



Queensland

# Transport Legislation Amendment Regulation (No. 1) 2018

## Subordinate Legislation 2018 No. 11

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 Amendment Regulation (No. 1) 2018*.

### **2 Commencement**

Sections 11, 22, 23 and 24 commence on 23 February 2018.

## **Part 2 Amendment of State Penalties Enforcement Regulation 2014**

### **3 Regulation amended**

This part amends the *State Penalties Enforcement Regulation 2014*.

### **4 Amendment of sch 1 (Infringement notice offences and fines for nominated laws)**

Schedule 1, entry for the *Traffic Regulation 1962*—  
*insert—*

s 69

2

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## **Part 3 Amendment of Traffic Regulation 1962**

### **5 Regulation amended**

This part amends the *Traffic Regulation 1962*.

[s 6]

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## **6 Amendment of s 69 (Damaging permits)**

- (1) Section 69, heading—

*omit, insert—*

### **Permit copied, damaged etc.**

- (2) Section 69, from ‘damage’ to ‘excuse.’—

*omit, insert—*

do any of the following to a disability parking permit, unless the person has a reasonable excuse—

- (a) alter or copy the permit;
- (b) damage or deface the permit, or otherwise make the permit illegible.

## **7 Amendment of sch 13 (Data blocks for digital speed camera systems)**

- (1) Schedule 13, part 2, thirteenth dot point—

*omit, insert—*

- a shape or symbol overlaid on a vehicle shown in the image indicates the vehicle is the target vehicle.

- (2) Schedule 13, part 3, thirteenth dot point—

*omit, insert—*

- a shape or symbol overlaid on a vehicle shown in the image indicates the vehicle is the target vehicle.

- (3) Schedule 13, part 5, eighth dot point—

*omit, insert—*

- a shape or symbol overlaid on a vehicle shown in the image indicates the vehicle is the target vehicle.

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## **Part 4**                      **Amendment of Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015**

### **8**                      **Regulation amended**

This part amends the *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015*.

### **9**                      **Amendment of s 4 (Application for appointment or renewal)**

(1) Section 4(1)—

*insert—*

*Note—*

See part 7A for requirements about the application.

(2) Section 4(3)—

*omit, insert—*

(3) An application must be accompanied by the prescribed fee.

### **10**                      **Amendment of s 5 (Decision on application)**

Section 5(1), ‘application and’—

*omit, insert—*

application and, subject to section 147D(4) and (5)

### **11**                      **Amendment of s 27 (Necessary expertise—Act, s 21(1))**

(1) Section 27(a)—

*omit, insert—*

- (a) holds, on the day the application is made, a valid qualifying licence for the class of motor vehicle; and
- (aa) held, for a continuous period of 1 year ending on the day the application is made (the ***relevant period***), a qualifying licence for the class of motor vehicle that was—
  - (i) valid for the entire relevant period; or
  - (ii) if the licence was not valid for the entire relevant period—  
debtor-suspended during the periods the licence was not valid; and

(2) Section 27(aa) and (b)—

*renumber* as section 27(b) and (c).

(3) Section 27—

*insert—*

(2) In this section—

***debtor-suspended*** means—

- (a) in relation to a Queensland driver licence—  
suspended under the *State Penalties Enforcement Act 1999*, part 5, division 7; or
- (b) in relation to an interstate driver licence—  
suspended under a corresponding law to the *State Penalties Enforcement Act 1999*, part 5, division 7; or
- (c) for a driver licence granted in New Zealand—suspended under a law of New Zealand that provides for the same matter as the *State Penalties Enforcement Act 1999*, part 5, division 7.

***qualifying licence***, for a class of motor vehicle, means—



- (a) an open licence authorising the holder of the licence to drive the class of motor vehicle; or
- (b) an interstate driver licence, or a driver licence granted in New Zealand, that corresponds to a licence mentioned in paragraph (a).

**12 Amendment of s 60 (Application by accredited person for replacement accreditation document)**

- (1) Section 60(2)—

*insert—*

*Note—*

See part 7A for requirements about the application.

