



Queensland

Transport and Other Legislation Amendment Regulation (No. 3) 2013

Subordinate Legislation 2013 No. 281

made under the

Adult Proof of Age Card Act 2008

State Penalties Enforcement Act 1999

Transport Operations (Road Use Management) Act 1995

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[s 1]

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Transport and Other Legislation Amendment Regulation (No. 3) 2013*.

2 Commencement

This regulation commences on 1 January 2014.

Part 2 Amendment of the Adult Proof of Age Card Regulation 2010

3 Regulation amended

This part amends the *Adult Proof of Age Card Regulation 2010*.

4 Insertion of new s 3A

After section 3—

insert—

3A Waiving payment of particular fee for person affected by natural disaster

- (1) This section applies if—
 - (a) a person applies for a replacement adult proof of age card because the card was damaged or lost; and
 - (b) the chief executive is satisfied the card was damaged or lost because of a natural disaster.

[s 7]

Use Management—Driver Licensing) Regulation 2010 and holds a class RE learner, provisional, probationary or open licence; or

- (c) the person holds a driver licence granted outside Queensland that corresponds to a class R P type, P1 type, P2 type or open licence.

7 Amendment of s 91A (Motorbikes for Q-Ride training)

Section 91A(1), before ‘learner approved motorbike’—
insert—

motorbike that is a

Part 4 Amendment of the Transport Operations (Road Use Management—Driver Licensing) Regulation 2010

8 Regulation amended

This part amends the *Transport Operations (Road Use Management—Driver Licensing) Regulation 2010*.

Note—

See also the amendments in schedule 1.

9 Insertion of new s 3A

After section 3—

insert—

3A Meaning of licence granted under the law of an experienced driver recognition country or a recognised country

(1) In this regulation—

experienced driver recognition country means a country approved by Austroads and listed on its website as having obtained experienced driver recognition status.

recognised country means a country approved by Austroads and listed on its website as a recognised country.

(2) A reference in this regulation to a licence granted under the law of an experienced driver recognition country or a recognised country does not include a reference to a licence granted under the law of the country if—

(a) the approval of the country as an experienced driver recognition country or a recognised country states that it applies only to particular licences granted under the law of that country; and

(b) the approval does not apply to the licence.

(3) In this section—

Austroads means Austroads Ltd ACN 136 812 390.

10 Amendment of s 5 (Other types of licences)

(1) Section 5(1), after ‘vehicle’—

insert—

, other than a specially constructed vehicle

(2) Section 5(2)(b) and (3)(b), ‘, HR or UD’—

omit, insert—

or HR

- (3) Section 5(4)(b), ‘, HC or UD’—
omit, insert—
or HC
- (4) Section 5(5)(b), ‘, MC or UD’—
omit, insert—
or MC
- (5) Section 5(7)(b), ‘or UD’—
omit.
- (6) Section 5(8)—
omit, insert—
 - (8) The holder of a class MC P1 type, P2 type, P type or open licence is authorised to drive a class MC vehicle.
- (7) Section 5(9), ‘, (7)(b) and (8)(b)’—
omit, insert—
and (7)(b)
- (8) Section 5(10)—
omit.
- (9) Section 5(12), ‘section 128(10)’—
omit, insert—
section 128(12)
- (10) Section 5(13), ‘section 128(10)’—
omit, insert—
section 128(12)
- (11) Section 5(11) to (13)—
renumber as section 5(10) to (12).

11 Amendment of s 9 (Minimum age—licence other than class C learner licence)

(1) Section 9(1), after ‘learner licence,’—

insert—

a P2 type licence or an open licence,

(2) Section 9—

insert—

(4) A person is not eligible for a P2 type licence unless the person is at least 18 years.

(5) A person is not eligible for an open licence unless the person is at least 20 years.

12 Replacement of s 10 (Tests)

Section 10—

omit, insert—

10 Tests

This division states the tests a person must pass to be eligible for a Queensland driver licence.

