

Queensland



ROAD TRANSPORT REFORM BILL 1999

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1999

A BILL

FOR

**An Act to amend Acts administered by the Minister for Transport
and Minister for Main Roads**

The Parliament of Queensland enacts—

1

PART 1—PRELIMINARY

2

Short title

3

Clause **1.** This Act may be cited as the *Road Transport Reform Act 1999*.

4

Commencement

5

Clause **2.(1)** Parts 3 and 4 and the schedule commence on 1 December 1999.

6

(2) For subsection (1), provisions of the schedule, part 1 that relocate provisions of the *Traffic Act 1949* commence immediately after the amendments of that Act under part 3, division 1 and the schedule, part 1.

7

8

9

(3) The remaining provisions commence on a day to be fixed by proclamation.

10

11

PART 2—AMENDMENTS COMMENCING ON A DAY TO BE FIXED BY PROCLAMATION

12

13

Division 1—Amendment of Traffic Act 1949

14

Act amended

15

Clause **3.** This division amends the *Traffic Act 1949*.

16

Amendment of s 9 (Definitions)

17

Clause **4.(1)** Section 9, definitions “**driver’s licence**” and “**off-street regulated parking area**”—

18

19

omit.

20

Road Transport Reform

(2) Section 9—	1
<i>insert</i> —	2
‘ “convicting” a person includes—	3
(a) a court finding the person guilty, or accepting the person’s plea of guilty, whether or not a conviction is recorded; and	4 5
(b) the person paying a penalty under the <i>Justices Act 1886</i> , part 4A.	6
“doctor” means—	7
(a) a medical practitioner; or	8
(b) a person registered as a medical practitioner under a law of the Commonwealth or another State corresponding to the <i>Medical Act 1939</i> .	9 10 11
“escort vehicle” means a vehicle that—	12
(a) travels with an oversize vehicle to warn other road users of the oversize vehicle’s presence; and	13 14
(b) under the <i>Transport Operations (Road Use Management) Act 1995</i> , is required to be driven by an escort vehicle driver.	15 16
“escort vehicle driver” means a person who holds an appointment under the <i>Transport Operations (Road Use Management) Act 1995</i> as an accredited person with the functions of an escort vehicle driver.	17 18 19
“off-street regulated parking area” see section 44BB.	20
“oversize vehicle” has the meaning given under the <i>Transport Operations (Road Use Management) Act 1995</i> .	21 22
“pilot vehicle” means a vehicle that—	23
(a) travels with an oversize vehicle to warn other road users of the oversize vehicle’s presence; and	24 25
(b) under the <i>Transport Operations (Road Use Management) Act 1995</i> , is required to be driven by a pilot vehicle driver or an escort vehicle driver.	26 27 28
“pilot vehicle driver” means a person who holds an appointment under the <i>Transport Operations (Road Use Management) Act 1995</i> as an accredited person with the functions of a pilot vehicle driver.	29 30 31

Road Transport Reform

“previously convicted” means in relation to a conviction (the **“later conviction”**), convicted before the later conviction, whether the offence the subject of the later conviction was committed before the earlier conviction or after it.’

(3) Section 9, definition **“arrest”**, ‘upon’—

omit, insert—

‘on an attendance notice.’

Amendment of s 12B (Chief executive may install or remove official traffic signs)

Clause 5. Section 12B, after ‘a road’—

insert—

‘or off-street regulated parking area’.

Replacement of 14A (Release of driver licence and traffic history)

Clause 6. Section 14A—

omit, insert—

‘Restricted release of driver’s licence and traffic history information

‘14A.(1) The chief executive may, and may only, release information about a person’s driver’s licence or traffic history to—

(a) on receiving an application in the approved form—

(i) the person; or

(ii) with the person’s written consent—another person; or

(b) the commissioner; or

(c) a person who issues drivers’ licences under a corresponding law to this Act; or

(d) an entity that, under an agreement between the State and other governments, maintains a database containing information about drivers’ licences and traffic histories.

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‘(2) Before releasing information to a person or entity under subsection (1)(c) or (d), the chief executive must be satisfied any release of the information by the person or entity will be limited to circumstances similar to those mentioned in subsection (1).’.

Amendment of s 16 (Driving etc. whilst under influence of liquor or drugs or with prescribed concentration of alcohol in blood)

Clause **7.(1)** Section 16(1D), (1E), (2F), (2G), (2H) and (2I), ‘to (2D)’—

omit, insert—

‘, (2A), (2B), (2D) or (2J)’.

(2) Section 16(2C)(b)—

omit, insert—

‘(b) a vehicle carrying a placard load of dangerous goods under the *Transport Operations (Road Use Management) Act 1995*;¹’.

(3) Section 16(2C)(f)—

omit, insert—

‘(f) a vehicle while it is being used by a driver trainer, under the *Transport Operations (Road Use Management) Act 1995*,² to give driver training.’.

(4) Section 16—

insert—

‘**(2J)** A person who is the holder of a provisional licence issued to give effect to a court order made under section 20A, while the concentration of alcohol in the person’s blood is more than 0 mg of alcohol per 100 mL of blood but is less than 50 mg of alcohol per 100 mL of blood, must not—

(a) drive a motor vehicle; or

(b) attempt to put a motor vehicle in motion; or

¹ See the *Transport Operations (Road Use Management—Dangerous Goods) Regulation 1998*, section 37.

² See the *Transport Operations (Road Use Management) Regulation 1995*, section 35.

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	(c) be in charge of a motor vehicle.	1
	Maximum penalty—20 penalty units or 6 months imprisonment.’.	2
	(5) Section 16(4) and (4A), ‘or (2D)’—	3
	<i>omit, insert—</i>	4
	‘, (2D) or (2J)’.	5
	(6) Section 16(5)—	6
	<i>omit.</i>	7
	(7) Section 16(6), ‘or (2B)(c)’—	8
	<i>omit, insert—</i>	9
	‘, (2B)(c) or (2J)(c)’.	10
	(8) Section 16(6)(a), ‘or (2B)’—	11
	<i>omit, insert—</i>	12
	‘, (2B) or (2J)’.	13
	(9) Section 16(6)(d) and (9), ‘or (2) to (2D)’—	14
	<i>omit, insert—</i>	15
	‘, (2), (2A), (2B), (2D) or (2J)’.	16
	(10) Section 16(10A), definition “ medical or other evidence placed before the court ”, ‘medical practitioner’—	17
	<i>omit, insert—</i>	18
	‘doctor’.	19
	(11) Section 16(11), ‘(2I)’—	20
	<i>omit, insert—</i>	21
	‘(2J)’.	22
		23
	Amendment of s 16A (Provisions with respect to breath tests and laboratory tests)	24
		25
Clause	8.(1) Section 16A(5AA)—	26
	<i>omit.</i>	27

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(2) Section 16A(6)(aa) and (22)(a) and (c)(i), ‘or (2D)’—	1
<i>omit, insert—</i>	2
‘, (2D) or (2J)’.	3
(3) Section 16A(8B)(d), (8C), (8F), (8K), (9), (9A), (9B), (9C), (15),	4
(15B), (15D), (15G), (16C), (18), (18A), (20), (20A), (22)(e) and (23),	5
‘medical practitioner’—	6
<i>omit, insert—</i>	7
‘doctor’.	8
(4) Section 16A—	9
<i>insert—</i>	10
‘(14) For this section, the concentration of alcohol in a person’s blood	11
may be expressed as—	12
(a) a specified number of milligrams of alcohol per 100 mL of	13
blood; or	14
(b) a percentage that expresses the number of milligrams of alcohol	15
per 100 mL of blood.	16
<i>Example—</i>	17
The concentration of alcohol in a person’s blood may be expressed as 63 mg of	18
alcohol per 100 mL of blood or as 0.063%.’.	19
(5) Section 16A(15), (15B) and (16C), ‘in duplicate’—	20
<i>omit, insert—</i>	21
‘2 copies of’.	22
(6) Section 16A(26)(c), ‘subsections (18) and’—	23
<i>omit, insert—</i>	24
‘subsection (18) or’.	25
(7) Section 16A(26)(c), ‘medical practitioner’—	26
<i>omit, insert—</i>	27
‘doctor, authorised police officer or analyst’.	28

