



Queensland

Transport and Other Legislation Amendment Regulation (No. 2) 2014

Subordinate Legislation 2014 No. 161

made under the

Adult Proof of Age Card Act 2008

State Penalties Enforcement Act 1999

Tow Truck Act 1973

Transport Operations (Marine Safety) Act 1994

Transport Operations (Passenger Transport) Act 1994

Transport Operations (Road Use Management) Act 1995

Contents

		Page
Part 1	Preliminary	
1	Short title	6
Part 2	Amendment of the Adult Proof of Age Card Regulation 2010	
2	Regulation amended	6
3	Amendment of s 4 (Adult proof of age card not received in post)	6
Part 3	Amendment of State Penalties Enforcement Regulation 2000	
4	Regulation amended	6
5	Amendment of sch 3 (Transport legislation)	7
Part 4	Amendment of Tow Truck Regulation 2009	
6	Regulation amended	7
7	Amendment of s 13 (Application by holder for replacement document)	8
8	Amendment of s 14A (Notifying chief executive if document evidencing granting of approval damaged, lost or stolen)	8
9	Amendment of sch 2 (Fees)	8

Contents

Part 5	Amendment of Traffic Regulation 1962	
10	Regulation amended	9
11	Amendment of s 4 (Definitions)	9
12	Amendment of s 173 (Definitions for pt 19)	9
13	Replacement of s 175 (Evidence—breath analysing instruments)	9
	175 Evidence—breath analysing instruments	10
14	Amendment of sch 13 (Data blocks for digital speed camera systems)	10
Part 6	Amendment of Transport Operations (Marine Safety) Regulation 2004	
15	Regulation amended	12
16	Amendment of sch 4A (Application of part 6, divisions 2 to 6 to marine licences)	12
17	Amendment of sch 10 (Fees, charges and related matter)	13
Part 7	Amendment of Transport Operations (Passenger Transport) Regulation 2005	
18	Regulation amended	13
19	Amendment of s 37A (Notification of damage, loss or theft of authorising document)	13
20	Amendment of s 37B (Application for replacement authorising document)	14
21	Amendment of s 145A (Refund of fee for application for driver authorisation other than for a taxi or limousine)	14
22	Amendment of s 145B (Refund of additional application fee)	14
23	Amendment of sch 9 (Fees and levy)	15
Part 8	Amendment of Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2005	
24	Regulation amended	15
25	Omission of s 57 (Definition for div 7)	16
26	Amendment of s 59 (Requirements for car used to give training)	16
27	Omission of ss 60 and 61	16
28	Amendment of s 67H (Application by accredited person for replacement accreditation document)	16
29	Amendment of s 67K (Notifying chief executive if accreditation document damaged, lost or stolen)	17
30	Amendment of s 86 (Registered service provider may give competency declarations)	17
31	Omission of s 86A (Restriction on signing competency declaration)	17

32	Amendment of s 88 (Requirement to give competency declaration)	18
33	Omission of ss 90, 91, 91B and 91C	18
34	Renumbering of ss 91A and 91D	18
35	Amendment of s 100N (Refund of particular fees for AIS approval or approval as nominee)	18
36	Amendment of s 114 (Waiver of particular fees)	18
37	Amendment of sch 4A (Information to be displayed by accredited driver trainer).	19
38	Amendment of sch 5 (Statutory registration conditions for registered service providers)	19
39	Amendment of sch 8 (Fees).	19
40	Amendment of sch 9 (Dictionary).	20
Part 9	Amendment of Transport Operations (Road Use Management—Dangerous Goods) Regulation 2008	
41	Regulation amended	20
42	Amendment of s 211A (Application by licensee for replacement licence document)	20
43	Amendment of s 216A (Notifying chief executive if licence document damaged, lost or stolen)	21
44	Amendment of s 226 (Waiver of additional application fee)	21
45	Amendment of s 227 (Refund of additional application fee).	21
46	Amendment of sch 2 (Fees).	21
Part 10	Amendment of Transport Operations (Road Use Management—Driver Licensing) Regulation 2010	
47	Regulation amended	22
48	Omission of s 10A (Eyesight test)	22
49	Amendment of s 10C (Practical driving test)	22
50	Amendment of s 19 (Other provisions about general eligibility)	22
51	Amendment of s 29 (Requirements)	22
52	Amendment of s 32 (Approval of completed logbook by chief executive)	23
53	Amendment of s 33 (Credit for other driving experience).	23
54	Amendment of s 35 (Taking of practical driving test to be eligible for class C P1 provisional licence)	23
55	Replacement of s 58 (Learner must not ride or drive unless L plates are displayed or fitted in the required way)	23
58	Learner must not ride or drive unless L plates are displayed and clearly legible.	23

