



Queensland

Transport and Other Legislation Amendment Regulation (No. 1) 2019

Subordinate Legislation 2019 No. 51

made under the

State Penalties Enforcement Act 1999

Transport Operations (Marine Safety) Act 1994

Transport Operations (Road Use Management) Act 1995

Transport Planning and Coordination Act 1994

Contents

		Page
Part 1	Preliminary	
1	Short title	3
2	Commencement	3
Part 2	Amendment of State Penalties Enforcement Regulation 2014	
Division 1	Preliminary	
3	Regulation amended	3
Division 2	Amendment commencing on notification	
4	Amendment of sch 1 (Infringement notice offences and fines for nominated laws)	3
Division 3	Amendment commencing on 1 October 2019	
5	Amendment of sch 1 (Infringement notice offences and fines for nominated laws)	4
Part 3	Amendment of Transport Operations (Marine Safety) Regulation 2016	
Division 1	Preliminary	
6	Regulation amended	4
Division 2	Amendments commencing on notification	
7	Amendment of s 120 (Document evidencing authority to be returned after suspension or cancellation)	4

Contents

8	Amendment of s 122 (Keeping document evidencing authority) .	5
9	Amendment of s 125 (Surrender of authority)	5
10	Amendment of s 159 (Particular provisions of part 2 apply to transfer of Queensland regulated ship's registration)	5
11	Insertion of new ch 6, pt 4, div 3	6
	Division 3 Issuing particular documents evidencing registration electronically	
	159A Document evidencing registration of Queensland regulated ship	6
Division 3	Amendments commencing on 1 October 2019	
12	Omission of s 38 (Registration label)	6
13	Amendment of s 222 (Requirement to display registration certificate for particular ships continues)	6
14	Amendment of ch 11, pt 2, hdg (Transitional provisions)	7
15	Insertion of new ch 11, pt 3	7
	Part 3 Transitional provision for Transport and Other Legislation Amendment Regulation (No. 1) 2019	
	236 Application of s 222	7
Part 4	Amendment of Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2010	
16	Regulation amended	8
17	Amendment of s 13Q (Loads on light vehicles)	8
18	Amendment of s 13S (Proof of offences under this division)	8
19	Amendment of s 25 (Registered COI vehicles—requirement for certificate of inspection)	8
20	Amendment of s 28 (Currency of certificates)	9
21	Amendment of sch 1, s 22 (Mudguards)	9
22	Amendment of sch 1, s 49 (White or silver band on certain vehicles)	9
23	Amendment of sch 1, s 101 (Rear marking plates)	9
24	Amendment of sch 4 (Dictionary)	10
Part 5	Amendment of Transport Planning and Coordination Regulation 2017	
25	Regulation amended	11
26	Omission of ss 9 and 10	12
27	Insertion of new ss 12A and 12B	12
	12A Prescribed authorisation Acts—Act, sch 1	12
	12B Prescribed authorities—Act, sch 1	12

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Transport and Other Legislation Amendment Regulation (No. 1) 2019*.

2 Commencement

Part 2, division 3 and part 3, division 3 commence on 1 October 2019.

Part 2 Amendment of State Penalties Enforcement Regulation 2014

Division 1 Preliminary

3 Regulation amended

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

Division 2 Amendment commencing on notification

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

Schedule 1, entry for *Transport Operations (Marine Safety) Regulation 2016*, entry for section 122, ‘s 122’—

omit, insert—

s 122(1)

[s 5]

Division 3 Amendment commencing on 1 October 2019

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

Schedule 1, entry for *Transport Operations (Marine Safety)
Regulation 2016*, entry for section 38(1)—

omit.

Part 3 Amendment of Transport Operations (Marine Safety) Regulation 2016

Division 1 Preliminary

6 Regulation amended

This part amends the *Transport Operations (Marine Safety)
Regulation 2016*.

Division 2 Amendments commencing on notification

7 Amendment of s 120 (Document evidencing authority to be returned after suspension or cancellation)

(1) Section 120—

insert—

(1A) However, a person does not commit an offence
against subsection (1) if—

(a) the authority is the registration of a
Queensland regulated ship; and

- (b) the document evidencing the authority was issued in the way provided for under section 159A.

- (2) Section 120(1A) to (3)—
renumber as section 120(2) to (4).

8 Amendment of s 122 (Keeping document evidencing authority)

Section 122—

insert—

- (2) However, a person does not commit an offence against subsection (1) if—
 - (a) the authority is the registration of a Queensland regulated ship; and
 - (b) the document evidencing the authority was issued in the way provided for under section 159A.

9 Amendment of s 125 (Surrender of authority)

Section 125(2)—

omit, insert—

- (2) The notice must be accompanied by the document evidencing the authority unless—
 - (a) the authority is the registration of a Queensland regulated ship; and
 - (b) the document evidencing the authority was issued in the way provided for under section 159A.

10 Amendment of s 159 (Particular provisions of part 2 apply to transfer of Queensland regulated ship's registration)

Section 159(2)(b), 'certificate of registration'—

[s 11]

omit, insert—

registration certificate

11 Insertion of new ch 6, pt 4, div 3

Chapter 6, part 4—

insert—

Division 3 Issuing particular documents evidencing registration electronically

159A Document evidencing registration of Queensland regulated ship

- (1) This section applies if the administering agency is required to issue to a person a document, including an amended document, evidencing the registration of a Queensland regulated ship.
- (2) The administering agency may issue the document by making it available for the person to access electronically.

