



Queensland

*Transport Operations (Passenger Transport) Act 1994*

# Transport Operations (Passenger Transport) Standard 2000

Reprinted as in force on 27 April 2007

Reprint No. 2

This reprint is prepared by  
the Office of the Queensland Parliamentary Counsel  
Warning—This reprint is not an authorised copy

# Information about this reprint

This standard is reprinted as at 27 April 2007. The reprint—

- shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c))
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind (Reprints Act 1992 s 5(d)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 have also been made to use aspects of format and printing style consistent with current drafting practice (s 35).

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

**Also see endnotes for information about—**

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

## **Dates shown on reprints**

**Reprints dated at last amendment** All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

**Replacement reprint date** If the date of a hard copy reprint is the same as the date shown on another hard copy reprint it means that one is the replacement of the other.



Queensland

# Transport Operations (Passenger Transport) Standard 2000

## Contents

---

		Page
<b>Part 1</b>	<b>Preliminary</b>	
1	Short title . . . . .	3
2	Commencement . . . . .	3
<b>Part 1A</b>	<b>Interpretation</b>	
3	Definitions . . . . .	3
4	Meaning of incident . . . . .	3
<b>Part 2</b>	<b>Drivers</b>	
5	Purpose of pt 2 . . . . .	4
6	Qualifications for operating relevant vehicles that are motorbikes	5
7	Qualifications for operating relevant vehicles other than motorbikes . . . . .	6
8	Medical fitness for driver authorisation . . . . .	7
8A	Licence requirements for restricted driver authorisation . . . . .	8
8B	Medical fitness for restricted driver authorisation . . . . .	8
9	Particular qualification to drive a taxi . . . . .	9
10	Alcohol and drugs . . . . .	9
11	Fatigue management . . . . .	10
12	Operational safety of vehicles . . . . .	10
13	Seating . . . . .	11
14	Customer service . . . . .	12
15	Compliance with certain transport legislation . . . . .	12
15A	Compliance with code of conduct . . . . .	12
<b>Part 3</b>	<b>Operators</b>	
16	Definitions . . . . .	13
17	Purpose of pt 3 . . . . .	13
18	Training of operators . . . . .	13

*Transport Operations (Passenger Transport) Standard  
2000*

---

19	Ensuring drivers are trained in obligations under the Act . . . . .	14
20	Ensuring drivers comply with fatigue management requirements . . . . .	15
21	Ensuring operational safety of vehicles . . . . .	15
22	Compliance with vehicle standards regulation, s 5. . . . .	15
22A	Compliance with vehicle standards regulation, s 22. . . . .	16
23	Design and construction of bus manufactured before 20 May 1992 . . . . .	16
24	Seating . . . . .	16
25	Type and age of vehicles . . . . .	17
26	Compulsory third party insurance . . . . .	17
27	Maintenance of vehicles . . . . .	17
28	Customer service . . . . .	18
29	Vehicles to be maintained in clean, tidy and comfortable condition . . . . .	19
30	Access to information about services provided . . . . .	19
31	Obligations in relation to incident management plan and incident report . . . . .	20
31A	Requirements of incident management plan . . . . .	20
31B	Requirements of incident report . . . . .	21
31C	Review of incident management plan. . . . .	22
31D	When ss 31 to 31C do not apply to operators of taxi services . . .	23
32	Reliability of service . . . . .	23
33	Scheduled service—what must be shown on vehicle. . . . .	23
34	Complaints . . . . .	23
35	Compliance with code of conduct. . . . .	24
<b>Schedule</b>	<b>Dictionary</b> . . . . .	25
 <b>Endnotes</b>		
1	Index to endnotes. . . . .	28
2	Date to which amendments incorporated. . . . .	28
3	Key . . . . .	28
4	Table of reprints . . . . .	29
5	List of legislation. . . . .	29
6	List of annotations . . . . .	30

# Transport Operations (Passenger Transport) Standard 2000

[as amended by all amendments that commenced on or before 27 April 2007]

## Part 1 Preliminary

### 1 Short title

This standard may be cited as the *Transport Operations (Passenger Transport) Standard 2000*.

### 2 Commencement

This standard commences on 1 May 2000.

## Part 1A Interpretation

### 3 Definitions

The dictionary in the schedule 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
  - (b) prevents the provision of the relevant service.

*Transport Operations (Passenger Transport) Standard  
2000*

---

- (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* means a weapon under the *Weapons Act 1990*.

