

Information Bulletin

PT 206 (09.18)

Operators issuing Restricted Driver Authorisation

(Community and courtesy transport services only)

What is restricted driver authorisation?

The *Transport Operations (Passenger Transport) Act 1994* requires drivers of community and courtesy transport services to hold driver authorisation (DA) unless an exemption applies to the service.

The purpose of DA is to maximise public confidence in relation to the drivers of motor vehicles used to provide public passenger services. This purpose includes ensuring drivers of public passenger vehicles are suitable persons, having regard to the safety of children and other vulnerable members of the community, the personal safety of passengers and their property, public safety and the reputation of public passenger transport.

Restricted DA (RDA) is a type of DA that may be issued by accredited operators of community or courtesy transport services to their drivers. Alternately, drivers of these services will be appropriately authorised if they hold a DA (in any category) issued by the Department of Transport and Main Roads (TMR).

RDA conditions

1. The holder of a RDA is restricted to driving for the operator who issued the authorisation (**'the issuing operator'**). However, a person may hold more than one RDA.
2. A driver must carry evidence of their RDA while providing a community or courtesy transport service for the issuing operator.
3. If TMR advises an operator that a person is unsuitable to hold RDA because of their criminal, driving or medical history, an operator must not issue the person a RDA. If the person already holds RDA, the issuing operator must revoke the RDA immediately upon receiving advice from TMR. TMR can also take action against a person's restricted driver authorisation if necessary.
4. Under section 59 of the *Transport Operations (Passenger Transport) Regulation 2018*, TMR may require the holder of a RDA to provide evidence of their medical fitness if it suspects the person is not medically fit to drive a vehicle under the authorisation.
5. If services are provided by an organisation with offices across Queensland, RDA may be issued by a local representatives of the organisation if approval to do so has been granted by its central office.

RDA eligibility requirements

To be granted RDA, an applicant must—

- hold a current open Australian driver licence, an equivalent overseas driver licence, or a restricted (work) driver licence

- have held an Australian open or provisional driver licence or equivalent foreign driver licence (or a series of these licences) for a cumulative period of three years
- not knowingly have a medical condition that may affect their driving
- be of a suitable character (TMR will review the person's criminal and driving history).

Operators should satisfy themselves that the person has an entitlement to work in Australia before accepting the person's application for RDA. The applicant should provide evidence they are—

- an Australian citizen; or
- a permanent resident of Australia; or
- a New Zealand citizen who is the holder of a special category visa as defined by the *Migration Act 1958 (Commonwealth)*, section 32; or
- entitled, under a visa granted under the *Migration Act 1958 (Commonwealth)*, to work in Australia.

For Australian citizens, permanent residents, and New Zealand citizens holding a special category visa, any of the following documents can be accepted as evidence of their Australian work entitlement—

- current green Medicare card
- full Australian birth certificate
- Queensland Birth Extract
- Australian Citizenship Certificate or Extract
- Australian Naturalisation Certificate
- Australian Passport (which cannot be expired for more than two years);
- Repatriation Health Card - for all conditions (Gold Card);
- New Zealand passport
- evidence of Australian permanent residency.

If the applicant is not an Australian citizen, permanent resident or New Zealand citizen holding a special category visa, they should present their overseas passport. An applicant's entitlement to work in Australia can then be checked using the Department of Immigration and Citizenship's Visa Entitlement Verification Online (VEVO) system. VEVO is a free online facility that allows organisations to check the visa and work entitlements of a visa holder.

Applying for RDA

The following steps should be followed—

1. The operator should access TMR's website (www.tmr.qld.gov.au) and obtain a copy of the Restricted Driver Authorisation Notification form (F3880) and the following information bulletins: 'PT305 - Restricted Driver Authorisation - Drivers' and 'PT307 - Driver Responsibilities'.

Alternately, the operator may contact their nearest Passenger Transport Office to obtain these documents.

2. The applicant must complete the 'Driver to Complete' section of the Restricted Driver Authorisation Notification form (F3880) and provide the completed form to the operator.
3. The Restricted Driver Authorisation Notification form contains questions relating to the driver's years of driving experience, driver authorisation history, criminal history, driving history and medical fitness. Once the applicant completes the form the operator must review the applicant's responses. If the applicant does not meet all criteria stated on the notification form, the operator must not issue RDA until the person has the relevant clearances (discussed below).

The following information sets out required action if a person does not meet the criteria stated on the Restricted Driver Authorisation Notification form—

- **Driver Licence Requirements** – If a person does not hold a current open Australian driver licence, an equivalent overseas driver licence, or a restricted (work) driver licence they are not eligible to hold RDA. RDA must not be issued.
- **3 Years Driving Experience** - If a person has not held a open or provisional driver licence for a total period of at least three years they are not eligible to hold RDA. RDA must not be issued.
- **Medical Condition** - If the person answered 'yes' to any of the medical questions on the Restricted Driver Authorisation Notification form, the person will need to obtain a completed *Medical Certificate for Motor Vehicle Driver* (form F3712) from a doctor and submit the medical certificate to the operator. The medical certificate must be submitted before RDA can be issued.

The medical certificate must indicate the person has been assessed as fit to drive a public passenger vehicle. If this section is not completed, the operator must refer the person back to the medical practitioner.

