



Queensland

Transport Operations (Passenger Transport) Act 1994

Transport Operations (Passenger Transport) Standard 2010

Current as at 10 February 2014

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Queensland

Transport Operations (Passenger Transport) Standard 2010

Contents

		Page
Part 1	Preliminary	
1	Short title	7
2	Commencement	7
Part 2	Interpretation	
3	Definitions	7
4	Meaning of incident	7
Part 3	Drivers	
5	Purpose of pt 3	8
6	Person not to operate relevant vehicle without appropriate licence	9
7	Person not to operate public passenger vehicle without prescribed licence	9
8	Person not to operate taxi without knowledge of taxi service area	9
9	Alcohol and drugs	9
10	Fatigue management	9
11	Operational safety of vehicles	10
12	Seating	11
13	Customer service	12
14	Compliance with Transport Operations (Road Use Management) Act 1995	13
14A	Compliance with Heavy Vehicle National Law (Queensland)	13
15	Compliance with code of conduct	13
16	Bus carrying school students on a no standing passenger road	13
Part 4	Operators	
17	Definitions for pt 4	14
18	Purpose of pt 4	14

Contents

19	Training of operators.	15
20	Ensuring drivers are trained in obligations under the Act.	15
21	Ensuring drivers comply with fatigue management requirements	16
22	Ensuring operational safety of vehicles	16
23	Compliance with relevant vehicle standards.	18
24	Compliance with vehicle standards regulation, s 25.	18
25	Design and construction of bus manufactured before 20 May 1992	18
26	Seating	19
27	Type and age of vehicles etc.	19
28	Compulsory third party insurance	20
29	Maintenance of vehicles	20
30	Vehicles to be maintained in clean, tidy and comfortable condition etc.	21
31	Customer service	22
32	Access to information about services provided	22
33	Timetable for school service.	22
34	Obligations in relation to incident management plan and incident report	23
35	Requirements of incident management plan	23
36	Requirements of incident report	24
37	Review of incident management plan.	26
38	When ss 34–37 do not apply to operators of taxi services.	26
39	Reliability of service	26
40	What must be shown on vehicle.	27
41	Complaints	27
42	Compliance with code of conduct.	27
Part 5	Repeal	
43	Repeal of Transport Operations (Passenger Transport) Standard 2000	28
Part 6	Transitional provisions	
44	Warning signs and warning lights fitted to school bus immediately before 1 October 1999.	28
45	5-year service life extension.	28
46	Transitional provision for Transport Operations (Passenger Transport) Amendment Standard (No. 1) 2011	29
Schedule 1	Vehicle requirements and operator’s obligations	30

Part 1	Preliminary	
1	Purpose of sch 1	30
2	Meaning of prescribed vehicle	30
3	Meaning of particular classifications of prescribed vehicles.	30
Part 2	Maximum age, design and luggage	
4	Maximum age.	31
5	Working out age of vehicles	32
6	Requirements about design generally	33
7	Requirements about design—prescribed vehicle used in the wilderness	33
8	Luggage—open classification vehicle or regional classification vehicle	34
9	Luggage—local classification vehicle.	34
10	Luggage in prescribed vehicle that is a bus not to impede exit	35
Part 3	Bus padding	
11	Purpose of pt 3	35
12	Application of pt 3	35
13	Definition for pt 3	36
14	Tops of seats	36
15	Handrails	37
16	Partitions	37
17	Padding materials and fastening	37
18	Fittings on the back of a seat or partition	38
Part 4	Warning signs and lights to be fitted to school bus	
18A	Application of pt 4	38
19	School bus to be fitted with warning signs and warning lights	38
20	Number and location of warning signs	39
21	Content, size, shape and material of warning signs.	39
22	Number and location of warning lights	41
23	Lens and light of warning lights	42
24	Operation of warning lights.	43
25	Non-school bus—optional warning signs or warning lights for school students	44
Part 5	Buses carrying school students on a no standing passenger road	
26	Application of pt 5.	44

Contents

27	Light bus built to carry not more than 16 passengers and used to provide a school service.	45
28	Light bus built to carry more than 16 passengers	45
29	Heavy bus.	45
Part 6	Structural inspection and repair of buses	
30	Inspection of heavy buses	46
31	Repairs to bus structures	47
32	Inspection of structural repairs	47
Part 7	Maintenance record	
33	Operator to keep maintenance record	48
34	Operator to obtain endorsement on maintenance record by prescribed inspection entity	48
Schedule 2	Heavy bus service life extensions	49
Part 1	5-year service life extension	
1	How to obtain a 5-year service life extension	49
2	ADRs	50
3	Body	50
4	Chassis and suspension	51
5	Steering	51
6	Brakes	51
7	Electrical components	52
8	Engine and driveline.	52
9	Certificate by prescribed inspection entity	53
Part 2	Age zero refurbishment service life extension	
10	How to obtain an age zero refurbishment service life extension	53
11	ADRs	54
12	Body, brakes and mechanical or structural components	55
13	Certificate by prescribed inspection entity	55
Part 3	Further provisions applying to 5-year service life extensions and age zero refurbishment service life extensions	
14	Inspection etc. of critical components	56
15	Previous refurbishment or replacement	56
16	Rating of particular components of bus, and evaluation of bus, under code	57
Schedule 3	Maintaining particular relevant vehicles in a clean, tidy and comfortable condition and other vehicle requirements	58

Part 1	Vehicle requirements	
1	Vehicle requirements	58
Part 2	Way to maintain vehicle	
2	Way to maintain vehicle	59
3	Seating	59
4	Interior appearance and fittings	59
5	Windscreen	60
Schedule 4	Dictionary	61
Endnotes		
1	Index to endnotes	66
2	Key	66
3	Table of reprints	66
4	List of legislation	67
5	List of annotations	68

Transport Operations (Passenger Transport) Standard 2010

[as amended by all amendments that commenced on or before 10 February 2014]

Part 1 Preliminary

1 Short title

This standard may be cited as the *Transport Operations (Passenger Transport) Standard 2010*.

2 Commencement

This standard commences on 1 September 2010.

Part 2 Interpretation

3 Definitions

The dictionary in schedule 4 defines particular words used in this standard.

4 Meaning of *incident*

- (1) An *incident* is an event involving a relevant vehicle, or the driver of, or a passenger in, a relevant vehicle, and a relevant service if the event—
 - (a) disrupts the provision of the relevant service for more than 30 minutes after the scheduled or agreed time for the provision of the relevant service; or

[s 5]

- (b) prevents the provision of the relevant service.
- (2) An incident includes any of the following—
- (a) an event involving the relevant vehicle in which a person is injured or killed;
 - (b) the breakdown of, or an accident involving, the relevant vehicle;
 - (c) a fire in the relevant vehicle;
 - (d) unsafe road conditions for the relevant vehicle;
 - (e) a terrorist act or terrorism, within the meaning of the *Police Powers and Responsibilities Act 2000*, section 211, involving the relevant vehicle or the driver of, or a passenger in, the relevant vehicle;
 - (f) the use, or attempted or threatened use, of a chemical, explosive or weapon by a person in a way that involves the relevant vehicle or the driver of, or a passenger in, the relevant vehicle;
 - (g) an assault or threat to the driver of, or a passenger in, the relevant vehicle;
 - (h) a medical emergency involving the driver of, or a passenger in, the relevant vehicle.
- (3) In this section—
- weapon* see the *Weapons Act 1990*, schedule 2.

Part 3 Drivers

5 Purpose of pt 3

The purpose of this part is to enhance the level of safety and customer service provided by drivers of relevant vehicles in the provision of public passenger services by imposing obligations about operating relevant vehicles.

6 Person not to operate relevant vehicle without appropriate licence

A person must not operate a relevant vehicle unless the person holds a prescribed licence of the appropriate class.

7 Person not to operate public passenger vehicle without prescribed licence

A person must not operate a public passenger vehicle under restricted driver authorisation unless the person holds a prescribed licence of the appropriate class.

8 Person not to operate taxi without knowledge of taxi service area

A person must not operate a relevant vehicle that is a taxi unless the person has a knowledge of common destinations and major connecting roads within the taxi service area where the person intends to drive the taxi.

9 Alcohol and drugs

- (1) A driver of a relevant vehicle must have a blood alcohol concentration of zero while operating the vehicle.
- (2) A driver of a relevant vehicle must not be under the influence of a drug while operating the vehicle.

10 Fatigue management

- (1) A driver of a relevant vehicle must not operate the vehicle if the driver's fatigue level may endanger passenger safety.
- (2) The driver of a fatigue-regulated heavy vehicle does not contravene subsection (1) if the driver complies with the requirements about fatigue management applying to the driver under the Heavy Vehicle National Law (Queensland).
- (3) In this section—

[s 11]

fatigue-regulated heavy vehicle means a heavy vehicle that is a fatigue-regulated heavy vehicle for the purposes of the Heavy Vehicle National Law (Queensland).

