

Queensland



Subordinate Legislation 1998 No. 254

Tow Truck Act 1973

Traffic Act 1949

Transport Operations (Marine Safety) Act 1994

Transport Operations (Road Use Management) Act 1995

**TRANSPORT LEGISLATION AMENDMENT
REGULATION (No. 2) 1998**

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Short title

1. This regulation may be cited as the *Transport Legislation Amendment Regulation (No. 2) 1998*.

Commencement

2. This regulation commences on 1 November 1998.

Regulations amended

3. The following regulations are amended in the schedule relating to the regulation—

- (a) *Motor Vehicles Control Regulation 1989*—schedule 1;
- (b) *Tow Truck Regulation 1988*—schedule 2;
- (c) *Traffic Regulation 1962*—schedule 3;
- (d) *Transport Infrastructure (Roads) Regulation 1991*—schedule 4;
- (e) *Transport Operations (Marine Safety) Regulation 1995*—schedule 5;
- (f) *Transport Operations (Road Use Management—Motor Vehicles Safety) Transitional Regulation 1994*—schedule 6;
- (g) *Transport Operations (Road Use Management) Regulation 1995*—schedule 7.

SCHEDULE 1**AMENDMENT OF MOTOR VEHICLES CONTROL
REGULATION 1989**

section 3(a)

1. Schedule 1, item 2—*omit, insert—*

- ‘2.** Application for certificate of renewal of registration 25.00’.

SCHEDULE 2

AMENDMENT OF TOW TRUCK REGULATION 1988

section 3(b)

1. Schedule 3—

omit, insert—

‘SCHEDULE 3

‘FEES

section 7

\$

‘1. Application for—	
(a) licence or licence renewal, for each tow truck	231.00
(b) permit to tow motor vehicles, for each 3 months or part of 3 months	67.00
(c) driver’s certificate or driver’s certificate renewal	29.00
(d) assistant’s certificate or assistant’s certificate renewal	29.00
(e) driver’s permit, for each 3 months or part of 3 months	12.00
(f) assistant’s permit, for each 3 months or part of 3 months	12.00
(g) duplicate licence or permit	29.00
(h) duplicate driver’s or assistant’s certificate or permit .	12.00’.

SCHEDULE 3

AMENDMENT OF TRAFFIC REGULATION 1962

section 3(c)

1. Schedule 4, item 9—

omit, insert—

‘9. Application for, or renewal of, pilot vehicle licence 190.00’.

2. Schedule 4, item 13—

omit, insert—

‘13. Fee under section 37(3) of the Act 71.00’.

SCHEDULE 4

AMENDMENT OF TRANSPORT INFRASTRUCTURE (ROADS) REGULATION 1991

section 3(d)

1. Schedule 1, part 1—

omit, insert—

‘PART 1—VEHICLE REGISTRATION FEES FOR 12 MONTHS

	\$
1. Passenger car, or a commercial vehicle, motorised caravan or bus with RGVM not over 4 t—	
(a) 1, 2 or 3 cylinders, electric or steam	130.00
(b) 4 cylinders or 2 rotors . . .	166.00
(c) 5 or 6 cylinders or 3 rotors	254.00
(d) 7 or 8 cylinders	356.00
(e) 9–12 cylinders	418.00
2. Commercial vehicle with RGVM over 4 t but not over 4.5 t	399.00
3. Motorised caravan or bus with RGVM over 4 t but not over 4.5 t	398.00
4. Mobile machinery or equipment with RGVM not over 4.5 t	91.00
	plus \$34.00 for each tonne, or part of a tonne, of loaded mass over 1 t

SCHEDULE 4 (continued)

5.	Tractor with RGVM not over 4.5 t	50.00
6.	Motorcycle	56.00
7.	Trailer or caravan—	
	(a) loaded mass not over 1.02 t	51.00
	(b) loaded mass over 1.02 t but not over 4.5 t	96.00
8.	The registration fee for a period other than 12 months is adjusted according to the number of months (including part of a month).’.	