- (2) Section 60(3)—

*omit, insert—*

- (3) An application under this section, other than an exempt application, must be accompanied by the prescribed fee.

- (3) Section 60(4), after ‘chief executive must’—

*insert—*

, subject to section 147D(4) and (5),

**13 Amendment of s 61 (Upgrading to smartcard accreditation document)**

- (1) Section 61(2)—

*insert—*

*Note—*

See part 7A for requirements about the application.

- (2) Section 61(3)—

*omit, insert—*

(3) The application must be accompanied by the prescribed fee.

(3) Section 61(4), ‘The chief executive’—

*omit, insert—*

Subject to section 147D(4) and (5), the chief executive

**14 Amendment of s 71 (Application for grant or renewal of part 3 approvals)**

Section 71(1) and (2)—

*omit, insert—*

(1) A person may apply to the chief executive for—

(a) the grant of a part 3 approval; or

(b) if the person is the holder of a part 3 approval—renewal of the approval.

*Note—*

See part 7A for requirements about the application.

(2) The application must be accompanied by the prescribed fee.

**15 Amendment of s 72 (Decision on application)**

Section 72, ‘application and’—

*omit, insert—*

application and, subject to section 147D(4) and (5)

**16 Amendment of s 100 (Application for approval as nominee)**

(1) Section 100(1)—

*insert—*

---

*Note—*

See part 7A for requirements about the application.

(2) Section 100(2)—

*omit, insert—*

(2) The application must be—

- (a) endorsed by the holder of the AIS approval;  
and
- (b) accompanied by the prescribed fee.

## **17 Amendment of s 101 (Decision on application)**

Section 101(1), ‘application and’—

*omit, insert—*

application and, subject to section 147D(4) and  
(5)

## **18 Amendment of s 125 (Issuing special event permit)**

(1) Section 125(1)—

*insert—*

*Note—*

See part 7A for requirements about the application.

(2) Section 125(2), ‘The authorising officer’—

*omit, insert—*

Subject to section 147D(4) and (5), the  
authorising officer

## **19 Amendment of s 128 (Application for, and issue of, permit)**

(1) Section 128(1)—

*insert—*

*Note—*

See part 7A for requirements about the application.

- (2) Section 128(2), ‘The authorising officer’—

*omit, insert—*

Subject to section 147D(4) and (5), the  
authorising officer

**20 Amendment of s 132 (Application for, and issue of,  
permit)**

- (1) Section 132(1)—

*insert—*

*Note—*

See part 7A for requirements about the application.

- (2) Section 132(2), from ‘must—’—

*omit, insert—*

must be made to the chief executive at least 10  
business days before the vehicle or equipment is  
to be used on the State-controlled road.

- (3) Section 132(3), ‘The chief executive’—

*omit, insert—*

Subject to section 147D(4) and (5), the chief  
executive

**21 Insertion of new pt 7A**

After part 7—

*insert—*

**Part 7A Requirements for  
particular applications**

## 147A Definitions for part

In this part—

*application* means an application required or permitted to be made under this regulation.

*decision-maker*, for an application, means the office holder (however described) whose function it is, under this regulation, to decide the application.

*information* includes a document.

## 147B Chief executive may publish a notice about applications

(1) The chief executive may, by publishing a notice on the department’s website—

(a) approve a way in which a stated type of application may be made; or

*Examples of ways—*

orally, by electronic communication or by another form of communication

(b) require stated information to be given in or with a stated type of application.

(2) A notice under subsection (1)(a) may include requirements for making an application in the approved way.

(3) A notice under subsection (1)(b) may only require information that is reasonably necessary for—

(a) the purpose of enabling the decision-maker to decide the application; or

(b) another purpose related to the application or the thing being applied for.

*Example—*

Required information may not include—

(a) irrelevant personal information; or

- (b) relevant personal information if the provision of the information would be excessively intrusive to personal privacy.
- (4) Subsection (1) applies whether or not there is an approved form for making the application.