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- (8) Section 16A(26), from ‘or arresting police officer’ to ‘3’— 1
omit, insert— 2
‘not less than 14’. 3
(9) Section 16A— 4
insert— 5
‘(27) The notice must— 6
(a) be written; and 7
(b) be signed by the defendant or the defendant’s solicitor; and 8
(c) for a notice under subsection (26)(a)—state the grounds on which 9
the defendant intends to rely to prove that the breath analysing 10
instrument was defective or was not properly operated. 11

Example of paragraph (c)— 12

A claim that the breath analysing instrument was defective because it mistook the 13
presence of mouthwash in the defendant’s mouth for the presence of alcohol in the 14
defendant’s blood.’. 15

Amendment of s 16B (Notices to offenders for certain first offences) 16

- Clause **9.(1)** Section 16B(1)(a), ‘to (2I)’— 17
omit, insert— 18
‘, (2A), (2B), (2D) or (2J)’. 19
(2) Section 16B(1)(b), ‘150’— 20
omit, insert— 21
‘100’. 22

Amendment of s 20 (Disqualification of drivers of motor vehicles for certain offences) 23
24

- Clause **10.(1)** Section 20(1)(b), (1F), (1G), (2), (2B), (2D), (2F), (3E) and (3F), 25
‘to (2D)’— 26
omit, insert— 27
‘, (2A), (2B), (2D) or (2J)’. 28

Road Transport Reform

	(2) Section 20(7)—	1
	<i>omit.</i>	2
	Amendment of s 20A (Issue of provisional licence to disqualified person)	3
		4
Clause	11.(1) Section 20A(5)(b)—	5
	<i>relocate and renumber</i> as section 20A(5)(f).	6
	(2) Section 20A(5)—	7
	<i>insert—</i>	8
	‘(b) if the applicant’s driver’s licence has been suspended or cancelled, or the applicant has been disqualified from holding or obtaining a driver’s licence, within 5 years before the application is made;’.	9
		10
		11
	(3) Section 20A(5)(d)(i), ‘livelihood;’—	12
	<i>omit, insert—</i>	13
	‘livelihood; or’.	14
	(4) Section 20A(5)(d)—	15
	<i>insert—</i>	16
	‘(ii) for an offence committed when the applicant was driving a motor vehicle the applicant was not authorised, under an open or provisional licence, to drive; or’.	17
		18
		19
	(5) Section 20A(5)(d)—	20
	<i>insert—</i>	21
	‘(iv) for an offence committed against section 16(2A) or (2B);’.	22
	(6) Section 20A(5)—	23
	<i>insert—</i>	24
	‘(g) unless, when the offence was committed, the concentration of alcohol in the applicant’s blood was less than 150 mg of alcohol per 100 mL of blood.’.	25
		26
		27
	(7) Section 20A(5A)—	28
	<i>omit, insert—</i>	29

Road Transport Reform

‘**(5A)** For subsection (5)(a)(ii), if the applicant is not self-employed, the applicant must produce to the court an affidavit made by the applicant’s employer confirming the applicant would be deprived of the applicant’s means of earning a living if the application is refused.’

‘**(5B)** In subsection (5)(b), the reference to a suspension, cancellation or disqualification does not include—

- (a) a suspension, cancellation or disqualification that was set aside on appeal; or
- (b) a suspension, cancellation or disqualification because of the applicant’s mental or physical disability; or
- (c) a suspension that resulted from non-payment of a penalty.’.

Amendment of s 44A (Local governments may regulate parking)

Clause **12.(1)** Section 44A, heading, ‘**Local governments**’—
omit, insert—

‘**Who**’.

(2) Section 44A—
insert—

‘**(1A)** The chief executive may regulate parking on an off-street regulated parking area.’.

(3) Section 44A(2), ‘local government’s’—
omit.

Amendment of s 44B (Parking regulation involves installing official traffic signs)

Clause **13.(1)** Section 44B(1), ‘A’—
omit, insert—

‘The chief executive or a’.

(2) Section 44B(1), footnote—
omit.

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- (3) Section 44B(2), ‘installed by a local government’— 1
omit. 2
- (4) Section 44B(2)(b), before ‘throughout’— 3
insert— 4
‘for a sign installed by a local government—’. 5
- (5) Section 44B(8)— 6
omit. 7

Amendment of s 44BA (Examples of how parking may be regulated) 8

- Clause **14.(1)** Section 44BA(1), from ‘help’— 9
omit, insert— 10
‘state common examples of how parking may be regulated.’. 11
- (2) Section 44BA(5) and (5A)— 12
omit. 13
- (3) Section 44BA(6), ‘Traffic signs installed by a local government’— 14
omit, insert— 15
‘Official traffic signs’. 16
- (4) Section 44BA(2) to (4)— 17
renumber as section 44BA(3) to (5). 18
- (5) Section 44BA(6)— 19
relocate and *renumber* as section 44BA(2). 20

Amendment of s 44BB (Things agreements must provide for) 21

- Clause **15.(1)** Section 44BB, heading— 22
omit, insert— 23
‘**Off-street regulated parking areas**’. 24
- (2) Section 44BB(2)— 25
renumber as section 44BB(3). 26

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(3) Section 44BB(1)—

omit, insert—

‘44BB.(1) An “off-street regulated parking area” is an area of land, including any structure on the land, that—

(a) is controlled by the chief executive or a local government; and

(b) is specified as an off-street regulated parking area under—

(i) a regulation; or

(ii) for a local government—a local law.

‘(2) Land controlled by the chief executive or a local government includes land over which the chief executive or local government may exercise control for the purposes of this part under an arrangement with a person who owns, or has an interest in, the land.

Example—

The chief executive may, under an arrangement with the owner of a shopping centre, regulate the use of the shopping centre’s public parking area that has been specified to be an off-street regulated parking area under a regulation.’.

Amendment of s 44E (Owner responsible for offence)

Clause **16.(1) Section 44E(1), ‘regulated parking’—**

omit, insert—

‘parking, stopping or standing’.

(2) Section 44E(2)—

omit.

Replacement of s 44F (Notice of alleged offence)

Clause **17. Section 44F—**

omit, insert—

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‘Local laws about minor traffic offences

‘**44F.(1)** A local government may, under a local law, prescribe an amount as the infringement notice penalty for a minor traffic offence committed in the local government’s area.

‘**(2)** For the *Justices Act 1886*, part 4A—

- (a) the minor traffic offence is an infringement notice offence; and
- (b) the penalty is the infringement notice penalty for the offence; and
- (c) the chief executive officer of the local government is the administering authority for the infringement notice and the infringement notice offence.

‘**(3)** If the local government prescribes a penalty for a minor traffic offence, the penalty applies to the exclusion of another infringement notice penalty under the *Justices Act 1886*, part 4A for the minor traffic offence committed in its area.

‘**(4)** In this section—

“minor traffic offence” means—

- (a) an offence against this part; or
- (b) an offence, prescribed under a regulation, that relates to the parking, stopping or standing of a vehicle.’.

Omission of ss 44G–44I

Clause **18.** Sections 44G to 44I—
omit.

Amendment of s 44O (Use of radar speed detection devices)

Clause **19.** Section 44O, ‘2898’—
omit, insert—
‘2898.2’.

Road Transport Reform

Omission of s 45A (Traffic offences in respect of which offender may elect to pay penalty)

		1
Clause	20. Section 45A—	2
	<i>omit.</i>	3
		4

Amendment of s 49 (Facilitation of proof)

		5
Clause	21.(1) Section 49(1)(pa)(i), ‘2898’—	6
	<i>omit, insert—</i>	7
	‘2898.1’.	8
	(2) Section 49(1)(pb)(ii), ‘2898’—	9
	<i>omit, insert—</i>	10
	‘2898.2’.	11
	(3) Section 49(5)(b), ‘3’—	12
	<i>omit, insert—</i>	13
	‘14’.	14

Amendment of s 60 (Unlawfully interfering with, or detaining, vehicles etc.)