## **Part 2                      Drivers**

### **5                      Purpose of pt 2**

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

- (a) on applicants for a grant or renewal of driver authorisation; and
- (b) about operating relevant vehicles.

## **6 Qualifications for operating relevant vehicles that are motorbikes**

- (1) An applicant for driver authorisation for the operation of a relevant vehicle that is a motorbike must hold a prescribed licence of the appropriate class.
- (2) The applicant must also, subject to subsection (3)—
  - (a) have held continuously for at least 5 years—
    - (i) an open or provisional licence for a motorbike; or
    - (ii) a corresponding licence to an open or provisional licence for a motorbike; or
    - (iii) a foreign driver licence for a motorbike; or
    - (iv) a series of any of the licences mentioned in subparagraph (i), (ii) or (iii); or
  - (b) have passed an approved competence test for the operation of a motorbike with a pillion passenger and have held continuously for at least 3 years—
    - (i) an open or provisional licence for a motorbike; or
    - (ii) a corresponding licence to an open or provisional licence for a motorbike; or
    - (iii) a foreign driver licence for a motorbike; or
    - (iv) a series of any of the licences mentioned in subparagraph (i), (ii) or (iii).
- (3) Also, for at least 2 years of the continuous 5 or 3 year period mentioned in subsection (2), the applicant must have held continuously—
  - (a) an open or provisional licence for a motorbike; or
  - (b) a corresponding licence to an open or provisional licence for a motorbike; or
  - (c) a series of any of the licences mentioned in paragraph (a) or (b).
- (4) A person must not operate a relevant vehicle that is a motorbike unless the person holds a prescribed licence of the appropriate class.

## **7 Qualifications for operating relevant vehicles other than motorbikes**

- (1) An applicant for driver authorisation for the operation of a relevant vehicle, other than a motorbike, must hold a prescribed licence of the appropriate class.
- (2) The applicant must also, subject to subsection (3)—
  - (a) have held continuously for at least 3 years—
    - (i) an open or provisional licence for a car, truck or bus; or
    - (ii) a corresponding licence to an open or provisional licence for a car, truck or bus; or
    - (iii) a foreign driver licence for a car, truck or bus; or
    - (iv) a series of any of the licences mentioned in subparagraph (i), (ii) or (iii); or
  - (b) have passed an approved competence test for the operation of the type of vehicle the person intends to drive under the driver authorisation.
- (3) Also, for at least 2 years of the continuous 3 year period mentioned in subsection (2)(a) or for at least 2 years for subsection (2)(b), the applicant must have held continuously—
  - (a) an open or provisional licence for a car, truck or bus; or
  - (b) a corresponding licence to an open or provisional licence for a car, truck or bus; or
  - (c) a series of any of the licences mentioned in paragraph (a) or (b).
- (4) However, subsection (3) does not apply if the driver authorisation applied for is for a scheduled passenger service, long distance scheduled passenger service, taxi service, limousine service, community transport service or courtesy transport service.
- (4A) Subsections (1) to (4) do not apply to a person seeking a restricted driver authorisation.



- (5) A person must not operate a relevant vehicle, other than a motorbike, unless the person holds a prescribed licence of the appropriate class.

## **8 Medical fitness for driver authorisation**

- (1) An applicant for driver authorisation must give the chief executive a certificate in the approved form from a doctor (a *medical certificate*) that the applicant is medically fit to operate vehicles of the type the applicant intends to drive under the driver authorisation.
- (2) An authorised driver must—
- (a) notify the chief executive if there is a change in the driver's medical condition that makes the driver continuously unfit to safely operate a motor vehicle for more than 1 month; and
  - (b) within every 5 years after the issue by a doctor of the last medical certificate given to the chief executive under this section, give the chief executive a fresh medical certificate.
- (3) However, if the medical certificate indicates it is for a period of less than 5 years, the next medical certificate must be given to the chief executive within the stated period.

*Examples of indications—*

- 1 The certificate states it lasts or applies for 2 years.
  - 2 The certificate states it should be renewed or reviewed after 2 years.
  - 3 The certificate states the driver's condition should be reviewed, or the driver should be re-examined, within 2 years.
- (4) If the medical certificate given under subsection (1) or (3) for a person contains a limitation on operating a vehicle, the person must not operate a relevant vehicle contrary to the limitation.
- (5) This section does not apply to a person seeking a restricted driver authorisation.