10A Eyesight test

A person must, if required by the chief executive to take an eyesight test, pass an eyesight test.

10B Road rules test

(1) The following persons must pass a road rules test—

(a) an applicant for a learner licence;

(b) an applicant for a provisional, probationary or open licence who holds a foreign driver licence;

- (c) an applicant for a provisional or probationary licence who holds a provisional or probationary licence of a different class;
 - (d) an applicant for an open licence who holds an open licence of a different class.
- (2) However, subsection (1) does not apply if—
- (a) within 5 years before applying for the licence, the person—
 - (i) passed a road rules test for the class of licence applied for; or
 - (ii) held an Australian driver licence for the class of licence applied for; or
 - (b) for an application for a class RE, R or C licence—
 - (i) the person held, within 5 years before applying for the licence, a driver licence, granted under the law of New Zealand or a recognised country, that corresponds to the class of licence applied for; or
 - (ii) the person is at least 25 years old and held, within 5 years before applying for the licence, a driver licence, granted under the law of an experienced driver recognition country, that corresponds to the class of licence applied for.
- (3) Also, subsection (1) does not apply if—
- (a) the person—
 - (i) holds an Australian driver licence; and
 - (ii) applies for another class of licence; and
 - (b) the road rules test the person passed for the licence already held is the same road rules

test the person would be required to pass for the class of licence applied for.

- (4) In subsections (2) and (3)—
road rules test includes a road rules test, whatever called, under a corresponding law.

10C Practical driving test

- (1) The following persons must pass a practical driving test in the class of vehicle that is authorised to be driven under the licence—
- (a) an applicant for a class of provisional, probationary or open licence who holds a learner licence of that class;
 - (b) an applicant for a provisional, probationary or open licence who holds a foreign driver licence;
 - (c) an applicant for a provisional or probationary licence who holds a provisional or probationary licence of a different class;
 - (d) an applicant for an open licence who holds an open licence of a different class.

Example for this paragraph—

A person who holds an open class C licence who is applying for an open class LR licence must pass a practical driving test in a class LR type vehicle.

- (2) However, subsection (1) does not apply if—
- (a) the person is an applicant for a class RE or R provisional, probationary or open licence; or
 - (b) for a class MC licence—
 - (i) the person has successfully completed a training course, in driving a class MC vehicle, approved by the chief executive; or

- (ii) the person produces a declaration, in the approved form, confirming the person's ability to drive a B-double or road train; or
- (c) for a class LR, MR or HR licence—the person is a police officer and the person gives the chief executive a notice signed by the commissioner stating the person has the ability to drive the class of vehicle that is authorised to be driven under the licence; or
- (d) the person has—
 - (i) at some time, passed a practical driving test to obtain an Australian driver licence of a class that corresponds to the class of licence applied for; and
 - (ii) the person either—
 - (A) holds an Australian driver licence, other than a learner licence, of a class that corresponds to the class of licence applied for; or
 - (B) has, within 5 years before applying for the licence, held an Australian driver licence or foreign driver licence, other than a learner licence, of a class that corresponds to the class of licence applied for; or
- (e) the person has, within 5 years before applying for the licence, passed a practical driving test for an Australian driver licence of a class that corresponds to the class of licence applied for.
- (f) the person holds, or has within 5 years before applying for the licence held, a driver licence, other than a driver licence that

corresponds to a learner licence, granted under the law of New Zealand; or

- (g) for an application for a class C licence—
 - (i) the person holds, or has within 5 years before applying for the licence held, a driver licence granted under the law of a recognised country that corresponds to the class of licence applied for, other than a driver licence that corresponds to a learner licence; or
 - (ii) the person is at least 25 years old and holds, or has within 5 years before applying for the licence held, a driver licence granted under the law of an experienced driver recognition country that corresponds to the class of licence applied for, other than a driver licence that corresponds to a learner licence.

