



Queensland

Transport Legislation and Another Regulation Amendment Regulation (No. 2) 2014

Subordinate Legislation 2014 No. 219

made under the

Adult Proof of Age Card Act 2008

State Penalties Enforcement Act 1999

Tow Truck Act 1973

Transport Operations (Marine Safety) Act 1994

Transport Operations (Passenger Transport) Act 1994

Transport Operations (Road Use Management) Act 1995

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Transport Legislation and Another Regulation Amendment Regulation (No. 2) 2014*.

2 Commencement

- (1) This regulation, other than the provisions mentioned in subsection (2), commences on 1 October 2014.
- (2) The following provisions commence on 1 January 2015—
 - (a) parts 2 and 4;
 - (b) section 9(1), (2) and (5) to (8);
 - (c) section 17;
 - (d) sections 32, 33 and 34(1);
 - (e) parts 7 to 9;
 - (f) sections 48 to 50, and 51(1);
 - (g) section 54;
 - (h) sections 60 to 69 and 70(2).

Part 2 Amendment of Adult Proof of Age Card Regulation 2010

3 Regulation amended

This part amends the *Adult Proof of Age Card Regulation 2010*.

[s 4]

4 Insertion of new s 2A

After section 2—

insert—

2A Definition

In this regulation—

current postal address, for a person, means a postal address—

- (a) given by the person to the department for use by the department (whether or not it was given for the purpose of this regulation); and
- (b) for which no written or oral notice from the person, requiring the department to discontinue use of the postal address, has been received by the department.

5 Amendment of s 4 (Adult proof of age card not received in post)

Section 4(1)(b)—

omit, insert—

- (b) the holder has not, within the time stated by the chief executive when the holder's application for the card was made, received the card in the post at—
 - (i) if there is a current postal address for the holder—the postal address; or
 - (ii) otherwise—the address stated in the application.

6 Amendment of s 5 (Change of name and address)

(1) Section 5, heading, 'name and address'—

omit, insert—

name, address or postal address

(2) Section 5(1)(a)—

omit, insert—

(a) changes—

- (i) the holder's name or address; or
- (ii) if there is a current postal address for the holder—the postal address; and

(3) Section 5(1)(b), 'written'—

omit.

7 Amendment of s 6 (Notifiable events under other Acts)

Section 6(3), definition *notifiable event*—

omit, insert—

notifiable event, for the holder of an adult proof of age card, means any of the following—

- (a) a change of the holder's name;
- (b) a change of the holder's address;
- (c) if there is a current postal address for the holder—a change of the postal address.

Part 3 Amendment of State Penalties Enforcement Regulation 2014

8 Regulation amended

This part amends the *State Penalties Enforcement Regulation 2014*.

[s 9]

9 Amendment of sch 1 (Infringement notice offences and fines for nominated laws)

- (1) Schedule 1, entry for the *Tow Truck Regulation 2009*, entry for section 15(1), ‘s 15(1)’—

omit, insert—

s 15(2)

- (2) Schedule 1, entry for the *Tow Truck Regulation 2009*, entry for section 15(4), ‘s 15(4)’—

omit, insert—

s 15(5)

- (3) Schedule 1, entry for the *Transport Operations (Road Use Management) Act 1995*—

insert—

s 84A(1) in the circumstances in paragraph (b) of Individual 10
the penalty. Corporation 50

- (4) Schedule 1, entry for the *Transport Operations (Road Use Management) Act 1995*, entry for section 78(1), second paragraph (c)—

omit.

- (5) Schedule 1, entry for the *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2005*, entry for section 67L(1), ‘s 67L(1)’—

omit, insert—

s 67L(2)

- (6) Schedule 1, entry for the *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2005*, entry for section 67L(4), ‘s 67L(4)’—

omit, insert—

s 67L(5)

- (7) Schedule 1, entry for the *Transport Operations (Road Use Management—Dangerous Goods) Regulation 2008*, entry for section 216B(1), ‘s 216B(1)’—

omit, insert—

s 216B(2)

- (8) Schedule 1, entry for the *Transport Operations (Road Use Management—Dangerous Goods) Regulation 2008*, entry for section 216B(4), ‘s 216B(4)’—

omit, insert—

s 216B(5)

Part 4 Amendment of Tow Truck Regulation 2009

10 Regulation amended

This part amends the *Tow Truck Regulation 2009*.

