



Queensland

# Transport Legislation Amendment Regulation (No. 2) 2021

## Subordinate Legislation 2021 No. 157

made under the

*Transport Operations (Marine Safety) Act 1994*

*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. 2) 2021*.

### **2 Commencement**

- (1) Part 2 commences on 1 November 2021.
- (2) Part 6 commences on 27 November 2021.

## **Part 2 Amendment of Traffic Regulation 1962**

### **3 Regulation amended**

This part amends the *Traffic Regulation 1962*.

### **4 Amendment of s 212 (Traffic Camera Coding Manual)**

Section 212(2), after ‘signed by the’—  
*insert—*

chief executive or

## **Part 3 Amendment of Transport Operations (Marine Safety) Regulation 2016**

### **5 Regulation amended**

This part amends the *Transport Operations (Marine Safety) Regulation 2016*.

[s 6]

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## **6 Amendment of sch 3 (Compulsory pilotage areas)**

(1) Schedule 3, section 4—

*omit, insert—*

### **4 Gladstone pilotage area**

The part of the Gladstone pilotage area that is the area of—

(a) waters bounded by an imaginary line drawn—

- starting at the high-water mark at Connor Bluff on Curtis Island at approximate latitude 23° 42.909' south, longitude 151° 17.660' east
- then in a south-easterly direction to latitude 23° 46.614' south, longitude 151° 27.238' east
- then south to latitude 23° 51.419' south, longitude 151° 27.238' east
- then in a south-easterly direction to latitude 23° 54.045' south, longitude 151° 30.376' east
- then south to latitude 23° 55.583' south, longitude 151° 30.376' east
- then east to latitude 23° 55.583' south, longitude 151° 34.660' east
- then south to latitude 23° 56.509' south, longitude 151° 34.660' east
- then in a south-westerly direction to the high-water mark at the northern tip of Tiber Point on Hummock Hill Island
- then west to the high-water mark on Wild Cattle Island
- then by the high-water mark in a northerly direction along the eastern

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shoreline of Wild Cattle Island to the northern tip of the island

- then west to the high-water mark on the eastern shoreline of the mainland
- then by the high-water mark in a northerly direction along the eastern shoreline of the mainland to latitude 23° 38.409' south
- then east to the high-water mark of the western shoreline of Curtis Island at latitude 23° 38.409' south
- then by the high-water mark in a southerly direction along the western shoreline, in an easterly direction along the southern shoreline and in a northerly direction along the eastern shoreline of Curtis Island to the starting point; and

(b) the navigable waters of rivers and creeks flowing, directly or indirectly, into the waters mentioned in paragraph (a).

(2) Schedule 3, sections 8, 9 and 10—

*omit, insert—*

### **8 Abbot Point pilotage area**

The part of the Abbot Point pilotage area that is the area of—

- (a) waters bounded by an imaginary line drawn—
- starting at the high-water mark on the eastern shoreline of the mainland at longitude 147° 59.070' east
  - then north to latitude 19° 48.999' south, longitude 147° 59.070' east

[s 6]

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- then east to latitude 19° 48.999' south, longitude 148° 07.000' east
  - then south to the high-water mark on the shoreline of the mainland at longitude 148° 07.000' east
  - then along the shoreline of the mainland at the high-water mark to the starting point; and
- (b) the navigable waters of rivers and creeks flowing, directly or indirectly, into the waters mentioned in paragraph (a).

## 9 Townsville pilotage area

The part of the Townsville pilotage area that is the area of—

- (a) waters bounded by an imaginary line drawn—
- starting at the high-water mark on the northern tip of Cape Cleveland
  - then in a south-westerly direction to latitude 19° 13.599' south, longitude 146° 54.300' east
  - then west to latitude 19° 13.539' south, longitude 145° 51.450' east
  - then in a north-easterly direction to latitude 19° 11.789' south, longitude 146° 52.750' east
  - then in a north-easterly direction to latitude 19° 06.949' south, longitude 146° 55.050' east
  - then in a north-westerly direction to latitude 19° 04.909' south, longitude 146° 52.070' east

- then west to latitude 19° 04.909' south, longitude 146° 45.070' east
  - then south to the high-water mark on the mainland at longitude 146° 45.070' east
  - then by the high-water mark along the shoreline of the mainland to the starting point; and
- (b) the navigable waters of rivers and creeks flowing, directly or indirectly, into the waters mentioned in paragraph (a).

## **10 Lucinda pilotage area**

The part of the Lucinda pilotage area that is the area of—

- (a) waters bounded by an imaginary line drawn—
- starting at the high-water mark at George Point on Hinchinbrook Island at approximate latitude 18° 29.109' south, longitude 146° 19.500' east
  - then east to latitude 18° 29.109' south, longitude 146° 24.300' east
  - then south to latitude 18° 34.909' south, longitude 146° 24.300' east
  - then west to the high-water mark on the mainland at latitude 18° 34.909' south
  - then by the high-water mark in a northerly direction along the eastern shoreline of the mainland to approximate latitude 18° 31.409' south, longitude 146° 19.870' east
  - then 352° (T) by a straight line to the starting point; and

[s 6]

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- (b) the navigable waters of rivers and creeks flowing, directly or indirectly, into the waters mentioned in paragraph (a).
- (3) Schedule 3, sections 16, 16A and 17—

*omit, insert—*

### **16 Weipa pilotage area**

The part of the Weipa pilotage area that is the area of—

- (a) waters bounded by an imaginary line drawn—
- starting at the high-water mark on the western tip of Jantz Point (west of Duyfken Point)
  - then in a south-easterly direction to latitude 12° 37.999' south, longitude 141° 36.073' east
  - then in an east-south-easterly direction to latitude 12° 40.499' south, longitude 141° 45.000' east
  - then in a west-south-westerly direction to latitude 12° 41.967' south, longitude 141° 36.590' east
  - then in a southerly direction to the high-water mark at the western tip of Boyd Point
  - then by the high-water mark in a northerly direction along the shoreline of the mainland to the starting point; and
- (b) the navigable waters of rivers and creeks flowing, directly or indirectly, into the waters mentioned in paragraph (a).