		15
Clause	22. Section 60—	16
	<i>insert—</i>	17
	‘ (1A) For subsection (1)(c), the owner’s consent must be given expressly.’.	18
		19
		20

Replacement of s 63 (Scheme to facilitate children crossing streets)

		21
Clause	23.(1) Section 63—	22
	<i>omit, insert—</i>	23
	‘Scheme to facilitate children crossing streets	24
	‘63.(1) The chief executive may—	25
	(a) authorise a scheme to help children to safely cross roads; and	26

Road Transport Reform

-
- (b) authorise a person to perform a function or exercise a power under the scheme. 1
2
- ‘(2) A person who applies for authority to act, or is authorised to act, as a crossing supervisor must, by written notice as required by subsection (4), give the chief executive details of the person’s criminal history. 3
4
5
- Maximum penalty—40 penalty units. 6
- ‘(3) A person authorised to act as a crossing supervisor who fails to give the notice does not commit an offence if, when the requirement under subsection (2) arises, the person immediately gives the chief executive written notice that the person will immediately stop acting as a crossing supervisor. 7
8
9
10
11
- ‘(4) The person must give the written notice— 12
- (a) for a charge laid or an offence of which the person is convicted before the application is made—with the application; or 13
14
- (b) for a charge laid or an offence of which the person is convicted after the application is made but before the application is decided—immediately after the charge is laid or the person is convicted; or 15
16
17
18
- (c) for a charge laid or an offence of which the person is convicted after the person is authorised to act as a crossing supervisor—immediately after the charge is laid or the person is convicted. 19
20
21
22
- ‘(5) After the chief executive has received a notice under subsection (2), the chief executive may obtain a written report about the person’s criminal history from the commissioner to help the chief executive decide whether a person is an appropriate person to be, or continue to be, a crossing supervisor. 23
24
25
26
27
- ‘(6) The commissioner must give the chief executive a written report about the person’s criminal history— 28
29
- (a) that is in the commissioner’s possession; or 30
- (b) to which the commissioner ordinarily has access through arrangements with the police service of the Commonwealth or another State. 31
32
33

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‘(7) An authorised scheme comes into force on the day stated in the scheme.	1 2
‘(8) In this section—	3
“criminal history” of a person means—	4
(a) a charge of a disqualifying offence laid against the person, other than a charge the proceedings for which have ended without the person being convicted; or	5 6 7
(b) a disqualifying offence of which the person has been convicted.	8
“crossing supervisor” means a person who performs a function, or exercises a power, under a scheme.	9 10
“details” of a person’s criminal history means the following details—	11
(a) the date of conviction for a disqualifying offence or the date a charge of a disqualifying offence was laid;	12 13
(b) the Act name and provision under which the disqualifying offence is created;	14 15
(c) for a conviction of a disqualifying offence—the penalty or other order made in relation to the conviction.	16 17
“disqualifying offence” means—	18
(a) an offence against a provision of the Criminal Code mentioned in schedule 2; or	19 20
(b) an offence against the <i>Vagrants, Gaming or Other Offences Act 1931</i> , section 12, 12A, 13 or 14; or	21 22
(c) an offence against the <i>Drugs Misuse Act 1986</i> , part 2; or	23
(d) an offence similar to an offence mentioned in paragraph (a), (b) or (c) committed outside Queensland.’.	24 25
Insertion of new ss 67A and 67B	26
Clause 24. After section 67—	27
<i>insert—</i>	28

‘Health professional’s disclosure not breach of confidence

‘67A.(1) A health professional is not liable, civilly or under an administrative process, for giving information in good faith to the chief executive about a person’s medical fitness to hold, or to continue to hold, a driver’s licence.

‘(2) Without limiting subsection (1)—

- (a) in a civil proceeding for defamation, the health professional has a defence of absolute privilege for publishing the information; and
- (b) if the health professional would otherwise be required to maintain confidentiality about the information under an Act, oath, rule of law or practice—
 - (i) the health professional does not contravene the Act, oath, rule of law or practice by disclosing the information; and
 - (ii) is not liable to disciplinary action for disclosing the information.

‘(3) In this section—

“health professional” means—

- (a) a doctor; or
- (b) an occupational therapist registered under the *Occupational Therapist Act 1979* or a corresponding law to that Act; or
- (c) an optometrist registered under the *Optometrists Act 1974* or a corresponding law to that Act; or
- (d) a physiotherapist registered under the *Physiotherapists Act 1964* or a corresponding law to that Act.

“information” includes a document.

‘Confidentiality

‘67B.(1) A person must not disclose, record or use information that the person gained—

- (a) through involvement in the administration of this Act; or
- (b) because of an opportunity provided by the involvement.

Road Transport Reform

	Maximum penalty—200 penalty units.	1
	‘(2) However, a person may disclose, record or use the information—	2
	(a) in the discharge of a function under this Act; or	3
	(b) if it is authorised—	4
	(i) under another Act or a regulation; or	5
	(ii) by the person to whom the information relates; or	6
	(c) to a court or tribunal in a proceeding in which the information is relevant.	7 8
	‘(3) In this section—	9
	“disclose” information means—	10
	(a) intentionally or recklessly disclose the information; or	11
	(b) allow access to the information.’.	12
	Insertion of new sch 2	13
Clause	25. After the schedule—	14
	<i>insert—</i>	15
	‘SCHEDULE 2	16
	‘DISQUALIFYING OFFENCES—CROSSING SUPERVISORS	17 18
	section 63(8), definition “disqualifying offence”	19
	section 208 (Unlawful sodomy)	20
	section 209 (Attempted unlawful sodomy)	21
	section 210 (Indecent treatment of children under 16)	22
	section 215 (Carnal knowledge of girls under 16)	23
	section 216 (Abuse of intellectually impaired persons)	24

Road Transport Reform

section 217 (Procuring young person etc. for carnal knowledge)	1
section 218 (Procuring sexual acts by coercion etc.)	2
section 219 (Taking child for immoral purposes)	3
section 221 (Conspiracy to defile)	4
section 222 (Incest)	5
section 226 (Supplying drugs or instruments to procure abortion)	6
section 227 (Indecent acts)	7
section 228 (Obscene publications and exhibitions)	8
section 229B (Maintaining a sexual relationship with a child)	9
section 300 (Unlawful homicide)	10
section 306 (Attempt to murder)	11
section 307 (Accessory after the fact to murder)	12
section 308 (Threats to murder in document)	13
section 309 (Conspiring to murder)	14
section 314 (Concealing the birth of children)	15
section 315 (Disabling in order to commit indictable offence)	16
section 316 (Stupefying in order to commit indictable offence)	17
section 317 (Act intended to cause grievous bodily harm and other malicious acts)	18 19
section 320 (Grievous bodily harm)	20
section 320A (Torture)	21
section 321 (Attempting to injure by explosive or noxious substances)	22
section 321A (Bomb hoaxes)	23
section 322 (Maliciously administering poison with intent to harm)	24
section 323 (Wounding and similar acts)	25
section 326 (Endangering life of children by exposure)	26
section 327 (Setting mantraps)	27
section 328 (Negligent acts causing harm)	28

Road Transport Reform

section 335 (Common assault)	1
section 336 (Assault with intent to commit rape)	2
section 337 (Sexual assaults)	3
section 339 (Assaults occasioning bodily harm)	4
section 340 (Serious assaults)	5
section 347 (Rape)	6
section 349 (Attempt to commit rape)	7
section 351 (Abduction)	8
section 354 (Kidnapping)	9
section 354A (Kidnapping for ransom)	10
section 355 (Deprivation of liberty)	11
section 356 (False certificates by officers charged with duties relating to liberty)	12 13
section 359 (Threats)	14
section 359A (Unlawful stalking)	15
section 363 (Child-stealing)	16
section 363A (Abduction of child under 16)	17
section 364 (Cruelty to children under 16)'.	18