11 Operational safety of vehicles

- (1) A driver of a relevant vehicle must operate it safely.
- (2) Without limiting subsection (1), the driver must ensure—
 - (a) the vehicle is not overloaded; and
 - (b) if the vehicle is used for long distance scheduled passenger services or tourist services, it does not carry standing passengers; and
 - (c) if the vehicle is a bus that carries standing passengers—
 - (i) the bus is specifically designed and constructed to carry standing passengers; and
 - (ii) when carrying standing passengers, the bus does not travel on a no standing passenger road; and
 - (d) if the vehicle is a school bus that carries standing passengers—
 - (i) the bus is not overloaded; and
 - (ii) the bus is specifically designed and constructed to carry standing passengers; and
 - (iii) when carrying standing passengers, the bus does not travel on a no standing passenger road; and
 - (iv) no passenger stands for more than 20km.
- (3) Despite subsection (2)(c) and (d)(ii), (iii) and (iv), a driver of a bus fitted with seatbelts for every seated passenger must ensure the bus is used only to carry seated passengers, unless each seat of the bus is occupied.
- (4) A driver of a bus mentioned in subsection (3) that carries a permitted standing passenger during the driver's shift must, at the end of the shift, give the following information to the operator of the bus—

-
- (a) the date and time when, and place where, the passenger boarded the bus to become a permitted standing passenger;
 - (b) the number of passengers, including the passenger, who boarded the bus when the passenger boarded it.
- (5) In this section—
- permitted standing passenger* means a passenger the bus is permitted to carry as a standing passenger under subsection (3).

12 Seating

- (1) A driver of a relevant vehicle must take reasonable steps to ensure that no more than 1 passenger sits in any adult seat in the vehicle.
- (2) However, if the vehicle is a bus, 3 primary school or pre-school children may sit in a bench type bus seat designed for 2 adults if—
 - (a) either—
 - (i) the seat is not fitted with any seat belts or approved child restraints; or
 - (ii) the seat is fitted with either a seatbelt or an approved child restraint for each of the 3 children; and
 - (b) the placement and construction of the seat allows the children to sit in the seat; and
 - (c) no child sits in the seat for more than a total of 90 minutes while any 2 other children sit in the seat.
- (3) Also, an infant passenger may occupy the same seat as another passenger if—
 - (a) the vehicle is a bus; or
 - (b) the vehicle is a taxi and the infant passenger does so in circumstances that do not contravene the Queensland Road Rules.

[s 13]

Note—

See the Queensland Road Rules, sections 266 (Wearing of seatbelts by passengers under 16 years old) and 267 (Exemptions from wearing seatbelts).

13 Customer service

- (1) A driver of a relevant vehicle must be reasonably courteous to passengers and the public.
- (2) A driver of a vehicle providing a general route service or a school service must provide the service in accordance with the advertised schedules of the operator of the vehicle unless—
 - (a) the driver is prevented from doing so by an unforeseeable circumstance; or

Examples of an unforeseeable circumstance—

- an incident
- an accident, whether or not involving the vehicle providing the public passenger service
- flooding or storm damage

Example of a foreseeable circumstance—

traffic volume

- (b) the schedules, and services under the schedules, are not realistically achievable.
- (3) If an incident happens, a driver of a relevant vehicle must tell passengers in the vehicle—
 - (a) the reason for the disruption or prevention of the provision of the relevant service; and
 - (b) the arrangements being made for the completion of the relevant service.
- (4) A taxi driver must have a knowledge of common destinations and major connecting roads within the taxi service area where the driver drives the taxi.

14 Compliance with Transport Operations (Road Use Management) Act 1995

A driver of a relevant vehicle must comply with all provisions of the *Transport Operations (Road Use Management) Act 1995* imposing an obligation, prohibition, restriction or other requirement on the driver in relation to—

- (a) the vehicle, including, for example, its design, condition, equipment, mass, loading or signs; or
- (b) the driving, use or operation of the vehicle; or
- (c) being in charge of the vehicle.

14A Compliance with Heavy Vehicle National Law (Queensland)

A driver of a relevant vehicle that is a heavy vehicle must comply with all provisions of the Heavy Vehicle National Law (Queensland) imposing an obligation, prohibition, restriction or other requirement on the driver in relation to—

- (a) the vehicle, including, for example, its design, condition, equipment, mass, loading or signs; or
- (b) the driving, use or operation of the vehicle; or
- (c) being in charge of the vehicle.

15 Compliance with code of conduct

If a school child is travelling on a relevant vehicle that is a bus, the driver of the bus must comply with the code of conduct.

16 Bus carrying school students on a no standing passenger road

- (1) This section applies to a bus that—
 - (a) is descending a no standing passenger road; and

[s 17]

- (b) is carrying school students on a general route service, or school service, on a journey that is, or is part of, a journey to or from a school; and
 - (c) is being used to provide a general route service or school service under a service contract, integrated mass transit service contract or prescribed school service contract.
- (2) If the bus is—
- (a) a light bus built to carry more than 16 passengers, whether seated or standing, as well as the driver and crew; and
 - (b) being used to provide a school service;
- the driver of the bus must activate the exhaust brake fitted to the bus.
- (3) If the bus is a heavy bus, the driver of the bus must use the power-train retarder fitted to the bus under schedule 1, section 29(1)(c).

Part 4 Operators

17 Definitions for pt 4

In this part—

incident management plan means a plan complying with section 35.

incident report means a report complying with section 36.

18 Purpose of pt 4

The purpose of this part is to enhance the level of safety and customer service provided by operators in the provision of public passenger services by imposing obligations on—

- (a) applicants for a grant or renewal of operator accreditation; and

-
- (b) operators of relevant services.

19 Training of operators

- (1) An applicant for operator accreditation or renewal of operator accreditation must successfully complete a training course specified by the chief executive.
- (2) However, the chief executive may accept another qualification from the applicant as compliance with subsection (1) if the chief executive considers the qualification equivalent to, or better than, the training under the training course specified by the chief executive.
- (3) In this section—
qualification means experience or training, other than training under a training course mentioned in subsection (1).

20 Ensuring drivers are trained in obligations under the Act

- (1) An operator of a relevant service must ensure each driver who is to operate a vehicle providing the service is given an introduction to the driver's obligations under the Act.
- (2) However, the operator does not contravene subsection (1) if the operator is satisfied, by documentary evidence, that the driver's experience, or experience and training, provide an adequate level of knowledge of the obligations.
- (3) An operator of a relevant service must ensure each driver who operates a vehicle providing the service is given training, under a documented training program, in the driver's obligations under the Act.
- (4) The driver must be given the training under the program mentioned in subsection (3) within 2 months after the driver first operates the vehicle providing the service.
- (5) An operator of a relevant service must keep the following records—
 - (a) for subsection (1), evidence of the introduction;

[s 21]

Example of evidence of the introduction—

a training book showing the date, time and place the driver was given training in the driver's obligations under the Act

- (b) for subsection (2), a copy of the documentary evidence;
 - (c) for subsection (3), evidence of each driver's training under the documented training program.
- (6) The evidence of a driver's training under the documented training program must be enough to ensure the chief executive is able to monitor the driver's progression through the training program.
- (7) The records mentioned in subsection (5) must be kept in such a way that the chief executive is able to monitor from them the operator's compliance with subsections (1) to (3).

21 Ensuring drivers comply with fatigue management requirements

An operator of a relevant service must take reasonable steps to ensure that each driver of a vehicle providing the service complies with section 10.

22 Ensuring operational safety of vehicles

- (1) An operator of a relevant service must take reasonable steps to ensure that a vehicle providing the service is safely operated.
- (2) Without limiting subsection (1), the operator must take reasonable steps to ensure—
 - (a) the vehicle is not overloaded; and
 - (b) if the vehicle is used for long distance scheduled passenger services or tourist services—it does not carry standing passengers; and
 - (c) if the vehicle is a bus that carries standing passengers—
 - (i) the bus is specifically designed and constructed to carry standing passengers; and

- (ii) when carrying standing passengers, the bus does not travel on a no standing passenger road; and
- (d) if the vehicle is a school bus that carries standing passengers—
 - (i) the bus is not overloaded; and
 - (ii) the bus is specifically designed and constructed to carry standing passengers; and
 - (iii) when carrying standing passengers, the bus does not travel on a no standing passenger road; and
 - (iv) no passenger stands for more than 20km.
- (3) Despite subsection (2)(c) and (d)(ii), (iii) and (iv), if the vehicle is a bus fitted with seatbelts for every seated passenger, the operator must take reasonable steps to ensure the bus is used only to carry seated passengers, unless each seat of the bus is occupied.
- (4) Also, if the vehicle is a bus fitted with seatbelts for every seated passenger, the operator must—
 - (a) have a written statement of the training to be given to each driver of the bus about the driver's obligations under section 11, including when the bus may be used under that section to carry standing passengers; and
 - (b) if the operator provides a public passenger service that routinely carries permitted standing passengers as mentioned in section 11(4)—have a written plan to ensure that the operator minimises the occasions on which permitted standing passengers are carried; and
 - (c) follow the plan mentioned in paragraph (b); and
 - (d) make a written record of the information given to the operator under section 11(4); and
 - (e) keep the record for at least 5 years.

[s 23]

23 Compliance with relevant vehicle standards

- (1) An operator of a relevant service must ensure that each vehicle providing the service complies with the relevant vehicle standards for the vehicle.
- (2) In this section—
relevant vehicle standards, for a vehicle, means the following to the extent that they apply to the vehicle—
 - (a) the heavy vehicle standards under the Heavy Vehicle National Law (Queensland);
 - (b) the requirements stated in the vehicle standards regulation, section 5.

24 Compliance with vehicle standards regulation, s 25

An operator of a relevant service must ensure that the owner of each vehicle providing the service complies with the requirements for the vehicle stated in the vehicle standards regulation, section 25.

25 Design and construction of bus manufactured before 20 May 1992

An operator of a relevant service must ensure that a bus manufactured before 20 May 1992 used to provide the service complies with the Code of Practice ‘Omnibus Licensing Evaluation S6’.