Contents

56	Replacement of s 59 (Person must not direct a learner unless L plates are displayed or fitted in the required way)	24
	59 Person must not direct a learner unless L plates are displayed and clearly legible.	24
57	Amendment of s 61 (Holder of P1 type licence must not ride or drive unless red P plates are displayed or fitted in the required way)	25
58	Amendment of s 62 (Holder of P2 type licence must not ride or drive unless green P plates are displayed or fitted in the required way)	25
59	Insertion of new pt 10, div 1, hdg	26
60	Insertion of new pt 10, div 2, hdg	26
61	Amendment of s 71 (Certificate of exemption—high-powered vehicles)	26
62	Amendment of s 73 (Certificate of exemption—late night driving)	27
63	Insertion of new pt 10, div 3	27
	Division 3 Amending, suspending or cancelling certificates of exemption	
	74A Definition for div 3.	27
	74B Grounds for amending, suspending or cancelling certificates of exemption.	28
	74C Procedure for amending, suspending or cancelling certificates of exemption.	28
	74D Holder of certificate of exemption must give notice of change in circumstances	31
64	Amendment of s 132 (Reconsideration of decision by chief executive)	32
65	Amendment of s 160 (Exemption from payment of particular fees)	32
66	Amendment of s 161A (Waiving payment of particular fees for person affected by natural disaster)	33
67	Amendment of sch 1 (Fees)	33
68	Amendment of sch 3 (Demerit points)	33
Part 11	Amendment of Transport Operations (Road Use Management—Road Rules) Regulation 2009	
69	Regulation amended	34
70	Amendment of s 137 (Keeping off a dividing strip)	34
71	Amendment of s 291 (Making unnecessary noise or smoke)	34
72	Amendment of sch 5 (Dictionary)	35

Part 12	Amendment of Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010	
73	Regulation amended	35
74	Amendment of sch 5 (Vehicles for particular concessional registration fees)	36
75	Replacement of sch 6 (Areas for schedule 5, section 11 for vehicles used solely to carry on business of prospecting)	36
	Schedule 6 Local government areas for schedule 5, section 11 for vehicles used solely to carry on business of prospecting	
76	Amendment of sch 8 (Dictionary)	38
Part 13	Amendment of Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2010	
77	Regulation amended	38
78	Amendment of s 13G (Ground clearance)	39
79	Amendment of sch 1 (Vehicle standards)	39

[s 1]

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Transport and Other Legislation Amendment Regulation (No. 2) 2014*.

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

2 Regulation amended

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

3 Amendment of s 4 (Adult proof of age card not received in post)

Section 4(3), from ‘must’ to ‘the replacement card’—
omit, insert—

may issue a replacement adult proof of age card to the holder

Part 3 Amendment of State Penalties Enforcement Regulation 2000

4 Regulation amended

This part amends the *State Penalties Enforcement Regulation 2000*.

5 Amendment of sch 3 (Transport legislation)

- (1) Schedule 3, entry for *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2005*, entries for sections 91A(1), 91A(2), 91B(2), 91C(1), 91C(3), 91D(1) and 91D(3)—

omit, insert—

s 90(1)	3
s 90(2)	3
s 91(1)	2
s 91(3)	4

- (2) Schedule 3, entry for *Transport Operations (Road Use Management—Driver Licensing) Regulation 2010*, entry for section 59(2), ‘s 59(2)’—

omit, insert—

s 59

- (3) Schedule 3, entry for *Transport Operations (Road Use Management—Driver Licensing) Regulation 2010*—

insert—

s 74D(1)	2
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Part 4 Amendment of Tow Truck Regulation 2009

6 Regulation amended

This part amends the *Tow Truck Regulation 2009*.

[s 7]

7 Amendment of s 13 (Application by holder for replacement document)

(1) Section 13(3), ‘section must’—

omit, insert—

section, other than an exempt application, must

(2) Section 13(7)—

insert—

exempt application means an application for the replacement of a smartcard certificate if the chief executive is satisfied the smartcard certificate was not received by the holder because it has been lost or stolen.