## **8A Licence requirements for restricted driver authorisation**

- (1) A person is not eligible to be granted a restricted driver authorisation by an operator unless the person—
  - (a) holds a prescribed licence of the appropriate class; and
  - (b) has held continuously for at least 3 years—
    - (i) an open or provisional licence for a car, truck or bus; or
    - (ii) a corresponding licence to an open or provisional licence for a car, truck or bus; or
    - (iii) a series of any of the licences mentioned in subparagraph (i) or (ii).
- (2) A person must not operate a public passenger vehicle under restricted driver authorisation unless the person holds a prescribed licence of the appropriate class.

## **8B Medical fitness for restricted driver authorisation**

- (1) A person is not eligible to be granted restricted driver authorisation by an operator unless the person gives the operator—
  - (a) a doctor's certificate in the approved form that the person is medically fit to operate a motor vehicle (the *doctor's certificate*); or
  - (b) a signed statement stating that, as far as the person knows, the person does not suffer from any of the medical conditions stated on the approved form under the passenger transport regulation for restricted driver authorisation.
- (2) A driver who holds restricted driver authorisation must notify the operator who granted the restricted driver authorisation and the chief executive each time there is a change in the driver's medical condition that makes the driver continuously unfit to safely operate a motor vehicle for more than 1 month.
- (3) If the doctor's certificate of a driver who holds restricted driver authorisation contains a limitation on the driver operating a vehicle, the driver must not operate a vehicle

under the restricted driver authorisation contrary to the limitation.

## **9 Particular qualification to drive a taxi**

- (1) An applicant for driver authorisation for a relevant vehicle that is a taxi must—
  - (a) be able to speak and understand English; and
  - (b) have a knowledge of common destinations and major connecting roads within the taxi service area where the applicant intends to drive the taxi; and
  - (c) either—
    - (i) have successfully completed a training course for taxi drivers specified by the chief executive; or
    - (ii) have attained competency in each of the following Road Transport Competency Standards approved by the Australian National Training Authority—
      - (A) Follow occupational health and safety procedures;
      - (B) Drive a taxicab;
      - (C) Apply customer service skills;
      - (D) Apply quality procedures;
      - (E) Transport persons with disabilities.
- (2) An applicant for renewal of driver authorisation for a relevant vehicle that is a taxi must, if required by the chief executive, have successfully completed a training course for taxi drivers specified by the chief executive.
- (3) This section is in addition to, and does not limit, section 7 or 8.

## **10 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.

## **11 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 does not contravene subsection (1) if the driver complies with any requirements about fatigue management applying to the driver under—
  - (a) the *Transport Operations (Road Use Management—Fatigue Management) Regulation 1998*;  
or
  - (b) an alternative compliance scheme about fatigue management approved under the *Transport Operations (Road Use Management) Act 1995*.

## **12 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 for the purpose; and
    - (ii) no passenger stands for more than 20km; and
    - (iii) when carrying standing passengers, the bus does not travel on a road notified by the chief executive, by gazette notice, as a road on which the bus must not carry standing passengers.
- (2) In subsection (1)—

**overloaded**, for a vehicle, includes carrying more than the maximum number of passengers—

- (a) for which the vehicle is designed; or
- (b) specified or recommended by the vehicle's manufacturer.

### **13 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 restraints; or
    - (ii) the seat is fitted with either a seatbelt or an approved restraint for each of the 3 children; and
  - (b) the placement and construction of the seat allows; 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.<sup>1</sup>

---

<sup>1</sup> See Queensland Road Rules, sections 266 (Wearing of seatbelts by passengers under 16 years old) and 267 (Exemptions from wearing seatbelts).

## **14 Customer service**

- (1) A driver of a relevant vehicle must be reasonably courteous to passengers and the public.
- (2) A driver of a relevant vehicle providing a scheduled passenger service or long distance scheduled passenger service must follow advertised routes and timetables while operating the vehicle.
- (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.

## **15 Compliance with certain transport legislation**

A driver of a relevant vehicle must comply with all provisions of the *Transport Operations (Road Use Management) Act 1995*<sup>2</sup> imposing an obligation, prohibition, restriction or other requirement on the driver in relation to—

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

## **15A 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.

---

<sup>2</sup> A reference to the Act includes a reference to the statutory instruments made or in force under the Act. See the *Acts Interpretation Act 1954*, section 7.

## **Part 3                      Operators**

### **16        Definitions**

In this part—

*incident management plan* means a plan complying with section 31A.

*incident report* means a report complying with section 31B(1).

### **17        Purpose of pt 3**

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

- (a) on applicants for a grant or renewal of operator accreditation; and
- (b) on operators of relevant services.

