

TMR Compliance Investigation Plan

Department of Transport and Main Roads

* To be completed and submitted to STI within 5 days of receiving investigation

Commencement Date: 18 May 2022 Investigation Officer: Mathew Stone

Event Summary: *include as much detail as possible regarding who, where, when, vehicle, description of event

AIS issued SC on alleged unroadworthy vehicle REGO ersonal information

CID reference no: CAS7612

| Subject details: *Consider who is involved, individual or company – consider parties to CoR/extended liability offences |
|--|
| Name: A Grade Auto & Marine Mechanical Services AIS# 9980 by examiner ^{PI} Examiner # ^{PI} |
| Address: U 2/4 George Street Southport |
| Date of birth: |
| Phone: Ppersonarihtoimation |
| Email: personal information |

Alleged offence/s

| Legislation (Act and section) | Short Definition |
|-------------------------------|---|
| VSSR S85(3)(b) | AE APPROVES INSPECT CERT W/O BEING SATISFIED VEHICLE NOT DEFECTIVE |
| (96) | |
| | |

Scope of Investigation

*What is the aim of the investigation – consider the type of evidence, who, how, where and when it will be sourced from...consider offence elements that need to be proved.

| Contact complainar | nt personal million registered owner of QLD registrations and information gather |
|--|--|
| further information i | n regard to complaint and inspect vehicle. |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| Actions to progress of | of Investigation |
| | |
| Checks | Rumiis checks on Approved Inspection station 9980 |
| Critosito | |
| *CID - registration - | CID checks on AIS for possible previous investigations |
| Licence - previous | \sim |
| history – PIN – RUMIIS – DMS etc | |
| | |
| | |
| | |
| | |
| | |
| and the second second | |
| Witnesses | Statement of events from Complainantersonal and an anti- |
| *list potential | |
| witnesses - | $\sim (7/3)$ |
| who/where/why | |
| to plan and obtain | |
| statements | |
| | |
| | |
| | |
| | |
| Evidence | Photographic or video evidence of vehicle being defective |
| LVIGGIOC | |
| *what/where/why | |
| | |
| *documents/ | |
| bwc/cctv/photographs | |
| *where lodged | |
| | ¥(0) ² |
| Risks | |
| *consider any issues | Time frame and kilometres vehicle has travelled since vehicle had first |
| that may undermine the prosecution or | safety certificate where alleged defects were present. |
| create a defence | |
| 60 | |
| General | |
| Comments | Vehicle being available for compliance checks. |

| nything of interest considerations uring investigation | | |
|--|---------------------|---------------|
| onsider personnel nd resources | | |
| xpected Time Frame to Col | mpleted: 18/08/2022 | |
| | | |
| osition Name | Signed | Date |
| nvestigator: Mathew Stone | NR | 18 May 2022 |
| Senior: Chris Baxter | NR | 18 May 2022 |
| | | \rightarrow |
| | | |
| | | |
| | | |
| | 5 | |
| 907 | | |
| | | |
| | | |
| | | |

....