11 Amendment of s 8 (Chief executive may require satisfactory evidence)

- (1) Section 8(1)(a)(ii) and (iii)—

renumber as section 8(1)(a)(iii) and (iv).

- (2) Section 8(1)(a)—

insert—

(ii) if there is a current postal address for the applicant—the postal address; and

12 Amendment of s 15 (Change of name and address)

- (1) Section 15, heading, ‘name and address’—

[s 13]

omit, insert—

name, address or postal address

(2) Section 15(1)—

omit, insert—

(1) This section applies if the holder of an approval changes any of the following—

- (a) the holder's name or address;
- (b) if there is a current postal address for the holder—the postal address.

(1A) The holder must, within 14 days after the change, give the chief executive—

- (a) written notice of the change; and
- (b) for a change of name—the document evidencing the granting of the approval.

Maximum penalty—20 penalty units.

(3) Section 15(4), penalty, 'subsection (4)'—

omit, insert—

subsection (5)

(4) Section 15(1A) to (4)—

renumber as section 15(2) to (5).

13 Amendment of s 15B (Notifiable events under other Acts)

Section 15B(3), definition *notifiable event*—

omit, insert—

notifiable event, for the holder of an approval, means any of the following—

- (a) a change of the holder's name;
- (b) a change of the holder's address;

- (c) if there is a current postal address for the holder—a change of the postal address;
- (d) the damage, loss or theft of a certificate notice or permit document.

14 Amendment of sch 5 (Dictionary)

Schedule 5—

insert—

current postal address, for a person, means a postal address—

- (a) given by the person to the department for use by the department (whether or not it was given for the purpose of this regulation); and
- (b) for which no written notice from the person, requiring the department to discontinue use of the postal address, has been received by the department.

Part 5 Amendment of Traffic Regulation 1962

15 Regulation amended

This part amends the *Traffic Regulation 1962*.

16 Amendment of s 4 (Definitions)

- (1) Section 4, definition *camera system hardware*—
omit.
- (2) Section 4—
insert—

[s 17]

ANPR Camera System Coding Manual, for an ANPR camera system, means the ANPR Camera System Coding Manual issued by the toll operator for the toll road or local government tollway in which the camera system is located.

camera system hardware, for the following camera systems, means a component of the system—

- (a) an ANPR camera system;
- (b) a digital combined redlight and speed camera system;
- (c) a digital redlight camera system;
- (d) a digital speed camera system;
- (e) a digital point-to-point camera system.

Examples of camera system hardware—

the system's camera or cameras, server and electrical wiring

CTP insurance offence, for part 22, division 2, see section 208A.

placard load offence, for part 22, division 2, see section 208A.

registration number see the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010*, schedule 8.

registration offence see section 208A.

toll operator see section 166A(4) of the Act.

17 Replacement of s 70 (Change of name or address)

Section 70—

omit, insert—

70 Change of name, address or postal address

- (1) If the holder of a disability parking permit changes any of the following, the holder must notify the chief executive of the change within 14 days of the change—
- (a) the holder’s name or address;
 - (b) if there is a current postal address for the holder—the postal address.

Maximum penalty—20 penalty units.

- (2) In this section—

current postal address, for a person, means a postal address—

- (a) given by the person to the department for use by the department (whether or not it was given for the purpose of this regulation); and
- (b) for which no written or oral notice from the person, requiring the department to discontinue use of the postal address, has been received by the department.

18 Omission of s 161 (Register of motor vehicles repaired or painted)

Section 161—

omit.

19 Amendment of s 208 (Approved photographic detection devices)

Section 208, from ‘section 113’—

omit, insert—

section 113A(1) of the Act.

[s 20]

20 Insertion of new s 208A

Part 22, division 2—

insert—

208A Definitions for div 2

In this division—

CTP insurance offence means an offence against the *Motor Accident Insurance Act 1994*, section 20(1) or (2).