<i>Division 2—Amendment of Transport Operations (Road Use Management) Act 1995</i>	19 20
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Act amended		21
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Clause	26. This division amends the <i>Transport Operations (Road Use Management) Act 1995</i> .	22 23
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	Amendment of s 17A (Definition)	1
Clause	27. Section 17A, ‘and permit—	2
	<i>omit, insert—</i>	3
	‘, permit and registration’.	4
	Amendment of s 18 (Grounds for amending suspending or cancelling approvals)	5
		6
Clause	28.(1) Section 18(d)—	7
	<i>renumber</i> as section 18(e).	8
	(2) Section 18—	9
	<i>insert—</i>	10
	‘(d) for the registration of a motor vehicle with a GVM of more	11
	than 4.5 t—the vehicle has been used in the commission of an	12
	offence against this Act or a corresponding law;’.	13
	Amendment of s 37 (Power to prohibit use of vehicles)	14
Clause	29.(1) Section 37(1), ‘its owner’—	15
	<i>omit, insert—</i>	16
	‘the owner or person in control of the vehicle’.	17
	(2) Section 37—	18
	<i>insert—</i>	19
	‘ (3) If the person in control of a vehicle who receives a notice is not also	20
	the owner of the vehicle, the person must inform the owner of the receipt of	21
	the notice as soon as it is practicable.	22
	Maximum penalty for subsection (3)—	23
	(a) for a private vehicle—60 penalty units; and	24
	(b) for a heavy vehicle—120 penalty units.’.	25

	Amendment of s 38 (Power to prohibit persons driving)	1
Clause	30.(1) Section 38(1), ‘driver’—	2
	<i>omit, insert—</i>	3
	‘person in control’.	4
	(2) Section 38(2), ‘driver’—	5
	<i>omit, insert—</i>	6
	‘person’.	7
	 Amendment of s 52 (False or misleading statements)	8
Clause	31. Section 52(2)—	9
	<i>omit, insert—</i>	10
	‘ (2) A person must not state anything to an official for a transport Act that the person knows is false or misleading in a material particular.	11
	Maximum penalty—60 penalty units.’.	12
		13
	 Amendment of s 53 (False, misleading or incomplete documents)	14
Clause	32.(1) Section 53, heading, ‘, misleading or incomplete ’—	15
	<i>omit, insert—</i>	16
	‘or misleading’.	17
	(2) Section 53(2), (3)(a) and (4), ‘, misleading or incomplete ’—	18
	<i>omit, insert—</i>	19
	‘or misleading’.	20
	 Amendment of s 75 (Vehicle operations and road rules)	21
Clause	33.(1) Section 75(g)—	22
	<i>omit, insert—</i>	23
	‘(g) the use of the road network by vehicles, trains, trams, persons and animals; and’.	24
		25

Road Transport Reform

	(2) Section 75—	1
	<i>insert—</i>	2
	‘(2) Also, a regulation may provide for the following—	3
	(a) for a motor vehicle with a GVM of more than 4.5 t—	4
	(i) prohibiting the vehicle’s registration in circumstances stated in the regulation; or	5 6
	(ii) prohibiting the transfer, or cancellation, of the vehicle’s registration in circumstances stated in the regulation; or	7 8
	(iii) prohibiting a person from driving the vehicle in Queensland if the person irresponsibly uses the vehicle;	9 10
	(b) prohibiting a visiting heavy vehicle from being driven in Queensland if a person irresponsibly uses the vehicle.	11 12
	‘(3) A regulation may prescribe what is an irresponsible use of a motor vehicle.	13 14
	‘(4) In this section—	15
	“ visiting heavy vehicle ” means a motor vehicle with a GVM of more than 4.5 t that is registered in the Commonwealth, another State or a foreign country under a corresponding law to this Act.’.	16 17 18
	Amendment of s 77A (Nomination of responsible operator)	19
Clause	34. Section 77A(4)(a)(i), ‘16 years’—	20
	<i>omit, insert—</i>	21
	‘17 years’.	22
	Amendment of s 78 (Regulations about driver management)	23
Clause	35.(1) Section 78(2)—	24
	<i>renumber</i> as section 78(3).	25
	(2) Section 78—	26
	<i>insert—</i>	27

‘(2) A regulation may prescribe the maximum fees payable for approved courses for pre-licence motorcycle driver training.’. 1
2

Amendment of s 79M (Regulating vehicles etc. in public places) 3

Clause 36. Section 79M(3)— 4

omit, insert— 5

‘(3) A local government, under a local law consistent with the objectives of this Act, may— 6
7

(a) regulate, including by permit, access of vehicles that must be registered under this Act, to a public place in its area; or 8
9

(b) declare a place not to be a public place for this section for a specified period. 10
11

‘(4) The chief executive may, by gazette notice, declare a place not to be a public place for this section for an indefinite period or a period stated in the notice.’. 12
13
14

Insertion of new ch 5B 15

Clause 37. After chapter 5A— 16

insert— 17

‘CHAPTER 5B—EXTREME OVERLOADING 18

‘Forfeiture on conviction 19

‘79N.(1) This section applies on the conviction of a person for an extreme overloading offence. 20
21

‘(2) The court may order a motor vehicle used to commit the offence be forfeited to the State. 22
23

‘(3) In considering whether it is appropriate to make a forfeiture order for the vehicle, the court may, for example, have regard to— 24
25

(a) any hardship that may reasonably be expected to be caused to anyone by the order; and 26
27

Road Transport Reform

(b) the use that is ordinarily made, or is intended to be made, of the vehicle. 1
2

‘(4) The court may make any order to enforce the forfeiture that it considers appropriate. 3
4

‘(5) This section does not limit the court’s powers under the *Penalties and Sentences Act 1992* or any other law. 5
6

‘(6) On the forfeiture of the vehicle— 7

(a) it becomes the State’s property; and 8

(b) it may be dealt with as the chief executive considers appropriate. 9

‘(7) The chief executive must not deal with the vehicle until any appeal against the order to forfeit the vehicle is decided. 10
11

‘(8) In this section— 12

“**extreme overloading offence**” means an offence committed when a vehicle that a person was in control of was loaded to 160% or more of a mass requirement, prescribed under a regulation, that applies to the vehicle. 13
14
15
16

“**vehicle**” means— 17

(a) a vehicle with a GVM of more than 4.5 t; or 18

(b) a combination including a vehicle with a GVM of more than 4.5 t.’. 19
20

Insertion of new s 93A 21

Clause **38.** Chapter 7, part 1— 22

insert— 23

‘Exemption of regulations from expiry 24

‘**93A.** Despite section 93, the following regulations do not expire at midnight on 30 June 1999, but unless sooner repealed under a regulation remain in force until 30 September 1999, when they expire— 25
26
27

(a) *Transport Operations (Road Use Management—Motor Vehicles Safety) Transitional Regulation 1994;* 28
29

(b) *Transport Infrastructure (Roads) Regulation 1991.*’ 30

Road Transport Reform

	Amendment of sch 1 (Disqualifying Offences—Provisions of the Criminal Code)	1
		2
Clause	39. Schedule 1, part 1—	3
	<i>insert—</i>	4
	‘ 10A. Section 363A (Abduction of child under 16)	5
	10B. Section 364 (Cruelty to children under 16)’.	6
	 Amendment of sch 3 (Dictionary)	7
Clause	40. Schedule 3—	8
	<i>insert—</i>	9
	‘ “B-double” means a combination consisting of a prime mover towing 2 semitrailers, with 1 semitrailer supported at the front by, and connected to, the other semitrailer.	10
		11
		12
	“combination” means a motor vehicle connected to 1 or more trailers.	13
	“prime mover” means a motor vehicle built to tow a semitrailer.	14
	“road train” means a combination consisting of a motor vehicle towing 2 or more trailers, that is not a B-double.	15
		16
	“semitrailer” means a trailer built to be—	17
	(a) supported at the front by, and connected to, a prime mover; and	18
	(b) supported at the back by its own wheels.’.	19
	 <i>Division 3—Transport Legislation Amendment Act 1997</i>	20
	 Act amended	21
Clause	41. This division amends the <i>Transport Legislation Amendment Act 1997</i> .	22
		23