Queensland Government

Approved Inspection Station (AIS) Compliance Checklist

| AIS Name: A GRADE A | uto e nou | more ICO | Yes 🗌 No 🗹 | CID audit number: | CA57612 | - Mar | |
|--|--|--|--------------------------------|---|-------------------------|-------------------|------------|
| AIS Number: | 0 | .2 /4 GEOR | re st s | outeloat | | | |
| Type of Compliance check: | | Confirm | ation | Scheduled | | Triggered | |
| Compliance check date: 26 / 95 | 122 | RUMIIS audit numbe | er: 20 | 910 | DMS Number: | | 1 |
| AIS Representative: PI | | Role: PROPRIET | op/Exam. | IER | Approved Examiner No | o: | v |
| Primary Auditor: Q 5 3 | 7 e | Q404 | 12 | Signature | PR B: | Date ² | 105/22 |
| Compliance Check Result: | Pass | Fail | CA Issued: Y | es 🗌 No 🧹 | | Yes No | |
| Compliance check finalised: | Date: 26 95, 22 | Primary Auditor: | 9537 | | Signature: NR | | X |
| The following sources of evidence methods of obtaining valid eviden 1. Interviews with the Approval 2. Observations/photographs 3. Documents and records inclu | ce may be used. Holder and Approved | d Examiner/s (AE). | compliance with th | e conditions of approv | val as an Approved Insp | ection Station (A | JS). Other |
| The Business Rules for A | | | AE accre | litation document | | | |
| Queensland Light Vehicle Transport Operations (Ro National Heavy Vehicle In Transport Operations (Ro | ad Use Managemer hspection Manual (N bad Use Managemer | nt – Accreditation & O HVIM) nt – Vehicle Standard | s & Safety) Regulat | | | | |
| Transport Operations (Ro Inspection Certificate Boo AIS Approval document ICO User Guide Information Sheets | | II) AGE 1990 (TOROM) | National F | eavy Vehicle Law a Certificates Online (| ICO) | | ~ 为夜 |
| oproved Inspection Station (AIS | S) – Compliance C | necklist V 2. | 0 – April 2022 | | Pa | ge 1 | |

| Compliance Code Legend | |
|--|--|
| NA = Not applicable | Nil = Not assessed |
| NC = Non-compliance requiring rectification within 14 working days | V = Indicates compliance verified with the relevant standard |

AIS Requirements

| Reference Documents | Requirement | List evidence or method of verification | Compliance Code | CA | PIN |
|--|--|---|--------------------|--------|-----|
| Fixed AIS Sig | nage | | | \sim | |
| BRAIS 12 | The approval holder must ensure that the fixed AIS displays a sign at the premises indicating that the AIS has been approved by the department to issue inspection certificates. | Verify there is signage indicating the AIS has been approved by the department. | | | |
| BRAIS 13 | The approval holder must ensure that the sign meets the following specifications: | Verify there is signage that meets the following specifications: | | | |
| (a) | The sign must state: APPROVED INSPECTION STATION APPROVAL NO. | sign states, 'Approved Inspection Station' and the AIS approval number. the first three words are at least 100mm bigb: and | \checkmark | | |
| (b) | The first three words must be at least 100 mm high, and the remaining words must be at least 50 mm high. | high; and the remaining words are at least 50mm high. | | | |
| Mobile AIS Ur | nit (if applicable) 📈 🗛 | $\sum (22)$ | | | |
| AOP Schedule 2 Part 3 item 14 | The proprietor of a mobile AIS must ensure the AIS trading name and approval number are clearly and legibly displayed on the sides of the mobile AIS vehicle/s. | Verify there is signage that clearly and legibly displays the AIS trading name and approval number on the mobile AIS vehicle/s. | | | |
| BRAIS 14 | The approval holder must ensure that the signs displayed on a mobile AIS are visible from a distance of 30 meters. | Verify the signs displayed on the mobile AIS vehicle/s are visible from a distance of 30 meters. | NA | | |
| TORUM Act s49 | The approval holder must produce the AIS approval document and inspection certificate books. | Sight the following documents: AIS approval document inspection certificate books. | | | |
| | | | | | |
| | | | | | |

| Reference Documents | Requirement | List evidence or method of verification | Compliance Code | CA | PIN |
|------------------------|---|---|--------------------|----|-----|
| Inspection are | ea | | | | |
| BRAIS 1 | The approval holder must ensure that the fixed AIS premises has a dedicated and suitable sized inspection area that safely allows an AE to thoroughly inspect all types of vehicles that the AIS is approved to inspect. | Verify the recommended inspection area requirements are in accordance with <u>AIS info sheet 02 (3).pdf</u>. For motorbikes (MC and CM) the recommended area is 2.4m wide by 3m long. For light vehicles, the recommended area is 2.5m by 6m long. For heavy vehicles, the recommended area is 3m wide, 15m long and 4.5m high. | | | |
| tequired equi | pment for inspecting vehicles under an A | | | | |
| BRAIS 3 | The approval holder must ensure the AE uses the required equipment necessary for inspecting the types of vehicles listed in the AIS approval. | Verify the AE can demonstrate the use of the required equipment necessary for inspecting the types of vehicles the AIS is approved to inspect. Refer to 'Required equipment' in the <i>Business Rules for Approved Inspection</i> <i>Stations</i> for the equipment required for the particular vehicle type inspection. <u>AIS info sheet 02 (6).pdf</u> | ~ | | |
| BRAIS 28 | An approval holder must have equipment to allow an AE to remove, test and refit vehicle components as required, including underbody inspection. | Verify that the AIS has equipment that allows for the removal, test and refit of vehicle components. This may include: measuring equipment and gauges for disc rotors, brake drums, brake pads and brake linings (all vehicle types) hoist pit, | | | |

