



Information Bulletin

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Motorcycle Tourist Services

What is a motorcycle tourist service?

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

Requirements

Individual fares may be charged.

Operators must not allow a tourist service to be operated to any of the following places unless the operator has the authority of the person or entity who owns or operates that place:-

- (1) a place on private property;
- (2) an airport;
- (3) a protected area under the *Nature Conservation Act 1992* (eg. National Park);
- (4) a State Forest;
- (5) a place controlled by Aborigines or Torres Strait Islanders.

Who needs to hold operator accreditation or driver authorisation?

The Transport Operations (Passenger Transport) Act 1994 requires operators and drivers of motorcycle tourist services in Queensland to hold operator accreditation and driver authorisation for Motorcycle Tourist Services respectively.

There are different requirements for operator accreditation and driver authorisation for the different types of public passenger transport services. Separate information bulletins provide information on operator accreditation and driver authorisation for each of the categories of public passenger services [ie. Taxi Services, Limousine Services, General Services, Scheduled Services and Community and Courtesy Transport Services].

Driver qualifications

- Drivers of Motorcycle Tour Services, in addition to other requirements, must have:
 - held a motorbike licence (open or provisional) continuously for five years; or
 - held a motorbike licence (open or provisional) continuously for three years and have successfully completed a test of competence to safely operate a motorbike with a pillion passenger.
- Operators must ensure that all drivers hold the appropriate driver licence when operating vehicles.
- Operators must ensure that all drivers hold the appropriate category of driver authorisation and that drivers are aware of their responsibilities under the *Transport Operations (Passenger Transport) Act 1994*.

Vehicles

- Vehicles approved for use for Motorcycle Tourist Services are:-
 - motorcycle;
 - motorcycle and side-car; and
 - motor tricycle.
- These vehicles must have an engine capacity of more than 50 ml or a maximum speed of more than 50 km/h.
- Operators must ensure that each motorcycle, motorcycle and side-car, or motor tricycle operated holds:-
 - a current Certificate of Registration;
 - a current Certificate of Inspection, if required under the *Transport Operations (Road Use Management – Vehicle Standards and Safety) Regulation 2010* (this information is available from the Department of Transport and Main Roads); and
 - adequate Compulsory Third Party Insurance for the type of service being undertaken.

Operational requirements

- Vehicles must be operated in a safe manner.
- Drivers and passengers must wear safety helmets and protective clothing.
- Drivers must ensure that each passenger is in an appropriate condition to ride as a passenger, so that the safety of the driver or passenger is not unreasonably put at risk.
- Drivers and operators must ensure that their vehicles are not overloaded.
- Operators must ensure that vehicles comply with the *Transport Operations (Road Use Management – Vehicle Standards and Safety) Regulation 2010*.
- The carriage of children under 10 years of age is prohibited if a motor tricycle is not fitted with a seat belt, child restraint anchorage point and an appropriate child restraint.

Compliance

Non-compliance with these requirements is a breach, and may result in amendment, suspension or cancellation of the operator accreditation and/or driver authorisation.

Additional information

The information contained in this bulletin has been produced as a guide to assist in the understanding of the legislation and policy. Clarification of any information in this bulletin may be obtained from the Department of Transport and Main Roads by contacting your local Passenger Transport office of the Department.

This information bulletin is an interpretation of the relevant Acts, Regulations and Standard should not be used as a reference to a point of law.

Copies of the *Transport Operations (Passenger Transport) Act 1994*, *Transport Operations (Passenger Transport) Regulation 2005* and *Transport Operations (Passenger Transport) Standard 2010* can be purchased from LitSupport Pty Ltd on 07 3223 9202 or email legislation@litsupport.com.au.

The legislation may be viewed 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.