



Queensland

Transport Operations (Passenger Transport) Amendment Regulation (No. 1) 2012

Subordinate Legislation 2012 No. 160

made under the

Transport Operations (Passenger Transport) Act 1994

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[s 1]

1 Short title

This regulation may be cited as the *Transport Operations (Passenger Transport) Amendment Regulation (No. 1) 2012*.

2 Regulation amended

This regulation amends the *Transport Operations (Passenger Transport) Regulation 2005*.

3 Amendment of s 17 (Requirement for operator accreditation—public passenger services to which the Act, s 12 does not apply)

(1) Section 17(b)—

insert—

‘(iii) the service is a locally significant event service;
or’.

(2) Section 17—

insert—

‘(c) a locally significant event service other than the service mentioned in paragraph (b)(iii).’.

4 Amendment of s 20 (Application for grant or renewal of driver authorisation)

(1) Section 20—

insert—

‘(2A) Also, a person whose driver licence is subject to an interlock condition or a non-Queensland interlock requirement is not eligible to apply for the grant or renewal of driver authorisation until 2 years after the relevant day for the interlock condition or non-Queensland interlock requirement.

Note—

See the *Transport Operations (Road Use Management) Act 1995*, section 91K (Interlock condition).’.

(2) Section 20(4)—

insert—

‘driver licence see the *Transport Operations (Road Use Management) Act 1995*, schedule 4.

interlock condition see the *Transport Operations (Road Use Management) Act 1995*, schedule 4.

interlock period see the *Transport Operations (Road Use Management) Act 1995*, schedule 4.

non-Queensland interlock period see the *Transport Operations (Road Use Management) Act 1995*, schedule 4.

non-Queensland interlock requirement see the *Transport Operations (Road Use Management) Act 1995*, schedule 4.

relevant day means—

- (a) for an interlock condition for a person’s driver licence—the day on which the interlock period applying to the person starts; or
 - (b) for a non-Queensland interlock requirement for a person’s driver licence—the day on which the non-Queensland interlock period applying to the person starts.’.
- (3) Section 20(2A) to (4)—
renumber as section 20(3) to (5).

5 Amendment of s 42 (Requirement for driver authorisation—public passenger services to which the Act, s 24 does not apply)

- (1) Section 42(b)—

insert—

‘(iii) the service is a locally significant event service; or’.

- (2) Section 42—

insert—

‘(c) a locally significant event service other than the service mentioned in paragraph (b)(iii).’.

[s 6]

6 Insertion of new s 126B

Part 8—

insert—

‘126B Particular public passenger service not to be provided using particular vehicle

‘An operator of a public passenger service for which operator accreditation is required must not provide the service using a nominated vehicle fitted with a prescribed interlock.

Maximum penalty—40 penalty units.’.

7 Insertion of new s 133B

Part 9—

insert—

‘133B Particular vehicle not to be driven to provide public passenger service

‘A person must not drive a nominated vehicle fitted with a prescribed interlock to provide a public passenger service for which driver authorisation is required.

Maximum penalty—40 penalty units.’.

8 Amendment of sch 4 (Vehicles that are luxury motor vehicles)

Schedule 4, entries for category B and category C—

omit, insert—

‘Category B

- (a) passenger car with a recommended retail price (without optional extras) of the amount that is at least twice the luxury car tax threshold 12 years from the date of compliance
- (b) passenger car—
 - (i) stated in a limousine service licence; and
 - (ii) with a recommended retail price (without optional extras) at the time it was stated in the licence (the *relevant time*) of the amount that was at least twice the luxury car tax threshold at the relevant time

Category C

- (a) passenger car with a recommended retail price (without optional extras) of the amount that is at least the luxury car tax threshold, but less than the amount that is twice the luxury car tax threshold 6 years from the date of compliance’.
- (b) passenger car—
 - (i) stated in a limousine service licence; and
 - (ii) with a recommended retail price (without optional extras) at the time it was stated in the licence (the *relevant time*) of the amount that was at least the luxury car tax threshold at the relevant time, but less than the amount that was twice the luxury car tax threshold at the relevant time

9 Amendment of sch 4A (Vehicles that may be special purpose limousines)

- (1) Schedule 4A, entries for category A and category B—

[s 9]

omit, insert—

‘Category A

- (a) passenger car with a recommended retail price (without optional extras) of the amount that is at least twice the luxury car tax threshold 18 years from the date of compliance
- (b) passenger car—
 - (i) stated in a limousine service licence or a special purpose limousine service licence; and
 - (ii) with a recommended retail price (without optional extras) at the time it was stated in the licence (the *relevant time*) of the amount that was at least twice the luxury car tax threshold at the relevant time

Category B

- (a) passenger car with a recommended retail price (without optional extras) of the amount that is at least the luxury car tax threshold, but less than the amount that is twice the luxury car tax threshold 12 years from the date of compliance’.
- (b) passenger car—
 - (i) stated in a limousine service licence or a special purpose limousine service licence; and
 - (ii) with a recommended retail price (without optional extras) at the time it was stated in the licence (the *relevant time*) of the amount that was at least the luxury car tax threshold at the relevant time, but less than the amount that was twice the luxury car tax threshold at the relevant time

- (2) Schedule 4A, entry for category C—

insert—

- Ford G6E’.

10 Amendment of sch 11 (Dictionary)

Schedule 11—

insert—

‘locally significant event service means a public passenger service—

- (a) operating in or near a local government area with a population of less than 2500 people according to the most recent estimated resident population for the area stated on the Australian Bureau of Statistics website; and

Editor’s note—

For an estimated resident population for a local government area, see the Australian Bureau of Statistics website at <www.abs.gov.au>.

- (b) provided, free of charge, for carrying passengers to or from an event that is—
- (i) held no more than twice a year in or near the area; and
- (ii) open to attendance by the general public, either free of charge or on payment of an entry fee; and

Example for paragraph (b)—

an annual show day

- (c) for which no more than 2 motor vehicles are available, at any time, to provide the service.

nominated vehicle fitted with a prescribed interlock see the *Transport Operations (Road Use Management) Act 1995*, schedule 4.’.

ENDNOTES

- 1 Made by the Governor in Council on 20 September 2012.
- 2 Notified in the gazette on 21 September 2012.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Transport and Main Roads.

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