



Queensland

Transport Operations (Passenger Transport) and Other Legislation Amendment Regulation (No. 1) 2007

Subordinate Legislation 2007 No. 67

made under the

State Penalties Enforcement Act 1999

Transport Operations (Passenger Transport) Act 1994

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Transport Operations (Passenger Transport) and Other Legislation Amendment Regulation (No. 1) 2007*.

Part 2 Amendment of State Penalties Enforcement Regulation 2000

2 Regulation amended in pt 2

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

3 Amendment of sch 3 (Transport legislation)

Schedule 3, entry for *Transport Operations (Passenger Transport) Regulation 2005*—

insert—

's 126A	2
s 133A	2'.

Part 3 Amendment of Transport Operations (Passenger Transport) Regulation 2005

4 Regulation amended in pt 3

This part amends the *Transport Operations (Passenger Transport) Regulation 2005*.

5 Amendment of s 85 (Holder of licence may give chief executive notice that approved taxi security camera system not operational)

- (1) Section 85(1)(a), from ‘for a taxi’ to ‘taxi service area’—
omit.
- (2) Section 85(1)(b), after ‘not be,’—
insert—
‘fully’.

6 Insertion of new s 126A

Part 8, after section 126—
insert—

‘126A Air conditioning in buses—obligations of operator

- ‘(1) If the operator of a bus fitted with an air conditioner uses the bus to provide a scheduled passenger service, the operator must—
- (a) ensure the air conditioner is fully operational and in good repair; and
 - (b) if the maximum daily air temperature forecast by the Bureau of Meteorology for the area where the scheduled passenger service operates is at least 28°C—instruct the driver to turn the air conditioner on.

Maximum penalty—20 penalty units.

- ‘(2) The operator does not commit an offence against subsection (1)(a) in relation to the use of a bus fitted with an air conditioner that is not fully operational because it requires maintenance or repair if, after first becoming aware that the air conditioner is not fully operational—
- (a) the operator has taken reasonable steps to have the air conditioner maintained or repaired as quickly as possible; and
 - (b) the operator has a written record of—
 - (i) the date the air conditioner stopped being fully operational or in good repair; and

- (ii) the steps taken to have the air conditioner maintained or repaired as quickly as possible; and
- (c) the operator displays a sign in a conspicuous position near the entry to the bus that informs the passengers that the air conditioner is not fully operational because it requires maintenance or repair.’.

7 Insertion of new s 133A

Part 9, after section 133—

insert—

‘133A Air conditioning in buses—obligations of driver

- ‘(1) This section applies in relation to the use of a bus to provide a scheduled passenger service if the bus is fitted with an air conditioner.
- ‘(2) However, this section applies only while the bus is being used to provide a scheduled passenger service.
- ‘(3) If the driver of the bus is instructed by the operator of the bus to turn the air conditioner on, the driver must comply with the request unless the driver has a reasonable excuse.

Maximum penalty—20 penalty units.

Example of a reasonable excuse—

the air conditioner requires maintenance or repair’.

8 Amendment of sch 3 (Relevant taxi service areas for approved taxi security camera systems)

Schedule 3—

insert—

‘Bribie Island

Gladstone

Gympie

Innisfail

Maryborough

Mount Isa

Warwick

Yeppoon’.

ENDNOTES

- 1 Made by the Governor in Council on 26 April 2007.
- 2 Notified in the gazette on 27 April 2007.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Transport.