



Queensland

Transport Legislation (Fees and Other Matters) Amendment Regulation 2022

Subordinate Legislation 2022 No. 73

made under the

Transport Infrastructure Act 1994

Transport Operations (Passenger Transport) Act 1994

Transport Operations (Road Use Management) Act 1995

Contents

		Page
Part 1	Preliminary	
1	Short title	3
2	Commencement	3
Part 2	Amendment of Transport Infrastructure (Public Marine Facilities) Regulation 2011	
3	Regulation amended	3
4	Replacement of schs 2 and 3	3
	Schedule 2 Fees in State managed boat harbours	3
	Schedule 3 Fees in non-State managed boat harbours	12
Part 3	Amendment of Transport Operations (Passenger Transport) Regulation 2018	
5	Regulation amended	12
6	Amendment of sch 8 (Fees and levy)	12
Part 4	Amendment of Transport Operations (Road Use Management—Driver Licensing) Regulation 2021	
7	Regulation amended	13
8	Amendment of s 170 (Applications by persons who hold Queensland driver licences or interstate licences that do not authorise learning to drive motor vehicles of relevant class)	13
9	Amendment of s 199 (Term of Queensland driver licences)	13

Contents

10	Amendment of s 391 (Exemption from payment of particular fees)	13
11	Replacement of s 394 (Grant of Queensland driver licences to interstate licence holders—term and fees)	14
	394 Grant of Queensland driver licences to interstate licence holders—term and fees	14
	394A Grant and renewal of different classes of provisional licences, probationary licences and open licences—term and fees	16
	394B Grant of provisional licences, probationary licences and open licences with certain learner licences—term and fees	17
12	Replacement of ch 17, hdg (Transitional provision for Transport Legislation (Fee Unit Conversion and Registration Fees) Amendment Regulation 2022)	18
	Chapter 17 Further transitional provisions	
	Part 1 Transitional provision for Transport Legislation (Fee Unit Conversion and Registration Fees) Amendment Regulation 2022	
13	Insertion of new ch 17, pt 2	18
	Part 2 Transitional provision for Transport Legislation (Fees and Other Matters) Amendment Regulation 2022	
	440 Existing applications for particular Queensland driver licences—term and fees	19
14	Amendment of sch 7 (Fees)	20
15	Amendment of sch 9 (Dictionary)	20

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Transport Legislation (Fees and Other Matters) Amendment Regulation 2022*.

2 Commencement

This regulation commences on 1 July 2022.

Part 2 Amendment of Transport Infrastructure (Public Marine Facilities) Regulation 2011

3 Regulation amended

This part amends the *Transport Infrastructure (Public Marine Facilities) Regulation 2011*.

4 Replacement of schs 2 and 3

Schedules 2 and 3—

omit, insert—

Schedule 2 Fees in State managed boat harbours

section 77

[s 4]

Part 1 Fees for approvals relating to relevant State managed boat harbours

Bowen boat harbour

	\$
1 For an approval to moor a ship at a pile mooring or buoy mooring or a combination pile and buoy mooring—the total of the following for the period of the approval—	
(a) for 1 year—	
(i) for a mooring of 12.192m or less	842.80
(ii) for a mooring of more than 12.192m but not more than 18m, the greater of the following—	
(A) the minimum fee	1,053.79
(B) for each metre, or part of a metre, of the distance between the centres of the 2 moorings	68.82
(iii) for a mooring of 18m or more—for each metre, or part of a metre, of the distance between the centres of the 2 moorings	68.82
(b) for 6 months—for each metre, or part of a metre, of the distance between the centres of the 2 moorings	43.60
(c) for each week, irrespective of the ship's length—	
(i) for the first week	114.05
(ii) for each subsequent week	81.54
(d) for each day, or part of a day, irrespective of the ship's length	16.29

[s 4]