2. Schedule 1, part 2, item 2—*omit, insert—*

‘2.	Vehicle, with distance and road use limits imposed by the corporation, owned by a primary producer and used only in the owner’s business as a primary producer—	
	(a) motor vehicle with RGCM or RGVM not over 4 t . . .	48.00
	(b) motor vehicle with RGCM or RGVM over 4 t but not over 4.5 t	70.00
	(c) trailer with RGVM not over 4.5 t	48.00’.

3. Schedule 1, part 3, item 2—*omit, insert—*

‘2.	Dealer’s plate	271.00’.
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SCHEDULE 4 (continued)

4. Schedule 1, part 3, item 6—*omit, insert—***‘6. Replacement of—**

(a) dealer’s plate	62.00
(c) limousine plates	25.00
(d) another number plate	17.00’.

5. Schedule 1, part 4, item 1—*omit, insert—***‘1. Application for—**

(a) transfer of registration . . .	15.00
(b) transfer of personalised number plates	56.00
(c) limited use permit, for each day	15.00
(d) limited use certificate	47.00
(e) permit under section 8 for a vehicle with a loaded mass not over 125 t for—	
(i) a single trip	56.00
(ii) a specified period	211.00’.

6. Schedule 1, part 4, item 8—*omit, insert—*

‘8. Traffic improvement fee	34.00’.
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SCHEDULE 5**AMENDMENT OF TRANSPORT OPERATIONS
(MARINE SAFETY) REGULATION 1995**

section 3(e)

1. Schedule 7—*omit, insert—***‘SCHEDULE 7****‘FEES**

section 186

‘Accreditation of ship designers, ship builders and marine surveyors

‘1.(1) This section sets the fees for accreditation of ship designers, ship builders and marine surveyors.

‘(2) The fee for initial accreditation is the total of the following—

- (a) application fee—\$161.00;
- (b) approval fee—\$383.00.

‘(3) The fee for renewal of accreditation is \$161.00.

‘(4) The fee for replacing a certificate of accreditation is \$21.00.

‘Registration of recreational ships

‘2.(1) This section sets the fees for registration of recreational ships.

‘(2) The fee is the total of the registration and recreational use components.

SCHEDULE 5 (continued)

‘(3) The registration component for a recreational ship is—

- (a) for a ship not over 4.5 m—\$40.00; or
- (b) for a ship over 4.5 m but not over 6 m—\$70.00; or
- (c) for a ship over 6 m but not over 10 m—\$100.00; or
- (d) for a ship over 10 m but not over 15 m—\$120.00; or
- (e) for a ship over 15 m but not over 20 m—\$150.00; or
- (f) for a ship over 20 m—\$190.00.

‘(4) The recreational use component for a recreational ship is \$12.00.

‘Pensioner concessions

‘3.(1) This section applies to the owner of a recreational ship.

‘(2) The owner is exempt from paying the registration fee for 1 recreational ship if the owner receives a totally and permanently incapacitated war pension.

‘(3) The owner is exempt from paying 50% of the registration component for 1 recreational ship if the owner receives—

- (a) a full rate age pension; or
- (b) a disability support pension; or
- (c) an Australian/United Kingdom reciprocal pension; or
- (d) a service or general rate disability pension.

‘(4) The owner is exempt from paying 25% of the registration component for 1 recreational ship if the owner holds a seniors card.

‘Registration of commercial ships

‘4.(1) This section sets the fees for registration and renewal of registration of commercial ships.

‘(2) The fee is the total of the registration, boating facilities and compliance monitoring components.

SCHEDULE 5 (continued)

(3) The registration component for a commercial ship is—

- (a) for a ship not over 4.5 m—\$40.00; or
- (b) for a ship over 4.5 m—\$70.00.

(4) The boating facilities component for a commercial ship is as follows—

- (a) for a ship not over 10 m—\$7.00 for each metre or part of a metre;
- (b) for a ship over 10 m but not over 35 m—\$72.00 plus \$12.00 for each additional metre, or part of a metre;
- (c) for ship over 35 m—\$369.00.