Road Transport Reform

	Omission of ss 28 and 29	1
Clause	42. Sections 28 and 29—	2
	<i>omit.</i>	3
	 <i>Division 4—Transport Operations (Passenger Transport) Act 1994</i>	4
	Act amended	5
Clause	43. This division amends the <i>Transport Operations (Passenger Transport) Act 1994</i> .	6
		7
	Amendment of s 147 (Demand management)	8
Clause	44. Section 147, after ‘carry out’—	9
	<i>insert—</i>	10
	‘, under a local law,’.	11
	 PART 3—AMENDMENTS COMMENCING ON 1 DECEMBER 1999	12 13
	 <i>Division 1—Amendment of Traffic Act 1949</i>	14
	Act amended	15
Clause	45. This division amends the <i>Traffic Act 1949</i> .	16
	 Amendment of s 5 (Local laws etc.)	17
Clause	46. Section 5(3)—	18
	<i>insert—</i>	19

Road Transport Reform

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| ‘(e) the regulation of lights, notices and signs— | 1 |
| (i) on a road; or | 2 |
| (ii) near a road if the lights, notices and signs endanger, or are likely to endanger, traffic; | 3
4 |
| (f) the regulation of the amplification or reproduction of any sound by anything— | 5
6 |
| (i) on a road; or | 7 |
| (ii) near a road if the sound causes, or is likely to cause, anyone to gather on the road to endanger, hinder or obstruct traffic; | 8
9 |
| (g) the seizure and disposal of anything used to make a sound mentioned in paragraph (f); | 10
11 |
| (h) the regulation of the driving of vehicles and animals on a foreshore.’. | 12
13 |

Amendment of s 9 (Definitions)	14
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- | | | |
|--------|---|--|
| Clause | <p>47. Section 9, definitions “agricultural implement”, “appropriately qualified”, “approved form”, “articulated motor omnibus”, “articulated vehicle”, “authorised officer”, “B-double”, “bicycle”, “bus”, “caravan trailer”, “carriageway”, “certificate”, “commissioner”, “corresponding law”, “disabled person”, “disabled person parking permit”, “footway”, “gross weight”, “incapacitated person”, “left” or “nearside”, “licence”, “loading zone”, “Manual of Uniform Traffic Control Devices”, “mechanical power”, “moped”, “motorcycle”, “motor omnibus”, “motor truck”, “motor vehicle”, “multi-wheeled vehicle”, “MUTCD”, “official traffic sign”, “owner”, “parking”, “pedestrian”, “prime mover”, “propellant”, “right” or “offside”, “road”, “road train”, “semitrailer”, “sidecar”, “specially constructed vehicle”, “superintendent”, “toy vehicle”, “tractor”, “trailer”, “vehicle”, “vehicle stand” and “wheelchair”—</p> <p><i>omit.</i></p> | 15
16
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29 |
|--------|---|--|

Road Transport Reform

	Amendment of s 31 (Duties and liabilities of drivers involved in road incidents)	1 2
Clause	48. Section 31(1)(b) and (d) to (h)— <i>omit.</i>	3 4
	<i>Division 2—Amendment of Transport Operations (Road Use Management) Act 1995</i>	5 6
	Act amended	7
Clause	49. This division amends the <i>Transport Operations (Road Use Management) Act 1995</i> .	8 9
	Amendment of s 17A (Definition)	10
Clause	50. Section 17A, definition “ approval ”, ‘an approval under section 82.’— <i>omit, insert—</i> ‘the following— (a) an approval under section 166; ³ (b) a Queensland driver licence.’.	11 12 13 14 15 16
	Amendment of s 61 (Instruments)	17
Clause	51.(1) Section 61(1), definition “ instrument ”, paragraph (b)— <i>omit.</i> (2) Section 61(5), ‘3’— <i>omit, insert—</i> ‘14’.	18 19 20 21 22

³ Section 166 (Official traffic sign approvals)

	Insertion of new s 62A	1
Clause	52. Chapter 3, part 5, division 2—	2
	<i>insert—</i>	3
	‘Black and white reproductions of words in colour	4
	‘62A. If a word appears in colour (other than black and white) in a	5
	statutory instrument under this Act, a copy of the instrument may for all	6
	purposes be printed showing the same word in black and white.	7
	<i>Example—</i>	8
	A statutory instrument may show a colour drawing of an official traffic sign. An	9
	official publication or reprint of the statutory instrument may show the same drawing	10
	in black and white.’.	11
	Amendment of s 65 (Review of and appeals against decisions)	12
Clause	53. Section 65(1) and (4), ‘schedule 2A’—	13
	<i>omit, insert—</i>	14
	‘schedule 3’.	15
	Insertion of new ch 7, pt 3	16
Clause	54. Chapter 7—	17
	<i>insert—</i>	18
	‘PART 3—TRANSITIONAL PROVISIONS FOR ROAD	19
	TRANSPORT REFORM ACT 1999	20
	‘Definitions for pt 3	21
	‘186. In this part—	22
	“relocated provision” means a provision of the Traffic Act that is relocated	23
	to this Act by the Road Transport Reform Act.	24
	“Road Transport Reform Act” means the <i>Road Transport Reform Act</i>	25
	<i>1999.</i>	26
	“Traffic Act” means the repealed <i>Traffic Act 1949.</i>	27

*Road Transport Reform***‘Relocation of Traffic Act provisions**

‘187.(1) To remove any doubt, it is declared that the relocated provisions were not re-enacted by the Road Transport Reform Act, but merely moved (without re-enactment) to this Act.

‘(2) Without limiting subsection (1) and to further remove any doubt, it is also declared that the relocation did not—

(a) impliedly repeal or amend, or otherwise affect the operation of, the existing provisions of this Act, the relocated provisions or the provisions of any other law; or

(b) affect the meaning or effect that the existing or relocated provisions, or the provisions of the other law, had because of the respective times when they were enacted.

‘(3) However, definitions in this Act apply to all provisions of this Act.

‘(4) Further, it is declared that anything made or done or not made or done under a relocated provision before it is relocated is taken, after it is relocated, to have been made or done or not made or done under the provision as relocated.

‘(5) In an Act or document, a reference to a provision of the Traffic Act that is relocated to this Act by the Road Transport Reform Act may, if the context permits, be taken to be a reference to the relocated provision in this Act.

‘Person’s traffic history

‘188.(1) From the commencement of this section—

(a) a person’s traffic history is not affected by the relocation and renumbering of provisions from the Traffic Act to this Act by the Road Transport Reform Act; and

(b) anything done or not done, including any conviction recorded, under a relocated provision, before it is relocated, is taken, after it is relocated, to have been done or not done under the provision as relocated.

‘(2) For subsection (1), a reference in this Act to—

Road Transport Reform

(a) a learner licence includes a reference to a learner’s permit issued under the Traffic Act; and	1 2
(b) a provisional licence includes a reference to a provisional licence under the Traffic Act, other than a provisional licence issued to give effect to a court order made under section 20A of that Act; and	3 4 5 6
(c) a probationary licence includes a reference to a provisional licence under the Traffic Act, other than a provisional licence issued to give effect to a court order made under section 20A of that Act, issued to a person after a period of disqualification from holding or obtaining a driver’s licence; and	7 8 9 10 11
(d) a restricted licence includes a reference to a provisional licence issued to give effect to a court order made under section 20A of the Traffic Act; and	12 13 14
(e) an open licence includes a reference to an open licence under the Traffic Act.	15 16
‘Traffic Regulation 1962	17
‘189. The <i>Traffic Regulation 1962</i> continues in force after the repeal of the Traffic Act as if it had been made under this Act.	18 19
‘Acts or authorities under Traffic Act continue under this Act	20
‘190.(1) This section applies to an appointment, approval, certificate, decision, delegation, direction, exemption, licence, notice, notification, order, permit, registration or other act or authority (the “act or authority”) that—	21 22 23 24
(a) was granted, issued, made and published, given or done under the Traffic Act; and	25 26
(b) was in force immediately before 1 December 1999.	27
‘(2) The act or authority continues in force as if granted, issued, made and published, given or done under this Act until the time when it would have expired under the Traffic Act.	28 29 30

