

Queensland



**TRANSPORT LEGISLATION
AMENDMENT ACT (No. 2)
1993**

Act No. 61 of 1993

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**Transport Legislation Amendment Act (No. 2)
1993**

Act No. 61 of 1993

An Act to amend certain Acts relating to transportation

[Assented to 23 November 1993]

The Parliament of Queensland enacts—

PART 1—PRELIMINARY

Short title

1. This Act may be cited as the *Transport Legislation Amendment Act (No. 2) 1993*.

Commencement

2. This Act commences on a day to be fixed by proclamation.

PART 2—AMENDMENT OF TRAFFIC ACT AND ANOTHER ACT AMENDMENT ACT 1990

Amended Act

3. The *Traffic Act and Another Act Amendment Act 1990* is amended as set out in this Act.

Amendment of s.2.25 (Amendment of Schedule)

4. Section 2.25(c)—

omit.

Omission of Part 3 (Amendment of State Transport Act 1960)

5. Part 3—

omit.

PART 3—AMENDMENT OF STATE TRANSPORT ACT 1960

Amended Act

6. The *State Transport Act 1960* is amended as set out in this Part.

Omission of s.62 (Limits of continuous driving hours)

7. Section 62—

omit.

Amendment of Schedule (Subject matters for regulations)

8.(1) Clause 12—

omit, insert—

‘Motor vehicle driving hours and rest periods

‘12.(1) Providing for the control of drivers of motor vehicles in relation to matters necessary to ensure that drivers are in a fit state of health and wellbeing to drive motor vehicles safely, including, for example, requirements for resting.

‘(2) Imposing obligations on employers, consignors and other persons for the purpose of ensuring or encouraging drivers to comply with the requirements of regulations made under this clause.

‘(3) Conferring the following powers on authorised officers—

- (a) to stop a motor vehicle;
- (b) to require the production of documents relating to a motor vehicle, its load or its journey and the driver’s or passenger’s driver’s licence and log book;
- (c) on reasonable suspicion or knowledge of an offence against this Act, to search a motor vehicle and seize documents mentioned in paragraph (b);
- (d) to make reasonable arrangements for the removal of motor vehicles stopped by an authorised officer to a safe place,

including, for example, by requiring reasonable assistance from persons in carrying out the arrangements or by requiring the driver to drive the vehicle to a specified place.

‘(4) Providing for the liability, or immunity from liability, of persons mentioned in subclause (3)(d) for loss or damage caused by, or arising out of, the giving of assistance by them.

‘(5) Providing for the keeping, carrying and retaining of records and documents in relation to compliance with regulations made under this clause and for their production to, and inspection by, an authorised officer.

‘(6) In this clause—

“**motor vehicle**” means a motor vehicle that—

- (a) has a gross vehicle mass of 4.5 tonnes or more; and
- (b) is prescribed by regulation.’.

(2) Clause 14—

omit, insert—

‘Forms

‘14. Providing that the prescribed and other forms that are to be used for the purposes of this Act are the forms approved by the chief executive of the department.’.