### **18        Training of operators**

- (1) An applicant for operator accreditation must successfully complete a training course specified by the chief executive in the matters mentioned in section 14<sup>3</sup> of the Act.
- (2) An applicant for renewal of operator accreditation may be required to successfully complete a training course mentioned in subsection (1).
- (3) However, the chief executive may accept another qualification from the applicant as compliance with subsection (1) or (2) if the chief executive considers the qualification equivalent to, or better than, the training under the training course mentioned in subsection (1).
- (4) In this section—

---

3        Section 14 (Operator accreditation standards) of the Act

**qualification** means experience or training, other than training under a training course mentioned in subsection (1).

## **19 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) For the program mentioned in subsection (3), the driver must be given the training within 2 months of the driver first operating 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;  
*Example for paragraph (a) of evidence of the introduction—*  
training book showing the date, time and place the driver was given training on a 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).



## **20 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 11.<sup>4</sup>

## **21 Ensuring operational safety of vehicles**

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 for the purpose; and
    - (ii) no passenger stands for more than 20km; and
    - (iii) when carrying standing passengers, the bus does not travel on a road notified by the chief executive, by gazette notice, as a road on which the bus must not carry standing passengers.

## **22 Compliance with vehicle standards regulation, s 5**

An operator of a relevant service must ensure that each vehicle providing the service complies with the requirements for the vehicle stated in the vehicle standards regulation, section 5.<sup>5</sup>

---

4 Section 11 (Fatigue management)

5 Vehicle standards regulation, section 5 (Vehicles must comply with vehicle standards)

## **22A Compliance with vehicle standards regulation, s 22**

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 22.<sup>6</sup>

## **23 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’ as issued at August 1992.<sup>7</sup>

## **24 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 restraints; or
    - (ii) the seat is fitted with either a seatbelt or an approved restraint for each of the 3 children; and
  - (b) the placement and construction of the seat allows; 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.

---

6 Vehicle standards regulation, section 22 (Registered COI vehicles always require certificate of inspection)

7 This code forms part of the Code of Practice—Commercial Motor Vehicle Modifications and is available for inspection at the offices of the department at Transport House, Brunswick Street, Fortitude Valley, Brisbane.

*Transport Operations (Passenger Transport) Standard  
2000*

---

- (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.<sup>8</sup>

## **25 Type and age of vehicles**

- (1) An operator of a relevant service may only use a vehicle to provide the service that is of a type and age suitable to provide the service.
- (2) The operator is taken to comply with subsection (1) if the operator uses a vehicle of a type and age suitable to provide the service mentioned in a guideline issued by the chief executive under the *Transport Operations (Passenger Transport) Regulation 1994*, section 62B(1)(a).<sup>9</sup>

## **26 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.

## **27 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—

---

<sup>8</sup> See Queensland Road Rules, sections 266 (Wearing of seatbelts by passengers under 16 years old) and 267 (Exemptions from wearing seatbelts).

<sup>9</sup> Although the *Transport Operations (Passenger Transport) Regulation 1994* was repealed by the *Transport Operations (Passenger Transport) Regulation 2005*, a transitional provision of the 2005 regulation provides for the guidelines to continue. See the *Transport Operations (Passenger Transport) Regulation 2005*, section 154.

*Transport Operations (Passenger Transport) Standard  
2000*

---

- (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.

## **28 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.

## **29 Vehicles to be maintained in clean, tidy and comfortable condition**

- (1) An operator of a relevant service that is a taxi service, limousine service, a scheduled passenger service or long distance scheduled passenger service, must take reasonable steps to ensure that each vehicle providing the service is maintained in a clean, tidy and reasonably comfortable condition.
- (2) The operator is taken to comply with subsection (1) if the operator maintains the vehicle in accordance with a guideline issued by the chief executive under the *Transport Operations (Passenger Transport) Regulation 1994*, section 62B(1)(b).<sup>10</sup>

## **30 Access to information about services provided**

- (1) This section applies to an operator of a relevant service that is—
  - (a) a scheduled passenger 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 scheduled passenger service or taxi service.

*Example—*

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

---

<sup>10</sup> Although the *Transport Operations (Passenger Transport) Regulation 1994* was repealed by the *Transport Operations (Passenger Transport) Regulation 2005*, a transitional provision of the 2005 regulation provides for the guidelines to continue. See the *Transport Operations (Passenger Transport) Regulation 2005*, section 154.