| | 1030 | Verify the brake testing equipment can be located securely in the vehicle that is being tested and that it does not dislodge under braking. | 5/N: 44509 |
|----------|--|--|---|
| BRAIS 31 | An approval holder must have accurately functioning equipment to test a vehicle's brake system including a decelerometer, roller brake testing machine or other equipment for testing brakes (for LV, CL, HV, MC and CM vehicle types). | | Record calibration date: 109129 Auto TEST |
| BRAIS 30 | An approval holder must have equipment to check a vehicle's headlamp aim. This may include a graduated headlight testing screen or headlight testing machine (for LV, CL, HV, MC, and CM vehicle types). | Verify that the AIS has equipment to check a vehicle's headlamp aim. This may include either of the following: ☐ graduated headlight testing screen; or ☑ headlight testing machine (for LV, CL, HV, MC and CM vehicle type). | |
| BRAIS 29 | | Verify that the AIS has a calibrated device or tint meter that must have both of the following: two main components (i.e. light source and receiver); and digital display that shows the light transmittance result as a percentage. | Record calibration date: / / 5/~: 48750 |
| • | ~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~ | ramps, vehicle jacks or stands (for LV, LT, CL, HV, HT vehicle type) kingpin gauges (for HT vehicle type) turntable locking tester (for HV vehicle type). | |

| BRAIS 32 | An approval holder must have brake test equipment mentioned in BRAIS 31 capable of producing the required brake test result (i.e. paper or electronic) which records, at a minimum, the date, time, and GPS location (coordinates) of where the successful brake test was conducted (for LV, CL, MC, CM and HV vehicle types). | Verify the AIS has brake test equipment that is capable of producing at least the following: date time GPS location (coordinates) of where the successful brake test was conducted (for LV, CL, MC, CM and HV vehicle types. | Record calibration date: / / |
|--------------|---|--|------------------------------------|
| BRAIS 33 | An approval holder must have the following when a towing unit is not available: (a) equipment for testing the operation of the lighting system and any electric brakes via the trailer plug or socket; (b) equipment capable of compressing the tow coupling to test the function of any override braking system; (c) equipment capable of creating a vacuum source for testing the function of any vacuum braking system; and (d) equipment capable of creating a compressed air source to test the function of any full air or air assisted braking system. | Verify the AIS has additional equipment when a towing unit is not available. This may include: equipment for testing the operation of the lighting system and any electric brakes via the trailer plug or socket; equipment capable of compressing the tow coupling to test the function of any override braking system; equipment capable of creating a vacuum source for testing the function of any vacuum braking system; and equipment capable of creating a compressed air source to test the function of any full air or air assisted braking system. | N/2. |
| S108 (1) AOP | The proprietor of an AIS must: keep at the AIS the required equipment for the AIS approval and ensure the equipment is maintained so it efficiently performs the function for which it is designed. | Verify the required equipment is at the AIS. Refer to 'Required equipment for inspecting vehicles under an AIS approval' in the Business Rules for Approved Inspection Stations. <u>AIS info sheet 02 (6).pdf</u> Verify that there are maintenance records that correspond to the manufacturer's specifications and test the equipment to ensure it performs correctly and is calibrated if required. | |

 $i = \frac{1}{2} \left(1 - \frac{1}{2}\right) - \frac{1}{2} \left(1 - \frac{1}{2}\right) - \frac{1}{2} \left(1 - \frac{1}{2}\right)$

