



Queensland

Transport Operations (Road Use Management—Driver Licensing) Amendment Regulation (No. 1) 2013

Subordinate Legislation 2013 No. 74

made under the

Transport Operations (Road Use Management) Act 1995

Contents

		Page
1	Short title	2
2	Regulation amended	2
3	Amendment of s 16 (Open licence—class C)	2
4	Insertion of new s 16A	4
	16A Recording P2 time credit	4
5	Amendment of sch 4 (Prescribed countries and recognised countries)	5

1 Short title

This regulation may be cited as the *Transport Operations (Road Use Management—Driver Licensing) Amendment Regulation (No. 1) 2013*.

2 Regulation amended

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

3 Amendment of s 16 (Open licence—class C)

(1) Section 16(1)—

insert—

- (j) the person—
 - (i) holds a class C P1 type licence; and
 - (ii) has at least the following period of P2 time credit recorded under section 16A—
 - (A) if the person was granted a class C P1 type licence when the person was under 23 years and is under 26 years at the time of applying for the class C open licence—2 years;
 - (B) otherwise—1 year; or
- (k) the person—
 - (i) holds a class C P2 type licence; and
 - (ii) has held a class C P2 type licence for at least the following period less any P2 time credit recorded under section 16A for the person—
 - (A) if the person was granted a class C P1 type licence when the person was under 23 years and a class C

P2 type licence when the person was under 25 years—2 years;

(B) otherwise—1 year; or

(l) the person—

(i) has, within 5 years before applying for the licence, held a class C P2 type licence (an *earlier licence*) that has been cancelled; and

(ii) holds a class C P2 type licence; and

(iii) has, since the cancellation of the earlier licence, held a class C P2 type licence for at least—

(A) if the person was granted a class C P1 type licence when the person was under 23 years and the earlier licence when the person was under 25 years, and the person's P2 time credit balance for the earlier licence is more than 1 year—the P2 time credit balance; or

(B) if the person's P2 time credit balance for the earlier licence is 1 year or less—1 year; or

(m) the person—

(i) has, within 5 years before applying for the licence, held a class C P1 type licence for at least 1 year before the class C P1 type licence was cancelled; and

(ii) holds a class C P2 type licence; and

(iii) has, since the cancellation of the class C P1 type licence, held a class C P2 type licence for at least—

- (A) if the person was granted a class C P1 type licence when the person was under 23 years and a class C P2 type licence when the person was under 25 years, and the person's time credit balance for a class C P2 type licence is more than 1 year—the time credit balance; or
- (B) if the person's time credit balance for a class C P2 type licence is 1 year or less—1 year.

(2) Section 16(2)—

insert—

P2 time credit balance, for a licence mentioned in subsection (1)(1)(i), means the balance of the period for holding the licence that had not expired before the licence was cancelled less any P2 time credit recorded under section 16A for the person holding the licence.

time credit balance, for a class C P2 type licence, means the period that the person holding the licence must hold the licence under this section less any P2 time credit recorded under section 16A for the person.

4 Insertion of new s 16A

Part 3, division 5—

insert—

16A Recording P2 time credit

- (1) This section applies to a person (an ***eligible person***) who—
 - (a) holds a valid class C P1 type licence or class C P2 type licence; and

-
- (b) has held a valid class C P1 type licence for more than 1 year.
- (2) An eligible person may apply, in the approved form, to the chief executive to record the person's P2 time credit.
- (3) If the chief executive is satisfied the person is an eligible person, the chief executive must record the person's P2 time credit.
- (4) If the chief executive is not satisfied the person is an eligible person, the chief executive must—
- (a) refuse to record the person's P2 time credit; and
- (b) give the person written notice of the refusal.
- (5) In this section—

P1 type licence includes a driver licence granted outside Queensland that corresponds to a P1 type licence.

P2 time credit, for an eligible person, means the period in excess of 1 year that the person held a valid class C P1 type licence.

P2 type licence includes a driver licence granted outside Queensland that corresponds to a P2 type licence.

5 Amendment of sch 4 (Prescribed countries and recognised countries)

- (1) Schedule 4, section 1(1)—

insert—

- Bosnia and Herzegovina

- (2) Schedule 4, section 2—

insert—

- Bulgaria
- Cyprus

[s 5]

- Hungary
- Latvia
- Lithuania
- Poland
- Republic of South Africa
- Romania
- Slovakia
- Slovenia

ENDNOTES

- 1 Made by the Governor in Council on 30 May 2013.
- 2 Notified in the gazette on 31 May 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