Note—

- 1 The Code of Practice ‘Omnibus Licensing Evaluation S6’ forms part of the NHVR Code of Practice for the Approval of Heavy Vehicle Modifications and is available on the National Heavy Vehicle Regulator’s website. At the commencement of this note the website was <www.nhvr.gov.au>.
- 2 At the commencement of this note, the code was prescribed under the Heavy Vehicle (Vehicle Standards) National Regulation, section 12.

26 Seating

- (1) An operator of a relevant service must take reasonable steps to ensure that no more than 1 passenger sits in any adult seat in a vehicle used to provide the service.
- (2) However, if the vehicle is a bus, 3 primary school or pre-school children may sit in a bench type bus seat designed for 2 adults if—
 - (a) either—
 - (i) the seat is not fitted with any seat belts or approved child restraints; or
 - (ii) the seat is fitted with either a seatbelt or an approved child restraint for each of the 3 children; and
 - (b) the placement and construction of the seat allows the children to sit in the seat; and
 - (c) no child sits in the seat for more than a total of 90 minutes while any 2 other children sit in the seat.
- (3) Also, an infant passenger may occupy the same seat as another passenger if—
 - (a) the vehicle is a bus; or
 - (b) the vehicle is a taxi and the infant passenger does so in circumstances that do not contravene the Queensland Road Rules.

Note—

See the Queensland Road Rules, sections 266 (Wearing of seatbelts by passengers under 16 years old) and 267 (Exemptions from wearing seatbelts).

27 Type and age of vehicles etc.

- (1) An operator of a relevant service may only use a vehicle to provide the service if the vehicle is of a type and age suitable to provide the service.
- (2) The operator is taken to comply with subsection (1) if—

[s 28]

- (a) the vehicle complies with the requirements for the vehicle, if any, stated in schedule 1; and
- (b) if the Heavy Vehicle (Vehicle Standards) National Regulation, schedule 2, part 6, division 16 (the *division*) applies to the vehicle—either of the following applies—
 - (i) the vehicle complies with the requirements for the vehicle, if any, stated in the division;
 - (ii) if the vehicle does not comply with a requirement mentioned in subparagraph (i)—the vehicle is the subject of a vehicle standards exemption under the Heavy Vehicle National Law (Queensland), granted for the requirement.
- (3) Also, an operator of a relevant service must comply with the obligations that apply in relation to the vehicle under schedule 1, sections 8(2), 9(2), 10, 29(3), 30(1), (3) and (7), 31, 32(2), (3) and (4), 33(1) and 34(2).

28 Compulsory third party insurance

An operator of a relevant service must not operate, or allow someone else to operate, a vehicle providing the service unless the insurance requirements under the *Motor Accident Insurance Act 1994* for the vehicle have been complied with.

29 Maintenance of vehicles

- (1) An operator of a relevant service must have and comply with a documented maintenance program for each vehicle providing the service.
- (2) The program must provide—
 - (a) for the servicing and other maintenance of the vehicle to a standard that complies with, or exceeds, the servicing and maintenance program specified by the vehicle's manufacturer; and
 - (b) for a daily pre-trip inspection of the vehicle, to a standard appropriate to an experienced driver of that

general type of vehicle, to identify defects in the vehicle that may endanger public safety or substantially reduce passenger comfort; and

- (c) a system to ensure—
 - (i) defects in the vehicle that come to the notice of the driver or anyone else involved in providing the service are reported to the operator and recorded; and
 - (ii) the vehicle is not returned to service until a reported defect that may endanger public safety has been fixed; and
 - (iii) reported defects in the vehicle that substantially reduce passenger comfort are fixed within a reasonable time; and
 - (iv) action taken to fix defects in the vehicle is recorded.
- (3) An operator of a relevant service must keep a record of all servicing or other maintenance, including a record of the daily pre-trip inspection, on each vehicle used to provide the service.
- (4) Subsection (3) applies to all maintenance, whether or not performed under the program.

30 Vehicles to be maintained in clean, tidy and comfortable condition etc.

- (1) This section applies to an operator of a relevant service that is a general route service, school service, taxi service or limousine service.
- (2) The operator must take reasonable steps to ensure that each vehicle providing the service—
 - (a) complies with any requirements for the vehicle stated in schedule 3, part 1; and
 - (b) is maintained in a clean, tidy and reasonably comfortable condition.

[s 31]

- (3) The operator is taken to comply with subsection (2)(b) if the vehicle is maintained in the way stated in schedule 3, part 2.

31 Customer service

- (1) An operator of a relevant service that is a taxi service or a service providing scheduled services must take reasonable steps to ensure the operator's drivers are competent in providing customer service.
- (2) Without limiting subsection (1), an operator of a relevant service providing scheduled services must take reasonable steps to ensure drivers are aware of the timetables and routes for the services.

32 Access to information about services provided

- (1) This section applies to an operator of a relevant service that is—
 - (a) a general route service or school service; or
 - (b) a taxi service, if bookings for the service are not taken by a service for the administration of taxi services.
- (2) The operator must provide the public with a convenient way of obtaining information about the general route service, school service or taxi service.

Example—

ensuring information about the service is obtainable by telephone during appropriate hours

33 Timetable for school service

- (1) An operator of a relevant service that is a school service must ensure there is a current timetable for the service.
- (2) If the service has 1 or more places for picking up, or setting down, passengers (*designated transport points*)—
 - (a) each designated transport point must be stated in the timetable; or

- (b) the operator must ensure each designated transport point is stated in another document conveniently available to passengers of the service.

34 Obligations in relation to incident management plan and incident report

- (1) An operator of a relevant service must—
 - (a) have an incident management plan; and
 - (b) comply with the plan; and
 - (c) ensure there is, in each relevant vehicle, a copy of the parts of the plan relevant to the driver of the relevant vehicle.
- (2) An operator of a relevant service must ensure an incident report about an incident is filled in within 24 hours after the incident happens.
- (3) The operator must keep each incident report.

35 Requirements of incident management plan

An incident management plan must—

- (a) be in writing; and
- (b) set out procedures to be followed by the operator of a relevant service and employees of the operator, including the driver of a relevant vehicle, if an incident happens; and
- (c) state that, if an incident happens, a driver of a relevant vehicle must tell the operator of the relevant service and passengers in the relevant vehicle about the matters mentioned in section 13(3); and
- (d) state that, if an incident happens and the relevant service is a school service, the operator of the relevant service must, as soon as reasonably practicable—
 - (i) tell the school about the matters mentioned in section 13(3); or

[s 36]

- (ii) if the school is unattended and the operator of the relevant service has reasonable access to the contact details of a parent of a student who is a passenger on the school service—tell the parent about the matters mentioned in section 13(3).

36 Requirements of incident report

- (1) An incident report must—
 - (a) be in writing; and
 - (b) describe the incident by including all of the following—
 - (i) the date, time and location of the incident;
 - (ii) the type of incident;
 - (iii) if the operator is able to ascertain whether a passenger involved in the incident was standing or seated—whether the passenger was standing or seated;
 - (iv) whether a relevant vehicle involved in the incident was moving or stationary at the time of the incident;
 - (v) the estimated number of persons involved, injured or killed in the incident;
 - (vi) if a person was injured in the incident—the apparent nature and extent of the person’s injuries;
 - (vii) if a relevant vehicle was damaged in the incident—the apparent nature and extent of the damage to the relevant vehicle;
 - (viii) if help was required because of the incident—the nature of the help;

Example of help—

attendance of an ambulance, fire brigade, police officer or mechanic

- (ix) if a person mentioned in the incident management plan was told about the incident—the person’s

name, the capacity in which the person was told about the incident and the date and time the person was told about the incident; and

- (c) describe the course of action taken in response to the incident, including the course of action taken to comply with the procedures mentioned in section 35(c) and (d); and
 - (d) outline any measures that could be taken to prevent a similar incident from happening in the future; and
 - (e) state all of the following—
 - (i) the operator's name and operator accreditation number;
 - (ii) the relevant vehicle's certificate of inspection number;
 - (iii) the name and driver authorisation number of the relevant vehicle's driver;
 - (iv) the registration number assigned to the relevant vehicle under the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010*, section 29(a).
- (2) In this section—

certificate of inspection number means a unique identifying number for a certificate of inspection issued under the vehicle standards regulation.

driver authorisation number means a unique identifying number for a driver authorisation, other than a restricted driver authorisation, granted under the passenger transport regulation, part 3.

operator accreditation number means a unique identifying number for an operator accreditation granted under the passenger transport regulation, part 2.

[s 37]

37 Review of incident management plan

- (1) An operator of a relevant service must review an incident management plan at least once each year.
- (2) The chief executive may, at any time, direct an operator of a relevant service to review the operator's current incident management plan.
- (3) The operator must comply with a direction under subsection (2).
- (4) If, in a year, the chief executive gives a direction under subsection (2), the operator need not conduct a further review of the plan in the year.
- (5) If an incident report includes measures mentioned in section 36(1)(d), the operator must ensure information about the measures are included in the plan when the plan is next reviewed.

38 When ss 34–37 do not apply to operators of taxi services

Sections 34 to 37 do not apply to an operator of a taxi service if a service for the administration of taxi services takes bookings for the taxi service under a service contract.

39 Reliability of service

An operator of a relevant service that is a general route service or a school service must provide the service in accordance with the operator's advertised schedules unless—

- (a) the operator is prevented from doing so by an unforeseeable circumstance; or

Examples of an unforeseeable circumstance—

- an incident
- an accident, whether or not involving the vehicle providing the public passenger service
- flooding or storm damage

Example of a foreseeable circumstance—

traffic volume

- (b) the schedules, and services under the schedules, are not realistically achievable.