**

| Reference Documents | Requirement | List evidence or method of verification | Complian ce Code | CA | PIN |
|------------------------|--|--|------------------------|----|-----|
| Record keepir | ng | | | | |
| BRAIS 17 | The approval holder must ensure that the following records are kept for the stated periods: | Verify the following: | | ß | |
| (a) | A copy of an inspection report for two years after the report was given. | Inspection reports are kept for two years | | | |
| (b) | A copy of an inspection certificate for two years after the certificate was given. | Inspection certificates are being kept for two years. | ~ | | |
| (c) | A copy of a brake test result for two years after the test was conducted. | Brake test results are kept for two years | \checkmark | | |
| (d) | A cancelled inspection certificate for two years after the certificate was cancelled. | ancelled inspection certificates are being kept for vo years. | ~ | | |
| BRAIS 20 | The approval holder must ensure a record mentioned in rule 17 is kept or is accessible at the AIS approval holder's business premises during its ordinary business hours. | Documents are kept at the AIS during ordinary business hours. | ~ | | |
| BRAIS 5 | The approval holder must ensure that the AiS has inspection certificate books for each vehicle type they are approved to inspect either at the fixed AIS or in the mobile AIS | The AIS has inspection certificate books available for the vehicle types that the AIS is approved to inspect. | ~ | | |
| BRAIS 22 | vehicle. | AIS records and unused certificate books are kept in a safe and secure place. | | | |

| | The approval holder must ensure that the AIS records and unused certificate books are kept in a safe and secure place to reasonably avoid fire, flood, vermin, and any other pests. | | ~ | | |
|----------|---|--|---|--------|--|
| AOP s111 | A person must immediately notify the chief executive if an unused inspection certificate issued to the person is destroyed, lost, or stolen. If a person makes an oral notification, the person must confirm the notification in writing within 14 days after the event happens. | If person claims unused inspection certificates have been destroyed, lost, or stolen, check RUMIIS to ensure they are the inspection certificate books that have been issued to the person and that notification was received. If a person makes oral notification that unused inspection certificates issued to the person have been destroyed, lost, or stolen, check RUMIIS/DMS to ensure written confirmation has been received within 14 days of the event happening. * Oral notification can be made during the audit. * TIs can check RUMMIS during an audit, however, they can only check DMS post audit at the office, as they do not have access to this on site. | | | |
| | | | | , , | |

| Reference Documents | Requirement | List evidence or method of verification | Compliance Code | CA | PIN |
|--|--|--|--------------------|--|-----|
| Approval Ho | ders responsibilities | | J | anna an ann an an an an an an an an an a | |
| BRAIS 8 | Before an AE conducts an inspection at the AIS, the approval holder must ensure that the AE: | Verify: | | R | |
| a) | is currently accredited as an AE. | name and AE number/s associated with the AIS and sight their accreditation document to ensure it is current. | | | |
| (b) | is accredited for the types of vehicles they inspect | only inspecting vehicles that are listed on their accreditation | - | | |
| (c) | does not inspect vehicles that the AIS is not approved to insect; and | only inspecting vehicles that are listed on the AIS approval. | ~ | | |
| (d) | has a current driver licence for the type of vehicle the AE is road testing (for example, a manual driver licence of the appropriate class is required to road test a manual vehicle). | driver licence is current for automatic and or manual vehicle types | | | |
| AOP s109 (1)(b) and BRAIS 8 (b) | The approval holder must ensure that each AE engaged is accredited for the types of vehicles they inspect. | Check issued inspection certificates and AIS approval and AE accreditation to verify the AE is only inspecting vehicle types listed on the AIS approval. | ~ | | |
| AOP s109 | The approval holder must ensure that the 8 AE does not inspect vehicles that the AIS is not approved to inspect. | Check issued inspection certificates, AIS approval and AE accreditation to verify the AE is only inspecting the vehicle types listed in the AIS approval. | \checkmark | | |

 $\sum_{i=1}^{n}$

۰.