	\$
2 For an approval to moor a ship at a landing, for each hour or part of an hour after the first hour	6.13
3 For an approval to operate a commercial ship to provide a passenger carrying transport service, other than a ferry service, for 1 year if, under the domestic commercial vessel national law or the <i>Transport Operations (Marine Safety) Regulation 2016</i> , the ship may carry in partially smooth waters—	
(a) 25 persons or less	210.82
(b) more than 25, but not more than 55, persons	421.51
4 For an approval to operate a commercial ship to provide a passenger carrying transport service that is a ferry service—	
(a) for each passenger, other than an exempt passenger or a passenger to whom paragraph (b) applies	2.16
(b) for each passenger who is a student on a genuine school educational trip, if the school principal gives the approval holder a statutory declaration declaring the number of students on the trip	0.35
5 For an approval to operate a commercial ship to provide a goods carrying transport service—	
(a) for 1 year	8,429.94
(b) for 6 months	4,214.80
6 For an approval to operate a fuelling service, for 1 year	40.57

[s 4]

Mooloolaba Harbour

	\$
7 For an approval to moor a ship at a pile mooring or buoy mooring or a combination pile and buoy mooring—the total of the following for the period of the approval—	
(a) for 1 year—for each metre, or part of a metre, of the ship's length	136.93
(b) for 6 months—for each metre, or part of a metre, of the ship's length	68.58
(c) for each week, irrespective of the ship's length	91.75
(d) for each day, or part of a day, irrespective of the ship's length	14.19
8 For an approval to moor a ship at a maintenance berth, for each day or part of a day	20.49
9 For an approval to operate a fuelling service, for 1 year	210.82

Rosslyn Bay boat harbour

	\$
10 For an approval to moor a ship at a pile mooring or buoy mooring or a combination pile and buoy mooring—the total of the following for the period of the approval—	
(a) for 1 year—for each metre, or part of a metre, of the ship's length	136.93
(b) for 6 months—for each metre, or part of a metre, of the ship's length	68.58
(c) for each week, irrespective of the ship's length	91.75

	\$
(d) for each day, or part of a day, irrespective of the ship's length	14.19
11 For an approval to moor a ship at a maintenance berth, for each day or part of a day	20.49
12 For an approval to moor a commercial ship or fishing ship at a landing, for each hour or part of an hour	20.49
13 For an approval to moor a recreational ship at a landing, for each hour or part of an hour after the first hour	20.49
14 For an approval to operate a commercial ship to provide a passenger carrying transport service, other than a ferry service, for 1 year if, under the domestic commercial vessel national law or the <i>Transport Operations (Marine Safety) Regulation 2016</i> , the ship may carry in partially smooth waters—	
(a) 25 persons or less	210.82
(b) more than 25, but not more than 55, persons	421.51
15 For an approval to operate a commercial ship to provide a passenger carrying transport service that is a ferry service—	
(a) if the service is operated to or from boat harbour land under a tenure held by a person, other than the chief executive—for each passenger, other than an exempt passenger or a passenger to whom paragraph (c) applies	2.16
(b) if the service is operated using a landing on boat harbour land over which only the chief executive has a tenure—	
(i) for each passenger, other than an exempt passenger or a passenger to whom paragraph (c) applies	6.25
(ii) for use of the landing, for 1 year	5,268.88

[s 4]

	\$
(c) for each passenger who is a student on a genuine school educational trip, if the school principal gives the approval holder a statutory declaration declaring the number of students on the trip—	
(i) for a service mentioned in paragraph (a)	0.35
(ii) for a service mentioned in paragraph (b)	1.63
16 For an approval to operate a commercial ship to provide a goods carrying transport service—	
(a) for 1 year	8,429.94
(b) for 6 months	4,214.80
(c) for 1 month	702.43
(d) in addition to the fee stated under paragraph (a), (b) or (c), if the service is operated using a boat ramp or landing on boat harbour land over which only the chief executive has a tenure, for use of the boat ramp or landing—	
(i) for 1 year	5,268.88
(ii) for 6 months	2,634.44
(iii) for 1 month	438.97
17 For an approval to operate a fuelling service, for 1 year	526.69
18 For a fish receival service approval for a place in the boat harbour—	
(a) for each kilogram of prawns, fillets of fish or shucked scallops received by the relevant fish receival service at the place	0.058
(b) for each kilogram of fish, other than fillets of fish, received by the relevant fish receival service at the place	0.023