	‘Fees	1
	‘191. All fees prescribed under the Traffic Act to be paid are, from 1 December 1999, prescribed under this Act and continue to be payable as prescribed.	2 3 4
	‘Application of Acts Interpretation Act, s 20	5
	‘192. The <i>Acts Interpretation Act 1954</i> , section 20 applies to—	6
	(a) the amendment of the <i>Traffic Act 1949</i> by the relocation of provisions to this Act; and	7 8
	(b) the repeal of the <i>Traffic Act 1949</i> .’.	9
	Amendment of sch 3 (Dictionary)	10
Clause	55.(1) Schedule 3—	11
	<i>insert—</i>	12
	‘ “Australian court” means a court of the State or another State or of the Commonwealth.	13 14
	“Australian driver licence” means—	15
	(a) a Queensland driver licence; or	16
	(b) a corresponding document to a Queensland driver licence issued under a corresponding law to the provision of this Act under which a Queensland driver licence is issued.	17 18 19
	“bicycle” —	20
	(a) means a vehicle with 1 or more wheels (including a pedicab, penny farthing, scooter, tricycle and unicycle) built to be propelled by human power through a belt, chain or gears; but	21 22 23
	(b) does not include a wheelchair, wheeled recreational device, wheeled toy, or any vehicle with an auxiliary motor capable of generating power over 200 watts.	24 25 26
	“breath analysing instrument” see section 80. ⁴	27

⁴ Section 80 (Provisions with respect to breath tests and laboratory tests)

Road Transport Reform

“bus” , for section 79(2C), ⁵ means a motor vehicle built or fitted to carry more than 12 adults, including the driver.	1 2
“current driver licence receipt” means a receipt that—	3
(a) is issued to a person who has successfully applied for an Australian driver licence; and	4 5
(b) has not been superseded by the issue of the licence.	6
“driver licence” means—	7
(a) an Australian driver licence; or	8
(b) a foreign driver licence.	9
“footpath” means an area open to the public that is designated for, or has as 1 of its main uses, use by pedestrians.	10 11
“foreign driver licence” means a licence to drive a motor vehicle issued under the law of another country.	12 13
“learnerlicence” means a licence to drive a motor vehicle, while receiving driver training, issued under this Act.	14 15
“left” for a person means—	16
(a) the person’s left hand side; or	17
(b) for a line, sign or something else—the left hand side of the line, sign or other thing when viewed from the person’s perspective.	18 19
“loading zone” means a length of road to which a loading zone sign applies.	20 21
“motorbike” means—	22
(a) a 2 wheeled motor vehicle, whether or not a sidecar is attached to it; and	23 24
(b) a 3 wheeled motor vehicle that is ridden in the same way as a 2 wheeled motor vehicle.	25 26
“open licence” means a licence to drive a motor vehicle issued under this Act that is not—	27 28

⁵ Section 79 (Driving etc. whilst under influence of liquor or drugs or with prescribed concentration of alcohol in blood)

Road Transport Reform

(a) a learner, probationary, provisional or restricted licence; or	1
(b) a current driver licence receipt for a learner, probationary, provisional or restricted licence.	2 3
“park” a vehicle includes stop the vehicle and allow the vehicle to stay, whether or not the driver leaves the vehicle.	4 5
“parking bay” means—	6
(a) an area for parking a single vehicle (other than a combination) that is indicated by—	7 8
(i) an official traffic sign; or	9
(ii) a different road surface; or	10
(b) a designated parking space; or	11
(c) a parkatarea space.	12
“parking permit for people with disabilities” means a permit issued under this Act, or a corresponding law to this Act, with a people with disabilities symbol.	13 14 15
“pedestrian” includes—	16
(a) a person in a motorised wheelchair that can not travel over 10 km/h; and	17 18
(b) a person in a non-motorised wheelchair; and	19
(b) a person pushing a motorised or non-motorised wheelchair; and	20
(d) a person in or on a wheeled recreational device or wheeled toy.	21
“people with disabilities symbol” means a picture of a person seated in a wheelchair, as prescribed under a regulation.	22 23
“probationary licence” means a licence to drive a motor vehicle issued under this Act that is first issued after the person has, under an order made by an Australian court, served a period of disqualification from holding or obtaining a licence.	24 25 26 27
“provisional licence” means a licence to drive a motor vehicle issued under this Act that is subject to particular restrictions imposed because of the holder’s limited driving experience.	28 29 30

Road Transport Reform

“Queensland driver licence” means any of the following licences—	1
(a) a learner, probationary, provisional, open or restricted licence issued under this Act;	2 3
(b) a current driver licence receipt issued under this Act for a learner, probationary, provisional, open or restricted licence.	4 5
“restricted licence” means a licence to drive a motor vehicle, issued under this Act to give effect to a court order under section 87, ⁶ that authorises the holder to drive only in stated circumstances directly connected with the person’s means of earning a living.	6 7 8 9
“right” for a person means—	10
(a) the person’s right hand side; or	11
(b) for a line, sign or something else—the right hand side of the line, sign or other thing when viewed from the person’s perspective.	12 13
“road” means an area that is—	14
(a) open to or used by the public and is developed for, or has as 1 of its main uses, the driving or riding of motor vehicles; or	15 16
(b) dedicated to public use as a road; or	17
(c) declared under a regulation to be a road.	18
<i>Example of an area that is a road—</i>	19
A bridge, cattle grid, culvert, ferry, ford, railway crossing, tunnel or viaduct.	20
<i>Example of an area that may be declared to be a road under a regulation—</i>	21
The car park of a specified shopping centre.	22
“superintendent” means a superintendent of traffic.	23
“superintendent of traffic” means the chief executive or commissioner.	24
“truck” means a motor vehicle with a GVM over 4.5 t, other than a bus, tractor or tram.	25 26

⁶ Section 87 (Issue of provisional licence to disqualified person)

*Road Transport Reform***“wheelchair”—**

- (a) means a chair on wheels that is built to transport a person who is unable to walk or has difficulty in walking; but
- (b) does not include a pram, stroller or trolley.’.

**PART 4—OTHER AMENDMENTS COMMENCING
1 DECEMBER 1999**

Other amendments

Clause **56.(1)** The schedule, part 1 amends the *Traffic Act 1949* and, to the extent it relocates provisions of the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995*, that Act.

(2) The schedule, part 2 amends the *Transport Operations (Road Use Management) Act 1995*.

(3) The schedule, part 3 amends the Acts mentioned in it.

PART 5—REPEAL**Repeal**

Clause **57.** The *Traffic Act 1949* is repealed.

SCHEDULE	1
OTHER AMENDMENTS COMMENCING ON 1 DECEMBER 1999	2 3
section 51	4
PART 1—AMENDMENT OF TRAFFIC ACT 1949	5
1. Sections 5(1) and (2), ‘Act’—	6
<i>omit, insert—</i>	7
‘chapter’.	8
2. Section 5(3)(a)(i) and (aa), ‘footway’—	9
<i>omit, insert—</i>	10
‘footpath’.	11
3. Section 5(3)(a)(i), ‘standing’—	12
<i>omit, insert—</i>	13
‘stopping’.	14
4. Section 5(7), ‘subsection (3)’—	15
<i>omit, insert—</i>	16
‘subsection (3)(a) to (d)’.	17
5. Section 5(9)—	18
<i>omit.</i>	19

SCHEDULE (continued)

6. Section 5—	1
<i>relocate</i> to <i>Transport Operations (Road Use Management) Act 1995</i>	2
and in that Act <i>insert</i> in chapter 5, part 1 and <i>renumber</i> as section 66.	3
7. Section 9, definition “commercial vehicle”, ‘standing’—	4
<i>omit, insert—</i>	5
‘stopping’.	6
8. Section 9, definition “commercial vehicle”, paragraph (b), ‘motor car or motorcycle’—	7
<i>omit, insert—</i>	8
‘car or motorbike’.	9
9. Section 9, definition “commercial vehicle”, paragraph (c)(i), ‘section 44BA(4)’—	11
<i>omit, insert—</i>	12
‘section 103(4)’.	13
10. Section 9, definition “escort vehicle”, paragraph (b), from ‘the Transport’—	15
<i>omit, insert—</i>	16
‘a regulation.’.	17
11. Section 9, definition “escort vehicle driver”, paragraph (b), from ‘the Transport’ to ‘1995’—	19
<i>omit, insert—</i>	20
‘a regulation’.	21
	22