| | The approval holder must ensure a copy of the current versions of the QLVIM and NHVIM can be accessed and are available for use by an AE or by any other person at the AIS. | Verify that the fixed AIS and mobile AIS unit/s (if any) have access to a current copy of the QLVIM and the NHVIM, whichever is applicable. | ~ | |
|--------------------|--|--|--------|--|
| BRAIS 7 | The approval holder must ensure that an AE operating from the AIS is familiar with the contents of the QLVIM and the NHVIM. | Ask the AEs some common questions about the inspection requirements in the QLVIM and the NHVIM, relevant to their accreditation. | | |
| VSS s83(2) | Immediately after the inspection is finished, the proprietor of the AIS must give the owner of the vehicle, or the owner's agent, an inspection certificate for the vehicle. | Verify that inspection certificates are being printed/emailed from ICO or that the customer copy from the inspection certificate book is not in the book. | \sim | |
| VSS s84(1)(b) | The proprietor of the AIS issues an inspection certificate for the vehicle by, for a certificate issued manually, signing the certificate. | Verify that issued proprietor's copies of inspection certificates: Have been certified by the approval holder or nominee The approval holder or nominee was approved to certify the certificates on the dates the certificates were issued | | |
| (b)(i)(ii) and (c) | Before issuing a manual certificate of inspection for a vehicle, the proprietor of the AIS must ensure: the certificate is completed correctly, legibly not altered; and approved by the AE who inspected the vehicle. | Check issued inspection certificates to ensure inspection certificates are: completed correctly and legibly have no alterations approved by the AE *(refer to TIPPS policy for the recommended number of inspection certificates). | | |
| R | vehicle. | | | |

Anne the inspection Station (AR) - One of the state of th

| Reference Documents | Requirement | List evidence or method of verification | Compliance Code | CA | PIN |
|------------------------|---|---|--------------------|----|-----|
| | Before approving an inspection certificate for the vehicle, the approved examiner must ensure: the certificate is completed correctly, legibly not altered | Check issued inspection certificates to ensure inspection certificates are: • completed correctly and legibly • have no alterations *(refer to TIPPS policy for the recommended number of inspection certificates). | V | | |
| AOP s109 (4) | The proprietor must not charge an amount for an inspection for the issue of an inspection certificate that is more than the prescribed fee for the inspection. | Check to see that the proprietor is not charging more than the prescribed inspection fee for the relevant inspection. Check invoices and computer program settings used to generate invoices. <u>https://www.tmr.qld.gov.au/business- industry/Accreditations/Approved-inspection-station- scheme/Approved-inspection-station-fees</u> | \$80 V | | |
| BRAIS 16 | The approval holder must provide written notice to the department within 14 days when: | Identify in RUMUS if a nominee has ceased this role for the AIS and confirm: | | | |
| (a) | a nominee ceases to be employed at the AIS, specifying the date the nominee ceased employment or | the date nominee ceased how and when TMR was notified. | \checkmark | | |
| (b) | there is a change of the approval holder's contact details (for example, a change of phone number, postal address or email address). | Verify that contact details (e.g. phone number, postal and email address etc.) for the approval holder are consistent with the approval holder's RUMIIS record and that in the comments. | | | |
| AOP s110 | The proprietor of an AIS must give the chief executive written notice within 14 days of one of the following events: (a) an AE starts or finishes working at the proprietor's business; (b) there is a change of the name or location of the business; (c) there is a change of ownership of the | Check in RUMIIS/AIS administrator if any of the following events have occurred (it will be documented as a comment with a date). If so, check in the proprietor's DMS container that written notice was provided and that it was within 14 days of the: AE starting or finishing at the AIS change in name or location of the AIS | | | |

| | | business; (d) the proprietor stops carrying on the business. | change of ownership of the AIS. *TIs can check RUMMIS during an audit, however, they can only check DMS post audit at the office, as they do not have access to this on site. | | |
|-------------|--------------------|--|--|---|--|
| | | | | | |
| | | | JOF RUL | | |
| | | | | | |
| | | CLECISC | | | |
| ,x.4. () | Apartical before a | Nation (AIS) – Compliance Checklist V 2.0 – April 20 | 522 | 5 | |