40 What must be shown on vehicle

An operator of a relevant service that is a general route service must ensure that each vehicle providing the service—

- (a) is readily identifiable as belonging to the service; and
- (b) displays a conspicuous destination sign.

41 Complaints

- (1) An operator of a relevant service must—
 - (a) ensure a complaint about the service, whether or not it is about conduct by the operator or a driver, is recorded; and
 - (b) promptly investigate the complaint; and
 - (c) ensure action, if any, taken in response to the complaint is recorded.
- (2) This section does not apply to an operator of a taxi service if a service for the administration of taxi services takes bookings for the taxi service under a service contract.

42 Compliance with code of conduct

If a school child is travelling on a bus providing a relevant service, the operator of the service must comply with the code of conduct.

[s 43]

Part 5 Repeal

43 Repeal of Transport Operations (Passenger Transport) Standard 2000

The Transport Operations (Passenger Transport) Standard 2000, SL No. 61 is repealed.

Part 6 Transitional provisions

44 Warning signs and warning lights fitted to school bus immediately before 1 October 1999

Schedule 1, section 19(1) does not apply to a relevant vehicle that is a school bus if—

- (a) immediately before 1 October 1999, the bus complied with the *Traffic Regulation 1962*, schedule 1, section 18B as it was then in force; and
- (b) the bus continues to comply with that section as if it were still in force.

45 5-year service life extension

- (1) This section applies if, immediately before the commencement, an operator of a relevant service that uses a heavy bus to provide the service has started an application to obtain a 5-year service life extension under repealed schedule 2, part 1.
- (2) Repealed schedule 2, part 1 continues to apply as if it had not been repealed for the purpose of obtaining the 5-year service life extension.
- (3) In this section—
commencement means the commencement of this section.

repealed schedule 2, part 1 means schedule 2, part 1 of the *Transport Operations (Passenger Transport) Standard 2000* as in force immediately before its repeal.

46 Transitional provision for Transport Operations (Passenger Transport) Amendment Standard (No. 1) 2011

- (1) This section applies if—
- (a) an operator of a relevant service that uses a heavy bus to provide the service has applied for a 5-year service life extension for that vehicle under former schedule 2, part 1; and
 - (b) immediately before the commencement, the application had not been decided.
- (2) Former schedule 2, part 1 continues to apply to the application as if it had not been amended by the *Transport Operations (Passenger Transport) Amendment Standard (No. 1) 2011*.

- (3) In this section—

commencement means the commencement of this section.

former schedule 2, part 1 means schedule 2, part 1 as in force immediately before the commencement.

Schedule 1 Vehicle requirements and operator's obligations

section 27

Part 1 Preliminary

1 Purpose of sch 1

This schedule states the following—

- (a) the requirements, under section 27(2) of this standard, for a vehicle used to provide a relevant service;
- (b) the obligations, under section 27(3) of this standard, for an operator of a relevant service.

2 Meaning of *prescribed vehicle*

A *prescribed vehicle* is a relevant vehicle that is—

- (a) a bus; or
- (b) a forward-control passenger vehicle; or
- (c) an off-road passenger vehicle.

3 Meaning of particular classifications of prescribed vehicles

- (1) A prescribed vehicle is an *open classification vehicle* if it operates over an unlimited distance.
- (2) A prescribed vehicle is a *regional classification vehicle* if it operates within a radius of 350km from the first passenger pick-up point.
- (3) A prescribed vehicle is a *local classification vehicle* if it operates—
 - (a) within a radius of 40km from the first passenger pick-up point; or

-
- (b) if the journey is entirely within a single or contiguous urban area—within a radius of more than 40km from the first passenger pick-up point.

Part 2

Maximum age, design and luggage

4 Maximum age

- (1) A prescribed vehicle used for providing a relevant service must not be older than the maximum age for the vehicle stated in subsection (2), unless—
 - (a) the service life of the vehicle has been extended under schedule 2; and
 - (b) the extension has not ended.
- (2) For subsection (1), the maximum age is—
 - (a) for a heavy bus that is—
 - (i) an open classification vehicle—
 - (A) if the vehicle was manufactured on or after 1 January 1990 and is a vehicle for which the chief executive has granted a 5-year service life extension under former schedule 2, part 1—30 years; or
 - (B) if the vehicle was manufactured on or after 1 January 1995 and is a vehicle for which the chief executive has not granted a 5-year service life extension under former schedule 2, part 1—25 years; or
 - (C) otherwise—15 years; or
 - (ii) a regional classification vehicle—25 years; or
 - (iii) a local classification vehicle—25 years; or
 - (b) for a light bus that is—

Schedule 1

- (i) an open classification vehicle—10 years; or
 - (ii) a regional classification vehicle—20 years; or
 - (iii) a local classification vehicle—20 years; or
- (c) for a forward-control passenger vehicle or off-road vehicle that is—
- (i) an open classification vehicle—10 years; or
 - (ii) a regional classification vehicle—10 years; or
 - (iii) a local classification vehicle—10 years.
- (3) However, a prescribed vehicle that is both a light bus and a regional classification vehicle or local classification vehicle must be less than 15 years old when first introduced into service by the current operator of the service.
- (4) In this section—

former schedule 2, part 1 means schedule 2, part 1 as in force immediately before the commencement of the *Transport Operations (Passenger Transport) Amendment Standard (No. 1) 2011*.

5 Working out age of vehicles

- (1) For this schedule and schedule 2—
- (a) the age of a vehicle is worked out starting on the following date (*starting date*)—
 - (i) if the date of first registration of the vehicle in Queensland or elsewhere is available—that date;
 - (ii) if the date of first registration is not available and a dated receipt for the first or only sale of the vehicle is available—the date of the receipt;
 - (iii) if neither of the dates mentioned in subparagraph (i) or (ii) is available—the date of manufacture of the vehicle’s original body;
 - (iv) if none of the dates mentioned in subparagraph (i), (ii) or (iii) is available—the date of manufacture of the vehicle’s original chassis; and

- (b) a vehicle is an age in years at the beginning of the anniversary, for the age, of the starting date.
- (2) Subsection (1)(a) applies subject to schedule 2, section 10(4).

6 Requirements about design generally

- (1) Subject to subsection (2), a bus must comply with the following ADRs as in force when the bus was manufactured—
 - (a) if it is an open classification vehicle—the ADRs applying to a non-route service bus with high-back seats;
 - (b) if it is a regional classification vehicle—the ADRs applying to a non-route service bus with high-back seats or low-back seats;
 - (c) if it is a local classification vehicle—the ADRs applying to a route service bus.
- (2) If the bus is used in the wilderness, it must comply with the ADRs applying to a non-route service bus that were in force when the bus was manufactured.
- (3) The seating of the bus must be—
 - (a) if it is an open classification vehicle—forward or rearward facing, coach-style, high-back seats; or
 - (b) if it is a regional classification vehicle or local classification vehicle—forward, rearward or side facing seats.
- (4) The brakes of the bus must be a dual circuit system.
- (5) If the bus is a regional classification vehicle and has side facing seats, the seats must be fitted with lap seatbelts complying with ADR 4/00 and ADR 5/00.

7 Requirements about design—prescribed vehicle used in the wilderness

- (1) This section applies to a prescribed vehicle used in the wilderness.

Schedule 1

- (2) The vehicle must be designed so that its occupants are protected from overhanging foliage and inclement weather.
- (3) The driver and front passenger seating positions of the vehicle must have full windscreen protection.
- (4) The vehicle must have adequate roll-over protection for all of its occupants.
- (5) All seats in the vehicle must be forward facing.

8 Luggage—open classification vehicle or regional classification vehicle

- (1) This section applies if an operator of a relevant service uses an open classification vehicle or regional classification vehicle to provide the service.
- (2) The operator must not use the vehicle to carry or haul luggage, unless the luggage is—
 - (a) in a separate luggage compartment or a luggage trailer; or
 - (b) a passenger's light hand luggage or luggage stowed in an overhead locker or overhead luggage rack.

9 Luggage—local classification vehicle

- (1) This section applies if an operator of a relevant service uses a local classification vehicle not fitted with a luggage compartment to provide the service.
- (2) The operator must not use the vehicle to carry or haul luggage unless—
 - (a) the luggage is carried in a trailer; or
 - (b) the operator—
 - (i) carries the luggage only in a preselected seating area forward of the passengers; and
 - (ii) secures the luggage with suitable tie downs or cargo nets.

10 Luggage in prescribed vehicle that is a bus not to impede exit

An operator of a relevant service who uses a prescribed vehicle that is a bus to provide the service must not carry luggage in an aisle, or in another section of the bus, where it will impede passenger exit through doors or emergency exits.

Part 3 Bus padding**11 Purpose of pt 3**

The purpose of this part is to ensure padding is fitted to each hard surface, in a relevant vehicle that is a bus, that is likely to be struck by the head of a seated passenger if the bus is involved in a frontal collision.

12 Application of pt 3

This part applies to each of the following—

- (a) a bus that is a regional classification vehicle;
- (b) a bus that is a local classification vehicle and was introduced into service in Queensland after 31 December 1996;
- (c) a school bus that—
 - (i) was introduced into service in Queensland after 31 December 1996; or
 - (ii) is a light bus and was less than 18 years old as at 5 July 2005; or
 - (iii) is a heavy bus and was less than 23 years old as at 5 July 2005.