### **147C How applications must be made**

- (1) An application must be made in any of the following ways—
  - (a) in the approved form for the application;
  - (b) in the way approved under section 147B(1)(a) for making the application;
  - (c) if there is no approved form and no approved way for making the application—in writing.
- (2) An application must include any information required under section 147B(1)(b).
- (3) Subsection (2) does not limit another provision of this regulation that requires an application to include, or be accompanied by, particular information.

### **147D Decision-maker may request further information**

- (1) The decision-maker for an application may give the applicant a written notice asking for further information that the decision-maker reasonably needs to decide the application.
- (2) The notice—
  - (a) must state—
    - (i) the information required; and

- 
- (ii) the time, no earlier than 28 days after the notice is given, by which the information is required to be given; and
  - (iii) that, if the applicant does not comply with the notice, the decision-maker may cancel the application; and
- (b) may state a way in which the information is required to be given.
- (3) If the notice does not state a way in which the information is required to be given, the applicant must give the information in writing.
  - (4) If the applicant does not comply with the notice, the decision-maker may give the applicant a further notice cancelling the application.
  - (5) A notice cancelling the application has effect on the day it is given to the applicant or any later day stated in it.

**22 Amendment of s 151 (Existing application for appointment as driver trainer)**

Section 151(3)(b), ‘section 27(b)’—

*omit, insert*—

section 27(c)

**23 Amendment of s 155 (Necessary expertise for renewal of appointment as driver trainer)**

Section 155(2)(b), ‘section 27(b)’—

*omit, insert*—

section 27(c)

**24 Amendment of sch 1 (Statutory conditions for appointment as accredited person)**

Schedule 1, section 2, ‘section 27(b)’—

*omit, insert—*

section 27(c)

**Part 5 Amendment of Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010**

**25 Regulation amended**

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

**26 Amendment of s 20 (Registered operator to notify change of particulars)**

(1) Section 20(1), ‘full particulars’—

*omit, insert—*

notice

(2) Section 20(1)—

*insert—*

*Note—*

See part 10, division 3A, subdivision 3 for requirements about the notice.

(3) Section 20(2)(a)—

*omit, insert—*

(a) notice of the change; and



---

*Note—*

See part 10, division 3A, subdivision 3 for requirements about the notice.

- (4) Section 20(3), ‘written notice containing full particulars’—  
*omit, insert—*

notice

- (5) Section 20(3)—  
*insert—*

*Note—*

See part 10, division 3A, subdivision 3 for requirements about the notice.

## **27 Amendment of s 28 (Application for approval of motorbike as a learner approved motorbike)**

- (1) Section 28(1)—  
*insert—*

*Note—*

See part 10, division 3A, subdivision 2 for requirements about the application.

- (2) Section 28(2)(a)—  
*omit.*

- (3) Section 28(2)(b) and (c)—  
*renumber* as section 28(2)(a) and (b).

- (4) Section 28(3), ‘The chief executive’—  
*omit, insert—*

Subject to section 109D(4) and (5), the chief executive

**28 Amendment of s 32B (Application to replace number plate with special edition number plate)**

- (1) Section 32B(1), ‘in writing’—

*omit.*

- (2) Section 32B(1)—

*insert—*

*Note—*

See part 10, division 3A, subdivision 2 for requirements about the application.

**29 Amendment of s 33 (Personalised number plates)**

- (1) Section 33(1)—

*omit, insert—*

- (1) The registered operator of a vehicle may apply to the chief executive for the issue of a number plate for the vehicle as a personalised number plate.

*Note—*

See part 10, division 3A, subdivision 2 for requirements about the application.

- (1A) Subject to section 109D(4) and (5), the chief executive may issue the number plate as a personalised number plate on receipt of—

- (a) the application; and  
(b) an amount decided by the chief executive.

- (1B) Also, the chief executive may issue a number plate as a personalised number plate on a sale at public auction for an amount acceptable to the chief executive.

- (2) Section 33(5)(a)—

*omit, insert—*

- 
- (a) given the chief executive a notice of the person's intention to attach the number plate to the vehicle; and

*Note—*

See part 10, division 3A, subdivision 3 for requirements about the notice.