SCHEDULE (continued)

12. Section 9, definition “motor car”, ‘motor car’—	1
<i>omit, insert—</i>	2
‘car’.	3
13. Section 9, definition “motor car”, ‘motorcycle’—	4
<i>omit, insert—</i>	5
‘motorbike’.	6
14. Section 9, definition “off-street regulated parking area”, ‘section 44BB’—	7
<i>omit, insert—</i>	8
‘section 104’.	9
15. Section 9, definition “oversize vehicle”, from ‘the <i>Transport</i>’—	10
<i>omit, insert—</i>	11
‘a regulation.’.	12
16. Section 9, definition “pilot vehicle”, paragraph (b), from ‘the <i>Transport</i>’—	13
<i>omit, insert—</i>	14
‘a regulation.’.	15
17. Section 9, definition “pilot vehicle driver”, from ‘the <i>Transport</i>’ to ‘1995’—	16
<i>omit, insert—</i>	17
‘a regulation’.	18
	19
	20
	21

SCHEDULE (continued)

18. Section 9, definition “railway”, ‘(Railways) Act 1991’—	1
<i>omit, insert—</i>	2
‘Act 1994’.	3
19. Section 9, definition “regulated parking”, from ‘part 6A’—	4
<i>omit, insert—</i>	5
‘part 6.’.	6
20. Section 9, definitions—	7
<i>relocate to Transport Operations (Road Use Management) Act 1995</i>	8
and in that Act <i>insert</i> in schedule 3. ⁷	9
21. Section 12A, ‘part 6A’—	10
<i>omit, insert—</i>	11
‘part 6’.	12
22. Section 12D(2), ‘section 12C’—	13
<i>omit, insert—</i>	14
‘section 70’.	15
23. Section 12DA(1A), ‘sections 12B and 12BA’—	16
<i>omit, insert—</i>	17
‘sections 68 and 69’.	18

⁷ Schedule 3 (Dictionary)

SCHEDULE (continued)

24. Section 12E(1)(a) and (b), ‘part 6A’—	1
<i>omit, insert—</i>	2
‘part 6’.	3
25. Section 12E(1)(b), ‘section 12D’—	4
<i>omit, insert—</i>	5
‘section 71’.	6
26. Section 12F(2A), ‘section 5(4)’—	7
<i>omit, insert—</i>	8
‘section 66(4)’.	9
27. Section 12F(2A), ‘the <i>Traffic Regulation 1962</i>, schedule 2’—	10
<i>omit, insert—</i>	11
‘for which a number of demerit points may be allocated against a person’s traffic history under a regulation’.	12 13
28. Sections 12A to 12H—	14
<i>relocate to Transport Operations (Road Use Management) Act 1995</i>	15
and in that Act <i>insert</i> in chapter 5, part 2, and <i>renumber</i> as sections 67 to	16
76.	17
29. Section 14—	18
<i>omit.</i>	19
30. Section 14A, heading, ‘driver’s’—	20
<i>omit, insert—</i>	21
‘Queensland driver’.	22

SCHEDULE (continued)

31. Section 14A(1), ‘driver’s’ (first mention)—	1
<i>omit, insert—</i>	2
‘Queensland driver’.	3
32. Sections 14A(1)(c) and (d), ‘drivers’—	4
<i>omit, insert—</i>	5
‘driver’.	6
33. Section 15(1) to (4) and heading, ‘driver’s’—	7
<i>omit, insert—</i>	8
‘driver’.	9
34. Section 15(5), ‘driver’s’ (first mention)—	10
<i>omit, insert—</i>	11
‘driver’.	12
35. Section 15(5), ‘driver’s’ (second mention)—	13
<i>omit, insert—</i>	14
‘Queensland driver’.	15
36. Section 16(2A), ‘provisional licence or a learner’s permit’—	16
<i>omit, insert—</i>	17
‘learner, probationary or provisional licence’.	18
37. Section 16(2A), ‘driver’s’—	19
<i>omit, insert—</i>	20
‘driver’.	21

SCHEDULE (continued)

- | | |
|---|----|
| 38. Section 16(2C), ‘Motor vehicles’ to ‘are—’— | 1 |
| <i>omit, insert—</i> | 2 |
| ‘Subsection (2) applies to the following motor vehicles—’. | 3 |
| 39. Section 16(2C)(a), ‘motor truck, a motor omnibus’— | 4 |
| <i>omit, insert—</i> | 5 |
| ‘truck, a bus’. | 6 |
| 40. Section 16(2C)(b), from ‘under’ to ‘1995’— | 7 |
| <i>omit.</i> | 8 |
| 41. Section 16(2C)(d), from ‘under this Act’ to ‘1995’— | 9 |
| <i>omit.</i> | 10 |
| 42. Section 16(2C)(f), from ‘, under’ to ‘1995,’— | 11 |
| <i>omit.</i> | 12 |
| 43. Section 16(2J), ‘provisional licence issued to give effect to a court order made under section 20A’— | 13 |
| <i>omit, insert—</i> | 14 |
| ‘restricted licence’. | 15 |
| 44. Section 16(9), ‘driver’s’— | 17 |
| <i>omit, insert—</i> | 18 |
| ‘Queensland driver’. | 19 |

SCHEDULE (continued)

45. Section 16A(6)(aa) and (22)(a) and (c)(i), ‘section 16(2A), (2B), (2D) or (2J)’—	1
<i>omit, insert—</i>	2
<i>omit, insert—</i>	3
‘section 79(2A), (2B), (2D) or (2J)’.	4
46. Section 16A(8), ‘section 16 or 17’—	5
<i>omit, insert—</i>	6
‘section 79 or 83’.	7
47. Section 16A(11), ‘driver’s’—	8
<i>omit, insert—</i>	9
‘Queensland driver’.	10
48. Section 16A(11), (16L) and (22)(ba), ‘section 16(1)’—	11
<i>omit, insert—</i>	12
‘section 79(1)’.	13
49. Section 16A(21A)—	14
<i>omit.</i>	15
50. Section 16A(22)(e), (22AA), (22A), (22C) and (22D), ‘driver’s’—	16
<i>omit, insert—</i>	17
‘Queensland driver’.	18
51. Section 16B(1)(a), ‘section 16(2), (2A), (2B), (2D) or (2J)’—	19
<i>omit, insert—</i>	20
‘section 79(2), (2A), (2B), (2D) or (2J)’.	21

SCHEDULE (continued)

52. Section 16B(2) and (4)(c), ‘section 16 or 16A(11)’—	1
<i>omit, insert—</i>	2
‘section 79 or 80(11)’.	3
53. Section 16B(3)(i), (4)(b), (5) to (7), ‘driver’s’—	4
<i>omit, insert—</i>	5
‘Queensland driver’.	6
54. Section 16B(4)(b)(ii), (7) and (11), ‘provisional’—	7
<i>omit, insert—</i>	8
‘restricted’.	9
55. Section 16B(6), ‘Section 56’—	10
<i>omit, insert—</i>	11
‘Section 130’.	12
56. Section 16B(11), ‘Section 20A’—	13
<i>omit, insert—</i>	14
‘Section 87’.	15
57. Section 16B(11), ‘section 20A(1)’—	16
<i>omit, insert—</i>	17
‘section 87(1)’.	18
58. Section 16C(1), ‘section 16’—	19
<i>omit, insert—</i>	20
‘section 79’.	21

SCHEDULE (continued)

