

# Information Bulletin

PT 23 (20/07/2023)

## Public passenger services exempt from Operator Accreditation and Driver Authorisation

Operator accreditation (OA) and driver authorisation (DA) requirements apply to the provision of particular public passenger services in Queensland. This bulletin provides information about exemptions from these requirements.

### OA exemption – taxi services and booked hire services

Operators of taxi services and booked hire services (including booked hire services provided in limousines) do not require OA to provide these services. However, if an operator uses a taxi, limousine or booked hire vehicle to provide a service other than a taxi or booked hire service then OA requirements may apply to those services. Booked hire service providers (including booked hire services provided in limousines) and taxi services should refer to [Personalised transport industry; taxi and booked hire](#) for authorisation and licence requirements.

### OA and DA exemption – community and courtesy transport services

This information must be read in conjunction with information bulletin [PT 20 Community and Courtesy Transport Services](#). OA and DA requirements do not apply to a community or courtesy transport service— if no more than two vehicles are available, at any time, to provide the service, and each of the vehicles may be driven under a class C driver licence; or if the service is not available to the general community (regardless of the number of vehicles or type of vehicle used to provide the service).

*Note—*

*A class C driver licence* (commonly known as a driver licence for a car) can be used to drive a motor vehicle, other than a motorbike, with a seating capacity for 12 or less adults (including the driver) and that has a gross vehicle mass of not more than 4.5t.

*A service is available to the general community* if any member of the community is capable of meeting requirements for using the service. In other words, if a condition of receiving the service can be easily met by any member of the community then the service is available to the general community.

*A service is not available to the general community* if a condition of travel cannot be easily met by any member of the community. Restrictions to travel may include, but are not limited to, matters such as disability or medical conditions.

Examples of services that are and are not considered available to the general community are provided in *Attachment 1*.

### OA and DA exemption – locally significant event services

OA and DA requirements do not apply to a locally significant event service.

*A locally significant event service* is defined as a public passenger service—

- (a) operating in or near a local government area with a population of less than 2,500 people (according to the most recent estimated resident population for the area stated on the Australian Bureau of Statistics website); and

- (b) provided, free of charge, for carrying passengers to or from an event (such as an annual show day or race day) that is held no more than twice a year in or near the area and open to attendance by the general public, either free of charge or on payment of an entry fee; and
- (c) for which no more than two motor vehicles are available, at any time, to provide the service.

## **Operators providing more than one service**

If an operator provides more than one kind of service, each service must be assessed separately to determine the applicability of OA and DA requirements. Some services may require OA and DA while other services may be exempt. Where an operator provides services that require OA and DA and other services that are exempt from OA and DA, they are not required to meet the operator and driver requirements for those services that are exempt.

## **Additional information**

This bulletin has been produced as a guideline and is not a reference to a point of law. Clarification of any information in this bulletin may be obtained by contacting a regional passenger transport office. Contact details can be found at [www.translink.com.au/contact-us](http://www.translink.com.au/contact-us)

The *Transport Operations (Passenger Transport) Act 1994*, *Transport Operations (Passenger Transport) Regulation 2018* and *Transport Operations (Passenger Transport) Standard 2010* can be accessed on the internet at [www.legislation.qld.gov.au](http://www.legislation.qld.gov.au)

Additional information about public passenger services is available on the Department of Transport and Main Roads internet site at [www.tmr.qld.gov.au/information\\_bulletins](http://www.tmr.qld.gov.au/information_bulletins).

## Attachment 1 – Examples

### Services available to the general community

OA and DA may apply to a community or courtesy transport service that is available to the general community.

1. Membership of a bowls club is open to the general community. The club provides a courtesy transport service to club members only.
2. A service provided to meet the transport needs of a broad-based group within a community would be considered available to the general community unless conditions restrict who might use the service.
3. A sporting club or surf lifesaving club providing transport for members to attend its club house for social activities.  
A service operated to take members of the general public to a local community or medical centre.
4. A bus operated by a hotel, tourist resort, or backpacker hostel, which provides a pick-up and drop-off transport service for guests.

### Services not available to the general community

OA and DA do not apply to a community or courtesy transport service that is not available to the general community.

A service is not available to the general community if, in order to receive the transport service, a person needs to meet eligibility criteria that cannot be easily met by any member of the community. Such criteria may include, but is not restricted to, matters such as age, disability, or medical condition.

A service provided only to persons with a disability and their carer.

1. A service provided solely for residents or clients of a particular facility (for example, aged care homes, respite care facilities or nursing homes).
2. A sporting club providing transport to training and sporting events for officials, team members, and parents and guardians of team members.
3. Further examples of services considered not available to the general community include community transport services provided solely for refugees or veterans.