8 Amendment of s 14A (Notifying chief executive if document evidencing granting of approval damaged, lost or stolen)

Section 14A(3), ‘The written notice’—

omit, insert—

Despite subsection (2), the notice

9 Amendment of sch 2 (Fees)

(1) Schedule 2, items 2, 4, 7, 9 and 16—

omit.

(2) Schedule 2, items 3 to 17—

renumber as schedule 2, items 2 to 12.

[s 14]

175 Evidence—breath analysing instruments

- (1) This section applies to a certificate purporting to be signed by an analyst or an approved supplier (each the *supplier*) that states—
 - (a) the supplier prepared a quantity of a solution consisting of ethyl alcohol and distilled water; and
 - (b) the solution was suitable for use with an approved breath analysing instrument; and
 - (c) the supplier sealed the solution in a number of containers; and
 - (d) the supplier wrote a control number on each container.
- (2) The certificate is, on its production in evidence, conclusive evidence, unless the contrary is proved, that a container, bearing a control number mentioned in subsection (1)(d), contained standard alcohol solution.

14 Amendment of sch 13 (Data blocks for digital speed camera systems)

Schedule 13, part 5—

omit, insert—

Part 5 Images taken by Vitronic speed camera system model Poliscan Speed

- ‘date/time’ followed by a sequence of numbers is the date and time in 24-hour clock mode when the image was taken, in the order of day, month, year, hour, minute and second (ddmmyyyy hhmms)

- ‘direction’ followed by the word ‘Approaching’ or ‘Receding’ is the direction that the vehicle the speed of which was measured by the system (the *target vehicle*) was travelling in relation to the system’s camera. ‘Approaching’ indicates the target vehicle was travelling towards the camera and ‘Receding’ indicates the target vehicle was travelling away from the camera
- ‘image index’ followed by writing is the number allocated by the system to the image
- ‘speed limit’ followed by a number is the maximum speed limit, in kilometres per hour, for the place at which the image was taken when the image was taken
- ‘location code’ followed by a number is the number given in the Traffic Camera Coding Manual for the location of the system’s camera when the image was taken
- ‘speed’ followed by a number is the speed, in kilometres per hour, of the target vehicle measured by the system when the image was taken
- ‘system’ followed by writing is the device type and serial number of the system used to take the image
- a shape overlaid on a vehicle shown in the image indicates the vehicle is the target vehicle.

Example—

A data block may show the following information—

- date: 01/03/2014 16:02:58
- direction: Approaching
- image index no: 1309041602-4-1
- speed limit: 60km/h

[s 15]

- location code: 200313
- speed: 71km/h
- system: PS-642222.

The data block indicates the following—

- the image was taken at 4:02p.m. on 1 March 2014
- the target vehicle was travelling towards the system's camera
- the image was allocated the number 1309041602-4-1 by the system
- the maximum speed limit at that place and time was 60km/h
- the system's camera was located at the place given the number 200313 in the Traffic Camera Coding Manual
- the speed of the target vehicle measured by the system was 71km/h
- the system used to take the image was the device type PS and serial number 642222.

Part 6

Amendment of Transport Operations (Marine Safety) Regulation 2004

15 Regulation amended

This part amends the *Transport Operations (Marine Safety) Regulation 2004*.

16 Amendment of sch 4A (Application of part 6, divisions 2 to 6 to marine licences)

- (1) Schedule 4A, section 171(2), 'The application must—'—
omit, insert—

An application under this section, other than an exempt application, must—

- (2) Schedule 4A, section 171, before the note—

insert—

- (4) *In this section—*

exempt application means an application for the replacement of a smartcard marine licence indicator if the administering agency is satisfied the smartcard marine licence indicator was not received by the holder because it has been lost or stolen.

17 Amendment of sch 10 (Fees, charges and related matter)

Schedule 10, sections 13 and 14, from ‘is—’—

omit, insert—

is \$96.20.

Part 7 Amendment of Transport Operations (Passenger Transport) Regulation 2005

18 Regulation amended

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

19 Amendment of s 37A (Notification of damage, loss or theft of authorising document)

Section 37A(2)—

omit, insert—

[s 20]

- (2) The notification—
 - (a) is sufficiently given if an application for a replacement authorising document is made under section 37B; or
 - (b) if paragraph (a) does not apply—must be written notification.

20 Amendment of s 37B (Application for replacement authorising document)

- (1) Section 37B(3), ‘The application must’—

omit, insert—

An application under this section, other than an exempt application, must

- (2) Section 37B—

insert—

- (6) In this section—

exempt application means an application for the replacement of an authorising document if the chief executive is satisfied the authorising document was not received by the authorised driver because it has been lost or stolen.