[s 4]

	\$
(c) for each kilogram of unshucked scallops received by the relevant fish receival service at the place	0.012
(d) in addition to the fee stated under paragraph (a), (b) or (c), if the service is operated using a boat ramp or landing on boat harbour land over which only the chief executive has a tenure, for use of the boat ramp or landing, for 1 year	5,268.88

Snapper Creek boat harbour (Tin Can Bay)

	\$
19 For an approval to moor a ship at a pile mooring or buoy mooring or a combination pile and buoy mooring—the total of the following for the period of the approval—	
(a) for 1 year—for each metre, or part of a metre, of the ship's length	136.93
(b) for 6 months—for each metre, or part of a metre, of the ship's length	68.58
(c) for each week, irrespective of the ship's length	91.75
(d) for each day, or part of a day, irrespective of the ship's length	14.19
20 For an approval to operate a commercial ship to provide a passenger carrying transport service, for 1 year if, under the domestic commercial vessel national law or the <i>Transport Operations (Marine Safety) Regulation 2016</i> , the ship may carry in partially smooth waters—	
(a) 25 persons or less	115.74
(b) more than 25, but not more than 55, persons	231.71
21 For an approval to operate a fuelling service, for 1 year	210.82

[s 4]

Urangan Boat Harbour

	\$
22 For an approval to moor a ship at a pile mooring or buoy mooring or a combination pile and buoy mooring—the total of the following for the period of the approval—	
(a) for 1 year—for each metre, or part of a metre, of the ship's length	136.93
(b) for 6 months—for each metre, or part of a metre, of the ship's length	68.58
(c) for each week, irrespective of the ship's length	91.75
(d) for each day, or part of a day, irrespective of the ship's length	14.19
23 For an approval to operate a commercial ship to provide a passenger carrying transport service, other than a ferry service or whale watching service, for 1 year if, under the domestic commercial vessel national law or the <i>Transport Operations (Marine Safety) Regulation 2016</i> , the ship may carry in partially smooth waters—	
(a) 25 persons or less	115.74
(b) more than 25, but not more than 55, persons	231.71
(c) more than 55, but not more than 150, persons	347.74
(d) more than 150 persons	463.72
24 For an approval to operate a commercial ship to provide a passenger carrying transport service that is a ferry service, if no more than 2 ships are used to provide the service, for 3 months	15,805.93
25 For an approval to operate a commercial ship to provide a transport service that is a combined passenger ferry service and goods carrying service, for each ship—	

[s 4]

	\$
(a) for 3 months	2,107.52
(b) in addition to the fee stated under paragraph (a), if the service is operated using a barge ramp on boat harbour land over which only the chief executive has a tenure, for use of the ramp for 3 months	1,580.42
26 For an approval to operate a commercial ship to provide a goods carrying transport service, if the service is operated using a barge ramp on boat harbour land over which only the chief executive has a tenure, for each ship—	
(a) for using the ramp 24 times or less a year	421.51
(b) for using the ramp more than 24, but not more than 52, times a year	842.80
(c) for using the ramp more than 52, but not more than 104, times a year	1,580.42
(d) for using the ramp more than 104 times a year	6,322.37
27 For an approval to operate a commercial ship to provide a passenger carrying transport service that is a whale watching service, for each passenger	0.30
28 For an approval to operate a fuelling service, for 1 year	210.82

Part 2 Other fee

	\$
29 For each mooring in the leased land mentioned in section 77(2), for 6 months	226.64

[s 5]

Schedule 3 Fees in non-State managed boat harbours

section 79

\$

- | | | |
|---|---|--------|
| 1 | For each mooring in a non-State managed boat harbour, for 6 months— | |
| | (a) for a mooring provided by the State | 374.07 |
| | (b) for a mooring provided by anyone else | 226.64 |

Part 3 Amendment of Transport Operations (Passenger Transport) Regulation 2018

5 Regulation amended

This part amends the *Transport Operations (Passenger Transport) Regulation 2018*.

