

Information Bulletin

PT 207^(10.17)

Operator Accreditation for Motorcycle Tourist Services

What is operator accreditation?

The Department of Transport and Main Roads (TMR) has responsibility for administering operator accreditation (OA) in Queensland.

The purpose of OA is to encourage the high quality operation of public passenger services by—

- raising standards and awareness of operators in the areas of safety, service delivery and business acumen; and
- ensuring operators are held accountable for complying with appropriate standards.

Operators of (road-based) public passenger services in Queensland are required to hold OA unless an exemption applies. Exempt services include: booked hire services; taxi services; and some courtesy and community transport services. For more information about exemptions, refer to information bulletin [PT23 OA & Driver Authorisation Exemptions](#).

OA can be issued to an individual, a partnership or an organisation. If an operator assigns the operation of their services to a second party through a lease or management agreement, the second party must also hold OA.

There are various categories of OA. An operator must hold the categories of OA relevant to the services they provide.

What are motorcycle tourist services?

A motorcycle tourist service is a pre-booked public passenger service for the carriage of tourists on a publicly available itinerary to a common scenic or tourist attraction using a motorcycle, motorcycle and side-car, or motor tricycle.

Training

To obtain full OA, applicants must have one of the following —

- (a) A certificate of successful completion of the TMR Operator Accreditation Training Workbook, available from TMR, or
- (b) A Certificate of Transport Management or an equivalent qualification recognised by TMR.

Applicants who do not meet the above requirement may be issued with provisional OA for three months. During this time, the operator must successfully complete the TMR Operator Accreditation Training Workbook.

For more information, refer to information bulletin [PT211 Operator Accreditation Training](#).

Suitability requirements

An OA may be refused, amended, suspended, or cancelled if an applicant or holder:

- commits a disqualifying offence
- does not comply with a legislative requirement applying to OA
- behaves in a way that damages the reputation of public passenger services or accredited operators or that otherwise is contrary to the encouragement of the high quality operation of public passenger services.

A criminal history check will be undertaken on all persons associated with an OA application before it can be approved. (If requested, applicants may be required to obtain and provide an overseas criminal history check.)

The *Transport Operations (Passenger Transport) Act 1994* prescribes disqualifying offences for OA. An applicant who has committed a disqualifying offence may be refused OA. For more information, refer to information bulletin [PT15 Effect of a Disqualifying Offence](#). Please note that under the *Transport Operations (Passenger Transport) Act 1994*, a conviction is defined as including a finding of guilt or the acceptance of a plea of guilty by a court, whether or not a conviction is recorded.

Operator responsibilities

Holders of OA have various responsibilities. Requirements are made in the following areas.

Vehicles and services

- Operators must ensure that each vehicle used to provide a service:
 - is safely operated
 - is not overloaded
 - is correctly registered
 - has appropriate Compulsory Third Party Insurance for the type of service operated
 - has a current Certificate of Inspection
 - displays the operator's OA number (refer to information bulletin [PT402 OA Display on Passenger Transport Vehicles](#))
 - complies with any vehicle standards applicable under section 5 of the *Transport Operations (Road Use Management - Vehicle Standards and Safety) Regulation 2010*
- Operators must have a documented maintenance program for each vehicle that ensures the vehicle is maintained to a standard that complies with, or exceeds, the servicing and maintenance program specified by a vehicle's manufacturer. This must be established by following a documented maintenance schedule for each vehicle and records of vehicle maintenance. Refer to information bulletin [PT401 Maintenance of Public Passenger Vehicles](#).
- Where services are operated other than on a public road (for example, when entering private property or a National Park) the operator must have an authority from the owner to enter the place.

Driver management

- Operators must ensure that their drivers hold appropriate driver authorisation and must keep a record of their drivers' driver authorisation numbers.

- Operators must reasonably take steps ensure their drivers do not provide services if their fatigue level may endanger passenger safety.
- Operators must provide training to drivers, under a documented program, in driver responsibilities. Refer to information bulletin [PT209 Driver Training \(by Operator\)](#).
- For each trip undertaken, operators must keep records of: the name of the driver; the driver's driver authorisation number; registration number of the vehicle used; the date and time of use of a vehicle; and the period of time the vehicle was assigned to the driver.

