

Information Bulletin

PT 206 (25/07/23)

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

- A holder of RDA is restricted to driving for the accredited operator who issued the authorisation ('the issuing operator'). However, a person may be issued with and hold more than one RDA if driving for multiple accredited operators.
- The RDA issued by the operator must be carried by the driver while providing a community or courtesy transport service for the issuing operator
- 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 RDA. If the person already holds RDA, the issuing operator must revoke the RDA immediately upon receiving advice from TMR. If necessary, TMR can also take action against a person's restricted driver authorisation.
- Under section 59 of the *Transport Operations (Passenger Transport) Regulation 2018*, TMR may require the holder of RDA to provide evidence of their medical fitness where it is suspected the person is not medically fit to drive.
- RDA has a maximum term of one year but cannot exceed the expiry date of a medical certificate (if applicable). The period of issue is determined by the operator.
- RDA is not renewable. However, a person may apply for a new RDA.
- RDA is considered to be cancelled when the driver stops being engaged by the issuing operator.
- If the operator decides the RDA holder is no longer suitable the operator must revoke the RDA. In these circumstances the operator must advise TMR within 3 working days.

RDA eligibility requirements

To be granted RDA, a person 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.
- be medically fit. If a person answers 'yes' to any of the medical fitness questions on the RDA Notification form they must submit a [Medical Certificate for Motor Vehicle Driver \(form F3712\)](#) assessed in accordance with the commercial standards set out in Austroads' Assessing Fitness to Drive – For Commercial and Private Vehicle Drivers, noting:
 - Persons aged 75 years or older must submit a medical certificate assessed to a commercial standard to TMR on a yearly basis.
- have a suitable driving history. For more information refer to information bulletin [PT16 Driver Authorisation - Effect of a Driving History](#).
- have a suitable criminal history. For more information refer to information bulletin [PT17 Driver Authorisation – Effect of a Driver Disqualifying Offence](#).
- be of a suitable character.

RDA application process

1. The operator should obtain a copy of the RDA Notification form ([F3880](#)) from TMR's website (www.tmr.qld.gov.au) along with information bulletins: [PT305 - Restricted Driver Authorisation - Drivers](#) and [PT307 - Driver Responsibilities](#) and provide them to their driver applicant.
2. The applicant must complete the 'Driver to Complete' section of the [RDA Notification form \(F3880\)](#) and provide it back to the operator.
3. The operator must review the information provided by the applicant. Where the applicant meets all the eligibility requirements, the operator may issue RDA without requesting an eligibility advice from TMR beforehand. Once RDA is issued the operator must fax/post/email a copy of the RDA Notification form (including a copy of the medical certificate (if required)) to the nearest [Passenger Transport office](#) **within three working days**. TMR will conduct the necessary checks and notify the operator if the person is suitable to hold the RDA. If a person is not eligible to hold RDA and RDA has been issued, TMR will immediately take action against the person's RDA and advise the operator that they must revoke the RDA immediately and not use the person to provide the service.

If, however, the applicant does not meet all the requirements, the following information is provided to assist operators determine next steps.

RDA must not be issued if a person: -

- Does not hold a current open Australian driver licence, an equivalent overseas driver licence, or a restricted (work) driver licence; or
- Has not held an open or provisional driver licence or equivalent foreign driver licence (or a series of these licences) for at least three years; or
- Has answered 'yes' to any of the medical questions on the RDA Notification form and not submitted the [Medical Certificate for Motor Vehicle Driver \(form F3712\)](#) assessed to a commercial standard.

Operator must request eligibility advice from TMR before issuing RDA, if a person: -

- has ever had a driver authorisation refused, suspended or cancelled; or
- answered 'yes' to any of the criminal history questions on the RDA Notification form; or
- answered 'yes' to any of the driving history questions on the RDA Notification form.

To request eligibility advice from TMR, the operator should complete the RDA Notification form ensuring that the Eligibility Advice question is signed, then fax/post/email a copy to the nearest [Passenger Transport office](#). TMR will then undertake the necessary checks and advise the operator that:

- The applicant is **suitable** to hold RDA and the operator is required to issue RDA to the driver; or
- The applicant is **not suitable** to hold RDA and the operator must not issue RDA.

Issuing RDA

Once the operator is satisfied the person meets all of the requirements, the operator may issue the RDA. The operator must inform the person of their responsibilities as an authorised driver under the *Transport Operations (Passenger Transport) Act 1994*, ensuring the driver has been made aware that they must carry their RDA evidence when providing the service for the issuing operator.

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

- the commencement and expiry dates of the RDA (maximum duration is 12 months)
- the driver's name, date of birth, driver licence number and state/country where licence was issued along with the driver's signature
- the name the operator accreditation is held in, the operator accreditation number, the operator's trading name and their address and telephone number
- the issuing person's name, position and signature.

An example of a suitable RDA format is available on the TMR website [Restricted Driver Authorisation Proforma \(form F3881\)](#). If an operator chooses to develop their own evidence of RDA, the evidence will need to meet the above requirements.

Once the RDA has been issued, the person can commence driving for the operator.

Period of issue

RDA has a maximum term of 12 months but cannot exceed the expiry date of a medical certificate. The period of issue may be determined by the operator. However, a person's RDA is automatically cancelled when a driver is no longer engaged by the issuing operator.

While RDA is not renewable an operator can issue another RDA to the driver by following the application process above.

If a driver is working for multiple accredited operators RDA expiry dates may need to be aligned.

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 RDA.

Action against 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

An operator who issues RDA must keep a written record of the following particulars: -

- the name of the person to whom RDA was issued
- the dates of issue and expiry of the RDA
- any amendment to 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 person's driver licence number
- the State or country the licence was issued (if not a Queensland licence).

In addition, operators must keep a written record of the following particulars: -

- 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 TMR's internet site at www.tmr.qld.gov.au/information_bulletins.