10D Competency declarations and practical driving tests for class RE and R applicants

- (1) A class RE applicant must—
 - (a) if the applicant's principal place of residence is within a 100km radius of a Q-Ride training area—hold a competency declaration for a class RE motorbike; or
 - (b) if the applicant's principal place of residence is outside a 100km radius from a Q-Ride training area—
 - (i) hold a competency declaration for a class RE motorbike; or
 - (ii) pass a practical driving test for the class RE licence.
- (2) A class R applicant must—

- (a) if the applicant's principal place of residence is within a 100km radius of a Q-Ride training area—hold a competency declaration for a class R motorbike; or
 - (b) if the applicant's principal place of residence is outside a 100km radius from a Q-Ride training area—
 - (i) hold a competency declaration for a class R motorbike; or
 - (ii) pass a practical driving test for the class R licence.
- (3) Subsections (1) and (2) do not apply if—
- (a) the person has—
 - (i) at some time, passed a practical driving test to obtain an Australian driver licence of a class that corresponds to the class of licence applied for; and
 - (ii) the person either—
 - (A) holds an Australian driver licence, other than a learner licence, of a class that corresponds to the class of licence applied for; or
 - (B) has, within 5 years before applying for the licence, held an Australian driver licence or foreign driver licence, other than a learner licence, of a class that corresponds to the class of licence applied for; or
 - (b) the person has, within 5 years before applying for the licence, passed a practical driving test for an Australian driver licence of a class that corresponds to the class of licence applied for; or

-
- (c) the person holds, or has within 5 years before applying for the licence held, a driver licence, other than a driver licence that corresponds to a learner licence, granted under the law of New Zealand; or
 - (d) the person holds, or has within 5 years before applying for the licence held, a driver licence granted under the law of a recognised country that corresponds to the class of licence applied for, other than a driver licence that corresponds to a learner licence; or
 - (e) the person is at least 25 years old and holds, or has within 5 years before applying for the licence held, a driver licence granted under the law of an experienced driver recognition country that corresponds to the class of licence applied for, other than a driver licence that corresponds to a learner licence.
- (4) Also, subsection (2) does not apply if—
- (a) the person has passed a practical driving test for an Australian driver licence of a class that corresponds to a class RE licence on—
 - (i) if the test was conducted before 1 July 2009—a motorbike that is the same as a prescribed motorbike; or
 - (ii) if the test was conducted on or after 1 July 2009—a prescribed motorbike; or
 - (b) the person holds a competency declaration for a class RE motorbike for which Q-Ride training was completed on a prescribed motorbike.
- (5) In this section—
- class R applicant* means an applicant for a class R provisional, probationary or open licence who holds—

- (a) a licence that authorises a person to learn to ride a class R motorbike; or
- (b) a foreign driver licence that corresponds to a class R licence.

class *RE applicant* means an applicant for a class RE provisional, probationary or open licence who holds—

- (a) a licence that authorises a person to learn to ride a class RE motorbike; or
- (b) a foreign driver licence that corresponds to a class RE licence.

10E Hazard perception test

A person who holds a P1 type licence that authorises the person to drive a class C vehicle must pass a hazard perception test before applying for any of the following types of licences—

- (a) a P2 provisional licence;
- (b) a P2 probationary licence;
- (c) an open licence.

13 Amendment of s 16A (Recording P2 time credit)

- (1) Section 16A(2) to (4)—

omit, insert—

- (2) If the eligible person has passed a hazard perception test on or after 1 January 2014, the chief executive must record the person's P2 time credit.

- (2) Section 16A(5)—

renumber as section 16A(3).

14 Amendment of s 17 (Upgrading licence class)

Section 17(2)(e)—

omit.

15 Amendment of s 33 (Credit for other driving experience)

Section 33(3) and (4), ‘prescribed’—

omit, insert—

recognised

16 Amendment of pt 7, hdg (Renewal of open licences by electronic communication)

Part 7, heading, ‘open’—

omit, insert—

particular

17 Amendment of s 52 (Definitions for pt 7)

(1) Section 52, definition *open licence*—

omit.