21 Amendment of s 145A (Refund of fee for application for driver authorisation other than for a taxi or limousine)

- Section 145A(2), ‘item 11’—

omit, insert—

item 9

22 Amendment of s 145B (Refund of additional application fee)

- (1) Section 145B(1), ‘item 12’—

omit, insert—

item 10

- (2) Section 145B(2), ‘item 12(a)’—

omit, insert—

item 10(a)

23 Amendment of sch 9 (Fees and levy)

- (1) Schedule 9, items 5(b) and 8(b), ‘item 12’—

omit, insert—

item 10

- (2) Schedule 9, items 7 and 9—

omit.

- (3) Schedule 9, item 12, ‘5(b), 7(b) or 8(b)’—

omit, insert—

5(b) or 7(b)

- (4) Schedule 9, items 8 to 13—

renumber as schedule 9, items 7 to 11.

Part 8 Amendment of Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2005

24 Regulation amended

This part amends the *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2005*.

25 Omission of s 57 (Definition for div 7)

Section 57—

omit.

26 Amendment of s 59 (Requirements for car used to give training)

(1) Section 59(2)—

omit.

(2) Section 59(2A)—

renumber as section 59(2).

(3) Section 59(3), definition *required way*—

omit.

(4) Section 59(3)—

insert—

Note for subsections (1) to (3)—

See the *Transport Operations (Road Use Management—Driver Licensing) Regulation 2010*, section 59, for the requirement for L plates to be displayed when a person is directing a learner who is riding or driving a motor vehicle.

27 Omission of ss 60 and 61

Sections 60 and 61—

omit.

28 Amendment of s 67H (Application by accredited person for replacement accreditation document)

(1) Section 67H(3), ‘section must’—

insert—

section, other than an exempt application, must

(2) Section 67H(7)—

insert—

exempt application means an application for the replacement of a smartcard accreditation document if the chief executive is satisfied the smartcard accreditation document was not received by the accredited person because it has been lost or stolen.

29 Amendment of s 67K (Notifying chief executive if accreditation document damaged, lost or stolen)

Section 67K(3), ‘The written notice’—

omit, insert—

Despite subsection (2), the notice

30 Amendment of s 86 (Registered service provider may give competency declarations)

Section 86(4) and (5)—

omit, insert—

(4) In this section—

nominated person means a person who—

(a) has been nominated by the provider in writing given to the chief executive to sign competency declarations for the provider; and

(b) has agreed to the nomination.

31 Omission of s 86A (Restriction on signing competency declaration)

Section 86A—

omit.

32 Amendment of s 88 (Requirement to give competency declaration)

Section 88(3), ‘but in any event within 3 days’—
omit.

33 Omission of ss 90, 91, 91B and 91C

Sections 90, 91, 91B and 91C—
omit.

34 Renumbering of ss 91A and 91D

Sections 91A and 91D—
renumber as sections 90 and 91.

35 Amendment of s 100N (Refund of particular fees for AIS approval or approval as nominee)

(1) Section 100N(2)(a), ‘item 12(a)(ii)’—
omit, insert—

item 9(a)(ii)

(2) Section 100N(2)(b), ‘item 12(b)(ii)’—
omit, insert—

item 9(b)(ii)

(3) Section 100N(2)(c), ‘item 14’—
omit, insert—

item 11

36 Amendment of s 114 (Waiver of particular fees)

Section 114(a), ‘item 1(e), 7 or 14’—
omit, insert—

item 1(b), 5 or 11

37 Amendment of sch 4A (Information to be displayed by accredited driver trainer)

Schedule 4A, ‘section 59(2A)’—

omit, insert—

section 59(2)

38 Amendment of sch 5 (Statutory registration conditions for registered service providers)

(1) Schedule 5, section 3(2), definition *declared section*, ‘91A, 91B, 91C or 91D’—

omit, insert—

90 or 91

(2) Schedule 5, section 9(b)—

omit.

(3) Schedule 5, section 9(c) and (d)—

renumber as schedule 5, section 9(b) and (c).

(4) Schedule 5, section 10(1), from ‘ensure that’—

omit, insert—

ensure that the person is a nominated person.