### **31 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.

### **31A 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 14(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 14(3); or
  - (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 14(3).

### **31B 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) the estimated number of persons involved, injured or killed in the incident;
    - (iv) if a person was injured in the incident—the apparent nature and extent of the person’s injuries;
    - (v) if a relevant vehicle was damaged in the incident—the apparent nature and extent of the damage to the relevant vehicle;
    - (vi) 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
    - (vii) 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 31A(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 1999*, section 23(1)(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.

### **31C 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 31B(1)(d), the operator must ensure information about the measures are included in the plan when the plan is next reviewed.



**31D When ss 31 to 31C do not apply to operators of taxi services**

Sections 31 to 31C 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.

**32 Reliability of service**

- (1) An operator of a relevant service that is a scheduled passenger or long distance scheduled passenger service must provide public passenger services in accordance with the operator's advertised schedules.
- (2) The schedules must be realistically achievable.

**33 Scheduled service—what must be shown on vehicle**

- (1) An operator of a relevant service that is a scheduled passenger service or long distance scheduled passenger service, other than a school 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.

**34 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.

**35 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.

## Schedule                      Dictionary

### section 3

***approved*** means approved by the chief executive.

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

***car*** see the *Transport Operations (Road Use Management) Act 1995*, dictionary.

***code of conduct*** has the meaning given under the passenger transport regulation.

***corresponding licence*** to—

- (a) an open licence, for a requirement relating to restricted driver authorisation—means a document corresponding to the 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; or
- (b) an open licence, other than for a requirement relating to restricted driver authorisation—means a document corresponding to the open licence that is issued under a law of another State that provides for the same matter as the provision under which the open licence is issued; or
- (c) a provisional licence, for a requirement relating to restricted driver authorisation—means a document corresponding to the provisional 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 provisional licence is issued; or
- (d) a provisional licence, other than for a requirement relating to restricted driver authorisation—means a document corresponding to the provisional licence that is issued under a law of another State that provides for the same matter as the provision under which the provisional licence is issued.

### Schedule (continued)

**foreign driver licence** means a licence to drive a motor vehicle corresponding to an open or provisional licence and issued under the law of another country that provides for the same matter as the provision under which the open or provisional licence is issued.

**held continuously**, for a period, includes being held for the period without a break that lasted more than 7 days.

**incident** see section 4.

**incident management plan**, for part 3, see section 16.

**incident report**, for part 3, see section 16.

**infant passenger** means a passenger under 1 year old.

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

**motorbike** see the *Transport Operations (Road Use Management) Act 1995*, dictionary.

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

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

**prescribed licence** means—

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

**provisional licence** see the *Transport Operations (Road Use Management) Act 1995*, dictionary.

**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.

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

Schedule (continued)

***truck*** see the *Transport Operations (Road Use Management) Act 1995*, dictionary.

***vehicle standards regulation*** means the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 1999*.

## Endnotes

### 1 Index to endnotes

		Page
2	Date to which amendments incorporated. . . . .	28
3	Key . . . . .	28
4	Table of reprints . . . . .	29
5	List of legislation . . . . .	29
6	List of annotations . . . . .	30

### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 27 April 2007. Future amendments of the Transport Operations (Passenger Transport) Standard 2000 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 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 edition
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 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

## 4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments to	Effective	Reprint date
1	none	1 May 2000	5 May 2000
1A	2000 SL No. 102	2 June 2000	21 July 2000
1B	2002 SL No. 49	22 March 2002	5 April 2002

  

Reprint No.	Amendments included	Effective	Notes
1C	2002 SL No. 278	25 October 2002	
1D	—	23 March 2003	prov exp 22 March 2003
1E	2007 SL No. 66	27 April 2007	R1E withdrawn, see R2
2	—	27 April 2007	

## 5 List of legislation

### **Transport Operations (Passenger Transport) Standard 2000 SL No. 61**

made by the chief executive on 1 March 2000

notfd gaz 7 April 2000 pp 1312–13

ss 1–2 commenced on date of notification

remaining provisions commenced 1 May 2000 (see s 2)

exp 1 September 2010 (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) 2000 SL No. 102**