(2) Section 52, definition *recently expired smartcard driver licence*—

omit, insert—

recently expired smartcard driver licence means
a smartcard driver licence that has been expired
for no more than 28 days.

(3) Section 52, definition *renew*, ‘open licence’—

omit, insert—

electronically renewable licence

18 Amendment of s 53 (Application of pt 7)

- (1) Section 53, ‘a valid open licence’—

omit, insert—

an electronically renewable licence

- (2) Section 53(b), ‘open licence’—

omit, insert—

electronically renewable licence

19 Amendment of s 54 (Notice that person may renew licence by electronic communication)

- Section 54, ‘open licence’—

omit, insert—

electronically renewable licence

20 Amendment of s 55 (When chief executive may renew licence)

- (1) Section 55(1), ‘open licence’—

omit, insert—

electronically renewable licence

- (2) Section 55(2)(a), ‘a valid open licence’—

omit, insert—

an electronically renewable licence

21 Amendment of s 56 (Renewal of open licence)

- (1) Section 56, heading, ‘open licence’—

omit, insert—

electronically renewable licence

-
- (2) Section 56(1), ‘open licence’—
omit, insert—
electronically renewable licence

22 Amendment of s 71 (Certificate of exemption—high-powered vehicles)

- (1) Section 71(6)(a), ‘either’—
omit, insert—
one of the following applies
- (2) Section 71(6)(a)(i)(D), ‘; or’—
omit, insert—
;
- (3) Section 71(6)(a)(ii)(C), ‘; and’—
omit, insert—
;
- (4) Section 71(6)(a)—
insert—
- (iii) the only car reasonably available to be driven by the person is a high-powered vehicle that was manufactured on or after 1 January 2010, and—
 - (A) the vehicle would not be a high-powered vehicle if the vehicle had been manufactured before 1 January 2010; and
 - (B) the vehicle was owned by the person on 1 January 2014 and has been owned by the person since that day, including the day of the application; and

[s 23]

- (5) Section 71(12), definitions *kerb weight*, *maximum engine power*, *power-to-weight ratio*, *specification information* and *specification information test report*—
omit.

23 Amendment of s 72 (Late night driving)

- (1) Section 72(1)(a)(i)(B), ‘or 86’—
omit, insert—
 , 86, 120, 121 or 122
- (2) Section 72(3)—
omit, insert—
- (3) The person must not drive a motor vehicle on a road between the hours of 11p.m. on a day and 5a.m. on the next day for 1 year beginning on the relevant day, unless the person is driving under one of the following allowing the person to drive between those hours—
- (a) a current certificate of exemption under section 73;
 - (b) a valid restricted licence under section 87 of the Act;
 - (c) a special hardship order.
- Maximum penalty—20 penalty units.
- (3) Section 72(4)—
omit.
- (4) Section 72(5), ‘Subsection (6)’—
omit, insert—
 Subsection (5)

-
- (5) Section 72(5), ‘1 year after the relevant day’—
omit, insert—
1 year beginning on the relevant day
- (6) Section 72(7), ‘subsection (6)’—
omit, insert—
subsection (5)
- (7) Section 72(8), definition *relevant day*, paragraphs (b) and (c)—
omit, insert—
- (b) for a person mentioned in subsection (1)(a) whose driver licence is suspended under section 79(9) or 86—
 - (i) if a special hardship order is made for the person—the day the special hardship order is made; or
 - (ii) otherwise—the day after the last day of the suspension; or
 - (c) for a person mentioned in subsection (1)(a) whose driver licence is suspended under section 79(5), 120, 121 or 122—the day after the last day of the suspension; or
 - (d) for a person mentioned in subsection (1)(b) who is the subject of an order directing that the person be issued with a restricted licence under section 87 of the Act—the day the court makes the order; or
 - (e) for a person mentioned in subsection (1)(b) who is not the subject of an order directing that the person be issued with a restricted licence under section 87 of the Act—the day after the last day the person is disqualified from holding or obtaining a licence.