(5) The compliance monitoring component for class 1B, C, D and E ships and class 2B, C, D and E ships is as follows—

- (a) for a ship not over 7 m—\$103.00;
- (b) for a ship over 7 m but not over 10 m—\$251.00;
- (c) for a ship over 10 m but not over 15 m—\$313.00;
- (d) for a ship over 15 m but not over 20 m—\$384.00;
- (e) for a ship over 20 m but not over 25 m—\$441.00;
- (f) for a ship over 25 m but not over 35 m—\$497.00;
- (g) for a ship over 35 m but not over 50 m—\$589.00;
- (h) for a ship over 50 m but not over 75 m—\$636.00;
- (i) for a ship over 75 m but not over 100 m—\$728.00;
- (j) for a ship over 100 m—\$907.00.

(6) The compliance monitoring component for class 1F ships is as follows—

- (a) for a ship not over 7 m—\$39.00;
- (b) for a ship over 7 m but not over 10 m—\$67.00;
- (c) for a ship over 10 m but not over 15 m—\$98.00;
- (d) for a ship over 15 m but not over 20 m—\$133.00;

SCHEDULE 5 (continued)

- (e) for a ship over 20 m but not over 25 m—\$195.00;
- (f) for a ship over 25 m but not over 35 m—\$231.00;
- (g) for a ship over 35 m—\$261.00.

‘(7) The compliance monitoring component for commercial hovercraft is as follows—

- (a) for a hovercraft over 5 m—\$98.00;
- (b) for a hovercraft over 5 m but not over 7.5 m—\$133.00;
- (c) for a hovercraft over 7.5 m but not over 10 m—\$205.00;
- (d) for a hovercraft over 10 m but not over 15 m—\$267.00;
- (e) for a hovercraft over 15 m but not over 20 m—\$405.00;
- (f) for a hovercraft over 20 m but not over 30 m—\$538.00;
- (g) for a hovercraft over 30 m—\$671.00.

‘(8) A ship owned by any of the following and used for rescue purposes is exempt from payment of the registration fees—

- (a) the emergency services department;
- (b) a volunteer marine rescue association or a surf lifesaving association accredited by that department.

‘(9) A ship used exclusively for a marine studies course provided by a high school or secondary college (including a senior college) is exempt from payment of registration fees.

‘Registration of fishing ships

‘5.(1) This section sets the fees for registration of fishing ships.

‘(2) The fees consist of the following compliance monitoring components—

- (a) for a ship over 10 m but not over 15 m—\$113.00;
- (b) for a ship over 15 m but not over 20 m—\$308.00;
- (c) for a ship over 20 m but not over 25 m—\$379.00;

SCHEDULE 5 (continued)

- (d) for a ship over 25 m but not over 35 m—\$477.00;
- (e) for a ship over 35 m but not over 50 m—\$589.00;
- (f) for a ship over 50 m but not over 75 m—\$636.00;
- (g) for a ship over 75 m but not over 100 m—\$728.00;
- (h) for a ship over 100 m—\$907.00.

‘Other registration fees

‘6.(1) This section sets the fees for miscellaneous aspects of ships registration.

‘(2) The fees are as follows—

- (a) for a replacement registration label and certificate of registration for a commercial or a fishing ship—\$34.00;
- (b) for an extract from the registered ships register from information in the register—
 - (i) when the application is made—\$10.00;
 - (ii) on another day—\$16.00.

‘Restricted use flags

‘7.(1) This section sets the fee for the issue and replacement of restricted use flags.

‘(2) The fees are as follows—

- (a) for an initial flag—\$149.00;
- (b) for a second or subsequent flag—\$60.00;
- (c) for a replacement flag—\$32.00;
- (d) for a flag for up to 1 month—\$53.00.

SCHEDULE 5 (continued)

‘Design approval certificates

‘8.(1) This section sets the fee for issuing a design approval certificate.

‘(2) The fees are as follows—

- (a) application fee for the issue of the certificate and if requested by the applicant, the giving of a quote for the design examination fee—\$85.00;
- (b) design examination fee—
 - (i) if an appropriately accredited ship designer has issued a certificate of compliance for the design and the certificate, or a copy of it, is given to the chief executive with the application—\$76.00 an hour of examination time, to the nearest 15 minutes;
 - (ii) otherwise—\$101.00 an hour of examination time to the nearest 15 minutes.