notfd gaz 2 June 2000 pp 370–1

commenced on date of notification

### **Transport Operations (Passenger Transport) Amendment Standard (No. 1) 2002 SL No. 49**

notfd gaz 22 March 2002 pp 112–13

commenced on date of notification

### **Transport Operations (Passenger Transport) Amendment Standard (No. 2) 2002 SL No. 278**

notfd gaz 25 October 2002 pp 690–1

commenced on date of notification

**Transport Operations (Passenger Transport) Amendment Standard (No. 1) 2007 SL  
No. 66**

notfd gaz 27 April 2007 pp 1887–90  
commenced on date of notification

## **6 List of annotations**

### **PART 1A—INTERPRETATION**

**pt hdg** ins 2007 SL No. 66 s 3

#### **Meaning of “incident”**

**s 4** sub 2007 SL No. 66 s 4

### **PART 2—DRIVERS**

**pt hdg** sub 2007 SL No. 66 s 4

#### **Qualifications for operating relevant vehicles that are motorbikes**

**s 6** amd 2002 SL No. 49 s 3

#### **Qualifications for operating relevant vehicles other than motorbikes**

**s 7** amd 2000 SL No. 102 s 3; 2002 SL No. 49 s 4

#### **Medical fitness for driver authorisation**

**s 8** amd 2000 SL No. 102 s 4

#### **Licence requirements for restricted driver authorisation**

**s 8A** ins 2000 SL No. 102 s 5

#### **Medical fitness for restricted driver authorisation**

**s 8B** ins 2000 SL No. 102 s 5  
amd 2007 SL No. 66 s 5

#### **Seating**

**s 13** amd 2002 SL No. 49 s 5; 2002 SL No. 278 s 3

#### **Customer service**

**s 14** amd 2007 SL No. 66 s 6

#### **Compliance with code of conduct**

**s 15A** ins 2002 SL No. 49 s 6

#### **Definitions**

**s 16** sub 2007 SL No. 66 s 7

#### **Ensuring drivers are trained in obligations under the Act**

**s 19** amd 2002 SL No. 49 s 7

#### **Compliance with vehicle standards regulation, s 5**

**prov hdg** sub 2002 SL No. 49 s 8(1)  
**s 22** amd 2002 SL No. 49 s 8(2)

#### **Compliance with vehicle standards regulation, s 22**

**s 22A** ins 2002 SL No. 49 s 9



**Seating**

**s 24** amd 2002 SL No. 49 s 10; 2002 SL No. 278 s 4

**Maintenance of vehicles**

**s 27** amd 2002 SL No. 49 s 11

**Obligations in relation to incident management plan and incident report**

**s 31** sub 2007 SL No. 66 s 8

**Requirements of incident management plan**

**s 31A** ins 2007 SL No. 66 s 8

**Requirements of incident report**

**s 31B** ins 2007 SL No. 66 s 8

**Review of incident management plan**

**s 31C** ins 2007 SL No. 66 s 8

**When ss 31 to 31C do not apply to operators of taxi services**

**s 31D** ins 2007 SL No. 66 s 8

**Compliance with code of conduct**

**s 35** prev s 35 exp 2 May 2000 (see s 35(2))  
pres s 35 ins 2002 SL No. 49 s 12

**PART 4—TRANSITIONAL PROVISIONS**

**pt hdg** prev pt 4 hdg exp 2 May 2000 (see s 35(2))  
pres pt 4 hdg ins 2002 SL No. 49 s 12  
om 2007 SL No. 66 s 9

**Transitional provisions for existing drivers**

**s 36** ins 2002 SL No. 49 s 12  
exp 22 March 2003 (see s 36(3))

**SCHEDULE—DICTIONARY**

def “**approved restraint**” ins 2002 SL No. 278 s 5

def “**code of conduct**” ins 2002 SL No. 49 s 13

amd 2007 SL No. 66 s 10(3)

def “**corresponding licence**” sub 2000 SL No. 102 s 6(1)

def “**foreign driver licence**” ins 2002 SL No. 49 s 13

def “**incident**” ins 2007 SL No. 66 s 10(2)

def “**incident management plan**” ins 2007 SL No. 66 s 10(2)

def “**incident report**” ins 2007 SL No. 66 s 10(2)

def “**infant passenger**” ins 2002 SL No. 49 s 13

def “**injured**” ins 2007 SL No. 66 s 10(2)

def “**passenger transport regulation**” ins 2007 SL No. 66 s 10(2)

def “**prescribed licence**” amd 2000 SL No. 102 s 6(2); 2007 SL No. 66 s 10(4)

def “**relevant service**” sub 2007 SL No. 66 s 10(1)–(2)

def “**relevant vehicle**” sub 2007 SL No. 66 s 10(1)–(2)

def “**vehicle standards regulation**” ins 2002 SL No. 49 s 13