

# Information Bulletin

PT 999/11.22

## Emergency Driver Authorisation

### What is emergency driver authorisation?

Emergency driver authorisation (EDA) is a provisional driver authorisation that may be issued at the request of an operator in an emergency.

Under section 30(4) of the *Transport Operations (Passenger Transport) Regulation 2018 (TOPTR)*, EDA must only be issued in an emergency. For the purposes of EDA, an emergency is **an unforeseen occurrence or a sudden and urgent occasion for action**. For example, a driver is unavailable due to an emergent illness, an urgent personal matter or sudden termination or departure from employment. To be considered an emergency, the operator must be made aware of the driver's unavailability within 48 hours of providing the service.

To be issued with EDA, a driver's unavailability must meet the above description of an emergency. **Drivers are not eligible to be issued with EDA to expedite the process for obtaining full DA for general recruitment purposes.**

EDA can only be issued in exceptional circumstances where the safety of passengers may be at risk or where an essential public passenger service cannot be provided and there are no alternatives. For example, a regional school bus service that has no available driver.

There are rare circumstances where EDA can be issued for a service provided in a taxi. For example, where a special education transport service needs to be provided in a wheelchair accessible taxi that has no available driver, or in an exempt taxi service area where the community would be impacted by the service not being available. Except for the above examples, operators of booked hire services and taxi services are **not** eligible to be issued with EDA.

### Acceptable public passenger service types

Operators of the following public passenger service types are permitted to obtain EDA: -

Scheduled services, including: -

- urban scheduled services
- long distance scheduled services
- school scheduled services; and
- special education services provided in buses and taxis.

Pre-booked services, including: -

- charter services
- tourist services
- accommodation or tourist transfer services; and
- other pre-booked public passenger services that require operator accreditation.

## Conditions of EDA

Before EDA can be issued, the operator must ensure the following conditions are adhered to:-

- Reasonable steps have been taken to ensure the operator has a sufficient supply of appropriately authorised drivers to use in an emergency (EDA is not to be used to supplement drivers where an operator hasn't ensured they have an adequate driver supply).
- Reasonable steps have been taken to find an appropriately authorised driver external to the operator's normal supply of drivers and none are available.
- The driver holds a current Australian driver licence of the appropriate class for the vehicle to be driven.
- The operator is satisfied that the driver is aware of their driver obligations as set out in the *Transport Operations (Passenger Transport) Act 1994*. Further information about these requirements is available in the following information bulletin.
  - [PT307 – Driver Responsibilities](#)
- The driver has been trained in the driving duties to be undertaken.
- The driver has not declared any criminal or traffic history.
- The operator has confirmed with the driver that they do not suffer from any medical condition/s that may adversely affect their ability to drive.
- The operator must work with the driver to ensure they have completed and lodged their DA application as soon as practicable.

## Applying for EDA

An operator may request an EDA by using the 'Emergency Driver Authorisation Request' form, located at the back of this information bulletin. Once completed the request needs to be emailed to the operator's local [Passenger Transport TransLink Office](#) at the Department of Transport and Main Roads (the department) for assessment. Requests must be submitted before the driver provides a service, however if this is not possible, requests must be submitted as soon as reasonably practical after the emergency event.

EDA can be issued for up to 14 days from the first instance of the driver being used to provide the public passenger service.

### Process:

1. The driver must lodge an application for DA with the department as soon as practicable. [Driver Authorisation Application form \(F2978\)](#).

The operator must check if the driver declared any criminal or traffic history on their DA application. If the DA application has already been lodged with the department, the operator must verify this directly with the driver. Where criminal and/or traffic history is declared by the driver, they **must not** be used to provide any public passenger service before the department has assessed them as being suitable to hold DA.

2. The operator must confirm that the driver does not suffer from any medical condition/s that may adversely affect their ability to drive.

If the driver has a medical condition that affects their ability to drive safely, they must not be used to provide any public passenger service until the driver has been assessed as meeting the commercial standard set out in the *Austrroads Assessing Fitness to Drive* publication.

If, however, the driver has a *Medical Certificate for Motor Vehicle Driver* (form F3712), assessed to the commercial standard, this would satisfy the medical fitness requirements to issue EDA.

3. The operator must submit their completed 'Emergency Driver Authorisation Request' to their local [Passenger Transport TransLink Office](#) prior to using the driver. If this is not possible, the request must be lodged as soon as possible after the emergency event.
4. The department will assess the EDA request and, if approved, issue the operator with a copy of the EDA. A copy of the EDA must be carried by the driver at all times while they are driving the public passenger service and a copy must be retained for the operator's records. If not approved, the operator will be advised that the EDA will not be issued.
5. If EDA has been issued and the driver does not meet the requirements for the issue of DA, the EDA will be immediately withdrawn, and the operator will be advised not to use the driver.