Incident management plans

An operator must have an incident management plan. A copy of the parts of the plan relevant to a driver must be kept in each vehicle used to provide a service. Refer to information bulletins [PT221 Incident Management Plans](#) and [PT222 Guidelines for Developing an Incident Management Plan](#).

Complaint management

- Operators must record any complaints about a service.
- Operators must promptly investigate complaints.
- Operators must ensure details are recorded of any action taken in response to a complaint.

Record keeping

Operators must be able to produce records upon request. Records that are required to be maintained must be kept for five years. For more information, refer to information bulletin [PT208 Records to be kept by Operators](#).

Notification of disqualifying offences

- Holders of OA must immediately notify TMR in writing if—
 - (i) for an individual – the person is charged with a disqualifying offence; or
 - (ii) for a member of a partnership – the person, or another member of the partnership, is charged with a disqualifying offence; or
 - (iii) for a corporation – the corporation, or an executive officer of the corporation, is charged with a disqualifying offence.
- TMR must also be immediately notified in writing about the outcome of any charge.
- When OA is held by a partnership, if a member of a partnership is charged with a disqualifying offence that person must immediately notify in writing the other member of the partnership about the charge. When the charge is dealt with, the person must also notify the other partner in writing of the outcome of the charge.
- When OA is held by a corporation, if an executive officer of the corporation is charged with a disqualifying offence that person must immediately notify in writing another executive officer of the corporation the charge. When the charge is dealt with, the person must also notify another executive officer in writing of the outcome of the charge.

Fees

OA fees are prescribed in schedule 9 of the *Transport Operations (Passenger Transport) Regulation 2005*.

There are two components to OA fees.

1. The *annual application/renewal fee* (refer schedule 9, sections 5 and 6) applies to the grant and renewal of OA and must be paid at time of lodging a new or renewal application. The table below shows the current fees.
2. The *additional application fee* of \$42.45 (refer schedule 9, section 10) offset the costs of conducting criminal history checks. This fee is payable for each person nominated on the OA application. The fee must be paid at the time of application and whenever a new person is added to an existing OA.

Where more than one OA category is applied for, only the highest *annual application/renewal fee* is payable.

Fees for OA are subject to change and this usually occurs from 1 July each year. As at 1 July 2017, the following fee requirements apply for motorcycle tourist service OA.

Number of vehicles used	Full OA Fee per year (\$)	Provisional OA 3 month term fee
1 – 10 vehicles	354.65	88.65
11 or more vehicles	1775.05	443.75

The number of vehicles used is determined by the maximum number of vehicles used at any one time for that type of service. Full OA can be issued for a maximum of 5 years.

In addition to the above fees, applicants for OA may be required to pay a \$65 fee for the Operator Accreditation Training Workbook. There is also an assessment fee payable directly to an independent TMR approved assessor. For more information, refer to information bulletin [PT211 Operator Accreditation Training](#).

Period of issue

OA can be issued for a period of up to five years (in multiples of one year periods). Applicants who have not completed training requirements may be granted provisional OA for a maximum period of three months.

How to apply

- Obtain an [Operator Accreditation Application \(form F2982\)](#), a [Vehicle Declaration \(form F3858\)](#), and relevant information bulletins.
- Complete and lodge the forms together with any documentation specified in the application at a TMR customer service centre or QGAP. At this time you will need to also pay applicable fees.
- Lodge training certificates, if applicable.

Decision on application

Applicants will be notified of the approval or refusal of their application. If refused, you will be provided reasons for the refusal and information about any rights to review that may apply.

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 translink.com.au/contact-us

Customer service centre locations can be accessed at qld.gov.au

The *Transport Operations (Passenger Transport) Act 1994*, *Transport Operations (Passenger Transport) Regulation 2005* and *Transport Operations (Passenger Transport) Standard 2010* can be accessed on the internet at legislation.qld.gov.au

Additional information about public passenger services is available on the Department of Transport and Main Roads internet site at tmr.qld.gov.au/information_bulletins.