Note—

The *Motor Accident Insurance Act 1994*, section 20(1) and (2) prohibits a person from driving, or permitting another person to drive, an uninsured motor vehicle (within the meaning of section 4 of that Act) on a road or in a public place.

placard load offence means an offence against section 84A(1) of the Act.

Note—

Section 84A(1) of the Act prohibits a person from driving a motor vehicle carrying a placard load in a tunnel that has a placard load prohibited sign at or before the entrance to the tunnel.

registration offence means an offence against the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010*, section 11.

Note—

The *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010*, section 11 prohibits a person from using, or permitting the use of, a vehicle that is not a registered vehicle (within the meaning of section 6 of that regulation) on a road.

21 Amendment of s 210A (ANPR camera systems)

- (1) Section 210A, heading, ‘systems’—

omit, insert—

systems—no trucks sign offences

- (2) Section 210A(2), ‘an ANPR’—

omit, insert—

the ANPR

- (3) Section 210A(2)(a)(i), ‘registration plate’—

omit, insert—

number plate

- (4) Section 210A(2), note—

omit, insert—

Note—

Since an image certified by an official, as mentioned in section 120(2) of the Act, is evidence of the accuracy of the image, if there is an indication that an image has been tampered with, the official would not be able to certify that the image was properly taken.

- (5) Section 210A(3), from ‘an ANPR camera system’ to ‘the ANPR camera system’—

omit, insert—

the ANPR camera system on an image taken by the camera part of the system

22 Insertion of new ss 210AA and 210AB

After section 210A—

insert—

210AA ANPR camera systems—registration offences and CTP insurance offences

- (1) If an ANPR camera system is used to provide evidence of a prescribed offence that is a

[s 22]

registration offence or a CTP insurance offence, the following provisions must be complied with—

- (a) the system's camera must be positioned and aimed so that an image taken by the camera shows the front or rear of the vehicle, including the vehicle's number plate;
- (b) if a relevant event happens—the system must be tested in accordance with the specifications of the system's manufacturer to ensure the system operates correctly;
- (c) if a fault is indicated in the system because of testing under paragraph (b)—corrective action must be taken and the testing must be repeated until no fault is indicated in the system;
- (d) if the tests or an image when viewed indicates a fault has affected the proper operation of the system as required under this section, the image must be rejected for evidentiary purposes.

(2) In this section—

fixed system means an ANPR camera system that, once installed at a location, can only operate at that location.

mobile system means an ANPR camera system that may be operated at a location without having to be installed at the location.

Examples of mobile systems—

- 1 An ANPR camera system that is fitted to a police vehicle or a transport enforcement vehicle (as defined under the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2010*, schedule 4).
- 2 An ANPR camera system that operates on a tripod, or other base, that is not fixed to the surface on which it stands.

relevant event, for an ANPR camera system, means each of the following—

- (a) for a fixed system—
 - (i) the installation of the system; or
 - (ii) the reinstallation, replacement or repair of camera system hardware for the system;

Example—

the replacement of the system's camera

- (b) for a mobile system—
 - (i) the preparation of the system before it is used, for the first time ever, to detect offences mentioned in subsection (1); or
 - (ii) the replacement or repair of camera system hardware for the system;

Example—

the replacement of the system's camera

- (c) a change to the computer software used by the system.

Example—

the application of a software patch

210AB ANPR camera systems—placard load offences

- (1) If an ANPR camera system is used to provide evidence of a prescribed offence that is a placard load offence, the following provisions must be complied with—
 - (a) the system's camera must be positioned and aimed so that an image taken by the camera shows the front or rear of the vehicle, including—

[s 22]

- (i) the vehicle's number plate; and
 - (ii) the placard about the vehicle's load;
 - (b) if a relevant event happens—the system must be tested in accordance with the specifications of the system's manufacturer to ensure the system operates correctly;
 - (c) if a fault is indicated in the system because of testing under paragraph (b)—corrective action must be taken and the testing must be repeated until no fault is indicated in the system;
 - (d) if the tests or an image when viewed indicates a fault has affected the proper operation of the system as required under this section, the image must be rejected for evidentiary purposes.
- (2) In this section—
- relevant event***, for an ANPR camera system, means each of the following—
- (a) the installation of the system;
 - (b) the reinstallation, replacement or repair of camera system hardware for the system;
- Example—*
- the replacement of the system's camera
- (c) a change to the computer software used by the system;
- Example—*
- the application of a software patch
- (d) the reporting, by the system, of a fault affecting the proper operation of the system.

