public passenger services about the management of drivers and their vehicles.

Safety

20.(1) Operators must ensure that their drivers—

- (a) are competent to operate safely the vehicles used to provide the service; and
- (b) hold appropriate driver authorisation; and
- (c) do not drive when fatigued.

(2) Compliance with (1)(c) may be indicated by compliance with Part 64 of the *State Transport Regulation 1987*.

Customer service

21.(1) Operators of scheduled services must ensure that all their drivers are competent in providing customer service.

(2) This must be evidenced by having procedures for ensuring that drivers are aware of the applicable timetables and routes.

Complaints

22. Operators must be in a position to respond to complaints promptly and systematically.

ENDNOTES

1. Made by the Governor in Council on 27 October 1994.
2. Notified in the Gazette on 28 October 1994.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Transport.