**30 Amendment of s 34 (Transfer of personalised number plate)**

Section 34(2)(a)—

*omit, insert—*

- (a) give the chief executive notice of the transfer; and

*Note—*

See part 10, division 3A, subdivision 3 for requirements about the notice.

**31 Amendment of s 35 (Converting number plate to personalised number plate)**

Section 35—

*insert—*

*Note—*

See part 10, division 3A, subdivision 2 for requirements about the application.

**32 Amendment of s 36 (Customised number plates)**

- (1) Section 36(1)—

*insert—*

*Note—*

See part 10, division 3A, subdivision 2 for requirements about the application.

- (2) Section 36(3)(a)—

*omit, insert—*

- (a) the registered operator has given the chief executive notice of the registered operator's intention to attach the number plate to the vehicle; and

*Note—*

See part 10, division 3A, subdivision 3 for requirements about the notice.

### **33 Amendment of s 37 (Accessory plates)**

- (1) Section 37(2)—

*insert—*

*Note—*

See part 10, division 3A, subdivision 2 for requirements about the application.

- (2) Section 37(4), 'in the approved form and be'—

*omit.*

### **34 Amendment of s 38 (Accessory plate for tow truck)**

- (1) Section 38(1)—

*insert—*

*Note—*

See part 10, division 3A, subdivision 2 for requirements about the application.

- (2) Section 38(3), 'in the approved form and be'—

*omit.*

### **35 Amendment of s 42 (Registration renewal notice)**

Section 42(1)(a)(i)—

*omit, insert—*

- (i) if the vehicle's registered operator has given the chief executive a direction to address the notice to another person—the person; or

*Note—*

See part 10, division 3A, subdivision 3 for requirements about the direction.

### **36 Amendment of s 43 (Renewal of registration)**

- (1) Section 43(1) and (1A)—

*omit, insert—*

- (1) A person may apply to the chief executive for renewal of a vehicle's registration.

*Note—*

See part 10, division 3A, subdivision 2 for requirements about the application.

- (1A) The application must be accompanied by the following—
  - (a) any vehicle registration fee under schedule 1 or 2 for the vehicle;
  - (b) any registration administration fee for a conditionally registered vehicle under schedule 3 for the vehicle;
  - (c) if the vehicle is a category 1 vehicle—the traffic improvement fee under schedule 3 for the vehicle;
  - (d) if the vehicle is a category 2 vehicle, other than a trailer—the registration administration fee under schedule 3 for the vehicle;
  - (e) any insurance certificate required under the *Motor Accident Insurance Act 1994* for the vehicle for the proposed term of registration or the insurance premium payable under that Act for the certificate;

- (f) if the vehicle is a COI vehicle under the Vehicle Standards and Safety Regulation—prescribed evidence of a current certificate of inspection under that regulation for the vehicle, but only if its owner is required under that regulation to possess a current certificate of inspection for the vehicle;
- (g) if the applicant is relying on section 100C or 100D—the evidence or notice required under section 100E.

(1B) However, subsection (1A)(d) does not apply to a category 2 vehicle if another registration administration fee applies to the vehicle under subsection (1A).

(2) Section 43(10), after ‘subsections (1) to (9),’—

*insert—*

or part 10, division 3A, subdivision 2,

### **37 Amendment of s 48 (Transfer of registration)**

(1) Section 48—

*insert—*

(3A) If the dealer acquires the vehicle from another dealer (the *disposing dealer*), subsection (3) does not apply if both dealers agree, in writing, that the disposing dealer will apply, or give notice, under subsection (6) within 14 days after the acquisition.

(2) Section 48(5)—

*omit, insert—*

(5) If a person who acquires a registered vehicle is unable to state the full name and address, or include the signature, of the person who sold or disposed of the vehicle in the application or notice, the person acquiring the vehicle must give

a statement to that effect to the chief executive.

*Note—*

See part 10, division 3A, subdivision 3 for requirements about the statement.

**38 Amendment of s 50 (Transfer of registration under legal process)**

(1) Section 50(1) and (2)—

*omit, insert—*

- (1) A person who obtains a registered vehicle under a legal process must give the chief executive notice of that fact within 14 days after obtaining the vehicle.