23 Amendment of s 210B (Operating and testing digital redlight camera systems)

Section 210B(2)(a), before ‘camera’—

insert—

digital redlight

24 Amendment of s 210C (Operating and testing digital speed camera systems)

(1) Section 210C(2)(a), before ‘camera’—

insert—

digital speed

(2) Section 210C(3), definition *installation*, ‘the camera’—

omit, insert—

a digital speed camera

25 Amendment of s 210D (Operating and testing digital combined redlight and speed camera systems)

Section 210D(2)(a), before ‘camera’—

insert—

digital combined redlight and speed

26 Amendment of s 210E (Operating and testing digital point-to-point camera systems)

Section 210E(2)(a), before ‘camera’—

insert—

digital point-to-point

[s 27]

27 Amendment of s 211 (Markings or writings on photographic detection device images other than ANPR camera system images)

- (1) Section 211, heading, from ‘photographic’—
omit, insert—

particular photographic detection device images

- (2) Section 211(1)—
insert—

- (h) for an image of a vehicle taken by an ANPR camera system mentioned in section 210AA—schedule 16; and
- (i) for an image of a vehicle taken by an ANPR camera system mentioned in section 210AB—schedule 17.

Note—

See section 210A(3) for the meaning of a data block made by an ANPR camera system, mentioned in that section, on an image taken by the camera part of the system.

28 Insertion of new s 212A

Part 22, division 2—

insert—

212A ANPR Camera System Coding Manual

- (1) A court must presume a document purporting to be an ANPR Camera System Coding Manual is an ANPR Camera System Coding Manual, until the contrary is proved.
- (2) In a proceeding, a certificate purporting to be signed by a toll officer of a toll operator, stating a document is a copy of a part of the ANPR Camera System Coding Manual issued by the toll operator, is evidence of that fact.

(3) In this section—

toll officer see section 166A(1) of the Act.

29 Amendment of sch 10 (Approved photographic detection devices)

Schedule 10, part 3, ‘marketed as’—

omit, insert—

marketed, or designed and manufactured, as

30 Insertion of new schs 16 and 17

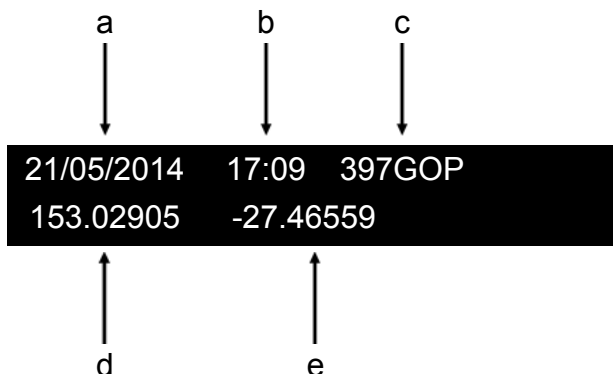
After schedule 15—

insert—

Schedule 16 Data blocks for ANPR camera systems used to provide evidence of registration offences or CTP insurance offences

section 211(1)(h)

[s 30]



a is the date when the image was taken, in the order of day, month and year.

b is the time, in 24-hour clock mode, when the image was taken in the order of hour and minute.

c is the registration number of the vehicle depicted in the image.

d is the longitude of the location where the image was taken shown in decimal degrees using the coordinate framework known as the Geocentric Datum of Australia (GDA94).

e is the latitude of the location where the image was taken shown in decimal degrees using the coordinate framework known as the Geocentric Datum of Australia (GDA94).