- (8) Section 72(5) to (8)—
renumber as section 72(4) to (7).

24 Amendment of s 124 (Grounds for amending, suspending or cancelling licences)

- Section 124(h), ‘open licence’—
omit, insert—
electronically renewable licence

25 Amendment of s 128 (Non-Queensland driver licence)

- (1) Section 128—
insert—
- (2A) If a holder of a non-Queensland driver licence fails a practical driving test, the holder’s authority is withdrawn immediately.
 - (9A) The following requirements do not apply to a person who is eligible for a learner licence under subsection (10)—
 - (a) the logbook requirements;
 - (b) the requirement to hold a class RE learner licence for the period under sections 13 and 15;
 - (c) the requirement to hold a class C learner licence for the period under sections 14 and 16.
- (2) Section 128(2A) to (11)—
renumber as section 128(3) to (13).
- (3) Section 128(5), as renumbered, ‘subsection (3)’—
omit, insert—
subsection (4)

-
- (4) Section 128(7), as renumbered, ‘Subsection (5)(a)’—
omit, insert—
Subsection (6)(a)
- (5) Section 128(9), as renumbered—
omit, insert—
- (9) Despite subsections (3), (6) and (8), a valid non-Queensland driver licence, granted for a class of motor vehicle, authorises the holder of the licence to—
- (a) for a class of motor vehicle for which a class RE or R licence is required—
- (i) if the holder’s principal place of residence is within a 100km radius from a Q-Ride training area—receive Q-Ride training; or
- (ii) if the holder’s principal place of residence is outside a 100km radius from a Q-Ride training area—
- (A) receive Q-Ride training; or
- (B) take a practical driving test for the class RE or R licence; or
- (b) for another class of motor vehicle—take a practical driving test in a corresponding class of motor vehicle.
- (6) Section 128(10), as renumbered, ‘Subject to section 11’—
omit, insert—
Despite section 11

26 Amendment of s 136 (Smartcard driver licence not received in post)

- Section 136(3)—
omit, insert—

[s 27]

- (3) If the chief executive is satisfied the holder has not received the smartcard driver licence because it has been lost or stolen, the chief executive may issue a new smartcard driver licence to the person.

27 Amendment of s 137 (Replacement licence if licence damaged, lost or stolen)

Section 137(1), after 'stolen'—

insert—

, other than a licence not received in the post under section 136

28 Insertion of new s 161A

After 161—

insert—

161A Waiving payment of particular fees for person affected by natural disaster

- (1) This section applies if a person is required to pay a fee—
 - (a) for making a logbook available as mentioned in schedule 1, item 8; or
 - (b) for the issuing of a replacement licence under section 137.
- (2) The chief executive may waive the payment of the fee if satisfied the person applying for a logbook or replacement licence needs it because the previous licence or logbook was lost or damaged due to a natural disaster.

29 Insertion of new pt 19, div 4

After section 170—

insert—

Division 4 Transitional provisions for Transport and Other Legislation Amendment Regulation (No. 3) 2013

171 Definitions for pt 19, div 4

In this division—

commencement means commencement of this section.

former, for a provision, means the provision as in force immediately before the commencement.

172 Continuation of current class UD licences issued before commencement

- (1) This section applies to a person who—
 - (a) immediately before the commencement held a class UD licence; or
 - (b) in the 5 years before the commencement held a class UD licence.
- (2) After the commencement—
 - (a) for a person who held a class UD licence immediately before the commencement, the person continues to hold the licence and may apply to renew the licence; or
 - (b) otherwise, the person may apply for a new class UD licence.
- (3) For an application under subsection (2) and a decision about the application, part 3 (and any relevant definitions) continue to apply as if the amendment regulation had not been made.
- (4) A valid class UD licence authorises the person to—

- (a) drive a class UD vehicle under the licence until the day that is 2 years after the commencement; and
 - (b) drive a class UD vehicle, other than a mobile crane, under the licence from the day after the day mentioned in paragraph (a).
- (5) In this section—

amendment regulation means the *Transport and Other Legislation Amendment Regulation (No. 3) 2013*.

class UD vehicle means a vehicle—

- (a) that is a specially constructed vehicle, with or without a trailer; but
- (b) is not a motorbike.

mobile crane means a mobile crane of more than 4.5t GVM.

specially constructed vehicle means a specially constructed vehicle under former schedule 9.