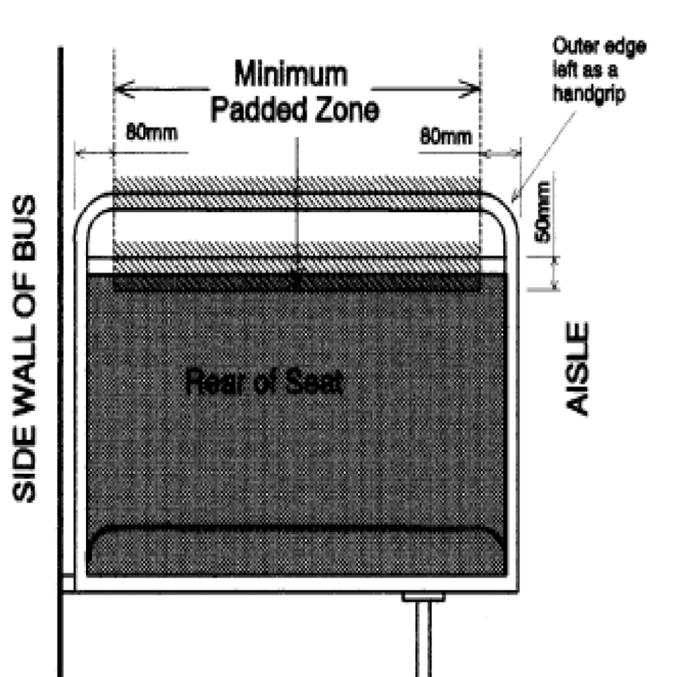
Note—

See section 5 for how to work out the age of a relevant vehicle.

13 Definition for pt 3

In this part—

minimum padded zone means the minimum padded zone shown in the following figure—



14 Tops of seats

- (1) If the top face or the rear face of the seat of the bus is a hard surface, padding must be fitted to the face.

Example of when padding need not be fitted under this subsection—

Typically, coach-style, high-back seats that have foam-backed upholstery or moulded foam coverings do not have hard surfaces and so do not require padding to be fitted under this subsection.

- (2) The padding of the rear face of the seat must extend at least 50mm down the back of the seat from the top face of the seat.
- (3) The top face and the upper 50mm of the rear face of the seat must be padded at least across the minimum padded zone to within—

- (a) 80mm of the outside edge of the seat; and
- (b) 80mm of the aisle side of the seat.

15 Handrails

- (1) An exposed handrail directly in front of a seat of the bus must be padded at least on the top, rear and front faces of the handrail at least across the minimum padded zone to within—
 - (a) 80mm of the outside edge of the seat; and
 - (b) 80mm of the aisle side of the seat.

Note—

This allows for the handrail at the aisle to be retained as a handgrip—see the figure in section 13.

- (2) However, handrails with a bend may be padded up to the start of the bend if the padding—
 - (a) is not more than 120mm or not less than 80mm from the outside edge of the seat; or
 - (b) is not more than 120mm or not less than 80mm from the aisle side of the seat.

16 Partitions

- (1) Partitions directly in front of a seat of the bus must be padded so that the top face and the upper 50mm of the rear face of the partition are padded at least across the minimum padded zone.
- (2) If the aisle side of the partition has a bend, the bend need not be padded.

17 Padding materials and fastening

- (1) The padding must be—
 - (a) semi-rigid moulded polyurethane, self-skinning rigid moulded polyurethane, closed-cell polyethylene foam or closed-cell EVA foam that—
 - (i) is at least 25mm, but not more than 30mm, thick; and

- (ii) has a density of at least 270kg/m³, but not more than 300kg/m³; or
 - (b) a material that is of a thickness and density that gives at least the same level of protection as is given under paragraph (a).
- (2) The padding must be securely fastened to the seat, handrail or partition with fastenings that are protected to ensure they do not cause injury.

18 Fittings on the back of a seat or partition

Each fitting, on the back of a seat or partition of the bus, that is outside the minimum padded zone must not be likely to cause injury to a passenger from an impact from a frontal collision.

Part 4 Warning signs and lights to be fitted to school bus

18A Application of pt 4

This part does not apply to a heavy vehicle to which the Heavy Vehicle (Vehicle Standards) National Regulation, schedule 2, part 6, division 16 applies.

19 School bus to be fitted with warning signs and warning lights

- (1) A relevant vehicle that is a school bus must be fitted with—
 - (a) warning signs complying with sections 20 and 21; and
 - (b) warning lights complying with sections 22 to 24.

Note—

For the use of, and prohibition on driving without, the warning lights and warning signs see the Queensland Road Rules, sections 222 and 222A.

-
- (2) The warning signs may be fitted permanently to the bus or to a backing that allows them to be detached or folded.

20 Number and location of warning signs

- (1) The bus must have 2 warning signs—
- (a) 1 of which is fitted at the front, and the other of which is fitted at the rear of the bus on the inside or outside of the bus; and
 - (b) each of which is visible from outside the bus.
- (2) However, a warning sign may be fitted on the inside of the bus only if the sign is as visible as, and is the same colour as, and is not significantly dimmer than it would be if it were fitted on the outside of the bus at the front or rear of the bus.

Example—

a warning sign fitted behind a clear back window

- (3) Also, the warning sign must not be fitted where it obscures the driver's vision or hinders the use of an emergency exit.

21 Content, size, shape and material of warning signs

- (1) A warning sign on the front of the bus must display—
- (a) the words 'school bus' in capital letters at least 100mm high in the vertical plane; or
 - (b) the required image.
- (2) A warning sign on the rear of the bus must display the required image.
- (3) A warning sign displaying the required image must—
- (a) be rectangular; and
 - (b) either—
 - (i) if any of the warning lights are on the warning sign—be at least 550mm wide and 400mm high in the vertical plane; or

- (ii) otherwise—be at least 400mm wide and 250mm high in the vertical plane; and
 - (c) have a black border; and
 - (d) have black graphics; and
 - (e) be coated, other than over the border or graphics, with retroreflective material that—
 - (i) is yellow; and
 - (ii) is of class 1 or 2 as described in AS 1906; and
 - (iii) complies with AS 1906.
- (4) The minimum height under subsection (3)(b) of a warning sign is based on the sign being mounted vertically.
- (5) However, a warning sign may be lower than the minimum height in the vertical plane if—
 - (a) either—
 - (i) if any of the warning lights are on the warning sign—the warning light is at least 400mm high measured from its top to its bottom; or
 - (ii) otherwise—the warning light is at least 250mm high measured from its top to its bottom; and
 - (b) the warning light is mounted on a surface that is not more than 15° from the vertical.
- (6) If the surface of the bus at a place where a warning sign may be fitted is more than 15° from the vertical, a warning sign may be fitted at the place if—
 - (a) the warning sign complies with subsection (5)(a); and
 - (b) the warning sign is mounted on a separate surface so that the sign can stand vertically or otherwise stand at not more than 15° from the vertical.
- (7) Also, a warning sign may be fitted flush to a surface of the bus, at a place where a warning sign may be fitted, that is more than 15° from the vertical if the sign is made tall enough to achieve the minimum vertical height.
- (8) In this section—

required image means an image of 2 children in the same proportions as the children in AS 1743, image W6-3, with the image of the taller child at least 230mm high.

22 Number and location of warning lights

- (1) The bus must have a pair of warning lights—
 - (a) 1 of which is fitted at the front, and the other of which is fitted at the rear of the bus on the inside or outside of the bus; and
 - (b) each of which is visible from outside the bus.
- (2) However, a warning light may be fitted on the inside of the bus only if the light from the warning light is the same colour as, and not significantly dimmer than, it would be if the warning light were fitted on the outside of the front or the rear of the bus.

Example—

a warning light fitted behind a clear windscreen

- (3) Also, a warning light must not be fitted where it obscures the driver's vision or hinders the use of an emergency exit.
- (4) A warning light must be fitted—
 - (a) on the left and right side of, and the same distance from, the centre of the warning sign that is on the same end of the bus as the warning light; and
 - (b) so the warning lights are at least 300mm apart; and
 - (c) so no part of the bus, including parked or operating windscreen wipers, obstructs the light displayed by the warning light—
 - (i) within an arc, in the horizontal plane, from 30° to the left to 30° to the right of the centre of the warning light; or
 - (ii) within an arc, in the vertical plane, from 10° above to 10° below the centre of the warning light; and

- (d) so the lens of the warning light is not over 100mm from the warning sign that is on the same end of the bus as the warning light.
- (5) However, a warning light on an end of the bus may be on the warning sign that is on the same end of the bus if the words or image on the sign are not obscured.
- (6) Warning lights on the same end of the bus must be fitted—
 - (a) at the same height; and
 - (b) as high as practicable; and
 - (c) so no part of the lens of each light is lower than midway between the highest and lowest points on the body of the bus at that end of the bus.
- (7) If the centres of warning lights on the same end of the bus are less than 1.8m above ground level, no part of the warning lights or warning sign on that end of the bus may be on the left side of the bus.

23 Lens and light of warning lights

Each warning light must—

- (a) have a lens with an effective lit lens area of at least 60cm²; and
- (b) emit a yellow light that has been tested under the test procedure stated in ADR 6/00 and found to have a luminous intensity of at least the amounts mentioned in the following table when measured at the angles mentioned in the table; and

Note—

Indicator lights complying with ADR 6/00 are unsuitable for use as warning lights because the luminous intensity levels in the table are much brighter than the level required for an indicator light to comply with ADR 6/00.

- (c) emit about the same amount of light as the other warning light of the pair; and
- (d) be aimed so the beam from the light is focused—

- (i) parallel to the road; and
 - (ii) parallel to the longitudinal centre line of the bus; and
- (e) be built and adjusted so it can not dazzle the driver of another vehicle.