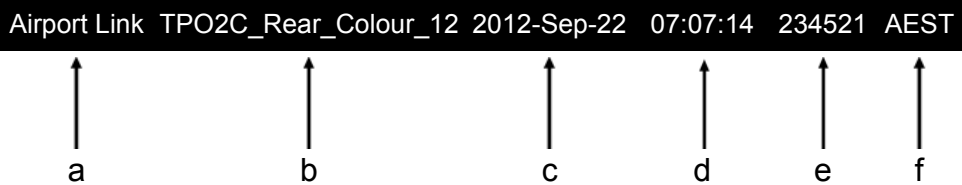
Example—

The diagram in this schedule shows—

- the image was taken at 5:09p.m. on 21 May 2014
- the registration number of the vehicle depicted in the image is 397GOP
- the longitude of the location where the image was taken is 153.02905 decimal degrees
- the latitude of the location where the image was taken is -27.46559 decimal degrees.

Schedule 17 Data blocks for ANPR camera systems used to provide evidence of placard load offences

section 211(1)(i)



a is the name of the tunnel where the image was taken.

b is the description given in the ANPR Camera System Coding Manual for the location of the system's camera when the image was taken.

c is the date when the image was taken, in the order of year, month and day.

d is the time, in 24-hour clock mode, when the image was taken in the order of hour, minute and second.

e is the number allocated by the system to the image.

f is the code for the time zone being used by the system to record the time when the image was taken.

Example—

The diagram in this schedule shows—

- the image was taken in the Airport Link tunnel

[s 31]

- the camera was located at the place given the code TPO2C_Rear_Colour_12 in the ANPR Camera System Coding Manual
- the image was taken on 22 September 2012 at 7:07:14a.m.
- the number allocated by the system to the image was 234521
- the time zone used by the system to record the time when the image was taken was Australian Eastern Standard Time.

Part 6

Amendment of Transport Operations (Marine Safety) Regulation 2004

31 Regulation amended

This part amends the *Transport Operations (Marine Safety) Regulation 2004*.

32 Replacement of s 169 (Holder to notify change of address)

Section 169—

omit, insert—

169 Holder to notify change of address or postal address

If the holder of an authority changes either of the following, the holder must, within 14 days after the change, give the administering agency written notice of the change, unless the holder has a reasonable excuse—

- (a) the holder's address;

- (b) if there is a current postal address for the holder—the postal address.

Maximum penalty—10 penalty units.

33 Amendment of sch 4A (Application of part 6, divisions 2 to 6 to marine licences)

- (1) Schedule 4A, section 169, heading, ‘name and address’—

omit, insert—

name, address or postal address

- (2) Schedule 4A, section 169(1)—

omit, insert—

- (1) If the holder of a *marine licence* changes any of the following, the holder must, within 14 days after the change, give the administering agency written notice of the change, unless the holder has a reasonable excuse—

- (a) the holder’s *name or address*;
- (b) if there is a current postal address for the holder—the postal address.

Maximum penalty—10 penalty units.

- (3) Schedule 4A, section 172F(3), definition *notifiable event*—

omit, insert—

notifiable event, for the holder of a *marine licence*, means any of the following—

- (a) a change of the holder’s *name*;
- (b) a change of the holder’s *address*;
- (c) if there is a current postal address for the holder—a change of the *postal address*.

34 Amendment of sch 15 (Dictionary)

- (1) Schedule 15—

[s 35]

insert—

current postal address, for a person, means a postal address—

- (a) given by the person to the department for use by the department (whether or not it was given for the purpose of this regulation); and
- (b) for which no written notice from the person, requiring the department to discontinue use of the postal address, has been received by the department.

- (2) Schedule 15, definition *smartcard driver licence—*

omit, insert—

smartcard driver licence see the *Transport Operations (Road Use Management—Driver Licensing) Regulation 2010*, schedule 9.

Part 7 **Amendment of Transport Operations (Passenger Transport) Regulation 2005**

35 Regulation amended

This part amends the *Transport Operations (Passenger Transport) Regulation 2005*.

36 Amendment of s 43F (Notifiable events under other Acts)

Section 43F(3), definition *notifiable event—*

omit, insert—

notifiable event, for an authorised driver, means any of the following—

- (a) a change of the authorised driver’s name;

- (b) a change of the authorised driver's address;
- (c) if there is a current postal address for the authorised driver—a change of the postal address;
- (d) the damage, loss or theft of an authorising document.