Maximum penalty—16 penalty units.

*Note—*

See part 10, division 3A, subdivision 3 for requirements about the notice.

- (2) A person who repossesses a registered vehicle that is not redeemed within 28 days after the repossession must, within a further 7 days, give the chief executive notice of the repossession and details of the proposed registered operator.

Maximum penalty—16 penalty units.

*Note—*

See part 10, division 3A, subdivision 3 for requirements about the notice.

(2) Section 50(3), from ‘can not’—

*omit, insert—*

is unable to include the signature of the vehicle’s registered operator in the notice, must give a statement to that effect to the chief executive.

*Note—*

See part 10, division 3A, subdivision 3 for requirements about the statement.

(3) Section 50(5)(a), ‘appearing in the approved form’—

*omit, insert—*

stated in the notice

(4) Section 50(6), ‘in the approved form’—

*omit.*

**39 Amendment of s 53 (Return of registration plates when registration expires)**

Section 53(2)(b)—

*omit, insert—*

(b) if the plates have been lost, stolen or destroyed, give the chief executive notice of the details of the loss, theft or destruction.

*Note—*

See part 10, division 3A, subdivision 3 for requirements about the notice.

**40 Amendment of s 54 (Cancellation of registration at registered operator’s request)**

Section 54(4)—

*insert—*

*Note—*

See part 10, division 3A, subdivision 2 for requirements about the application.

**41 Amendment of s 57 (Cancellation for noncompliance with notice about defective or unsafe vehicle)**

(1) Section 57(4), from ‘notifies’—



*omit, insert—*

gives the chief executive notice of the details of the loss, theft or destruction.

(2) Section 57(4)—

*insert—*

*Note—*

See part 10, division 3A, subdivision 3 for requirements about the notice.

#### **42 Amendment of s 58 (Cancellation of registration of vehicle or dealer plate)**

(1) Section 58(5), from ‘notifies’—

*omit, insert—*

gives the chief executive notice of the details of the loss, theft or destruction.

(2) Section 58(5)—

*insert—*

*Note—*

See part 10, division 3A, subdivision 3 for requirements about the notice.

(3) Section 58(9), ‘written’—

*omit.*

(4) Section 58(9)—

*insert—*

*Note—*

See part 10, division 3A, subdivision 3 for requirements about the notice.

#### **43 Amendment of s 60 (Unregistered vehicle permits)**

(1) Section 60(1)—

*insert—*

*Note—*

See part 10, division 3A, subdivision 2 for requirements about the application.

- (2) Section 60(2), ‘in the approved form and be’—

*omit.*

#### **44 Amendment of s 62 (Registration of dealer plate)**

- (1) Section 62(3)—

*insert—*

*Note—*

See part 10, division 3A, subdivision 2 for requirements about the application.

- (2) Section 62(4), ‘in the approved form and be’—

*omit.*

#### **45 Amendment of s 65 (Cancellation of dealer plates)**

- (1) Section 65(1)(a) and (b)—

*omit, insert—*

- (a) applies to the chief executive for the cancellation; and

*Note—*

See part 10, division 3A, subdivision 2 for requirements about the application.

- (b) unless the person has given the chief executive notice of the details of the loss, theft or destruction of the dealer plate— returns the dealer plate to the chief executive.

*Note—*

See part 10, division 3A, subdivision 3 for requirements about the notice.

(2) Section 65(3)(a)—

*omit, insert—*

(a) give the chief executive notice about the relevant event; and

*Note—*

See part 10, division 3A, subdivision 3 for requirements about the notice.

(3) Section 65(8), ‘written’—

*omit.*

(4) Section 65(8)—

*insert—*

*Note—*

See part 10, division 3A, subdivision 3 for requirements about the notice.

## **46 Amendment of s 68 (Auditing of notifiers)**

(1) Section 68(3), ‘signed by the notifier’—

*omit, insert—*

(a *rectification notice*)

(2) Section 68(3)—

*insert—*

*Note—*

See part 10, division 3A, subdivision 3 for requirements about the rectification notice.

