



Queensland

# Transport Operations and Other Legislation Amendment Regulation (No. 1) 2017

## Subordinate Legislation 2017 No. 44

made under the

*State Penalties Enforcement Act 1999*

*Transport Operations (Road Use Management) Act 1995*

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## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *Transport Operations and Other Legislation Amendment Regulation (No. 1) 2017*.

### 2 Commencement

Section 4(1) and part 5 commence on 31 March 2017.

## Part 2 Amendment of State Penalties Enforcement Regulation 2014

### 3 Regulation amended

This part amends the *State Penalties Enforcement Regulation 2014*.

### 4 Amendment of sch 1 (Infringement notice offences and fines for nominated laws)

- (1) Schedule 1, entry for the *Transport Operations (Road Use Management) Act 1995*—

*insert—*

s 19I(2)

3<sup>1</sup>/<sub>5</sub>

- (2) Schedule 1, entry for the *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015*—

*insert—*

s 138A(1)

2

## **Part 3**

# **Amendment of Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015**

### **5 Regulation amended**

This part amends the *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015*.

### **6 Insertion of new s 138A**

Part 7—

*insert—*

#### **138A Motor vehicle used to provide public passenger service must not have passenger accessible controls**

- (1) The driver of a motor vehicle fitted with passenger accessible controls must not use the vehicle to provide a public passenger service.

Maximum penalty—20 penalty units.

- (2) In this section—

*passenger accessible controls*, for a motor vehicle, means accelerator, clutch or footbrake controls accessible for immediate use by a person other than the driver of the vehicle.

*public passenger service* see the *Transport Operations (Passenger Transport) Act 1994*, schedule 3.

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## **Part 4**                      **Amendment of Transport Operations (Road Use Management—Road Rules) Regulation 2009**

### **7**            **Regulation amended**

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

### **8**            **Amendment of s 104 (No trucks signs)**

- (1) Section 104(1) to (3), ‘drive past’—

*omit, insert—*

contravene

- (2) Section 104(4)(b)(ii), ‘driving past another no trucks sign’—

*omit, insert—*

contravening another no trucks sign in a way mentioned in subsection (1), (2) or (3)

- (3) Section 104—

*insert—*

- (4A) For subsections (1) to (4), a driver contravenes a no truck sign by—

(a) if the sign applies to 1 or more, but not all, marked lanes on a road—driving in a marked lane while the sign applies to the lane; or

(b) otherwise—driving past the sign.

- (4) Section 104(4A) to (6)—

*renumber* as section 104(5) to (7).



ENDNOTES

- 1 Made by the Governor in Council on 30 March 2017.
- 2 Notified on the Queensland legislation website on 31 March 2017.
- 3 The administering agency is the Department of Transport and Main Roads.

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