



Queensland

Transport Legislation (Taxi Services) Amendment Bill 2015



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2015

A Bill

for

An Act to amend the *State Penalties Enforcement Act 1999*, the *Transport Operations (Passenger Transport) Act 1994* and the *Transport Operations (Road Use Management) Act 1995* to provide for the recording of demerit points against the traffic history of a person who provides a taxi service without a taxi service licence or a peak demand taxi permit

[s 1]

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1 Short title 3

This Act may be cited as the *Transport Legislation (Taxi Services) Amendment Act 2015*. 4
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Part 2 Amendment of Transport Operations (Passenger Transport) Act 1994 6
7
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Clause 2 Act amended 9

This part amends the *Transport Operations (Passenger Transport) Act 1994*. 10
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Clause 3 Insertion of new s 70A 12

After section 70— 13

insert— 14

70A Recording of demerit points for providing a taxi service without a licence 15
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(1) This section applies if— 17

(a) a person is convicted of an offence under section 70(1) (a *taxi offence*); or 18
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(b) a person pays a fine for a taxi offence under the *State Penalties Enforcement Act 1999*; or 20
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-
- (c) an order is made against a person under the *State Penalties Enforcement Act 1999*, section 38 for a taxi offence. 1
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- (2) The chief executive (TORUM) may record on the person's traffic history— 4
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- (a) the particulars of the offence; and 6
- (b) the penalty imposed on the person; and 7
- (c) 3 demerit points; and 8
- (d) the day the offence was committed. 9
- (3) However, if a person commits a taxi offence (a *subsequent taxi offence*) within 1 year after committing a previous taxi offence, subsection (2)(c) applies in relation to the subsequent taxi offence as if the reference to 3 demerit points were a reference to 6 demerit points. 10
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- (4) Demerit points recorded under subsection (2) are taken to be recorded on the day the offence was committed. 16
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- (5) In this section— 19
- chief executive (TORUM)* means the chief executive administering the *Transport Operations (Road Use Management) Act 1995*. 20
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22
- traffic history* see the *Transport Operations (Road Use Management) Act 1995*, schedule 4. 23
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[s 4]

Part 3	Amendment of Transport Operations (Road Use Management) Act 1995	1
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Clause 4	Act amended	4
	This part amends the <i>Transport Operations (Road Use Management) Act 1995</i> .	5
		6
Clause 5	Amendment of sch 4 (Dictionary)	7
	Schedule 4, definition <i>traffic history</i> , paragraph (a)—	8
	<i>omit, insert—</i>	9
	(a) the contraventions for which the person has been dealt with—	10
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	(i) under this Act, including by the recording of demerit points under a regulation; or	12
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	(ii) under the <i>Transport Operations (Passenger Transport) Act 1994</i> , section 70, including by the recording of demerit points under section 70A of that Act; or	15
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		19
Part 4	Amendment of State Penalties Enforcement Act 1999	20
		21
Clause 6	Act amended	22
	This part amends the <i>State Penalties Enforcement Act 1999</i> .	23

Clause 7	Amendment of s 31 (Effect of cancellation of infringement notice)	1
		2
	Section 31(3), after ‘offence under’—	3
	<i>insert—</i>	4
	the <i>Transport Operations (Passenger Transport) Act 1994</i> , section 70,	5
		6

Authorised by the Parliamentary Counsel