(3) Section 68(5), from ‘notice given’ to ‘the notice’—

*omit, insert—*

rectification notice, nor the fact that the notifier

gave the rectification notice

**47 Amendment of s 69 (Obligation of notifiers to give notifiable information)**

(1) Section 69(1), from ‘chief executive—’—

*omit, insert—*

chief executive.

(2) Section 69(1)—

*insert—*

*Note—*

See part 10, division 3A, subdivision 3 for requirements about the giving of the notifiable information.

(3) Section 69(2), ‘written’—

*omit.*

(4) Section 69(2)—

*insert—*

*Note—*

See part 10, division 3A, subdivision 3 for requirements about the notice.

(5) Section 69(3) and (4)—

*omit, insert—*

(3) Also, a notifier may at any time apply to the chief executive for approval to correct a clerical or technical error in notifiable information the notifier has given to the chief executive for a vehicle.

*Note—*

See part 10, division 3A, subdivision 2 for requirements about the application.

(6) Section 69(5)—

*renumber* as section 69(4).

**48 Amendment of s 75 (Obligation of registered operator or owner of unregistered vehicle to report written-off vehicle)**

- (1) Section 75(2), ‘the notifiable information for the vehicle, in the approved form,’—

*omit, insert—*

notice of the notifiable information for the vehicle

- (2) Section 75(2)—

*insert—*

*Note—*

See part 10, division 3A, subdivision 3 for requirements about the notice.

**49 Amendment of s 82 (Approvals)**

- (1) Section 82(1) and (2)—

*omit, insert—*

- (1) A person may apply to the chief executive for an approval.

*Note—*

See part 10, division 3A, subdivision 2 for requirements about the application.

- (2) Section 82(3)—

*omit, insert—*

- (3) Subject to section 109D(4) and (5), the chief executive must consider an application for an approval within 28 days after it is received and decide either to—

(a) grant the approval; or

(b) refuse to grant the approval.

- (3) Section 82(3) and (4)—

*renumber* as section 82(2) and (3).

**50 Amendment of s 101 (Replacement registration items)**

(1) Section 101(2)—

*omit, insert—*

(2) The registered operator of the vehicle must apply to the chief executive for a replacement of the item within 14 days after discovering the item has been damaged, destroyed, lost or stolen.

Maximum penalty—6 penalty units.

*Note—*

See part 10, division 3A, subdivision 2 for requirements about the application.

(2) Section 101(3)(b)(ii)—

*omit, insert—*

(ii) for the replacement of a destroyed, lost or stolen number plate—a statement giving details of the destruction, loss or theft.

*Note—*

See part 10, division 3A, subdivision 3 for requirements about the statement.

(3) Section 101(4), after ‘the chief executive may’—

*insert—*

, subject to section 109D(4) and (5)

**51 Amendment of s 102 (Chief executive may require exchange of number plates)**

(1) Section 102(1)(a), ‘the number’—

*omit, insert—*

any writing or images

(2) Section 102(4)—

*omit, insert—*

(4) The registered operator must not contravene the

requirement unless the person has given the chief executive notice the original plate has been lost, stolen or destroyed.

*Note—*

See part 10, division 3A, subdivision 3 for requirements about the notice.

**52 Amendment of s 103 (Chief executive may require return of number plates)**

Section 103(4)—

*omit, insert—*

- (4) However, if the number plate has been lost, stolen or destroyed, the person does not contravene subsection (3) if the person, within the return period, notifies the chief executive of the details of the loss, theft or destruction.

*Note—*

See part 10, division 3A, subdivision 3 for requirements about the notice.

**53 Amendment of s 105 (Vehicles temporarily in Queensland)**

(1) Section 105(3)(a)—

*omit, insert—*

- (a) for a vehicle registered in a foreign country—each of the following—
- (i) proof of the vehicle's current registration;
  - (ii) proof of a current CTP insurance policy for the vehicle;
  - (iii) if the vehicle is present in Australia under a temporary admission carnet—

proof of the temporary admission carnet;

(iv) if the importation of the vehicle was approved under a status of forces agreement—proof of the approval;

(v) if the vehicle is a heavy vehicle that has the centre of a steering control to the left of the vehicle—the left-hand drive permit for the vehicle.

