



Queensland

Transport Legislation Amendment Regulation (No. 1) 2013

Subordinate Legislation 2013 No. 42

made under the

Transport Operations (Road Use Management) Act 1995

Contents

		Page
Part 1	Preliminary	
1	Short title	3
Part 2	Amendment of Transport Operations (Road Use Management—Driver Licensing) Regulation 2010	
2	Regulation amended	3
3	Amendment of s 85 (Application of pt 12)	3
Part 3	Amendment of Transport Operations (Road Use Management—Road Rules) Regulation 2009	
4	Regulation amended	4
5	Amendment of s 266 (Wearing of seatbelts by passengers under 16 years old)	4
6	Amendment of s 267 (Exemptions from wearing seatbelts)	4
Part 4	Amendment of Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010	
7	Regulation amended	4
8	Amendment of s 17 (Deciding applications)	5
9	Amendment of s 43 (Renewal of registration)	5
10	Amendment of s 60 (Unregistered vehicle permits)	6
11	Amendment of s 110 (Decisions to which this division applies)	6
12	Amendment of s 112 (Definitions for div 5)	7
13	Omission of ss 113 and 114	7

Transport Legislation Amendment Regulation (No. 1) 2013

Contents

14	Amendment of s 117 (Release of vehicle-related information) . . .	7
15	Amendment of sch 3 (Other fees)	7
16	Amendment of sch 8 (Dictionary)	7

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Transport Legislation Amendment Regulation (No. 1) 2013*.

Part 2 Amendment of Transport Operations (Road Use Management—Driver Licensing) Regulation 2010

2 Regulation amended

This part amends the *Transport Operations (Road Use Management—Driver Licensing) Regulation 2010*.

3 Amendment of s 85 (Application of pt 12)

Section 85(2)—

omit, insert—

- (2) However, this part does not apply if—
 - (a) section 102 or 122 applies to the person; or
 - (b) the person is disqualified from holding or obtaining a driver licence under section 129B of the Act.

Part 3 **Amendment of Transport Operations (Road Use Management—Road Rules) Regulation 2009**

4 **Regulation amended**

This part amends the *Transport Operations (Road Use Management—Road Rules) Regulation 2009*.

5 **Amendment of s 266 (Wearing of seatbelts by passengers under 16 years old)**

Section 266(4AA) and (4AB)—

omit.

6 **Amendment of s 267 (Exemptions from wearing seatbelts)**

Section 267(1B), ‘under 16’—

omit, insert—

under 7

Part 4 **Amendment of Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010**

7 **Regulation amended**

This part amends the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010*.

8 Amendment of s 17 (Deciding applications)

(1) Section 17(1)(a)—

omit.

(2) Section 17(1)(b) to (l)—

renumber as section 17(a) to (k).

(3) Section 17—

insert—

(1A) The chief executive must refuse an application for the registration of a vehicle if the chief executive reasonably believes the vehicle or a part of the vehicle is, or may be, stolen.

(4) Section 17(2), ‘Subsection (1) does’—

omit, insert—

Subsections (1) and (1A) do

(5) Section 17(5)(b)—

omit, insert—

(b) that the decision may be reviewed under section 111, unless—

(i) the vehicle’s chassis number or VIN is the same as the chassis number or VIN of a vehicle recorded in the register, or in a register kept under a corresponding law to this regulation, as a statutory write-off; or

(ii) the chief executive has refused the application under subsection (1A).

9 Amendment of s 43 (Renewal of registration)

Section 43(11)—

omit, insert—

- (11) Despite subsections (1) to (10), the chief executive—
- (a) may refuse an application for the renewal of the registration of a vehicle under the same circumstances, and in the same way, that the chief executive may refuse an application for the registration of a vehicle under section 17; and
 - (b) must refuse an application for the renewal of the registration of a vehicle if the chief executive reasonably believes the vehicle or a part of the vehicle is, or may be, stolen.

10 Amendment of s 60 (Unregistered vehicle permits)

Section 60(5)(a) to (c)—

omit, insert—

- (a) if the vehicle is a trailer—the driver of the vehicle towing the trailer carries the permit in that vehicle; or
- (b) otherwise—the driver of the vehicle carries the permit.

11 Amendment of s 110 (Decisions to which this division applies)

Section 110(a) and (b)—

omit, insert—

- (a) a decision not to register a vehicle, other than—
 - (i) a decision not to register a vehicle that is a statutory write-off; or
 - (ii) a decision made under section 17(1A);

- (b) a decision not to renew the registration of a vehicle, other than—
 - (i) a decision not to renew the registration of a vehicle that is a statutory write-off; or
 - (ii) a decision made under section 43(11)(b);

12 Amendment of s 112 (Definitions for div 5)

Section 112, definitions *history certificate* and *status certificate*—
omit.

13 Omission of ss 113 and 114

Sections 113 and 114—
omit.

14 Amendment of s 117 (Release of vehicle-related information)

Section 117(2), from ‘, including’ to ‘if’—
omit, insert—

if

15 Amendment of sch 3 (Other fees)

Schedule 3, part 2, items 17 and 18—
omit.

16 Amendment of sch 8 (Dictionary)

- (1) Schedule 8, definitions *history certificate* and *status certificate*—
omit.

[s 16]

- (2) Schedule 8, definition *vehicle-related information provider*,
'and schedule 3, part 2, items 17 and 18'—
omit.

ENDNOTES

- 1 Made by the Governor in Council on 4 April 2013.
- 2 Notified in the gazette on 5 April 2013.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Transport and Main Roads.

© State of Queensland 2013
Authorised by the Parliamentary Counsel