



Queensland

# Transport and Other Legislation Amendment Regulation (No. 1) 2012

## Subordinate Legislation 2012 No. 215

made under the

*State Penalties Enforcement Act 1999*

*Transport Operations (Road Use Management) Act 1995*

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[s 1]

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## **Part 1 Preliminary**

### **1 Short title**

This regulation may be cited as the *Transport and Other Legislation Amendment Regulation (No. 1) 2012*.

## **Part 2 Amendment of State Penalties Enforcement Regulation 2000**

### **2 Regulation amended**

This part amends the *State Penalties Enforcement Regulation 2000*.

### **3 Amendment of sch 3 (Transport legislation)**

Schedule 3, entry for *Transport Operations (Road Use Management—Road Rules) Regulation 2009—*

*insert—*

's 300D(1) .....	8	-
s 300D(2) .....	8	-'.



*insert—*

**‘300D Driver must not damage rail infrastructure or obstruct level crossing**

‘(1) A driver must not cause damage to rail infrastructure at a railway crossing, unless the driver has a reasonable excuse.

Maximum penalty—80 penalty units.

‘(2) A driver driving near, on or through a level crossing must not cause an obstruction to the path of trains or other drivers through the level crossing, unless the driver has a reasonable excuse.

Maximum penalty—80 penalty units.

‘(3) In this section—

***damage***, to rail infrastructure, means damage that hinders or prevents the normal operation or use of the rail infrastructure.

***railway crossing*** means a level crossing, bridge or another structure used to cross over or under a railway.

***rail infrastructure*** means the following—

- (a) a warning bell, warning light, gate, boom or barrier;
- (b) rail transport infrastructure within the meaning of the *Transport Infrastructure Act 1994*.’.

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ENDNOTES

- 1 Made by the Governor in Council on 29 November 2012.
- 2 Notified in the gazette on 30 November 2012.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Transport and Main Roads.