

Public Transport Audit Checklist

What is a public transport audit?

Under the *Transport Operations (Passenger Transport) Act 1994*, operators are required to comply with requirements of the relevant legislation relating to vehicle design, safety and operational requirements and keep records associated to this for a period of five years.

Public transport audits are conducted by officers of the Department of Transport and Main Roads and are designed to ensure that operators are meeting these requirements on a continual basis. Consequently, operators can expect to be called on to provide certain records and/or plans during an audit process.

What will the Department of Transport and Main Roads look for?

The Department of Transport and Main Roads regularly undertakes a number of checks as part of its ongoing system of monitoring an operator's business processes. Prior to conducting an audit, officers of the Department of Transport and Main Roads will check -

- the categories of your operator accreditation;
- the driver licence and driver authorisation details of your drivers (operators will be asked to supply details on all drivers);
- for taxi operators, that taxi service bailment agreements have been entered into and comply with legislative requirements. Where a driver is an employee of the operator, a statutory declaration stating this employment relationship must be provided; and
- the vehicle registration details of the vehicles used to provide the passenger transport service (eg. registration, class of compulsory third party insurance, certificate of inspection etc).

During an audit, operators will be required to demonstrate their compliance with the relevant legislative requirements.

It is expected that business processes used by operators will vary due to the size of the business however, officers will ask to see evidence that systems are in place and being used for -

- driver training;
- incident management (this does not apply for taxis that are affiliated with a taxi booking company under a service contract);
- vehicle maintenance;
- customer service expectations; and
- fatigue management.

Driver training

You may be asked to show documentary evidence of:

1. a driver's training in their obligations under the Act and subordinate legislation. This includes (where relevant);
 - fatigue management;
 - the Code of Conduct for School Students Travelling on Buses;
 - obligations regarding standees on buses with seatbelts; and
2. the driver's progression through the training (the driver needs to sign off and date any training package received/delivered).

Incident management

You may be asked to show documentary evidence of:

1. your incident management plan; and
2. your incident management reports and action taken in regard to each report.

Vehicle maintenance

You may be asked to show documentary evidence of your vehicle maintenance program showing (but not limited to):

1. the content of a pre-trip inspection and that pre-trip inspections are undertaken;
2. a maintenance and repair summary for the vehicle; and
3. the planned maintenance program for your vehicles in the future.

Customer service expectations

Under customer service expectations, the Department of Transport and Main Roads would expect to see documentary evidence of procedures to indicate that a complaints register exists to ensure that if a complaint is made, it is recorded, investigated and the appropriate action is taken in response.

Fatigue Management

You may be asked to show documentary evidence of:

1. a driver's training in the fatigue management requirements and obligations that relate to them under the relevant legislation; and
2. for fatigue regulated heavy vehicles, that procedures are implemented and monitored (for example, completion of work diaries).

What happens if the audit determines there are insufficient systems?

Should the Department of Transport and Main Roads find your systems do not meet the necessary requirements, they may ask you to review them and make amendments. The reasons will be discussed with you during the audit.

Meeting the requirements of the relevant legislation

Outlined in Attachment 1 are common (but not necessarily all) checks that the Department of Transport and Main Roads will undertake during an audit. **Please note:** The table also contains an indication of examples considered acceptable as typical evidence.

Officers performing the audit will discuss outcomes with the operator. For operators who fail any or a number of areas of the audit, officers will also discuss possible penalties that may be imposed as a result of these failures. These penalties may include a Section 100 Notice, a Penalty Infringement Notice (PIN), an enforcement report (possibly resulting in court action) and in more serious cases, the suspension or cancellation of the operator's accreditation.

Note: The term "relevant legislation" mentioned in this bulletin refers to the –

- *Transport Operations (Passenger Transport) Act 1994,*
- *Transport Operations (Passenger Transport) Regulation 2005,*
- *Transport Operations (Passenger Transport) Standard 2010,* and
- *Transport Operations (Road Use Management – Fatigue Management) Regulation 2008.*

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 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 Goprint.

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/information_bulletins.

Attachment 1

Checks Conducted by the Department of Transport and Main Roads

Outlined in the following table are common (but not necessarily all) checks that the Department of Transport and Main Roads will undertake during such an audit.