39 Amendment of sch 8 (Fees)

(1) Schedule 8, item 1—

omit, insert—

1 Application for appointment as an accredited person for 3 years, other than in the form of a smartcard accreditation document (s 4)—

(a) approved examiner—the total of the following—

(i) the fee payable under this subparagraph 26.60

[s 40]

- (ii) additional application fee 38.30
- (b) approved person, if the applicant does not hold an appointment as an accredited person who is an approved person when the application is made 38.30
- (2) Schedule 8, items 3, 5 and 10—
omit.
- (3) Schedule 8, items 4 to 15—
renumber as schedule 8, items 3 to 12.

40 Amendment of sch 9 (Dictionary)

Schedule 9, definition *L plate*—

omit.

Part 9 Amendment of Transport Operations (Road Use Management—Dangerous Goods) Regulation 2008

41 Regulation amended

This part amends the *Transport Operations (Road Use Management—Dangerous Goods) Regulation 2008*.

42 Amendment of s 211A (Application by licensee for replacement licence document)

- (1) Section 211A(3), ‘The application must’—

omit, insert—

An application under this section, other than an exempt application, must

(2) Section 211A(7)—

insert—

exempt application means an application for the replacement of a smartcard dangerous goods driver licence if the chief executive is satisfied the smartcard dangerous goods driver licence was not received by the licensee because it has been lost or stolen.

43 Amendment of s 216A (Notifying chief executive if licence document damaged, lost or stolen)

Section 216A(3), ‘The written notice’—

omit, insert—

Despite subsection (2), the notice

44 Amendment of s 226 (Waiver of additional application fee)

Section 226, ‘or 4(b)’—

omit.

45 Amendment of s 227 (Refund of additional application fee)

Section 227(2), ‘or 4(b)’—

omit.

46 Amendment of sch 2 (Fees)

(1) Schedule 2, item 3—

omit.

(2) Schedule 2, items 4 and 5—

renumber as schedule 2, items 3 and 4.

Part 10 **Amendment of Transport Operations (Road Use Management—Driver Licensing) Regulation 2010**

47 **Regulation amended**

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

48 **Omission of s 10A (Eyesight test)**

Section 10A—

omit.

49 **Amendment of s 10C (Practical driving test)**

Section 10C(2)(b)(ii), ‘the person’—

omit, insert—

for a person who holds a class HC licence—the person

50 **Amendment of s 19 (Other provisions about general eligibility)**

Sections 19(1)(c), from ‘the chief executive’—

omit, insert—

the chief executive the driver licence; or

51 **Amendment of s 29 (Requirements)**

Section 29(1)(a), from ‘Australia’—

omit, insert—

Australia completed by the young driver; and

52 Amendment of s 32 (Approval of completed logbook by chief executive)

Section 32(3), from ‘is satisfied’—

omit, insert—

is satisfied the requirements under section 29(1)(a) to (c) have been satisfied by the young driver.

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

(1) Section 33(2), ‘within 3 years before applying for credit’—

omit.

(2) Section 33(4), from ‘country,’—

omit, insert—

country completed by the young driver.

54 Amendment of s 35 (Taking of practical driving test to be eligible for class C P1 provisional licence)

Section 35(1), ‘within 3 years’—

omit.

55 Replacement of s 58 (Learner must not ride or drive unless L plates are displayed or fitted in the required way)

Section 58—

omit, insert—

58 Learner must not ride or drive unless L plates are displayed and clearly legible

A learner must not ride or drive a motor vehicle, on a road, that the learner is authorised to learn to ride or drive unless—

(a) if the motor vehicle is a motorbike—an L plate is displayed so the L character on the L

plate is clearly legible from 20m behind the motorbike; or

- (b) otherwise—L plates are displayed so the L character on an L plate is clearly legible from—
 - (i) 20m in front of the motor vehicle; and
 - (ii) 20m behind the motor vehicle.

Maximum penalty—20 penalty units.

56 Replacement of s 59 (Person must not direct a learner unless L plates are displayed or fitted in the required way)

Section 59—

omit, insert—

59 Person must not direct a learner unless L plates are displayed and clearly legible

A person to whom section 4(8) or 5(12) applies must not direct a learner who is riding or driving a motor vehicle, on a road, that the learner is authorised to learn to ride or drive unless—

- (a) if the motor vehicle is a motorbike—an L plate is displayed so the L character on the L plate is clearly legible from 20m behind the motorbike; or
- (b) otherwise—L plates are displayed so the L character on an L plate is clearly legible from—
 - (i) 20m in front of the motor vehicle; and
 - (ii) 20m behind the motor vehicle.