| Reference Documents | Requirement | List evidence or method of verification | Compliance Code | CA | PIN |
|------------------------|--|--|--------------------|----|-----|
| Multi-listing | requirements | | | | |
| BRAIS 24 | The approval holder must maintain and keep a record of where and when each nominee and AE works at each of the multi-listed AISs. The record must be kept for two years and must be provided to authorised officers for audit or investigation purposes if requested. | Identify if the: AIS is a multi-listed AIS on the approval document and if so, check that | | | |
| BRAIS 25 | The approval holder must ensure the record contains at least the following information: | the AIS is recording at least the AIS number, location, AE/nominee's name, and dates work at that AIS. | t | | |
| | (a) AIS number (b) location (c) person's name and role; and (d) dates worked at that AIS. | | | | |
| | | MOLES 1 | | | |
| | | | | | |
| | 2 CH | | | | |



Briefing Note

Our ref CAS7612 Your ref Date 03/06//2022

To Senior Transport Inspector – Christopher Baxter

Subject CAS7612 AIS issued SC on alleged unroadworthy vehicle registration personal information

Background

 Complainan Presona IndimEntine purchased a Mercedes Benz A-170 on the 11/04/2022 with a Safety Cert LV-Q8590120 issued by A Grade Auto & Marine Mechanical Services AIS# 9980 by examiner PI Examiner # PI on the 29/03/2022.

Vehicle purchased as private sale on Gumtree, registration; profile and an article and a sale on Gumtree, registration; profile and a sale on Gumtree; profile and a sal

- personal photometric became loose on its own and was moving up and down whilst driving.
- Complainant noted the steering wheel adjustment lever lock was broken and unable to stay locked in place.

Comment

Complaint file received by TI Stone on 18/05/2022.

- Provided by complainant are Safety Certificates LV-Q 859012 0 (29/03/2022) with 183,920 kilometres and repair invoice no: 494033 (16/04/2022) at 185,345 kilometres by Lube Mobile Mechanic which show the difference of approximately 1,400 kilometres.
- Complainant has supplied a Statement of events that occurred when vehicle was purchased.
- Attempts made to contact complainant personal information via phone between 19/05/2022 to 24/05/2022.
- Contact made on the 24/05/2022 complainant stated he had already repaired and sold the vehicle. Complainant was unable to confirm the kilometres when he purchased the vehicle. Inquires revealed the new registered owner had an address on the Sunshine Coast. There was insufficient probative value to inspect the vehicle due to repairs completed and the number of kilometres the vehicle had travelled.
- Complainant said when driving the vehicle home from purchase the steering column kept moving up and down and would not lock in due to having a broken locking mechanism.
- TI Stone Q537 and TI Patterson Q404 interviewed AIS 9980 Proprietor/Examiner
 PI from A Grade Auto & Marine Mechanical Service unit 2/4 George Street Southport in relation to Safety Certificate LV-Q 859012 0 issued to alleged defective vehicle QLD registration of all find Mercedes Benz hatch on 29/03/2022 with 183,920 kilometres.
- Mr^{Pl} explained his process on carrying out a Safety Certificate Inspection on a vehicle in detail. Mr^{Pl} was then questioned about safety certificate LV-Q 859012 0. Mr^{Pl} said he remembered this vehicle he passed a Safety Certificate on 29/03/22 at 183,920 kilometres.
- He explained that everything was good on the vehicle when the Safety Inspection
 was carried out and during the brake test, he would have noticed if the steering
 column was moving or broken.
- TI Stone and TI Patterson carried out an audit of the Approved Inspection Station number 9930 at time of interview. Compliance check result was a pass, and no cutstanding issues were identified.

There is insufficient evidence available in this investigation to take any other enforcement action.

Recommendation

An Approved Inspection Station audit and general education was provided. • recommend no further action taken beyond these existing measures.

| NR Mathew Stone Transport Inspector Q537 | |
|---|---|
| Department of Transport and Main Roads Customer Services Branch South East Queensland Compliance Floor 1, 30 Upton Street, Bundall,4217. | Enquiries Telephone +61 7 5504 1314 Facsimile +61 7 |
| | |
| C C C C C C C C C C C C C C C C C C C | |
| | |
| | |