173 Continuation of former section 9 for particular current licence holders

- (1) This section applies to a person who, in the 5 years before the commencement, held—
 - (a) a P type licence; or
 - (b) a P1 type licence; or
 - (c) a P2 type licence; or
 - (d) an open licence.
- (2) Former section 9 continues to apply to the person.

174 Person may take practical driving test for class RE or R licence if booked before commencement

- (1) This section applies if—
 - (a) before the commencement, a person had made an appointment to take a practical driving test for a class RE or R licence on a day that is after the commencement; and
 - (b) the person lives within a 100km radius of a Q-Ride training facility.
- (2) The person—
 - (a) may take the practical driving test; and
 - (b) if the person passes the practical driving test—is taken to have complied with the requirement to obtain a competency declaration under section 10D.
- (3) Also, despite section 128(3), if the person holds a valid non-Queensland driver licence granted for a class of motor vehicle for which a class RE or R licence is required, the person is authorised to take the practical driving test.

175 Applying for P2 time credit if eligible person passed hazard perception test before commencement

- (1) This section applies to an eligible person under former section 16A who passed a hazard perception test before the commencement.
- (2) Former section 16A continues to apply to the eligible person.

176 Continuation of late night driving restriction before commencement

- (1) This section applies to a person who—

- (a) committed an offence before 1 January 2014; and
 - (b) because the person committed the offence one of the following happened, whether or not it happened on or after 1 January 2014—
 - (i) the person was given a notice to choose;
 - (ii) the person’s licence was suspended under section 79(5) or (9) or 86;
 - (iii) the person’s licence was disqualified; and
 - (c) satisfied the requirements under either former section 72(1)(a) or (b).
- (2) Former section 72 continues to apply to the person during the period of 1 year beginning on the relevant day.
- (3) In this section—
relevant day means the relevant day that applied to the person under former section 72.

30 Amendment of sch 1 (Fees)

- (1) Schedule 1, item 1, ‘section 10(3)’—
omit, insert—
section 10B(1)
- (2) Schedule 1, item 2, ‘section 10(6)’—
omit, insert—
section 10C(1) or 10D(1) or (2)
- (3) Schedule 1, item 3, ‘section 10(9)’—
omit, insert—
section 10E

31 Amendment of sch 2 (Licence codes)

- (1) Schedule 2, part 1, entry for code ‘C’, ‘vehicle of not more than 4.5t GVM’—
omit, insert—
vehicle
- (2) Schedule 2, part 1, entry for code ‘LR’, after ‘mover’—
insert—
and a mobile crane
- (3) Schedule 2, part 1, entry for code ‘LR’, from ‘a specially constructed vehicle’ to ‘9t GVM’—
omit.
- (4) Schedule 2, part 1, entry for code ‘MR’, after ‘mover’—
insert—
and a mobile crane
- (5) Schedule 2, part 1, entry for code ‘MR’, from ‘a specially constructed vehicle’ to ‘9t GVM’—
omit.
- (6) Schedule 2, part 1, entry for code ‘HR’, after ‘mover’—
insert—
and a mobile crane
- (7) Schedule 2, part 1, entry for code ‘HR’, from ‘a specially constructed vehicle’ to ‘9t GVM’—
omit.
- (8) Schedule 2, part 1, entry for code ‘HC’, after ‘mover’—
insert—
and a mobile crane
- (9) Schedule 2, part 1, entry for code ‘HC’, from ‘a specially constructed vehicle’ to ‘9t GVM’—
omit.