Maximum penalty—20 penalty units.

57 Amendment of s 61 (Holder of P1 type licence must not ride or drive unless red P plates are displayed or fitted in the required way)

(1) Section 61, heading, ‘or fitted in the required way’—

omit, insert—

and clearly legible

(2) Section 61(2)—

omit, insert—

(2) The person must not ride a motorbike or drive a car, on a road, that the person is authorised to ride or drive unless—

(a) for a motorbike—a red P plate is displayed so the P character on the P plate is clearly legible from 20m behind the motorbike; or

(b) for a car—red P plates are displayed so the P character on a red P plate is clearly legible from—

(i) 20m in front of the car; and

(ii) 20m behind the car.

Maximum penalty—20 penalty units.

58 Amendment of s 62 (Holder of P2 type licence must not ride or drive unless green P plates are displayed or fitted in the required way)

(1) Section 62, heading, ‘or fitted in the required way’—

omit, insert—

and clearly legible

(2) Section 62(2)—

omit, insert—

(2) The person must not ride a motorbike or drive a car, on a road, that the person is authorised to ride or drive unless—

[s 59]

- (a) for a motorbike—a green P plate is displayed so the P character on the P plate is clearly legible from 20m behind the motorbike; or
- (b) for a car—green P plates are displayed so the P character on a green P plate is clearly legible from—
 - (i) 20m in front of the car; and
 - (ii) 20m behind the car.

Maximum penalty—20 penalty units.

59 Insertion of new pt 10, div 1, hdg

Part 10, before section 67—

insert—

Division 1 Preliminary

60 Insertion of new pt 10, div 2, hdg

After section 67—

insert—

Division 2 Offences and exemptions

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

Section 71(10)—

insert—

- (d) must state any matters in relation to which the person must notify the chief executive, under section 74D, of any change.

62 Amendment of s 73 (Certificate of exemption—late night driving)

Section 73(7)—

omit, insert—

- (7) The certificate of exemption must—
- (a) state the following in relation to the person driving a motor vehicle between the hours of 11p.m. on a day and 5a.m. on the next day—
 - (i) the times for so driving;
 - (ii) the days for so driving;
 - (iii) the purpose for so driving; and
 - (b) state the matters in relation to which the person must notify the chief executive, under section 74D, of any change.

63 Insertion of new pt 10, div 3

Part 10, after section 74—

insert—

Division 3 Amending, suspending or cancelling certificates of exemption

74A Definition for div 3

In this division—

certificate of exemption means a certificate of exemption issued under section 71 or 73.

holder means the holder of a certificate of exemption.

74B Grounds for amending, suspending or cancelling certificates of exemption

Each of the following is a ground for amending, suspending or cancelling a certificate of exemption—

- (a) the certificate of exemption was obtained on the basis of information that the holder knew was false or misleading in a material particular;
- (b) the holder failed to comply with a condition or requirement of the certificate of exemption;
- (c) a change in circumstances has happened after the certificate of exemption was issued and, had the changed circumstances existed when the certificate of exemption was issued, the certificate of exemption would not have been issued because of a requirement under—
 - (i) for a certificate of exemption issued under section 71—section 71(6) or (7); or
 - (ii) for a certificate of exemption issued under section 73—section 73(4);
- (d) the chief executive considers it necessary in the public interest.

74C Procedure for amending, suspending or cancelling certificates of exemption

- (1) If the chief executive considers a ground exists to amend, suspend or cancel a person's certificate of exemption (the *proposed action*), the chief executive may give the person a written notice (the *show cause notice*).
- (2) The show cause notice must—

- (a) state the proposed action; and
 - (b) state the ground for the proposed action; and
 - (c) outline the facts and circumstances forming the basis for the ground; and
 - (d) if the proposed action is to amend a condition or requirement of the certificate of exemption—state the proposed amendment; and
 - (e) if the proposed action is to suspend the certificate of exemption—state the proposed suspension period; and
 - (f) invite the person to show cause, within a stated time of at least 28 days, why the proposed action should not be taken.
- (3) The chief executive may, before or after the end of the time stated in the show cause notice, extend the time within which the person may show cause.
- (4) If, after considering any personal or written representations made within the time stated or allowed, the chief executive still considers a ground exists to take the proposed action, the chief executive may—
- (a) if the proposed action was to amend the certificate of exemption—
 - (i) amend the certificate of exemption in the way mentioned in the show cause notice; or
 - (ii) amend the certificate of exemption in another way having regard to the representations; or
 - (b) if the proposed action was to suspend the certificate of exemption—