6 Amendment of sch 8 (Fees and levy)

Schedule 8, item 13, '412.10'—

omit, insert—

422.40

Part 4 Amendment of Transport Operations (Road Use Management—Driver Licensing) Regulation 2021

7 Regulation amended

This part amends the *Transport Operations (Road Use Management—Driver Licensing) Regulation 2021*.

8 Amendment of s 170 (Applications by persons who hold Queensland driver licences or interstate licences that do not authorise learning to drive motor vehicles of relevant class)

Section 170(6), note, ‘section 394’—

omit, insert—

sections 394, 394A and 394B

9 Amendment of s 199 (Term of Queensland driver licences)

(1) Section 199(3), after ‘grant’—

insert—

or renew

(2) Section 199(4), after ‘394(2)’—

insert—

, 394A(2), 394B(2)

10 Amendment of s 391 (Exemption from payment of particular fees)

(1) Section 391(1), after ‘5’—

insert—

and 12

- (2) Section 391(3) and (4), ‘12 and 13’—

omit, insert—

13 and 14

- (3) Section 391(3)(b), ‘13’—

omit, insert—

14

11 Replacement of s 394 (Grant of Queensland driver licences to interstate licence holders—term and fees)

Section 394—

omit, insert—

394 Grant of Queensland driver licences to interstate licence holders—term and fees

- (1) This section applies if—
- (a) the holder of an interstate licence applies for a Queensland driver licence; and
 - (b) the chief executive decides to grant the Queensland driver licence.
- (2) The chief executive may, at the choice of the applicant, grant the Queensland driver licence—
- (a) for the remaining term of the interstate licence; or
 - (b) for a term that is equivalent to a term the Queensland driver licence may be granted for under section 199 plus the remaining term of the interstate licence; or
 - (c) if the remaining term of the interstate licence is 1 year or less—for a term that the Queensland driver licence may be granted for under section 199, disregarding the remaining term of the interstate licence.

-
- (3) However, the term of the Queensland driver licence must not be more than—
 - (a) if the Queensland driver licence is a learner licence mentioned in section 199(3)—3 years; or
 - (b) otherwise—5 years.
 - (4) If the Queensland driver licence is granted for the remaining term of the interstate licence under subsection (2)(a)—
 - (a) the interstate licence transfer fee is payable in relation to the grant of the Queensland driver licence; and
 - (b) no fee is payable under schedule 7, item 4 or 5 for the grant of the Queensland driver licence.
 - (5) If the Queensland driver licence is granted for a term under subsection (2)(b)—
 - (a) the interstate licence transfer fee is payable in relation to the grant of the Queensland driver licence; and
 - (b) for schedule 7, items 4 and 5, the term of the Queensland driver licence is taken to be the term the Queensland driver licence is granted for less the remaining term of the interstate licence.
 - (6) If the Queensland driver licence is granted for a term under subsection (2)(c)—
 - (a) no interstate licence transfer fee is payable in relation to the grant of the Queensland driver licence; and
 - (b) the fee under schedule 7, item 4 or 5 is payable for the grant of the Queensland driver licence.
 - (7) This section does not apply if the holder of the

interstate licence also holds a Queensland driver licence.

Note—

See sections 392 and 393.

- (8) This section applies subject to sections 394A and 394B.