- (10) Schedule 2, part 1, entry for code ‘UD’—
omit.

32 Omission of sch 4 (Prescribed countries and recognised countries)

- Schedule 4—
omit.

33 Amendment of sch 9 (Dictionary)

- (1) Schedule 9, definitions *high-powered vehicle*, *prescribed country* and *WHS certificate*—

omit.

- (2) Schedule 9—

insert—

electronically renewable licence means a P1 type, P2 type, P type or open licence that is—

- (a) a valid licence; or
- (b) a recently expired smartcard driver licence.

experienced driver recognition country see section 3A.

high-powered vehicle means a car, other than a car mentioned in schedule 6—

- (a) that was manufactured before 1 January 2010 and that has at least 1 of the following—
 - (i) 8 or more cylinders;
 - (ii) a turbocharged engine that is not diesel powered;
 - (iii) a supercharged engine that is not diesel powered;

-
- (iv) an engine that has a power output of more than 210kW under the manufacturer's specifications for the car;
 - (v) a rotary engine that has an engine capacity of more than 1146 cc under the manufacturer's specifications for the car; or
 - (b) that was manufactured on or after 1 January 2010 and has a power-to-weight ratio of more than 130kW/t; or
 - (c) that has a modification to the engine of a type that must be approved under the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2010*, section 13.

kerb weight, of a vehicle, means the kerb weight—

- (a) under the manufacturer's specifications for the vehicle; or
- (b) stated in a specification information test report for the vehicle.

maximum engine power, of a vehicle, means the maximum engine power—

- (a) under the manufacturer's specifications for the vehicle; or
- (b) stated in a specification information test report for the vehicle.

power-to-weight ratio, of a vehicle, means the ratio (expressed in kilowatts per tonne) calculated by—

- (a) for a vehicle manufactured before 1 January 2010—

- (i) dividing the vehicle's maximum engine power in kilowatts by the kerb weight in kilograms; and
- (ii) multiplying the product of the division by 1000; or

Example—

The power-to-weight ratio of a vehicle that has a maximum engine power of 195kW and a kerb weight of 1667kg is calculated by dividing 195kW by 1667kg and multiplying the product of the division by 1000. In this example, the power-to-weight ratio is 117kW/t.

- (b) for a vehicle manufactured on or after 1 January 2010—
 - (i) dividing the vehicle's maximum engine power in kilowatts by the tare mass in kilograms; and
 - (ii) multiplying the product of the division by 1000.

Q-Ride training area means a place where a registered service provider conducts Q-Ride training.

Note—

A registered service provider is required to notify the department of the place where it will conduct the Q-Ride training and to apply for approval to change that place under the Q-Ride Registered Service Provider Standards made under the *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2005*, section 95.

A list of training locations and the Q-Ride Registered Service Provider Standards are published on the department's website <www.tmr.qld.gov.au>.

recognised country see section 3A.

registered service provider see the *Transport Operations (Road Use*

Management—Accreditation and Other Provisions) Regulation 2005, section 69.

specification information, for a vehicle, means its kerb weight, maximum engine power and tare mass.

specification information test report, for a vehicle, means documentation—

- (a) showing the results of a test conducted on the vehicle by an entity to work out the specification information; and
- (b) containing the following information—
 - (i) the name and address of the entity that conducted the test;

Example of an entity for subparagraph (i)—

an entity that operates a vehicle testing facility or a weighbridge

- (ii) the date of the test;
- (iii) the specification information;
- (iv) details about the measuring system used to conduct the test.

Example of a measuring system for subparagraph (iv)—

an entity that operates a vehicle testing facility or a weighbridge

Example of specification information test report—

a printout of the results of a test from a vehicle testing facility and a printout of the results of a test by a weighbridge

tare mass, of a vehicle, means the tare mass—

- (a) under the manufacturer's specifications for the vehicle; or
- (b) stated in a specification information test report for the vehicle.