Table

Luminous intensity of warning light, in candela									
vertical axis	horizontal axis								
	-30°	-20°	-10°	-5°	0°	5°	10°	20°	30°
10°				50	80	50			
5°		180	320	350	450	350	320	180	
0°	75	450	1 000	1 250	1 500	1 250	1 000	450	75
-5°	40	270	450	570	600	570	450	270	40
-10°				75	75	75			

24 Operation of warning lights

- (1) The bus must—
- (a) have a visible or audible signal that tells the driver of the bus when the warning lights are on; and
 - (b) be fitted with a switch that allows the driver, from the driver's normal driving position, to turn on, or turn off, simultaneously all warning lights fitted to the bus.
- (2) When the warning lights are operating—
- (a) the warning lights on the same end of the bus must flash alternately; and
 - (b) the warning lights must emit regular flashes of light at a rate of at least 90, and not over 180, flashes a minute.
- (3) The warning lights must operate automatically when a door on the bus opens and continue to operate—
- (a) while a door is open; and

- (b) for at least 10 seconds, but not more than 20 seconds, after all doors of the bus have closed.

Note—

For further requirements about the operation of warning lights, see the Queensland Road Rules, section 222A (Use of warning lights—picking up or setting down school children).

25 Non-school bus—optional warning signs or warning lights for school students

- (1) A relevant vehicle that is a bus, other than a school bus, may be fitted with—
 - (a) school student warning signs if the warning signs comply with sections 20 and 21; or
 - (b) school student warning lights if the warning lights comply with sections 22 to 24.
- (2) In this section—

school student warning lights means lights to warn passing motorists of the possibility of school students in the area of the bus.

school student warning sign means a sign to warn passing motorists of the possibility of school students in the area of the bus.

Part 5 Buses carrying school students on a no standing passenger road

26 Application of pt 5

This part applies to a relevant vehicle that is a bus if the bus—

- (a) is travelling on a no standing passenger road; and

- (b) is carrying school students on a general route service, or school service, on a journey that is, or is part of, a journey to or from a school.

27 Light bus built to carry not more than 16 passengers and used to provide a school service

- (1) This section applies if the bus—
 - (a) is a light bus built to carry not more than 16 passengers, whether seated or standing, not including the driver and crew; and
 - (b) is being used to provide a school service.
- (2) Each passenger seat fitted to the bus must comply with ADR 68/00.

28 Light bus built to carry more than 16 passengers

- (1) This section applies if the bus is a light bus built to carry more than 16 passengers, whether seated or standing, not including the driver and crew.
- (2) The bus must—
 - (a) comply with ADR 59/00; and
 - (b) be fitted with an exhaust brake.
- (3) If the bus is being used to provide a school service, each passenger seat fitted to the bus must comply with ADR 68/00.
- (4) The operator of the service must ensure the driver of the bus is trained in the use of the exhaust brake.

29 Heavy bus

- (1) If the bus is a heavy bus, it must—
 - (a) be a single-decked bus; and
 - (b) comply with ADR 59/00; and
 - (c) be fitted with a power-train retarder.

- (2) If the bus is being used to provide a school service, each passenger seat fitted to the bus must comply with ADR 68/00.
- (3) The operator of the service must ensure the driver of the bus is trained in the use of the power-train retarder.

Part 6

Structural inspection and repair of buses

30 Inspection of heavy buses

- (1) An operator of a relevant service that uses a heavy bus to provide the service must, when the bus is 20 years old but before it is 21 years old, have a prescribed inspection entity inspect the body framework of the bus for signs of weakening caused by rust or incorrect repair.

Note—

See section 5 for how to work out the age of a heavy bus.

- (2) Subsection (3) applies if an operator of a relevant service wants to introduce a heavy bus that is at least 21 years old into service in Queensland.
- (3) Before introducing the bus into service in Queensland, the operator must have a prescribed inspection entity inspect the body framework of the bus for signs of weakening caused by rust or incorrect repair.
- (4) Subsection (1) does not apply if—
 - (a) a prescribed inspection entity inspected the body framework of the bus—
 - (i) when the bus was 19 years old but before it was 20 years old; and
 - (ii) within the last 50000km travelled by the bus; and
 - (b) the inspection showed that the body framework was in a satisfactory structural condition.

- (5) Subsection (3) does not apply if—
 - (a) a prescribed inspection entity has inspected the body framework of the bus—
 - (i) within 1 year immediately before the operator introduces the bus into service in Queensland; and
 - (ii) within the last 50000km travelled by the bus; and
 - (b) the inspection shows that the body framework is in a satisfactory structural condition.
- (6) Subsections (1) to (3) do not apply if an age zero refurbishment service life extension has been obtained for the bus under schedule 2 and the extension is in force.
- (7) An operator of a relevant service that uses a heavy bus to provide the service must have a prescribed inspection entity inspect the body framework of the bus for signs of weakening caused by rust if the bus has substantial rust that may affect the structural integrity of the bus.

31 Repairs to bus structures

An operator of a relevant service that uses a bus to provide the service must ensure that a repair to the frame, bows or sheeting of the bus is performed by a qualified tradesperson in the trade to which the repair relates.

32 Inspection of structural repairs

- (1) This section applies if, because of corrosion or accident damage, it is necessary to carry out structural repairs to a bus used to provide a relevant service.
- (2) The operator of the service must have the repairs inspected by a prescribed inspection entity.
- (3) The operator must arrange with the prescribed inspection entity for the inspection before any painting of the frame or refitting of the body panels.

- (4) After the inspection, the operator must obtain a written statement by the prescribed inspection entity of the names and qualifications of the persons who performed the repairs.

Part 7 Maintenance record

33 Operator to keep maintenance record

- (1) An operator of a relevant service that uses a bus to provide the service must keep a written record of the maintenance done on the bus for at least 5 years after its last maintenance is done.
- (2) The record must include each statement obtained by the operator under section 32(4) for the bus.

34 Operator to obtain endorsement on maintenance record by prescribed inspection entity

- (1) This section applies if a prescribed inspection entity—
 - (a) under part 6, inspects a bus that is used to provide a relevant service; and
 - (b) considers the bus is in a satisfactory condition.
- (2) The operator of the relevant service must obtain from the prescribed inspection entity an endorsement on the maintenance record kept under section 33 that the bus has been inspected and is in a satisfactory condition.
- (3) The endorsement must be signed and dated by the prescribed inspection entity.

Schedule 2 Heavy bus service life extensions

schedule 1, section 4

Part 1 5-year service life extension

1 How to obtain a 5-year service life extension

- (1) An operator of a relevant service that uses a heavy bus to provide the service may obtain a 5-year service life extension for the bus if sections 2 to 9 and part 3 are complied with for the bus.
- (2) Sections 2 to 8, 14(1) and 16 are taken to have been complied with for the bus if the operator shows the chief executive—
 - (a) a certificate from a prescribed inspection entity, in relation to the 5-year service life extension being sought by the operator, stating that on a particular day the prescribed inspection entity inspected the frame of the bus and found it to be in a satisfactory structural condition; and
 - (b) a certificate from a prescribed inspection entity, in relation to the 5-year service life extension being sought by the operator, stating that on a particular day the prescribed inspection entity inspected the bus and it had no defect that would affect its safe use on the road.
- (3) If the operator satisfies the chief executive that sections 2 to 9 and part 3 have been complied with for the bus, the chief executive must, by written notice given to the operator—
 - (a) grant the 5-year service life extension; and
 - (b) state the date the 5-year service life extension is granted.
- (4) However, the chief executive may grant a 5-year service life extension for the bus only if—

Schedule 2

- (a) the bus is an open classification vehicle, regional classification vehicle or local classification vehicle that is at least 18 but not more than 25 years old; and
 - (b) a 5-year service life extension has not previously been granted for the bus under the Act.
- (5) If a 5-year service life extension is granted for a bus, the maximum age of the bus under schedule 1, section 4(2) is extended by 5 years.

Examples—

- 1 If an open classification vehicle has a 5-year service life extension, it may continue to be used as an open classification vehicle until it is 30 years old or may be used as a regional classification vehicle or local classification vehicle until it is 30 years old.
- 2 If a regional classification vehicle has a 5-year service life extension, it may continue to be used as a regional classification vehicle until it is 30 years old.
- 3 If a local classification vehicle has a 5-year service life extension, it may continue to be used as a local classification vehicle until it is 30 years old.

2 ADRs

The bus must comply with the ADRs that applied to the bus when it was 5 years old, other than ADRs for the control of exhaust emissions.

3 Body

- (1) The body of the bus must be in good structural condition.
- (2) A full panel removal and body framework inspection must be performed if—
 - (a) the body of the bus shows signs of structural damage, or signs of corrosion of the frame, for example, rust stains, loose rivets or loose or rusted panels; or
 - (b) the bus has not been inspected under schedule 1, section 30, and found to be satisfactory, within the last 5 years.

- (3) Interior trim material of the bus must be in good serviceable condition and not be damaged.
- (4) If the bus is a regional classification vehicle, any side facing seats must be replaced with forward or rearward facing seats.
- (5) Seats, partitions and exposed handrails of the bus must be padded if required under schedule 1, part 3.
- (6) Floor coverings of the bus that are damaged or not non-slip must be replaced with suitable non-slip floor coverings.
- (7) Windows and window sealing must be in good condition.
- (8) Paintwork must be in good condition.

4 Chassis and suspension

All components of the chassis or suspension of the bus must be cleaned, inspected, and crack tested if necessary to ensure they are rust-free, structurally sound and within safe service wear limits.