‘(3) Despite subsection (2)(b), if the chief executive has given a written quotation for the design examination fee and the applicant has accepted the quotation, the design examination fee is the lesser of—

- (a) the quoted fee; and
- (b) the fee that would otherwise be payable under subsection (2)(b) for the time taken to examine the design.

‘Certificates of survey

‘9.(1) This section sets the fee for a certificate of survey.

‘(2) The fees are as follows—

- (a) application fee for the issue of a certificate of survey—\$86.00;
- (b) for inspecting the ship (if necessary) and examining the documents required to be submitted with the application—\$76.00 an hour of inspection or examination time (excluding travelling time) to the nearest 15 minutes;

SCHEDULE 5 (continued)

- (c) the reasonable travelling expenses for inspecting the ship;
- (d) for issuing the certificate of survey—\$7.00.

‘Licences to operate commercial or fishing ships

‘10.(1) This section sets the fees for licences to operate commercial or fishing ships as master and to act as crew for ships.

‘(2) The fees for full licences are as follows—

- (a) for a master class 3 and skipper grade 1—\$159.00;
- (b) for a master class 4, mate class 4 and skipper grade 2—\$159.00;
- (c) for a master class 5 and skipper grade 3—\$113.00;
- (d) for a coxswain—\$51.00;
- (e) engineer class 3—\$200.00;
- (f) marine engine driver grade 1—\$128.00;
- (g) marine engine driver grade 2—\$94.00;
- (h) marine engine driver grade 3—\$94.00.

‘(3) The fees for subjects taken separately are as follows—

- (a) for a licence mentioned in subsection (2)(a) or (b)—\$29.00;
- (b) for a licence mentioned in subsection (2)(c) or (d)—\$23.00;
- (c) for another licence mentioned in subsection (2)—\$47.00.

‘Licences to operate recreational ships

‘11.(1) This section sets the fee for a licence to operate a recreational ship as its master.

‘(2) The fee is \$30.00.

‘Pilot licence and exemption from pilotage

‘12.(1) This section sets the fees for licences to have the conduct of a

SCHEDULE 5 (continued)

ship as its pilot and for the granting of an exemption from pilotage.

‘(2) The fee for an application for any of the following is \$144.00—

- (a) pilot’s licence (prescribed entity) competency examination;
- (b) pilotage exemption competency examination;
- (c) amendment of pilotage exemption;
- (d) amendment of pilot licence (prescribed entity).

‘(3) The fee for issue of any of the following is \$144.00—

- (a) pilot's licence (prescribed entity);
- (b) pilotage exemption;
- (c) amended pilot’s licence;
- (d) amended pilot’s licence (prescribed entity).

‘Other licence fees

‘13.(1) This section sets the fees for miscellaneous aspects of licensing to operate ships.

‘(2) The fees are as follows—

- (a) for issue of a licence for a commercial or fishing ship if no written examination is required—\$44.00;
- (b) for issue of a load line certificate for a ship—\$92.00;
- (c) for a practical demonstration of skill and licence condition for commercial hovercraft endorsement—\$179.00;
- (d) for an application for—
 - (i) an eyesight or colour vision test for a licence (other than a recreational ship master’s licence)—\$15.00;
 - (ii) an additional condition on licences—\$29.00;
- (e) for a sea time assessment—\$30.00;
- (f) for a temporary permit to operate a commercial or fishing ship as a master or crew member—\$83.00;

SCHEDULE 5 (continued)

- (g) for replacement of a recreational ship master's licence—\$13.00;
- (h) for replacement of a commercial ship licence, fishing ship licence, pilot licence or pilotage exemption—\$22.00;
- (i) for renewal of a commercial or fishing ship licence—\$29.00;
- (j) for renewal of pilot's licence (prescribed entity)—\$71.00;
- (k) for renewal of pilotage exemption—\$71.00.

'Training approval

'14.(1) This section sets the fee for approval of an entity to provide training.

'(2) The fee is \$297.00.