- (3) Schedule 9, definition *road rules test*, paragraph (b)—
omit, insert—
- (b) mentioned in the document ‘Your keys to driving in Queensland’, including any addendum to the document, published by the department on its website; and
 - (c) for a test for a class RE or R licence—mentioned in the document ‘Queensland Motorcycle Riders’ Guide’, including any addendum to the document, published by the department on its website.
- (4) Schedule 9, definition *specially constructed vehicle*, paragraph (a)(ii)—
omit, insert—
- (ii) a crane, other than a mobile crane of more than 4.5t GVM, or a hoist or load shifting equipment; or
- (5) Schedule 9, definition *specially constructed vehicle*, paragraph (b)—
omit, insert—
- (b) does not include—
 - (i) a motor vehicle with a chassis that is substantially the same as a truck chassis; or
 - (ii) a motorbike.

Part 5 **Amendment of the Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010**

34 **Regulation amended**

This part amends the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010*.

35 **Amendment of s 117 (Release of vehicle-related information)**

Section 117(3), after ‘section 116’—

insert—

or 117A

36 **Insertion of new s 117A**

After section 117—

insert—

117A Release of vehicle-related information for particular purposes

- (1) The chief executive may provide vehicle-related information to a person if satisfied the information will inform the person that the vehicle is, or is not—
 - (a) registered; or
 - (b) a high-powered vehicle.
- (2) In this section—

high-powered vehicle see the *Transport Operations (Road Use Management—Driver Licensing) Regulation 2010*, schedule 9.

[s 37]

provide, for vehicle-related information, includes providing the information—

- (a) electronically; or
- (b) orally.

Part 6 Minor and consequential amendments

37 Regulation amended

Schedule 1 amends the regulation it mentions.

Schedule 1 Minor and consequential amendments

section 37

State Penalties Enforcement Regulation 2000

- 1 **Schedule 3, entry for *Transport Operations (Road Use Management) Act 1995*, entry for s 78(1), ‘128(3)’—**
omit, insert—
128(4)

- 2 **Schedule 3, entry for *Transport Operations (Road Use Management) Act 1995*, entry for s 78(1), ‘128(5)’—**
omit, insert—
128(6)

- 3 **Schedule 3, entry for *Transport Operations (Road Use Management—Driver Licensing) Regulation 2010*, entry for s 5(12), ‘5(12)’—**
omit, insert—
5(11)

- 4 **Schedule 3, entry for *Transport Operations (Road Use Management—Driver Licensing) Regulation 2010*, entry for s 5(13), ‘5(13)’—**
omit, insert—
5(12)

5 Schedule 3, entry for *Transport Operations (Road Use Management—Driver Licensing) Regulation 2010*, entry for s 72(6), ‘72(6)’—

omit, insert—

72(5)

Transport Operations (Road Use Management—Driver Licensing) Regulation 2010

1 Section 4(7) and (8), ‘128(10)’—

omit, insert—

128(12)

2 Section 35(1) and (2), ‘section 10(6)’—

omit, insert—

section 10C(1)

3 Section 57, definition *learner*, ‘128(10)’—

omit, insert—

128(12)

4 Section 59(2), ‘5(13)’—

omit, insert—

5(12)

5 Section 83(1)(c), ‘section 128(5)’—

omit, insert—

section 128(3) or (6)

- 6 Section 132(1)(k), ‘section 128(3)’—**
omit, insert—
section 128(4)
- 7 Section 156(a), ‘10(9)’—**
omit, insert—
10E
- 8 Schedule 3, part 3, section 3B, ‘5(12)’—**
omit, insert—
5(11)
- 9 Schedule 3, part 6, section 54, ‘section 72(6)’—**
omit, insert—
section 72(5)
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ENDNOTES

- 1 Made by the Governor in Council on 12 December 2013.
- 2 Notified on the Queensland legislation website on 13 December 2013.
- 3 The administering agency is the Department of Transport and Main Roads.

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