5 Steering

- (1) Power steering components of the bus must be free of leaks.
- (2) Cracked or oil-affected hydraulic hoses of power steering components must be replaced.
- (3) Stub axles and steering arms, including pitman arms and drag links—
 - (a) must be crack tested; and
 - (b) must be replaced if they are defective; and
 - (c) must not be repaired using a heating or welding process.

6 Brakes

- (1) The braking system of the bus must be fully refurbished, including replacement of flexible air or hydraulic lines, valve seals and diaphragms.

Schedule 2

- (2) All replacement braking system components must comply with the Heavy Vehicle (Vehicle Standards) National Regulation, schedule 2, section 84(2).
- (3) The parking brakes of the bus must be tested to ensure they comply with the Heavy Vehicle (Vehicle Standards) National Regulation, schedule 2, section 87(5).

7 Electrical components

- (1) Electrical fittings, lights, reflectors, lenses and wiring of the bus must be in a serviceable condition.
- (2) Light or reflector lenses must be free of cracks, and have serviceable reflective surfaces.

Example—

Discoloured or cracked lenses must be replaced.

- (3) Electrical wiring and wiring conduit must be secure, shielded from the effects of excessive heat, and in a serviceable condition.
- (4) The voltage under load, with the engine running, at each lamp must not be more than 10% below the nominal voltage of the electrical system of the bus.

Example—

For a system with a nominal voltage of 12V, the voltage at each lamp must be at least 10.8V.

8 Engine and driveline

- (1) Each component of the engine or driveline of the bus must be inspected, and may require dismantling if necessary to ensure the component is reliable and mechanically sound, including the following—
 - (a) adequate engine power output;
 - (b) the engine and driveline are free of oil, water, air, vacuum and exhaust leaks;
 - (c) the engine and driveline are not excessively noisy;

- (d) when operated under load the engine does not emit visible smoke continuously for more than 10 seconds;
 - (e) each component of the transmission or driveline is free of oil leaks and excessive wear;
 - (f) the driveline is free of excessive backlash;
 - (g) rubber mounts and dampers are free of oil impregnation, cracking and deterioration.
- (2) Each axle hub assembly must be removed, dismantled, cleaned and inspected to ensure it is reliable and mechanically sound.
 - (3) Each hub oil seal or gasket must be replaced.
 - (4) Wheel bearings that are excessively worn must be replaced.

9 Certificate by prescribed inspection entity

The operator must obtain a certificate from a prescribed inspection entity stating that—

- (a) the body, chassis, suspension, steering and brake components of the bus are structurally sound and serviceable; and
- (b) the bus complies with the ADRs that applied to the bus when it was 5 years old, other than ADRs for the control of exhaust emissions.

Part 2 Age zero refurbishment service life extension

10 How to obtain an age zero refurbishment service life extension

- (1) An operator of a relevant service that uses a heavy bus to provide the service may obtain a service life extension for the

bus (an *age zero refurbishment service life extension*) if sections 11 to 13 and part 3 are complied with for the bus.

- (2) Sections 11, 12(1), (3), (4) and (5), 14(1) and 16 are taken to have been complied with for the bus if the operator shows the chief executive—
 - (a) a certificate from a prescribed inspection entity, in relation to the age zero refurbishment service life extension being sought by the operator, stating that on a particular day the prescribed inspection entity inspected the frame of the bus and found it to be in a satisfactory structural condition; and
 - (b) a certificate from a prescribed inspection entity, in relation to the age zero refurbishment service life extension being sought by the operator, stating that on a particular day the prescribed inspection entity inspected the bus and it had no defect that would affect its safe use on the road.
- (3) If the operator satisfies the chief executive that sections 11 to 13 and part 3 have been complied with for the bus, the chief executive must, by written notice given to the operator—
 - (a) grant the age zero refurbishment service life extension; and
 - (b) state the date the age zero refurbishment service life extension is granted.
- (4) If an age zero refurbishment service life extension is granted for a bus, the age of the bus is to be worked out starting on the day of the grant.

11 ADRs

The bus must—

- (a) if the operator intends the bus to be used as an open classification vehicle or regional classification vehicle—comply with the ADRs applying to a non-route service bus that are in force when the refurbishment of the bus for the extension is finished; or

- (b) if the operator intends the bus to be used as a local classification vehicle—comply with the ADRs applying to a service bus that are in force when the refurbishment of the bus for the extension is finished.

12 Body, brakes and mechanical or structural components

- (1) A new body, including all interior and exterior fittings and equipment must be fitted to the bus.
- (2) The operator must give a prescribed inspection entity written evidence verifying that all mechanical components, including the engine, gearbox, steering, suspension and axles, have been rebuilt, including the replacement of all gaskets, seals, bearings and wearing components.
- (3) Each structural component of the bus, for example, the chassis or spring hangers—
 - (a) must be dismantled, inspected and crack tested if necessary to ensure the component is structurally sound; and
 - (b) must then be replaced or refurbished if necessary to ensure the component is structurally sound.
- (4) The braking system of the bus must be fully rebuilt, including—
 - (a) replacement or refurbishment of all wearing components; and
 - (b) replacement of all flexible air or hydraulic lines, valve seals, diaphragms and springs.
- (5) Each component of the braking system must comply with the Heavy Vehicle (Vehicle Standards) National Regulation, schedule 2, section 84(2).

13 Certificate by prescribed inspection entity

The operator must obtain a certificate from a prescribed inspection entity stating that—

- (a) the body, chassis, suspension, steering and brake components of the bus are structurally sound, and serviceable; and
- (b) the bus complies with the ADRs required to be complied with under this standard for an age zero refurbishment service life extension for the bus.

Part 3

Further provisions applying to 5-year service life extensions and age zero refurbishment service life extensions

14 Inspection etc. of critical components

- (1) Each mechanical component and each structural component that is critical to the safety of the bus must be—
 - (a) inspected; and
 - (b) crack tested if necessary to ensure the component is mechanically or structurally sound.
- (2) An operator of a bus mentioned in part 1 or 2 must obtain a certificate by a prescribed inspection entity stating that each mechanical component and each structural component that is critical to the safety of the bus has been—
 - (a) inspected by the prescribed inspection entity; and
 - (b) crack tested if necessary to ensure the component is mechanically or structurally sound.

15 Previous refurbishment or replacement

- (1) If a vehicle system or component of a bus is required to be refurbished or replaced under this schedule for a 5-year service life extension or an age zero service life extension, the system or component need not be refurbished or replaced if it has been refurbished or replaced within—

-
- (a) 1 year immediately before the extension is obtained; and
 - (b) the last 50000km travelled by the bus.
- (2) However, written evidence of the replacement or refurbishment must be given to a prescribed inspection entity.

16 Rating of particular components of bus, and evaluation of bus, under code

- (1) An operator of a bus mentioned in part 1 or 2 must—
- (a) have an approved person perform a rating of particular components of the bus, and approve the rating, under section S4 or S5 of the code; and
 - (b) have an approved person perform an evaluation of the bus, and approve the evaluation, under section S6 of the code.
- (2) In this section—

code means the NHVR Code of Practice for the Approval of Heavy Vehicle Modifications.

Note—

- 1 The code is available on the National Heavy Vehicle Regulator's website. At the commencement of this definition the website was <www.nhvr.gov.au>.
- 2 At the commencement of this definition, the code was prescribed under the Heavy Vehicle (Vehicle Standards) National Regulation, section 12.

Schedule 3 Maintaining particular relevant vehicles in a clean, tidy and comfortable condition and other vehicle requirements

section 30

Part 1 Vehicle requirements

1 Vehicle requirements

- (1) This section states the requirements that a vehicle used to provide the following relevant service must comply with for section 30(2)(a)—
 - (a) a taxi service;
 - (b) a limousine service;
 - (c) a general route service, or school service, that uses a bus to provide the service.
- (2) Body panels must not be excessively dented.
- (3) Exterior paintwork must not be excessively scratched, dirty or discoloured, so as to detract from the vehicle's general appearance.
- (4) If the vehicle is a bus, any non-illuminated destination sign displayed on the bus must be clearly visible and legible.
- (5) If the vehicle is a taxi—
 - (a) the fare sticker must be fixed to the taxi; and
 - (b) the taximeter, if fitted, must be working; and
 - (c) the fleet number of the taxi must be clearly displayed in the interior and on the exterior of the taxi.

Part 2 **Way to maintain vehicle**

2 **Way to maintain vehicle**

Sections 3 to 5 state the way a vehicle used to provide the following relevant service must be maintained for section 30(3)—

- (a) a taxi service;
- (b) a limousine service;
- (c) a general route service, or school service, that uses a bus to provide the service.

3 **Seating**

- (1) Seat covers must not be torn or frayed and must be kept clean.
- (2) Seat springs must not be broken or sagging.
- (3) Seatbelt webbing must not be shabby or dirty.

4 **Interior appearance and fittings**

- (1) Interior trim panels must not be loose or missing and must be in good condition.
- (2) Interior trim must not be soiled or dusty so as to cause discomfort to a passenger or soil clothing.
- (3) The interior compartment must be free of odour.
- (4) Floor coverings must be clean and intact.
- (5) The luggage compartment must be clean and tidy.
- (6) If the vehicle is a bus—
 - (a) window adornments, for example, curtains, must be clean; and
 - (b) the disembark light must work; and
 - (c) interior safety padding must be in good condition; and

- (d) buzzers or bells for requesting the bus to stop must be in working order.
- (7) If the vehicle is a taxi—
 - (a) a safety screen, if fitted, must be clean and intact; and
 - (b) a cargo barrier, if fitted, must be clean and intact.