'Pilotage fees

'15.(1) This section sets the fees for pilotage.

'(2) The fees are as follows—

- (a) for the Brisbane pilotage area—
 - (i) per gross ton or part of a gross ton—

	\$
(A) for the first 10 000 gt	18.0c
(B) over 10 000 gt to 20 000 gt	10.6c
(C) over 20 000 gt to 30 000 gt	7.0c
(D) over 30 000 gt	1.9c
(ii) minimum charge	\$618.00
- (b) for the pilotage area other than the Brisbane pilotage area—
 - (i) per gross ton or part of a gross ton—

SCHEDULE 5 (continued)

	\$
(A) for the first 20 000 gt	8.7c
(B) over 20 000 gt to 40 000 gt	5.4c
(C) over 40 000 gt	3.4c
(ii) minimum charge	\$312.00.

‘Other pilotage fees

‘16.(1) This section sets other fees about pilotage.

‘(2) The fees are as follows—

(a) removal charges if the ship’s gross register tonnage—

	\$	\$	\$
(i) is not over 1 000 tons	139.00 ¹	204.00 ²	267.00 ³
(ii) over 1 000 tons but not over 6 000 tons	262.00 ¹	351.00 ²	441.00 ³
(iii) over 6 000 tons but not over 10 000 tons	383.00 ¹	498.00 ²	600.00 ³
(iv) over 10 000 tons	537.00 ¹	626.00 ²	739.00 ³ ;

(b) if the pilot cannot leave the ship after the pilotage ends—the reasonable costs of returning the pilot to the relevant pilotage area.

¹ for the first 3 n mile

² over 3 n mile up to 10 n mile

³ over 10 n mile

‘Conservancy fees

‘17.(1) This section sets the fees for conservancy.

‘(2) The fees are as follows—

(a) for a ship on an interstate voyage, per gross ton or part of a gross ton—

SCHEDULE 5 (continued)

(i) for the first 500 gt	8.1c
(ii) over 500 gt	13.1c
(b) any other ship, per gross ton or part of a gross ton ...	13.1c

‘Interest rate

‘18.(1) This section sets the interest rate for section 161.

‘(2) The rate is 10% a year.

‘Gross tonnage for certain ships

‘19. For sections 15 to 17, the gross tonnage of a ship stated in table A, column 1, with the Lloyds register number stated in table A, column 2, is the gross tonnage stated in table A, column 3.

Table A

Column 1 Ship	Column 2 Lloyds No.	Column 3 Tonnage
Texas	8204963	26790
Toba	7705972	20623
Taiko	8204975	27902
Tourcoing	7705946	21054
Tapiola	7705934	21049
Tampa	8204951	26790
Tampere	7718577	21318
Nedlloyd Rochester	7704605	19072
CGM Renoir	7702877	15632
CGM Ronsard	7702889	15632

SCHEDULE 5 (continued)

‘Buoy moorings

‘20.(1) This sections sets the fees for buoy moorings.

‘(2) The application fee is the total of the assessment and occupation components.

‘(3) The assessment component is \$50.00.

‘(4) The occupation component is—

(a) for a mooring for restricted use—

(i) in a category 2 area—\$50.00; or

(ii) in a category 3 area—\$30.00; or

(b) for a mooring for unrestricted use—

(i) in a category 2 area—\$100.00; or

(ii) in a category 3 area—\$50.00; or

‘(5) The renewal fee is—

(a) for a mooring for restricted use—

(i) in a category 2 area—\$50.00; or

(ii) in a category 3 area—\$30.00; or

(b) for a mooring for unrestricted use—

(i) in a category 2 area—\$100.00; or

(ii) in a category 3 area—\$50.00.

‘Concession for certain unrestricted use buoy moorings

‘21.(1) This section applies if the holder of an unrestricted use buoy mooring authority who carries on a business allows business clients to use the mooring free of charge.

‘(2) The application and renewal fees for the authority, for each mooring after the first 5 moorings, are—

(a) in a category 2 area—\$40.00; or

SCHEDULE 5 (continued)

- (b) in a category 3 area—\$30.00.

‘Aquatic events

‘22.(1) This section sets the fees for aquatic events.