37 Amendment of s 143 (Change of name and address)

- (1) Section 143, heading, 'name and address'—

omit, insert—

name, address or postal address

- (2) Section 143(2)—

omit, insert—

- (2) If any of the following change, the holder must notify the chief executive in writing of the change within 10 business days after the change—
- (a) the holder's name or address;
 - (b) if there is a current postal address for the holder—the postal address.

Maximum penalty—10 penalty units.

38 Amendment of sch 11 (Dictionary)

Schedule 11—

insert—

current postal address, for a person, means a postal address—

- (a) given by the person to the department for use by the department (whether or not it was given for the purpose of this regulation); and
- (b) for which no written notice from the person, requiring the department to discontinue use

of the postal address, has been received by
the department.

Part 8

Amendment of Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2005

39 Regulation amended

This part amends the *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2005*.

40 Amendment of s 67L (Change of name and address)

(1) Section 67L, heading, ‘name and address’—

omit, insert—

name, address or postal address

(2) Section 67L(1)—

omit, insert—

(1) This section applies if an accredited person changes any of the following—

- (a) the person’s name or address;
- (b) if there is a current postal address for the person—the postal address.

(1A) The accredited person must, within 14 days after the change, give the chief executive—

- (a) written notice of the change; and

- (b) for a change of name—the person’s accreditation document.

Maximum penalty—20 penalty units.

- (3) Section 67L(1A) to (4)—
renumber as section 67L(2) to (5).

41 Amendment of s 67M (Notifiable events under other Acts)

Section 67M(3), definition *notifiable event*—

omit, insert—

notifiable event, for an accredited person, means any of the following—

- (a) a change of the person’s name;
- (b) a change of the person’s address;
- (c) if there is a current postal address for the person—a change of the postal address;
- (d) the damage, loss or theft of an accreditation document.

42 Amendment of sch 9 (Dictionary)

Schedule 9—

insert—

current postal address, for a person, means a postal address—

- (a) given by the person to the department for use by the department (whether or not it was given for the purpose of this regulation); and
- (b) for which no written notice from the person, requiring the department to discontinue use of the postal address, has been received by the department.

Part 9

Amendment of Transport Operations (Road Use Management—Dangerous Goods) Regulation 2008

43 Regulation amended

This part amends the *Transport Operations (Road Use Management—Dangerous Goods) Regulation 2008*.

44 Amendment of s 216B (Change of name and address)

(1) Section 216B, heading, ‘name and address’—

omit, insert—

name, address or postal address

(2) Section 216B(1)—

omit, insert—

(1) This section applies if a licensee changes any of the following—

- (a) the licensee’s name or address;
- (b) if there is a current postal address for the licensee—the postal address.

(1A) The licensee must, within 14 days after the change, give the chief executive—

- (a) written notice of the change; and
- (b) for a change of the licensee’s name or address (other than the licensee’s postal address)—
 - (i) if the licensee holds a dangerous goods driver licence—the driver authorising document; or

- (ii) if the licensee holds a dangerous goods vehicle licence—the dangerous goods vehicle licence.

Maximum penalty—20 penalty units.

- (3) Section 216B(1A) to (4)—
renumber as section 216B(2) to (5).

45 **Amendment of s 216C (Notifiable events under other Acts)**

Section 216C(3), definition *notifiable event*—
omit, insert—

notifiable event, for a licensee, means any of the following—

- (a) a change of the licensee's name;
- (b) a change of the licensee's address;
- (c) if there is a current postal address for the licensee—a change of the postal address;
- (d) the damage, loss or theft of a licence or driver authorising document.

46 **Amendment of sch 4 (Dictionary)**

Schedule 4—
insert—

current postal address, for a person, means a postal address—

- (a) given by the person to the department for use by the department (whether or not it was given for the purpose of this regulation); and
- (b) for which no written notice from the person, requiring the department to discontinue use of the postal address, has been received by the department.