- (i) suspend the certificate of exemption for a period not longer than the period stated in the show cause notice; or
 - (ii) amend the certificate of exemption having regard to the representations; or
 - (c) if the proposed action was to cancel the certificate of exemption—
 - (i) cancel the certificate of exemption; or
 - (ii) suspend the certificate of exemption for a period; or
 - (iii) amend the certificate of exemption having regard to the representations.
- (5) The chief executive must give the person written notice of the decision.
- (6) If the chief executive decides to amend, suspend or cancel the certificate of exemption, the notice must state—
 - (a) the reasons for the decision; and
 - (b) that the person may apply for a reconsideration of the decision under section 132; and
 - (c) that the person is also able, under section 65A of the Act, to apply to QCAT for a review of the decision on the reconsideration.
- (7) The decision takes effect on the later of the following—
 - (a) the day the notice under subsection (5) is given to the person;
 - (b) a later day stated in the notice under subsection (5).

-
- (8) Subsections (1) to (6) do not apply if the chief executive proposes to amend the certificate of exemption only—
- (a) by omitting a condition or requirement; or
 - (b) for a formal or clerical reason; or
 - (c) in a way the person has agreed to; or
 - (d) in another way that does not adversely affect the person's interests.
- (9) The chief executive may amend a certificate of exemption under subsection (8) by written notice given to the person.
- (10) In this section—
- amend*, a certificate of exemption, includes impose a condition or requirement on the certificate of exemption, that it was not subject to before the amendment.

74D Holder of certificate of exemption must give notice of change in circumstances

- (1) The holder of a certificate of exemption must, within 14 days after the happening of a relevant change of circumstances, give written notice of the change to the chief executive.
- Maximum penalty—20 penalty units.
- (2) In this section—
- relevant change of circumstances* means a change in any of the matters stated in a certificate of exemption under section 71(10)(d) or 73(7)(b).

64 Amendment of s 132 (Reconsideration of decision by chief executive)

(1) Section 132(1)—

insert—

(ha) has, under section 74C, amended, suspended or cancelled a person's certificate of exemption; or

(2) Section 132(5)(b)(ii) and (6), 'h)—

omit, insert—

(ha)

65 Amendment of s 160 (Exemption from payment of particular fees)

(1) Section 160(1), 'items 1 to 7'—

omit, insert—

items 1 to 5

(2) Section 160—

insert—

(1A) A person is exempted from the payment of the fee mentioned in schedule 1, item 1 for a road rules test under section 10B(1), that is otherwise payable under this regulation, if—

(a) the test is conducted using an online system; and

(b) the person does not pass the test.

(1B) A person is exempt from the payment of the fees mentioned in schedule 1, items 13 and 14 for the release of information under section 77(1)(a) of the Act, that are otherwise payable under this regulation, if the information is—

(a) released using an online system; and

-
- (b) for the fee mentioned in schedule 1, item 14—
- (i) the current number of demerit points recorded on a person’s traffic history; and
 - (ii) the particulars of each demerit points offence or interstate offence for which the demerit points were recorded.
- (3) Section 160(1A) to (2)—
renumber as section 160(2) to (4).

66 Amendment of s 161A (Waiving payment of particular fees for person affected by natural disaster)

Section 161A(1)(a), ‘item 8’—

omit, insert—

item 6

67 Amendment of sch 1 (Fees)

- (1) Schedule 1, items 4, 6, 12, 14, 16—

omit.

- (2) Schedule 1, items 18 and 19, ‘section 77’—

omit, insert—

section 77(1)(a)

- (3) Schedule 1, items 5 to 20—

renumber as schedule 1, items 4 to 15.

68 Amendment of sch 3 (Demerit points)

Schedule 3, sections 36 to 38, heading, ‘or fit’—

omit, insert—

clearly legible

Part 11

Amendment of Transport Operations (Road Use Management—Road Rules) Regulation 2009

69 Regulation amended

This part amends the *Transport Operations (Road Use Management—Road Rules) Regulation 2009*.

70 Amendment of s 137 (Keeping off a dividing strip)

Section 137(3)—

insert—

pavement bar means a raised rectangular block, with an approximately hemispherical cross-section, attached to an area of road, including, for example, a dividing strip—

- (a) perpendicular to the direction of travel of vehicles on the road; and
- (b) to—
 - (i) augment the visibility of the area; and
 - (ii) discourage, but not prohibit, movement of a vehicle in or across the area.