Division 3 Amendments commencing on 1 October 2019

12 Omission of s 38 (Registration label)

Section 38—

omit.

13 Amendment of s 222 (Requirement to display registration certificate for particular ships continues)

Section 222—

insert—

Note—

See section 236 in relation to the application of this provision from 1 October 2019.

14 Amendment of ch 11, pt 2, hdg (Transitional provisions)

Chapter 11, part 2, heading, after ‘provisions’—

insert—

for SL No. 154 of 2016

15 Insertion of new ch 11, pt 3

Chapter 11—

insert—

Part 3

**Transitional provision
for Transport and Other
Legislation
Amendment Regulation
(No. 1) 2019**

236 Application of s 222

From the commencement, section 222 ceases to apply in relation to a ship mentioned in section 222(1).

Part 4

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

16 Regulation amended

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

17 Amendment of s 13Q (Loads on light vehicles)

Section 13Q(4), note—

omit, insert—

Note—

See the load restraint guide for light vehicles for examples of safe ways of loading vehicles.

18 Amendment of s 13S (Proof of offences under this division)

(1) Section 13S(a) and (c), “Load restraint guide”—

omit, insert—

load restraint guide for light vehicles

(2) Section 13S, note—

omit.

19 Amendment of s 25 (Registered COI vehicles—requirement for certificate of inspection)

Section 25(2)(c), after ‘2010’—

insert—

for which concessional registration has been
granted under that regulation

20 Amendment of s 28 (Currency of certificates)

Section 28(4), definition *effective date*, paragraphs (b) and (c),
'1 month'—

omit, insert—

2 months

21 Amendment of sch 1, s 22 (Mudguards)

Schedule 1, section 22(4)(c), after 'plates'—

insert—

or conspicuity markings

**22 Amendment of sch 1, s 49 (White or silver band on
certain vehicles)**

Schedule 1, section 49(1)(c), after 'plates'—

insert—

or conspicuity markings

23 Amendment of sch 1, s 101 (Rear marking plates)

(1) Schedule 1, section 101, heading, after 'plates'—

insert—

and conspicuity markings

(2) Schedule 1, section 101(1), after 'plates'—

insert—

or conspicuity markings

(3) Schedule 1, section 101(1)—

insert—

Note—

See also VSB 12 for requirements about ‘Do not overtake turning vehicle’ signs that may apply to a vehicle fitted with conspicuity markings.

- (4) Schedule 1, section 101(3)—

insert—

conspicuity marking means a conspicuity marking within the meaning of ADR 13/00.

- (5) Schedule 1, section 101(3), definition *VSB*, note—

omit, insert—

Note—

The VSB is available on the National Heavy Vehicle Regulator’s website.

24 Amendment of sch 4 (Dictionary)

- (1) Schedule 4, definition *moped*—

omit.

- (2) Schedule 4—

insert—

load restraint guide for light vehicles means the document called ‘Load restraint guide for light vehicles’ published by the National Transport Commission.

Note—

The load restraint guide for light vehicles is available on the National Transport Commission’s website.

moped—

- (a) means a motorbike or motortrike—

- (i) with an engine cylinder capacity of not more than 50mL and a maximum speed of not more than 50 km/h; or

[s 26]

26 Omission of ss 9 and 10

Sections 9 and 10—

omit.

27 Insertion of new ss 12A and 12B

After section 12—

insert—

12A Prescribed authorisation Acts—Act, sch 1

For schedule 1 of the Act, definition *prescribed authorisation Act*, each of the following Acts is prescribed—

- (a) the *Photo Identification Card Act 2008*;
- (b) the *Tow Truck Act 1973*;
- (c) the *Transport Operations (Marine Safety) Act 1994*;
- (d) the *Transport Operations (Passenger Transport) Act 1994*;
- (e) the *Transport Operations (Road Use Management) Act 1995*;
- (f) the *Work Health and Safety Act 2011*.

12B Prescribed authorities—Act, sch 1

For schedule 1 of the Act, definition *prescribed authority*, each of the following is prescribed—

- (a) a photo identification card under the *Photo Identification Card Act 2008*;
- (b) a driver's certificate or assistant's certificate, or a document evidencing a driver's certificate or assistant's certificate, under the *Tow Truck Act 1973*;

- (c) a marine licence, marine licence indicator or smartcard marine licence indicator under the *Transport Operations (Marine Safety) Act 1994*;
- (d) a driver authorisation or authorising document under the *Transport Operations (Passenger Transport) Act 1994*;
- (e) a Queensland driver licence under the *Transport Operations (Road Use Management) Act 1995*;
- (f) an appointment under the *Transport Operations (Road Use Management) Act 1995* as an accredited person, or an accreditation document mentioned in section 21(2) of that Act, for accreditation of any of the following types—
 - (i) driver trainer;
 - (ii) rider trainer;
 - (iii) pilot vehicle driver;
 - (iv) escort vehicle driver;
 - (v) traffic controller;

Note—

The appointments mentioned in this paragraph are made under the *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015*, part 2.

- (g) a dangerous goods driver licence or driver authorising document under the *Transport Operations (Road Use Management—Dangerous Goods) Regulation 2018*;
- (h) a high risk work licence, or a licence document for a high risk work licence, under the *Work Health and Safety Regulation 2011*.

ENDNOTES

- 1 Made by the Governor in Council on 18 April 2019.
- 2 Notified on the Queensland legislation website on 19 April 2019.
- 3 The administering agency is the Department of Transport and Main Roads.

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