‘(2) The fees are as follows—

- (a) for an application for an aquatic event authority—\$20.00 for each event;
- (b) for an application by a genuine boating or sporting club for an aquatic event authority for an events program that is not longer than 3 months, is held at the same venue and where the conditions imposed under the authority for each event in the program are substantially the same conditions—\$20.00.

‘Administration fee on registration refund

‘23.(1) This sets the administration fee on a refund of a ship’s registration under section 187.

‘(2) The fee is \$10.00.’.

SCHEDULE 6

**AMENDMENT OF TRANSPORT OPERATIONS
(ROAD USE MANAGEMENT—MOTOR VEHICLES
SAFETY) TRANSITIONAL REGULATION 1994**

section 3(f)

1. Schedule 1—

omit, insert—

‘SCHEDULE 1

‘FEES

section 7

\$

- 1. Category A vehicles—**
 - (a) taxi 28.00
 - (b) bus with a RGVM not over 4 t or a school bus 44.00
 - (c) any other bus with a RGVM over 4 t 52.00
 - (d) any other motor vehicle with a RGVM not over 4.5 t 28.00
 - (e) any other motor vehicle with a RGVM over 4.5 t but not over 16 t 60.00
 - (f) any other motor vehicle with a RGVM over 16 t 76.00
 - (g) trailer or semitrailer with an ATM over 3.5 t 34.00
- 2. Category B vehicles—first examination of motor vehicle for the issue of certificate of roadworthiness—**
 - (a) motor vehicle with a RGVM not over 4.5 t 42.00
 - (b) motorcycle 27.00
 - (c) trailer with an ATM up to 3.5 t 21.00

 SCHEDULE 6 (continued)

- | | | |
|------------|--|--------|
| 3. | If a motor vehicle is examined at an AIS outside normal hours at the request of the vehicle's owner, the overtime payable to, and the travelling expenses incurred by, the authorised officer are payable in addition to the fee under item 1. | |
| 4. | Copy of inspection report | 12.00 |
| 5. | Inspection of motor vehicle | 28.00 |
| 6. | Survey of plans for the alteration or modification of motor vehicle | 49.00 |
| 7. | Inspection of altered or modified motor vehicle | 28.00 |
| 8. | Application for approval as part 4 or 5 examiner | 17.00 |
| 9. | Application for approval of part 4 or 5 AIS | 57.00 |
| 10. | Renewal of approval of part 4 or 5 AIS | 30.00 |
| 11. | Lodgement of notice of appeal | 26.00 |
| 12. | Issue of replacement approval for AIS or approved examiner | 12.00 |
| 13. | Supply of book of 50 certificates of roadworthiness or inspection | 41.00 |
| 14. | A postage and handling charge is payable for each package of up to 4 books in addition to the fee under item 13 | 5.00 |
| 15. | Supply of book of 50 certificates of modification | 26.00 |
| 16. | Issue of motor mechanic's certificate | 22.00 |
| 17. | Issue of replacement certificate | 12.00' |

SCHEDULE 7

AMENDMENT OF TRANSPORT OPERATIONS (ROAD USE MANAGEMENT) REGULATION 1995

section 3(g)

1. Section 5(3), ‘40.00’—

omit, insert—

‘41.00’.

2. Section 6(4)(a)(ii), ‘69.00’—

omit, insert—

‘70.00’.

3. Section 8(3A)—

omit, insert—

‘(3A) If an exemption is given for a historic vehicle, the person must pay \$45.00.’.

4. Schedule 1, part 4—

omit, insert—

‘PART 4—SPECIAL PURPOSE VEHICLES

Special purpose vehicle (type 1)—

Caravan	\$55.00
Equipment trailer	\$55.00
Mobile machinery	\$220.00

SCHEDULE 7 (continued)

Motorised caravan	\$391.00
Tractor	\$9.00
Special purpose vehicle (type 2)	\$250 + (\$250 x number of axles in excess of 2)'.

ENDNOTES

1. Made by the Governor in Council on 17 September 1998.
2. Notified in the gazette on 18 September 1998.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Transport.