Part 10

Amendment of Transport Operations (Road Use Management—Driver Licensing) Regulation 2010

47 Regulation amended

This part amends the *Transport Operations (Road Use Management—Driver Licensing) Regulation 2010*.

48 Amendment of s 133 (Change of name or address)

(1) Section 133, heading, ‘name or address’—

omit, insert—

name, address or postal address

(2) Section 133(1)—

omit, insert—

(1) If the holder of a Queensland driver licence changes any of the following, the holder must notify the chief executive of the change within 14 days of the change—

- (a) the holder’s name or address;
- (b) if there is a current postal address for the holder—the postal address.

Maximum penalty—20 penalty units.

49 Amendment of s 136 (Smartcard driver licence not received in post)

Section 136(1)(b)—

omit, insert—

- (b) the holder has not, within the time stated by the chief executive when the holder applied

for the licence, received a smartcard driver licence in the post at—

- (i) if there is a current postal address for the holder—the postal address; or
- (ii) otherwise—the address stated in the application.

50 **Amendment of s 138 (Notifiable events under other Acts)**

Section 138(3), definition *notifiable event*—

omit, insert—

notifiable event, for the holder of a Queensland driver licence, means any of the following—

- (a) a change of the holder's name;
- (b) a change of the holder's address;
- (c) if there is a current postal address for the holder—a change of the postal address.

51 **Amendment of sch 9 (Dictionary)**

(1) Schedule 9—

insert—

current postal address, for a person, means a postal address—

- (a) given by the person to the department for use by the department (whether or not it was given for the purpose of this regulation); and
- (b) for which no written or oral notice from the person, requiring the department to discontinue use of the postal address, has been received by the department.

(2) Schedule 9—

insert—

smartcard driver licence means a Queensland driver licence in the form of a card, or something similar, that is approved by the chief executive and on which information may be stored electronically.

Part 11 **Amendment of Transport Operations (Road Use Management—Road Rules) Regulation 2009**

52 Regulation amended

This part amends the *Transport Operations (Road Use Management—Road Rules) Regulation 2009*.

53 Insertion of new s 15A

After section 15—

insert—

15A Personal mobility devices

- (1) This section applies for the purposes of the Act, schedule 4, definition *personal mobility device*, paragraph (b).
- (2) A vehicle is prescribed to be a personal mobility device if the vehicle—
 - (a) is designed to be self-balancing while a person is using the vehicle; and
 - (b) has 2 wheels that operate on a single axis; and
 - (c) is propelled by an electric motor; and

- (d) can not reach a speed of more than 20km/h;
and
- (e) has a control that can limit the vehicle's
speed to 12km/h or less; and
- (f) is no more than 850mm at the vehicle's
widest part; and
- (g) weighs 60kg or less when the vehicle is not
carrying a person or other load.

54 Amendment of s 287 (Duties of a driver involved in a crash)

- (1) Section 287(3), 'a police officer'—
omit, insert—
the Queensland Police Service
- (2) Section 287(3)(e) and (4)—
omit.
- (3) Section 287(5)—
renumber as section 287(4).

55 Amendment of s 353 (Prescribed offences for ch 5, pt 7 of the Act)

- (1) Section 353—
insert—
(ca) section 84A(1) of the Act;
- (2) Section 353(ca) to (e)—
renumber as section 353(d) to (f).

56 Insertion of new s 353AA

- After section 353—
insert—

**353AA Prescribed offences for the Act, s
113A(2)(a) and (b)**

For section 113A(2)(a) and (b) of the Act, offences against the following provisions are prescribed offences—

- (a) the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010*, section 11;
- (b) the *Motor Accident Insurance Act 1994*, section 20(1) and (2).

57 Amendment of sch 5 (Dictionary)

Schedule 5, definition *personal mobility device*—
omit.

**Part 12 Amendment of Transport
Operations (Road Use
Management—Vehicle
Registration) Regulation 2010**

58 Regulation amended

This part amends the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010*.

59 Amendment of s 4 (Meaning of exempt vehicle)

Section 4(o)—
omit.

60 Amendment of s 18 (Registered vehicles register)

(1) Section 18(2)—

insert—

(ea) if there is a current postal address for the registered operator—the postal address;

(2) Section 18(2)(ea) to (j)—

renumber as section 18(2)(f) to (l).