(2) Section 105(4) to (6)—

*omit.*

(3) Section 105(7)—

*renumber* as section 105(4).

(4) Section 105—

*insert—*

(5) In this section—

***CTP insurance policy*** see the *Motor Accident Insurance Act 1994*, section 4.

***left-hand drive permit***, for a heavy vehicle, means a permit, granted under Chapter 3, Part 3.2, Division 3 of the Heavy Vehicle National Law (Queensland), exempting the vehicle from compliance with schedule 2, section 4(1) of the *Heavy Vehicle (Vehicle Standards) National Regulation*.

***status of forces agreement*** means an agreement between the Commonwealth and another country allowing for the importation of vehicles by visiting military personnel.

***temporary admission carnet*** means a document that is, or is of the same nature as, a carnet de passages en douane, relating to the presence in Australia of a vehicle registered in another country.



**54 Amendment of s 107 (Authorisation to use unregistered vehicle on roads)**

(1) Section 107(1)—

*omit, insert—*

- (1) A person may apply to the chief executive for an authorisation to use on a road an unregistered vehicle, or class of unregistered vehicle, including a vehicle or class of vehicle that does not conform with the requirements applying to the vehicle or class under a vehicle law.

*Note—*

See part 10, division 3A, subdivision 2 for requirements about the application.

(2) Section 107(2), ‘The chief executive’—

*omit, insert—*

Subject to section 109D(4) and (5), the chief executive

**55 Amendment of s 109A (Definitions for division)**

Section 109A, definition *application*—

*omit, insert—*

***application*** means an application to the chief executive under a provision of this regulation.

***customer communication***—

(a) means each of the following—

- (i) a notice, however described, required to be given by a person to the chief executive under a provision of this regulation;
- (ii) a direction under section 42(1)(a)(i);
- (iii) a statement under section 48(5), 50(3) or 101(3)(b)(ii);

- (iv) a request for information under section 115(1)(a);
  - (v) the giving of notifiable information under section 69(1); but
- (b) does not include the giving of required evidence or notice under section 100E or 100F.

**56 Replacement of pt 10, div 3A, sdiv 3 (Particular notices)**

Part 10, division 3A, subdivision 3—

*omit, insert—*

**Subdivision 3 Particular customer communications**

**109E Chief executive may publish a notice about particular customer communications**

- (1) The chief executive may, by publishing a notice (a *departmental notice*) on the department's website—
    - (a) approve a way in which a stated customer communication may be given or made; or

*Examples of ways—*

    - orally, by electronic communication or by another form of communication  - (b) require stated information to be given in or with a stated customer communication.
- (2) A departmental notice may include requirements for giving or making a customer communication in the approved way.
  - (3) Subsection (1) applies whether or not there is an approved form for giving or making of the customer communication.

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**109F How customer communications must be given or made**

- (1) A customer communication must be given or made in any of the following ways—
  - (a) in the approved form for the customer communication;
  - (b) in the way approved under section 109E(1)(a) for giving or making the customer communication; or
  - (c) if there is no approved form and no approved way for giving or making the customer communication—in writing.
- (2) A customer communication must include, or be accompanied by, any information required under section 109E(1)(b).
- (3) Subsection (2) does not limit another provision of this regulation that requires a customer communication to include, or be accompanied by, particular information.

**57 Amendment of s 115 (Release of information on payment of fee)**

- (1) Section 115(1)(a), ‘in the approved form’—

*omit.*

- (2) Section 115(1)(a)—

*insert—*

*Note—*

See part 10, division 3A, subdivision 3 for requirements about the request.

**58 Amendment of s 122 (Exemption from payment of fee)**

- (1) Section 122(1), ‘The chief executive may grant’—

*omit, insert—*

The registered operator of a vehicle or dealer plate  
may apply to the chief executive for

(2) Section 122(1)—

*insert—*

*Note—*

See part 10, division 3A, subdivision 2 for requirements  
about the application.

(3) Section 122(2) and (3)—

*omit, insert—*

(2) Subject to section 109D(4) and (5) and subsection  
(3), the chief executive may grant the exemption.