71 Amendment of s 291 (Making unnecessary noise or smoke)

Section 291(1), note, ‘section 69A(1)(d)’—

omit, insert—

section 69A(1)(a)(iv)

72 Amendment of sch 5 (Dictionary)

(1) Schedule 5—

insert—

pavement marker means a raised marker or stud attached to the road to—

- (a) augment the visibility of a painted road marking or painted island; or
- (b) mark a marked lane, bicycle crossing or marked foot crossing, whether or not a painted road marking is also used.

(2) Schedule 5, definitions *bicycle crossing*, paragraph (b), *marked foot crossing*, paragraph (b) and *marked lane*, ‘studs or markers’—

omit, insert—

pavement markers

(3) Schedule 5, definition *road marking*, ‘raised marker or stud’—

omit, insert—

pavement marker

Part 12 Amendment of Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010

73 Regulation amended

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

74 Amendment of sch 5 (Vehicles for particular concessional registration fees)

(1) Schedule 5, section 4, first and second dot points—

omit, insert—

- the following local government areas—
 - Aurukun
 - Doomadgee
 - Kowanyama
 - Pormpuraaw
 - Yarrabah

(2) Schedule 5, section 11, before ‘areas’—

insert—

local government

75 Replacement of sch 6 (Areas for schedule 5, section 11 for vehicles used solely to carry on business of prospecting)

Schedule 6—

omit, insert—

Schedule 6

Local government areas for schedule 5, section 11 for vehicles used solely to carry on business of prospecting

schedule 5, section 11

Aurukun

Balonne

Barcaldine

Barcoo

Blackall-Tambo

Boulia

Bulloo

Burke

Carpentaria

Central Highlands, other than within a 20km radius of
the post office at Emerald

Cloncurry

Cook

Croydon

Diamantina

Doomadgee

Etheridge

Flinders

Hope Vale

Isaac

Lockhart River

Longreach

Mapoon

Maranoa, other than within a 20km radius of the post
office at Roma

McKinlay

Mornington

Mount Isa, other than within a 20km radius of the
principal post office

[s 76]

Murweh
Napranum
Northern Peninsula Area
Paroo
Quilpie
Richmond
Torres
Winton
Wujal Wujal

76 Amendment of sch 8 (Dictionary)

Schedule 8—

insert—

local government area means a local government area under the *Local Government Act 2009*.

Part 13 **Amendment of Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2010**

77 Regulation amended

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

78 Amendment of s 13G (Ground clearance)

- (1) Section 13G(2)—
renumber as section 13G(3).
- (2) Section 13G—
insert—
 - (2) This section does not apply to—
 - (a) a light vehicle, other than a combination, with less than 4 wheels; or
 - (b) a light combination that includes a light motor vehicle with less than 4 wheels.

79 Amendment of sch 1 (Vehicle standards)

- (1) Schedule 1, section 16(5), ‘or used’—
omit.
- (2) Schedule 1, section 99(6), definition *special use vehicle*, paragraph (c), from ‘accompany’—
omit, insert—
accompany—
 - (i) a vehicle mentioned in paragraph (b);
or
 - (ii) a heavy vehicle that—
 - (A) is an oversize vehicle within the meaning of the Heavy Vehicle National Law (Queensland); and
 - (B) is being used on a road under a mass or dimension exemption within the meaning of that Law;
- (3) Schedule 1, section 143(2), from ‘by at least’ to ‘(the *connection*)’—
omit.

(4) Schedule 1, section 143(3), ‘The connection’—
omit, insert—

A connector

(5) Schedule 1, section 143(4), ‘the connection’—
omit, insert—

a connector

(6) Schedule 1, section 143—
insert—

(5) In this section—

connector means anything connecting a trailer mentioned in subsection (2) to a towing vehicle mentioned in that subsection.

Examples of a thing connecting a trailer to a towing vehicle—

- 1 at least 1 chain, cable or other flexible device
- 2 a thing fixed to a trailer or a towing vehicle to which a thing mentioned in example 1 is attached.

ENDNOTES

- 1 Made by the Governor in Council on 25 July 2014.
- 2 Notified on the Queensland legislation website on 25 July 2014.
- 3 The administering agency is the Department of Transport and Main Roads.

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Authorised by the Parliamentary Counsel