394A Grant and renewal of different classes of provisional licences, probationary licences and open licences—term and fees

- (1) This section applies if—
- (a) a person applies at the same time for the grant or renewal of—
 - (i) a class C, or heavy vehicle class, provisional licence, probationary licence or open licence; and
 - (ii) a class RE or class R provisional licence, probationary licence or open licence; and
 - (b) the chief executive decides—
 - (i) to grant the person a licence mentioned in paragraph (a)(i) and (ii); or
 - (ii) to renew both licences.
- (2) The chief executive—
- (a) may, at the choice of the applicant, grant or renew the class C, or heavy vehicle class, Queensland driver licence for a term for which the licence may be granted or renewed—
 - (i) if the person holds an interstate licence and is applying for the grant of the class C, or heavy vehicle class, Queensland driver licence—under section 394(2); or

- (ii) otherwise—under section 199(1); and
- (b) must grant or renew the class RE or class R Queensland driver licence for the same term.
- (3) No fee is payable under schedule 7, item 5 or 12 in relation to the grant or renewal of the class RE or class R Queensland driver licence.
- (4) This section does not apply in relation to the grant of a Queensland driver licence to a person if section 170(6) or 392 applies in relation to the grant of the licence to the person.

394B Grant of provisional licences, probationary licences and open licences with certain learner licences—term and fees

- (1) This section applies if a person applies at the same time for, and the chief executive decides to grant—
 - (a) a provisional licence, probationary licence or open licence; and
 - (b) a learner licence of a different class to the provisional licence, probationary licence or open licence.
- (2) The chief executive—
 - (a) may, at the choice of the applicant, grant the provisional licence, probationary licence or open licence for a term for which the licence may be granted—
 - (i) if the person holds an interstate licence—under section 394(2); or
 - (ii) otherwise—under section 199(1); and
 - (b) must grant the learner licence for the same term.
- (3) No fee is payable under schedule 7, item 4 or 12

in relation to the grant of the learner licence.

- (4) This section does not apply in relation to the grant of a Queensland driver licence to a person if section 170(6), 392 or 393 applies in relation to the grant of the licence to the person.

12 Replacement of ch 17, hdg (Transitional provision for Transport Legislation (Fee Unit Conversion and Registration Fees) Amendment Regulation 2022)

Chapter 17, heading—

omit, insert—

Chapter 17 Further transitional provisions

Part 1 Transitional provision for Transport Legislation (Fee Unit Conversion and Registration Fees) Amendment Regulation 2022

13 Insertion of new ch 17, pt 2

After section 439—

insert—

Part 2 Transitional provision for Transport Legislation (Fees and Other Matters) Amendment Regulation 2022

440 Existing applications for particular Queensland driver licences—term and fees

- (1) This regulation, as amended by the *Transport Legislation (Fees and Other Matters) Amendment Regulation 2022*, applies in relation to the grant or renewal of a Queensland driver licence after the commencement, whether an application for the grant or renewal of the licence was made before or after the commencement.
- (2) Subsection (3) applies if—
 - (a) before the commencement, the holder of an interstate licence applied for a Queensland driver licence; and
 - (b) immediately before the commencement, the application had not been decided; and
 - (c) after the commencement, the chief executive decides to grant the licence within the fee exemption period.
- (3) Despite subsection (1), no interstate licence transfer fee is payable in relation to the grant of the Queensland driver licence.
- (4) In this section—

fee exemption period means the period starting on the commencement and ending 28 days after the commencement.

14 Amendment of sch 7 (Fees)

(1) Schedule 7—

insert—

11A Interstate licence transfer fee under section 394 76.83

(2) Schedule 7, items 11A to 17—

renumber as schedule 7, items 12 to 18.

15 Amendment of sch 9 (Dictionary)

Schedule 9—

insert—

interstate licence transfer fee means the fee mentioned in schedule 7, item 12.

ENDNOTES

- 1 Made by the Governor in Council on 16 June 2022.
- 2 Notified on the Queensland legislation website on 17 June 2022.
- 3 The administering agency is the Department of Transport and Main Roads.

© State of Queensland 2022