(3) An exemption for a fee mentioned in subsection  
(1)(b) or (d) may only be granted with the  
approval of the chief executive of the department  
within which the *Public Service Act 2008* is  
administered.

(4) Section 122(4), ‘notify the chief executive in writing’—

*omit, insert—*

give the chief executive notice

(5) Section 122(4)—

*insert—*

*Note—*

See part 10, division 3A, subdivision 3 for requirements  
about the notice.

## **59 Amendment of s 123 (Concessional registration fees— category 1 vehicles)**

(1) Section 123(1) to (3)—

*omit, insert—*

(1) The registered operator of a vehicle mentioned in

---

schedule 1, part 2 may apply to the chief executive for a concessional registration fee for the vehicle.

*Note—*

See part 10, division 3A, subdivision 2 for requirements about the application.

- (2) Subject to section 109D(4) and (5) and subsection (3), the chief executive may grant the concessional registration fee.
- (3) The chief executive must not grant a concessional registration fee under subsection (1) for a vehicle mentioned in schedule 1, item 3, 6, 7 or 8 if the registered operator of the vehicle has already been granted a concessional registration fee under section 125 for another vehicle.

- (2) Section 123(6) and (7), ‘written’—

*omit.*

- (3) Section 123(6) and (7)—

*insert—*

*Note—*

See part 10, division 3A, subdivision 3 for requirements about the notice.

## **60 Amendment of s 124 (Concessional registration fees—primary production vehicles)**

- (1) Section 124(1) and (2)—

*omit, insert—*

- (1) A primary producer may apply to the chief executive for a concessional registration fee under schedule 2, part 3 for the registration of a primary production vehicle.

*Note—*

See part 10, division 3A, subdivision 2 for requirements about the application.

- (2) Subject to section 109D(4) and (5), the chief executive may grant the concessional registration fee.

- (2) Section 124(4), ‘written’—

*omit.*

- (3) Section 124(4)—

*insert—*

*Note—*

See part 10, division 3A, subdivision 3 for requirements about the notice.

## **61 Amendment of s 125 (Concessional registration fee for motorised caravan for card holders and prescribed service persons)**

- (1) Section 125(1) to (3)—

*omit, insert—*

- (1) A card holder or prescribed service person may apply to the chief executive for a concessional registration fee under schedule 2, part 3, item 4, 5 or 6 for the registration of a motorised caravan registered in the name of the card holder or prescribed service person.

*Note—*

See part 10, division 3A, subdivision 2 for requirements about the application.

- (2) Subject to section 109D(4) and (5) and subsection (3), the chief executive may grant the concessional registration fee.
- (3) The chief executive must not grant a concessional registration fee under subsection (1) if the

registered operator of the vehicle has already been granted a concessional registration fee under section 123 for a vehicle mentioned in schedule 1, item 3, 6, 7 or 8.

- (2) Section 125(4), ‘written’—

*omit.*

- (3) Section 125(4)—

*insert—*

*Note—*

See part 10, division 3A, subdivision 3 for requirements about the notice.

## **62 Amendment of s 126 (Concessional registration fees for other vehicles)**

- (1) Section 126(1) and (2)—

*omit, insert—*

- (1) A person may apply to the chief executive for a concessional registration fee under schedule 2, part 3, item 1 or 2 for the registration of a vehicle.

*Note—*

See part 10, division 3A, subdivision 2 for requirements about the application.

- (2) Subject to section 109D(4) and (5), the chief executive may grant the concessional registration fee.

- (2) Section 126(4), ‘written’—

*omit.*

- (3) Section 126(4)—

*insert—*

*Note—*

See part 10, division 3A, subdivision 3 for requirements about the notice.

**63 Amendment of sch 8 (Dictionary)**

Schedule 8, definition *application*, ‘subdivision 1,’—  
*omit.*



ENDNOTES

- 1 Made by the Governor in Council on 15 February 2018.
- 2 Notified on the Queensland legislation website on 16 February 2018.
- 3 The administering agency is the Department of Transport and Main Roads.

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