If RDA is issued, a copy of the medical certificate must be provided emailed/faxed/posted to the nearest [Passenger Transport office](#) with the completed Restricted Driver Authorisation Notification form.

A medical certificate may remain current for five years, unless the issuing doctor has stipulated a shorter time period on the certificate.

- **Driver Authorisation History** - If the person has ever had a DA refused, suspended or cancelled, then RDA cannot be immediately issued by the operator. The operator must first request and receive a statement of eligibility advice from TMR.
- **Criminal History** - If the person answered 'yes' to any of the criminal history questions on the Restricted Driver Authorisation Notification form, RDA cannot be immediately issued. The operator must first request and receive a statement of eligibility advice from TMR.
- **Driving History** - If the person answered 'yes' to any of the driving history questions on the Restricted Driver Authorisation Notification form, RDA cannot be immediately issued. The operator must first request and receive a statement of eligibility advice from TMR.

To request a statement of eligibility advice from TMR, the operator should complete Questions 11 to 13 of the Restricted Driver Authorisation Notification form and then fax/post/email a copy to the nearest [Passenger Transport office](#). TMR will then undertake the necessary checks and respond to both the operator and driver with a statement advising if the driver is eligible to hold Restricted DA.

If TMR advises that a person is not eligible to hold RDA then the operator must not issue RDA to the person. If TMR issues a statement advising that a person is eligible to hold RDA, the Restricted Driver Authorisation Notification form will be returned for the operator to complete remaining questions. The completed form should then be re-submitted to TMR.

An operator does not have to notify TMR if they decide not to issue a RDA.

Issuing RDA

Once the operator is satisfied the person meets all the criteria for RDA, the operator may issue the RDA and must inform the person of their responsibilities as an authorised driver under the *Transport Operations (Passenger Transport) Act 1994*. Operators should ensure that drivers read the information bulletin titled '[PT307 - Driver Responsibilities](#)'.

The RDA should be issued on the operator's letterhead (where available) and must contain the following information—

- advice that the driver must carry proof of their RDA at all times when providing a community or courtesy transport service for the issuing operator
- the commencement and expiry dates of the RDA (maximum duration is 1 year)
- the driver's name, address, date of birth, driver licence number and state/country where their driver licence was issued
- the driver's signature
- the operator's trading name, the name that operator accreditation is held in (if different), the operator's operator accreditation number, the operator's address and telephone contact number
- the issuing person's name, position and signature.

Note: An example of a suitable RDA format is shown in the [Restricted Driver Authorisation Proforma](#) (Form F3881).

Once the RDA has been issued, the person can commence driving for the operator. The operator must fax/post/email a copy of the Restricted Driver Authorisation Notification form (including a copy of the medical certificate (if required) and any statement of eligibility advice issued by TMR to the nearest [Passenger Transport office](#) within three working days of issuing the RDA.

On receipt of the Restricted Driver Authorisation Notification form, TMR will conduct criminal and driving history checks. TMR will notify the operator if the person is, or becomes, ineligible to hold RDA. If TMR notifies an operator that a person is not eligible to hold RDA, the operator must not use the person as a driver for a public passenger service.

Period of issue

RDA has a maximum term of 1 year but cannot exceed the expiry date of a medical certificate or visa work entitlement. Otherwise, the period of issue may be determined by the operator.

RDA is not renewable. However, after the expiry of a RDA, a person may apply for a new RDA by following the application requirements and processes set out in this document.

Under the *Transport Operations (Passenger Transport) Regulation 2018*, a person's RDA is automatically cancelled when a driver is no longer engaged by the issuing operator to provide a community or courtesy transport service for the operator.

Fees

TMR does not charge any fee for RDA.

Responsibilities of drivers

An operator must ensure their drivers are aware of the driver's responsibilities under the *Transport Operations (Passenger Transport) Act 1994*. A summary of these responsibilities is provided in information bulletin '[PT307 - Restricted Driver Authorisation for Drivers](#)', which is available on TMR's website at www.tmr.qld.gov.au/information_bulletins.

Non-compliance with passenger transport legislative requirements may result in a fine or amendment, suspension or cancellation of a person's driver authorisation.

Action against a RDA may be taken if a person commits a driver disqualifying offence under the *Transport Operations (Passenger Transport) Act 1994*. Information bulletin '[PT17 - Driver Authorisation - Effect of a driver disqualifying offence](#)' provides more information.

Records and notifications

A prescribed operator must, within 3 business days after granting, amending or cancelling a RDA, give TMR notice about the grant, amendment or cancellation.

An operator who issues RDA to a person must keep a written record of the following particulars—

- the name of the person to whom RDA was issued
- the date of the grant
- the date of expiry of the RDA
- any amendment of the RDA and the date of amendment
- any automatic cancellation of the RDA and the reasons for the automatic cancellation (see *Period of Issue* section above regarding automatic cancellation of RDA)
- the number of the person's driver licence;
- if the person's driver licence is not a Queensland driver licence—the State or foreign country where the licence was issued.

Operators must keep a written record stating the following particulars for each use of a public passenger vehicle used to provide the service—

- the vehicle used
- the registration number of the vehicle
- the date and time of the use of the vehicle

- the name of each driver who used the vehicle.

Written records must be maintained for at least 5 years and be made available to TMR if requested.

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 your local passenger transport office. Details of passenger transport locations can be accessed at: 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.

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.