



Queensland

Transport Operations (Road Use Management—Driver Licensing) (Hazard Perception Test) Amendment Regulation 2021

Subordinate Legislation 2021 No. 6

made under the

Transport Operations (Road Use Management) Act 1995

Contents

		Page
1	Short title	2
2	Commencement	2
3	Regulation amended	2
4	Replacement of s 10E (Hazard perception test)	2
	10E Hazard perception test	2
5	Amendment of s 35 (Taking of practical driving test to be eligible for class C P1 provisional licence)	3
6	Amendment of s 128 (Non-Queensland driver licence)	4
7	Amendment of s 155 (Issue of P2 restricted licences)	4
8	Insertion of new pt 19, div 9	4
	Division 9 Transitional provisions for Transport Operations (Road Use Management—Driver Licensing) (Hazard Perception Test) Amendment Regulation 2021	
	183 Obligation for hazard perception test for class C and class RE learner licence holders	4
	184 Continuing obligation for hazard perception test for particular persons	5
9	Amendment of sch 1 (Fees)	6
10	Amendment of sch 9 (Dictionary)	6

1 Short title

This regulation may be cited as the *Transport Operations (Road Use Management—Driver Licensing) (Hazard Perception Test) Amendment Regulation 2021*.

2 Commencement

This regulation commences on 29 March 2021.

3 Regulation amended

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

4 Replacement of s 10E (Hazard perception test)

Section 10E—

omit, insert—

10E Hazard perception test

- (1) A person who holds a class C learner licence, other than a returning driver, must, before taking a practical driving test in a class C vehicle—
 - (a) pass a hazard perception test for a class C vehicle; and
 - (b) have held the class C learner licence for at least 6 months before taking the hazard perception test.
- (2) However, subsection (1)(b) does not apply to a person who holds a class C learner licence if the chief executive is satisfied under section 20 that the person has a special need for the licence.
- (3) A person who holds a class RE learner licence must pass a hazard perception test for a motorbike before the person—
 - (a) obtains a competency declaration for a class RE motorbike; or

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- (b) takes a practical driving test for the class RE motorbike licence; or
 - (c) obtains a competency declaration for a class R motorbike; or
 - (d) takes a practical driving test for a class R motorbike licence.
- (4) However, subsection (3) does not apply to a person—
- (a) who is a returning driver; and
 - (b) who holds a returning driver certificate stating that the person may learn to ride a class RE or class R motorbike.
- (5) In this section—
- class C learner licence* means either of the following licences that corresponds to a class C learner licence—
- (a) an Australian driver licence;
 - (b) a foreign driver licence.

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

Section 35(1), from ‘after’—

omit, insert—

after—

- (a) either—
 - (i) satisfying the logbook requirements; or
 - (ii) being granted an exemption from the logbook requirements under section 34; and
- (b) passing a hazard perception test for a class C vehicle.

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

Section 128(11)(c), ‘sections 14 and 16’—

omit, insert—

sections 10E(1)(b), 14 and 16

7 Amendment of s 155 (Issue of P2 restricted licences)

Section 155(1)(d)—

omit.

8 Insertion of new pt 19, div 9

Part 19—

insert—

Division 9 Transitional provisions for Transport Operations (Road Use Management—Driver Licensing) (Hazard Perception Test) Amendment Regulation 2021

183 Obligation for hazard perception test for class C and class RE learner licence holders

- (1) Subsection (2) applies to a person who, immediately before the commencement—
 - (a) was the holder of a class C learner licence; and
 - (b) has completed a practical driving test.
- (2) The person must pass a hazard perception test for a class C vehicle before the person applies for—

- (a) a class C P1 type licence; or
 - (b) a class C P2 type licence; or
 - (c) a class C open licence.
- (3) Subsection (4) applies to a person who, immediately before the commencement—
- (a) was the holder of a class RE learner licence; and
 - (b) has obtained a competency declaration, or passed a practical driving test for a class RE or class R motorbike.
- (4) The person must pass a hazard perception test for a motorbike before the person applies for—
- (a) a class RE licence; or
 - (b) a class R licence.

184 Continuing obligation for hazard perception test for particular persons

- (1) This section applies to a person if—
- (a) immediately before the commencement, the person was the holder of a class C P1 type licence; or
 - (b) both of the following apply in relation to the person—
 - (i) the person was the holder of a class C P1 type licence that stopped being valid before the commencement;
 - (ii) the person has not held, since the licence stopped being valid, an interstate licence or foreign driver licence that corresponds to a class C P1 type licence; or
 - (c) both of the following apply in relation to the person—

- (i) the person is a returning driver whose last valid licence was a class C P1 type licence that stopped being valid before the commencement;
 - (ii) on or after the commencement, the person is granted a class C P1 type licence.
- (2) Sections 10E and 155, as in force immediately before the commencement, continue to apply to the person.
- (3) However, if the person applies for a class RE learner licence, section 10E(3) and (4) applies to the person.

9 Amendment of sch 1 (Fees)

Schedule 1, item 3, ‘21.30’—

omit, insert—

37.05

10 Amendment of sch 9 (Dictionary)

Schedule 9, definition *hazard perception test*, paragraph (b)—

omit, insert—

- (b) published on the Queensland government’s website.

ENDNOTES

- 1 Made by the Governor in Council on 4 February 2021.
- 2 Notified on the Queensland legislation website on 5 February 2021.
- 3 The administering agency is the Department of Transport and Main Roads.

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