61 Amendment of s 20 (Registered operator to notify change of particulars)

Section 20(1)—

omit, insert—

(1) The registered operator of a vehicle must give the chief executive full particulars of any of the following changes within 14 days of the change—

(a) a change of the operator's address;

(b) if there is a current postal address for the operator—a change of the postal address;

(c) a change of the garage address of the vehicle;

(d) a change of the purpose of use of the vehicle.

Maximum penalty—8 penalty units.

62 Amendment of s 21 (Recording change in vehicle particulars and reassessment of registration fee)

Section 21(1)(a), after 'address,'—

insert—

postal address,

63 Amendment of s 48 (Transfer of registration)

(1) Section 48(8)—

insert—

(ba) amend the register to record the postal address, or lack of a postal address, for the person acquiring the vehicle; and

(2) Section 48(8)(ba) and (c)—

renumber as section 48(8)(c) and (d).

(3) Section 48(9)(b), ‘of the vehicle’—

omit.

(4) Section 48(9)—

insert—

(ba) amend the register to record the postal address, or lack of a postal address, for the acquirer; and

(5) Section 48(9)(ba) and (c)—

renumber as section 48(9)(c) and (d).

(6) Section 48(10), ‘subsection (9)(c)’—

omit, insert—

subsection (9)(d)

64 Amendment of s 50 (Transfer of registration under legal process)

(1) Section 50(5)—

insert—

(ba) amend the register to record the postal address, or lack of a postal address, for the new owner; and

(2) Section 50(5)(ba) and (c)—

renumber as section 50(5)(c) and (d).

65 Amendment of s 58 (Cancellation of registration of vehicle or dealer plate)

Section 58(1)(b), ‘section 48(9)(c)’—

omit, insert—

section 48(9)(d)

66 Amendment of s 62 (Registration of dealer plate)

(1) Section 62(5)(b)(ii)—

renumber as section 62(5)(b)(iii).

(2) Section 62(5)(b)—

insert—

(ii) if there is a current postal address for the person to whom the plate has been issued—the postal address;

67 Amendment of s 112 (Definitions for div 5)

(1) Section 112, definition *personal information*—

insert—

(aa) if there is a current postal address for the person—the postal address; and

(2) Section 112, definition *personal information*, paragraphs (aa) and (b)—

renumber as section 112, definition *personal information*, paragraphs (b) and (c).

68 Amendment of s 119 (Use of information for contacting registered operator about moving or removing vehicle)

(1) Section 119(3), definition *prescribed information*—

insert—

(aa) if a postal address for the registered operator is contained in the register—the postal address; and

(2) Section 119(3), definition *prescribed information*, paragraphs (aa) and (b)—

renumber as section 119(3), definition *prescribed information*, paragraphs (b) and (c).

69 Amendment of s 119A (Use of information for contacting registered operator about recovery of cost of damage)

(1) Section 119A(3), definition *prescribed information*—

insert—

(aa) if a postal address for the registered operator is contained in the register—the postal address; and

(2) Section 119A(3), definition *prescribed information*, paragraphs (aa) and (b)—

renumber as section 119A(3), definition *prescribed information*, paragraphs (b) and (c).

70 Amendment of sch 8 (Dictionary)

(1) Schedule 8, definition *personal mobility device*—

omit.

(2) Schedule 8—

insert—

current postal address, for a person, means a postal address—

(a) given by the person to the department for use by the department (whether or not it was given for the purpose of this regulation); and

(b) for which no written or oral notice from the person, requiring the department to

discontinue use of the postal address, has
been received by the department.

Part 13

Amendment of Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2010

71 Regulation amended

This part amends the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2010*.

72 Amendment of sch 4 (Dictionary)

Schedule 4, definition *vehicle*, paragraph 2(i), from ‘within the meaning of’ to ‘schedule 8’—
omit.

ENDNOTES

- 1 Made by the Governor in Council on 25 September 2014.
- 2 Notified on the Queensland legislation website on 26 September 2014.
- 3 The administering agency is the Department of Transport and Main Roads.