## 17 Amrun pilotage area

The part of the Amrun pilotage area that is the area of—

- (a) waters bounded by an imaginary line drawn—
  - starting at the high-water mark on the shoreline of the mainland at approximate latitude 12° 54.599' south, longitude 141° 38.180' east
  - then in a generally northerly direction along the south-west boundary of the Weipa pilotage area to latitude 12° 49.999' south, longitude 141° 37.600' east
  - then west to latitude 12° 49.999' south, longitude 141° 35.000' east
  - then in a southerly direction to the high-water mark at the western tip of Thud Point
  - then by the high-water mark in a generally north-easterly direction along the shoreline of the mainland to the starting point; and
- (b) the navigable waters of rivers and creeks flowing, directly or indirectly, into the waters mentioned in paragraph (a).

## 18 Karumba pilotage area

The part of the Karumba pilotage area that is the area of—

- (a) waters bounded by an imaginary line drawn—
  - starting on the shoreline of the mainland at approximate latitude 17°

23.999' south, longitude 140° 52.000' east

- then west to latitude 17° 23.999' south, longitude 140° 43.000' east
- then south to the high-water mark on the western shore of the Bynoe Inlet
- then by the high-water mark in a generally north-easterly direction along the shoreline of the mainland to the starting point; and

(b) the navigable waters of rivers and creeks flowing, directly or indirectly, into the waters mentioned in paragraph (a).

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

### **7                      Regulation amended**

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

### **8                      Amendment of s 34 (Necessary expertise—Act, s 21(1))**

Section 34(b)—

*omit, insert—*

- (b) has successfully completed an approved training course in delivering training under the Q-Ride training curriculum.

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## **Part 5**                      **Amendment of Transport Operations (Road Use Management—Driver Licensing) Regulation 2021**

### **9**            **Regulation amended**

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

### **10**          **Replacement of s 390 (Fees—Act, ss 91P and 171)**

Section 390—

*omit, insert—*

#### **390 Fees**

For sections 91B(4), 91G(3), 91P(4) and 171(3)(a) of the Act, the fees payable under the Act are stated in schedule 7.

## **Part 6**                      **Amendment of Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2021**

### **11**          **Regulation amended**

This part amends the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2021*.

### **12**          **Amendment of s 66 (What is a *certificate of inspection*)**

(1) Section 66(2)(a) to (d) and (4)(a) to (d)—

*omit, insert—*

- (a) for a heavy primary production vehicle—2 years;
  - (b) otherwise—1 year.
- (2) Section 66(6), definitions *public passenger vehicle* and *relevant bus—*  
*omit.*

**13 Amendment of s 67 (What is a *safety certificate*)**

Section 67(2)(c), after ‘of’—

*insert—*

other than

**14 Amendment of s 77 (Approved examiner may approve inspection certificate for particular vehicles)**

Section 77—

*insert—*

- (2) Also, an approved examiner may approve a certificate of inspection for a vehicle if—
  - (a) the vehicle is a registered vehicle that is—
    - (i) a motor vehicle with a GVM of more than 16t; or
    - (ii) a trailer with an ATM of more than 10t; and
  - (b) the vehicle has a garage address in an exempt area; and
  - (c) the approved examiner inspects the vehicle in an exempt area.

- (3) In this section—

*garage address* see the *Transport Operations*

*(Road Use Management—Vehicle Registration)  
Regulation 2021, section 5.*

**15 Amendment of s 111 (Waiving payment of particular fee  
in special circumstances)**

(1) Section 111(a), ‘or 3’—

*omit.*

(2) Section 111(b), ‘11, 12’—

*omit, insert—*

4, 11, 13

**16 Insertion of new pt 10, div 1, hdg**

Part 10, before section 112—

*insert—*

**Division 1 Transitional provisions for  
SL No. 114 of 2021**

**17 Insertion of new pt 10, div 2**

Part 10, after section 127—

*insert—*

**Division 2 Transitional provision for  
Transport Legislation  
Amendment Regulation  
(No. 2) 2021**

**128 Certificates of inspection issued for particular  
vehicles before commencement**

(1) This section applies to a certificate of  
inspection—

- (a) issued for—
    - (i) a public passenger vehicle, other than a booked hire vehicle, limousine or taxi; or
    - (ii) a bus, other than a relevant bus; and
  - (b) in effect immediately before the commencement.
- (2) The certificate of inspection continues in effect until it would have ended under former section 66 as if the *Transport Legislation Amendment Regulation (No. 2) 2021* had not been made.
- (3) In this section—
- former section 66** means section 66 as in force before the commencement.
- public passenger vehicle** see the *Transport Operations (Passenger Transport) Act 1994*, schedule 3.
- relevant bus** means a bus, other than a bus used to provide a public passenger service, that is—
- (a) built to carry 12 or fewer seated adults; or
  - (b) used for a private purpose; or
  - (c) used for driver tuition.

## 18 Amendment of sch 2 (Exempt areas)

Schedule 2, item 1—

*insert—*

- Torres Strait Island

ENDNOTES

- 1 Made by the Governor in Council on 21 October 2021.
- 2 Notified on the Queensland legislation website on 22 October 2021.
- 3 The administering agency is the Department of Transport and Main Roads.

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