5 Windscreen

The windscreen must be clean.

Schedule 4 Dictionary

section 3

ADR means a national standard under the *Motor Vehicle Standards Act 1989* (Cwlth), section 7.

advisory speed sign means an official traffic sign installed under the *Transport Operations (Road Use Management) Act 1995* as a guide to the speed of vehicles.

approved child restraint means an approved child restraint under the Queensland Road Rules.

approved person means a person accredited as an approved person under the *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2005*.

code of conduct means a code of conduct approved by the chief executive under the passenger transport regulation, section 139.

corresponding licence, to an open licence, means a document corresponding to an open licence that is issued under a law of another State or a foreign country that provides for the same matter as the provision under which the open licence is issued.

defined urban area means—

- (a) the area of the City of Brisbane under the *City of Brisbane Act 2010*; or
- (b) an area for which a service contract is required under section 42 of the Act for the provision of road-based general route services that are not—
 - (i) school services only; or
 - (ii) services only for the carriage of eligible school students.

eligible school students see the passenger transport regulation, schedule 11.

exhaust brake means a device fitted into the exhaust system of a vehicle that when activated creates a back pressure during braking, using the retardant effect of the engine to slow the vehicle and act as a non-fade brake.

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

heavy bus see the passenger transport regulation, schedule 11.

heavy vehicle means a heavy vehicle for the purposes of the Heavy Vehicle National Law (Queensland), as provided for in section 6 of that Law.

high-back seat, for a vehicle, means a seat having a height of 1m or more when measured from the vehicle floor, where the passenger's heels touch, to the top of the seat back, excluding any head restraint.

incident see section 4.

incident management plan, for part 4, see section 17.

incident report, for part 4, see section 17.

infant passenger means a passenger under 1 year old.

injured means injured in a way that requires immediate medical attention or hospitalisation.

light bus see the passenger transport regulation, schedule 11.

local classification vehicle has the meaning given by schedule 1, section 3(3).

long distance scheduled passenger service means a road-based general route service in which passengers are carried on an established route—

- (a) for an average distance of at least 40km; or
- (b) between non-adjointing service contract areas or routes.

low-back seat, for a vehicle, means a seat having a height of less than 1m when measured from the vehicle floor, where the passenger's heels touch, to the top of the seat back, excluding any head restraint.

non-route service bus means a bus that is not designed with spaces for standing passengers.

no standing passenger road means a road notified by the chief executive, by gazette notice, as a road on which a relevant vehicle that is a bus must not carry standing passengers.

open classification vehicle has the meaning given by schedule 1, section 3(1).

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

overloaded, for a vehicle, includes—

- (a) for a heavy vehicle—not complying with a mass requirement under the Heavy Vehicle National Law (Queensland); and
- (b) carrying more than the maximum number of passengers—
 - (i) for which the vehicle is designed; or
 - (ii) specified or recommended by the vehicle's manufacturer; and
- (c) carrying in the standing area of the vehicle more than the full complement of passengers for the area.

passenger transport regulation means the *Transport Operations (Passenger Transport) Regulation 2005*.

power-train retarder means a device, other than the service brake, fitted to a bus that—

- (a) can be turned on and off from the normal driving position of the driver of the bus by a switch fitted to the bus; and
- (b) when turned on—
 - (i) operates on the power-train of the bus; and
 - (ii) enables the driver of the bus to keep the speed of the bus, as controlled by the power-train retarder, or by the power-train retarder and minor braking using the service brake of the bus, at or under the

required speed if the bus is or were to be loaded to its GVM.

Examples of devices that operate on the power-train of a bus—

- driveline retarders, for example, hydraulic (hydrodynamic) retarders
- electromagnetic retarders, commonly known as eddy current brakes
- engine brakes, commonly known as jake brakes

prescribed inspection entity means—

- (a) an approved person; or
- (b) an authorised officer under the *Transport Operations (Road Use Management) Act 1995*, section 20, other than a police officer.

prescribed licence means—

- (a) an open licence, or a corresponding licence to an open licence; or
- (b) a restricted licence.

prescribed vehicle has the meaning given by schedule 1, section 2.

regional classification vehicle has the meaning given by schedule 1, section 3(2).

relevant service means a public passenger service for which operator accreditation is required.

relevant vehicle means a vehicle providing a public passenger service for which driver authorisation is required.

required speed means—

- (a) if there is an advisory speed sign installed on the road—the speed shown on the sign, from when the bus passes the sign until the bus reaches the end of the bend, steep descent or other hazard for which the sign is installed; or
- (b) otherwise—the speed limit applying to the driver under the Queensland Road Rules, section 20 for the length of road where the driver is driving.

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

route service bus means a bus designed with spaces for standing passengers.

school bus means a bus being used to provide a school service outside or partly outside a defined urban area, even though the bus may be used for other purposes at other times.

service brake, for a bus, means the foot-operated brake normally used to decelerate the bus.

tourist service means a pre-booked public passenger service operated in accordance with a publicly available itinerary to—

- (a) a common scenic or tourist attraction; or
- (b) if the service is not wholly within a service contract area or route—a major sporting or cultural event.

vehicle standards regulation means the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2010*.

wilderness see the *Nature Conservation Act 1992*, schedule.

Endnotes

1 Index to endnotes

		Page
2	Key	66
3	Table of reprints	66
4	List of legislation	67
5	List of annotations	68

2 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised version
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2012
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

3 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the *Reprints Act 1992* used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory

requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3003 9601 or email legislation.queries@oqpc.qld.gov.au.

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

Reprint No.	Amendments included	Effective	Notes
1	none	1 September 2010	
1A	2011 SL No. 285	9 December 2011	
1B	2012 SL No. 139	1 November 2012	
1C	2012 SL No. 218	1 January 2013	

Current as at	Amendments included	Notes
10 February 2014	2014 SL No. 8	

4 List of legislation

Regulatory impact statements

For subordinate legislation that has a regulatory impact statement, specific reference to the statement is included in this list.

Explanatory notes

All subordinate legislation made on or after 1 January 2011 has an explanatory note. For subordinate legislation made before 1 January 2011 that has an explanatory note, specific reference to the note is included in this list.

Transport Operations (Passenger Transport) Standard 2010 SL No. 224

made by the Governor in Council on 26 August 2000

notfd gaz 27 August 2010 pp 1520–4

ss 1–2 commenced on date of notification

remaining provisions commenced 1 September 2010 (see s 2)

exp 1 September 2020 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

Transport Operations (Passenger Transport) Amendment Standard (No. 1) 2011 SL No. 285

notfd gaz 9 December 2011 pp 729–35

commenced on date of notification

Transport Operations (Passenger Transport) Amendment Standard (No. 1) 2012 SL No. 139

notfd gaz 24 August 2012 pp 1065–6

ss 1–2 commenced on date of notification

Endnotes

remaining provisions commenced 1 November 2012 (see s 2)

Transport Operations (Passenger Transport) Amendment Standard (No. 2) 2012 SL No. 218

notfd gaz 30 November 2012 pp 444–6

ss 1–2 commenced on date of notification

remaining provisions commenced 1 January 2013 (see s 2)

Transport and Other Legislation Amendment Regulation (No. 1) 2014 SL No. 8 pts 1, 9

notfd <www.legislation.qld.gov.au> 3 February 2014

ss 1–2 commenced on date of notification

remaining provisions commenced 10 February 2014 on the commencement of the Transport and Other Legislation (Heavy Vehicle National Law) Amendment Act 2013, part 4 (see s 2)

5 List of annotations

Fatigue Management

s 10 amd 2014 SL No. 8 s 28

Compliance with Heavy Vehicle National Law (Queensland)

s 14A ins 2014 SL No. 8 s 29

Bus carrying school students on a no standing passenger road

s 16 amd 2012 SL No. 218 s 4

Compliance with relevant vehicle standards

s 23 sub 2014 SL No. 8 s 30

Design and construction of bus manufactured before 20 May 1992

s 25 amd 2011 SL No. 285 s 3; 2012 SL No. 139 s 4; 2014 SL No. 8 s 31

Type and age of vehicles etc.

s 27 amd 2014 SL No. 8 s 32

Transitional provision for Transport Operations (Passenger Transport) Amendment Standard (No. 1) 2011

s 46 ins 2011 SL No. 285 s 4

SCHEDULE 1—VEHICLE REQUIREMENTS AND OPERATOR'S OBLIGATIONS

Maximum age

s 4 amd 2011 SL No. 285 s 5(1)–(2)

Application of pt 4

s 18A ins 2014 SL No. 8 s 33

Inspection of heavy buses

s 30 amd 2011 SL No. 285 s 5(3)

SCHEDULE 2—HEAVY BUS SERVICE LIFE EXTENSIONS

How to obtain a 5-year service life extension

s 1 amd 2011 SL No. 285 s 6(1)–(2)

Brakes

s 6 amd 2014 SL No. 8 s 34(1)–(2)

Body, brakes and mechanical or structural components

s 12 amd 2011 SL No. 285 s 6(3); 2014 SL No. 8 s 34(3)

Rating of particular components of bus, and evaluation of bus, under code

s 16 amd 2012 SL No. 139 s 5; 2014 SL No. 8 s 34(4)

SCHEDULE 4—DICTIONARY

def *ADR* sub 2014 SL No. 8 s 35(1)–(2)

def *heavy vehicle* ins 2014 SL No. 8 s 35(2)

def *overloaded* amd 2014 SL No. 8 s 35(3)

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