



Queensland

Transport Legislation and Another Regulation Amendment Regulation (No. 2) 2007

Subordinate Legislation 2007 No. 53

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 Legislation and Another Regulation Amendment Regulation (No. 2) 2007*.

2 Commencement

Part 3 commences on 1 July 2007.

Part 2 Amendment of State Penalties Enforcement Regulation 2000

3 Regulation amended in pt 2

This part amends the *State Penalties Enforcement Regulation 2000*.

4 Amendment of sch 3 (Transport legislation)

Schedule 3, entry for *Transport Operations (Road Use Management—Road Rules) Regulation 1999*, entries for section 104(1), (2) and (3)—

omit, insert—

's 104(1).....	1	5
s 104(2)	1	5
s 104(3)	1	5'.

‘210A ANPR cameras

- ‘(1) This section applies if an ANPR camera is used to provide evidence of a prescribed offence against the *Transport Operations (Road Use Management—Road Rules) Regulation 1999*, section 104(1), (2) or (3).

Note—

The *Transport Operations (Road Use Management—Road Rules) Regulation 1999*, section 104, involves offences for driving past a no trucks sign.

- ‘(2) For section 120(2)(d) of the Act, the following are the requirements about the operation of an ANPR camera—
- (a) the ANPR camera must be positioned and aimed so that—
- (i) an image taken by the ANPR camera shows the front of the vehicle that has driven past the no trucks sign, including the vehicle’s registration plate; and
- (ii) the image mentioned in subparagraph (i), or another image taken by any other camera operating in conjunction with the ANPR camera, shows the vehicle that has driven past the no trucks sign;
- (b) the ANPR camera must operate so that it captures images in a way that indicates whether an image captured by the ANPR camera has been tampered with.

Note—

Since an image certified by the commissioner as mentioned in section 120(2) of the Act is evidence of the accuracy of the image, if there is an indication that an image has been tampered with, the commissioner would not be able to certify that the image was properly taken.

- ‘(3) For section 120(4) of the Act, the marking or writing (a ***data block***) made by an ANPR camera on an image captured by the camera has the following meaning—
- (a) a sequence of four numbers separated by a colon is the time in 24 hour clock mode when the image was taken;
- (b) a sequence of six numbers separated by 2 backslashes is the date, in the order of day, month and year (ddmmyy), when the image was taken;

- (c) a sequence of five numbers is the number given in the Traffic Camera Coding Manual for the camera's location when the image was taken.

Example for subsection (3)—

A data block may show the following information—

- 23:59
- 07/07/06
- 20001.

The data block indicates the image was taken at 11.59pm on 7 July 2006 and the camera was located at the place given the number 20001 in the Traffic Camera Coding Manual.'

10 Amendment of s 211 (Markings or writings on photographic detection device images)

Section 211, heading, after 'images'—

insert—

'other than ANPR camera images'.

Part 4 Amendment of Transport Operations (Road Use Management—Road Rules) Regulation 1999

11 Regulation amended in pt 4

This part amends the *Transport Operations (Road Use Management—Road Rules) Regulation 1999*.

12 Amendment of s 104 (No trucks signs)

- (1) Section 104(4), from 'Subsections' to 'if'—
omit, insert—

‘It is a defence to a charge under subsection (1), (2) or (3) for the driver to prove’.

- (2) Section 104(4)(a), ‘is’—

omit, insert—

‘was’.

- (3) Section 104(4)(b), ‘can’—

omit, insert—

‘could’.

- (4) Section 104, before the example—

insert—

- ‘(5) Subsections (1) to (3) do not apply to a driver of a motorised caravan on the Brisbane Urban Corridor or on the part of the Ipswich Motorway between Granard Road and the Albert Street pedestrian bridge at Goodna.

- ‘(6) In this section—

Brisbane Urban Corridor means the route between Archerfield and Wishart consisting of Mt Gravatt–Capalaba Road west of the Gateway Motorway, Kessels Road, Riawena Road and Granard Road.

motorised caravan means—

- (a) 1 vehicle with a GVM over 4.5t, designed mainly for people to live in; or
- (b) a combination of 2 vehicles with a GVM over 4.5t if 1 of the vehicles is designed mainly for people to live in and the other has a GVM of less than 4.5t.’.

- (5) Section 104, example, after ‘Example’—

insert—

‘*of a no trucks sign*’.

13 Amendment of s 352 (Prescribed offences for ch 5, pt 7 of the Act)

- (1) Section 352(c) and (d)—

renumber as section 352(d) and (e).

(2) Section 352—

insert—

‘(c) section 104(1), (2) and (3);’.

ENDNOTES

- 1 Made by the Governor in Council on 12 April 2007.
- 2 Notified in the gazette on 13 April 2007.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Transport.