## Requesting EDA outside of business hours

Where the emergency occurs outside of business hours, for example a Saturday, prior to using a driver, the operator must complete and lodge the 'Emergency Driver Authorisation Request'.

**All 'conditions of EDA' MUST be complied with** to be considered suitable to drive for the emergency circumstance.

Where the department receives the request outside of business hours, and the driver is no longer required, an EDA will not be issued.

## 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 <https://translink.com.au/contact-us>.

Customer service centre locations can be accessed at [www.qld.gov.au](http://www.qld.gov.au)

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](http://www.legislation.qld.gov.au).

Additional information about public passenger services is available on the department's internet site at [www.tmr.qld.gov.au/information\\_bulletins](http://www.tmr.qld.gov.au/information_bulletins).



Emergency driver authorisation (EDA) is a provisional driver authorisation that may be issued to a person to drive a public passenger vehicle in an emergency. For more information about EDA please refer to [PT999 — Emergency Driver Authorisation](#).

This template is to be used by operators to request the Department of Transport and Main Roads (TMR) issue an EDA for a driver. Drivers who are issued with EDA can only drive for the operator who requested the EDA.

The operator must lodge this request with their local passenger transport office. For contact details refer to [passenger transport offices](#). TMR will assess the request and, if satisfactory, issue the operator with the original and a copy of the EDA. The EDA must be carried by the driver at all times while they are driving the public passenger service and the copy must be retained for the operator's records.

Before EDA can be issued, the driver must complete a [DA application \(F2978\)](#) and lodge it with TMR. If the driver is unable to lodge their DA application before being issued with EDA, it must be lodged the next business day.

## Requesting operator information

Name	
OA number (if applicable)	
Affected service	(For booked services - evidence of the pre-booked service must be provided)
Service location	(Must include details such as route number/service area)
Emergency reason	
I was made aware of the driver's unavailability at _____ on _____	

## Driver information

Name			
Date of birth			
Customer reference number			
EDA commencement date		EDA expiry date	

Note: EDA can be issued for up to 14 days.

The following questions must be answered by the operator before the request for EDA will be considered: -

1. Have you sighted the driver's completed Driver Authorisation (DA) application?

Yes      No – you must sight the driver's completed DA application before requesting EDA, unless DA application has already been lodged with TMR.

2. Has the driver declared any criminal history on their DA application? If DA application already lodged with TMR, you must ask the driver if they have declared any criminal history?

No      Yes – EDA will not be issued to applicants who have declared criminal history.

3. Has the driver declared any traffic history on their DA application? If DA application already lodged with TMR, you must ask the driver if they have declared any traffic history?

No      Yes – EDA will not be issued until traffic history has been assessed by TMR.

4. Does the driver suffer from a medical condition that may adversely affect their ability to drive?

No      Yes – EDA will not be issued to applicants who have declared they have a medical condition that will adversely affect their ability to drive. If the driver has a *Medical Certificate for Motor Vehicle Driver* (form F3712), assessed to the commercial standard under the Austroads *Assessing Fitness to Drive* publication this satisfies the medical fitness requirements to be issued EDA.

5. Does the driver have the appropriate class of driver licence for the vehicle being used to provide the service?

Yes      No – EDA will not be issued to applicants who do not have the appropriate class of licence.

6. Is the driver aware of their obligations set out in the *Transport Operations (Passenger Transport) Act 1994 (TOPTA)* for drivers' providing public passenger services?

Yes      No – applicants must be aware of their obligations set out in TOPTA.

7. Has the driver been trained in the driving duties to be undertaken?

Yes      No – applicants must be trained in their driving duties.

### Statement

I have taken reasonable steps to:

- ensure there is a sufficient supply of appropriately authorised drivers to use in an emergency.
- find an appropriately authorised driver external to my normal supply of drivers and none are available.

I declare that the information provided by me in this request is complete, true and correct.

\_\_\_\_\_  
Operator name

\_\_\_\_\_  
Operator signature

\_\_\_\_\_  
Request date

TMR OFFICE USE ONLY			
<b>Operator</b>	<b>Yes</b>	<b>No</b>	
EDA Request fully completed			
All supporting information supplied (if applicable)			
<b>Requirements</b>	<b>Met</b>	<b>Not Met</b>	<b>Why?</b>
Driver Licence (current)			
Qld Driving History			
Check any previous DA history			
<b>If DA already lodged</b> - Check status of DA application and prerequisites			
<b>Approved</b>		<b>Not approved</b>	
Issue Date: _____		Advice sent to operator: _____	
Expiry Date: _____			
EDA sent to operator: _____			
Entered in EDA register: _____			
Officer Name: _____ Officer Signature: _____ Date: _____			