Legislative reference (refer note 1)	Requirement	Evidence Guide
Displaying evidence of Operator Accreditation.		
R120	Operator Accreditation display	Confirm that operator displays their Operator Accreditation number on their vehicles as per information bulletin PT402.
S40(a)	Identification of Service	General and School route only. Vehicle is easily identified as belonging to the service.
A74AA and A87(5)	Notice to be kept in taxi/limousine	Taxis and Limousines must carry a written notice stating: (a) the area stated in the licence in which the taxi may operate; and (b) any other restrictions to which the licence is subject.
S32 and S33	Timetabling and Service Information	Applies to General and School route and Taxis not connected to a taxi booking company. Timetabling information is current and available to the public.
Does the operator have processes for managing their compliance with vehicle design, safety and operational requirements?		
A27, A15(b) and R27	Driver Authorisation	Operator has a system which confirms operator uses appropriately authorised drivers and that the driver authorisation is current.
S20 and S22(4)(a)	Driver training by operators	Operator has a documented training system which demonstrates that - <ul style="list-style-type: none"> the driver is trained in their obligations under the Act and subordinate legislation; the training content covers the drivers' obligations under the Act and subordinate legislation; for school bus operators, the driver is trained in the requirements of the Code of Conduct; for buses with seatbelts, the driver is trained in their obligations regarding standees; and the drivers' progression through the training is recorded.

Legislative reference (refer note 1)	Requirement	Evidence Guide
S21 and S20 FMR	Fatigue Management	<p>Operator has evidence to show that the operator is aware of what fatigue management requirements apply to their drivers and that drivers have received training in these responsibilities.</p> <p>Heavy vehicles only: procedures for fatigue management are implemented and monitored, eg. completion of work diaries, enforcement of regulated hours (maximum work times and minimum rest times), scheduling with consideration to number of hours worked and keeping the details of trip information.</p>
S24	COI Records	Operator has a system to ensure all vehicles maintain a Certificate of Inspection (COI).
S41	Complaints Management	<ul style="list-style-type: none"> • Operator has a system for recording and resolving complaints. • Individual complaints can be tracked from receipt to resolution by the operator. • Operator has recorded action taken. <p>(Does not apply to taxis who are affiliated with a taxi booking company under a service contract).</p>
S42	Compliance with Code of Conduct	Operator has evidence to show that they comply with the requirements of the Code of Conduct.
R146B(1) and (2) Act chapter 4A	Taxi Service Bailment Agreements	<p>Taxi operators only.</p> <ul style="list-style-type: none"> • All employees of the operator have a statutory declaration stating an employment relationship exists. • All drivers who are not employees have a current Taxi Service Bailment Agreement that complies with the legislative requirements. • All drivers operating under a set pay in arrangement have held Queensland driver authorisation for at least 12 months.

Legislative reference (refer note 1)	Requirement	Evidence Guide
R124 and R125 R96AW	Other records to be kept	<p>Operator has written records of the following particulars for each trip undertaken -</p> <ul style="list-style-type: none"> (a) the vehicle used; (b) the registration number of the vehicle under the <i>Transport Operations (Road Use Management - Vehicle Registration) Regulation 1999</i>; (c) the date and times during which the vehicle was used; (d) the name of each driver who used the vehicle; and (e) the driver's authorisation number (other than for a driver who has a Restricted Driver Authorisation). <p>Operator (taxi only) has written records kept about the temporary assignment of interim display card (for the Authorised Queensland Taxi Driver Display Card) to drivers. Minimum requirements are outlined below:</p> <ul style="list-style-type: none"> (a) Interim card number; (b) Name of driver; (c) Driver's driver authorisation number; (d) Date the card was assigned; (e) Reason for the card being assigned; (f) Date the card was returned (if not returned, give reason/action taken).
Are vehicles suitable for use and are they being maintained to meet legislative requirements?		
S29(2)(a) and S29(3)	Maintenance of vehicles	Operator has records for each vehicle to show that planned and completed maintenance and repairs are to a standard that meets or exceeds the manufacturer's requirement.
S29(2)(b)	Daily pre-trip inspection checklists	<p>Operator has completed pre-trip inspection checklists that would identify defects that could -</p> <ul style="list-style-type: none"> • endanger public safety; or • unduly compromise the comfort of the passengers.
S29(2)(c)	Reporting and clearing defects	Operator has maintenance records to show reported faults are rectified and cleared and that unsafe vehicles are prevented from returning to service.
Does the operator have processes for managing their compliance with the following requirement?		
S34 S37	Incident Management Plans	<p>Operator must have evidence that they have an incident management plan in place to ensure that there are documented instructions and procedures in place to follow at the time of an incident.</p> <p>(Does not apply for taxis that are affiliated with a taxi booking company under a service contract.)</p>

Legislative reference (refer note 1)	Requirement	Evidence Guide
---	-------------	----------------

Note 1: Example: 'A27' would indicate the Act, section 27.

'A' refers to the *Transport Operations (Passenger Transport) Act 1994*,

'R' refers to the *Transport Operations (Passenger Transport) Regulation 2005*,

'S' refers to the *Transport Operations (Passenger Transport) Standard 2010*,

'FMR' refers to the *Transport Operations (Road Use Management - Fatigue Management) Regulation 2008*.

NB: Duration of records held is set by R142.