59. Section 16C(2), ‘driver’s’—	1
<i>omit, insert—</i>	2
‘Queensland driver’.	3
60. Section 20(1) to (1G), (2)(f), (2B) and (2D) to (5C), ‘driver’s’—	4
<i>omit, insert—</i>	5
‘Queensland driver’.	6
61. Section 20(1), (1A), (1B), (1E), (2)(b), (2E), (2F)(a), (3A)(b), (3C) and (3D), ‘section 16(1)’—	7
<i>omit, insert—</i>	8
‘section 79(1)’.	9
62. Section 20(1)(b), (1F), (1G), (2), (2B), (2D), (2F), (3E) and (3F), ‘section 16(2) to (2D)’—	11
<i>omit, insert—</i>	12
‘section 79(2) to (2D)’.	13
63. Section 20(2)(e), ‘driver’s’ (first mention)—	14
<i>omit, insert—</i>	15
‘driver’.	16
64. Section 20(2)(e), ‘provisional licence or a learner’s permit’—	17
<i>omit, insert—</i>	18
‘learner, probationary, provisional or restricted licence—’.	19
	20

SCHEDULE (continued)

65. Section 20(2)(e), ‘driver’s’ (second mention)—	1
<i>omit, insert—</i>	2
‘Queensland driver’.	3
66. Section 20(4), ‘section 16A(22D)’—	4
<i>omit, insert—</i>	5
‘section 80(22D)’.	6
67. Section 20(5A), ‘section 16C’—	7
<i>omit, insert—</i>	8
‘section 82’.	9
68. Section 20A(1), (3A), (4), (5)(a)(i) and (d)(iii), (6)(a), (8), (8A), (9), (10), (10A)(a) and heading, ‘provisional’—	10
<i>omit, insert—</i>	11
‘restricted’.	12
69. Section 20A(1), (2), (3), (3A)(a), (6)(a), (6A) and (10A)(b), ‘driver’s’—	14
<i>omit, insert—</i>	15
‘Queensland driver’.	16
70. Section 20A(1) and (5)(c), ‘section 16 or 16A(5A)’—	17
<i>omit, insert—</i>	18
‘section 79 or 80(5A)’.	19
	20

SCHEDULE (continued)

71. Section 20A(4A), ‘driver’s licence that is of the same class as one’—	1
	2
<i>omit, insert—</i>	3
‘restricted licence that is of the same class as the probationary, provisional or open licence’.	4
	5
72. Section 20A(5)(b), ‘driver’s’ (first mention)—	6
<i>omit, insert—</i>	7
‘provisional or open’.	8
73. Section 20A(5)(b), ‘driver’s’ (second mention)—	9
<i>omit, insert—</i>	10
‘Queensland driver’.	11
74. Section 20A(5)(d)(ii), (e) and (f), ‘an open or provisional’—	12
<i>omit, insert—</i>	13
‘a provisional or open’.	14
75. Section 20A(5)(f), ‘section 16(2A) or (2B)’—	15
<i>omit, insert—</i>	16
‘section 79(2A) or (2B)’.	17
76. Section 20A(6A), ‘section 20(5)’—	18
<i>omit, insert—</i>	19
‘section 86(5)’.	20

SCHEDULE (continued)

77. Section 20A(7), ‘driver’s’ (first mention)—	1
<i>omit, insert—</i>	2
‘restricted’.	3
78. Section 20A(7), ‘driver’s licence in the form of a provisional licence under section 14’—	4
<i>omit, insert—</i>	5
‘restricted licence’.	6
79. Section 20A(8)(b), ‘section 20B(7)’—	7
<i>omit, insert—</i>	8
‘section 88(7)’.	9
80. Section 20A(8)(b) and (10), ‘section 20B’—	10
<i>omit, insert—</i>	11
‘section 88’.	12
81. Section 20B(1) and (5) to (7), ‘provisional’—	13
<i>omit, insert—</i>	14
‘restricted’.	15
82. Section 20B(1), (5) and (6), ‘section 20A’—	16
<i>omit, insert—</i>	17
‘section 87’.	18
	19

SCHEDULE (continued)

83. Section 20B(5), ‘section 20A(4)’—	1
<i>omit, insert—</i>	2
‘section 87(4)’.	3
84. Section 21(1) and heading, ‘driver’s’—	4
<i>omit, insert—</i>	5
‘Queensland driver’.	6
85. Section 22(1) and heading, ‘driver’s’—	7
<i>omit, insert—</i>	8
‘Queensland driver’.	9
86. Section 22(1), ‘section 16, 17 or 19’—	10
<i>omit, insert—</i>	11
‘section 79, 83 or 85’.	12
87. Section 23, heading, ‘drivers’—	13
<i>omit, insert—</i>	14
‘Queensland driver’.	15
88. Section 23, ‘driver’s’—	16
<i>omit, insert—</i>	17
‘Queensland driver’.	18
89. Sections 14A to 23—	19
<i>relocate to Transport Operations (Road Use Management) Act 1995</i>	20
and in that Act <i>insert</i> in chapter 5, part 3 and <i>renumber</i> as sections 77 to 91.	21

SCHEDULE (continued)

90. Section 31(8), ‘driver’s’—	1
<i>omit, insert—</i>	2
‘Queensland driver’.	3
91. Sections 31 to 34—	4
<i>relocate to Transport Operations (Road Use Management) Act 1995</i>	5
and in that Act <i>insert</i> in chapter 5, part 4 and <i>renumber</i> as sections 92 to 94.	6
92. Section 37(5), from ‘a superintendent’ to ‘officer) or’—	7
<i>omit.</i>	8
93. Section 37(5), ‘person’—	9
<i>omit, insert—</i>	10
‘chief executive’.	11
94. Section 39(1)(a), (b), (d) and (f) and (2)(c), ‘Act’—	12
<i>omit, insert—</i>	13
‘chapter’.	14
95. Section 39(1A), ‘section 16A(2)’—	15
<i>omit, insert—</i>	16
‘section 80(2)’.	17
96. Section 39(2)(b), ‘any driver’s licence’ to ‘this Act’—	18
<i>omit, insert—</i>	19
‘the person’s Queensland driver licence’.	20

SCHEDULE (continued)

97. Section 39(2)(c), ‘driver’s’—	1
<i>omit, insert—</i>	2
‘Queensland driver’.	3
98. Section 39(3)(a), ‘section 14’—	4
<i>omit, insert—</i>	5
‘this Act’.	6
99. Section 44(6A), ‘section 44BB(1)’—	7
<i>omit, insert—</i>	8
‘section 104(2)’.	9
100. Sections 35 and 37 to 44—	10
<i>relocate to Transport Operations (Road Use Management) Act 1995</i>	11
and in that Act <i>insert</i> in chapter 5, part 5 and <i>renumber</i> as sections 95 to	12
100.	13
101. Section 44BA(1), ‘section 44A or 44B’—	14
<i>omit, insert—</i>	15
‘section 101 or 102’.	16
102. Section 44BA(3)(a)(i)—	17
<i>omit, insert—</i>	18
‘(i) a parking permit for people with disabilities; or’.	19

SCHEDULE (continued)

103. Section 44D(2), ‘section 44C(3)—	1
<i>omit, insert—</i>	2
‘section 105(3)’.	3
104. Section 44E(1), ‘, stopping or standing’—	4
<i>omit, insert—</i>	5
‘or stopping’.	6
105. Section 44F(4), definition “minor traffic offence”, ‘, stopping or standing’—	7
<i>omit, insert—</i>	8
‘or stopping’.	9
106. Section 44M(2), ‘section 44’—	11
<i>omit, insert—</i>	12
‘section 100’.	13
107. Section 44N, heading—	14
<i>omit, insert—</i>	15
‘Parking permits for people with disabilities’.	16
108. Section 44N(1)(a)—	17
<i>omit, insert—</i>	18
‘(a) a person whose ability to walk is impaired (a “ person with a disability ”); or’.	19
	20

SCHEDULE (continued)

109. Section 44N(1)(b), ‘disabled persons’—	1
<i>omit, insert—</i>	2
‘persons with disabilities’.	3
110. Sections 44A to 44N—	4
<i>relocate to Transport Operations (Road Use Management) Act 1995</i>	5
and in that Act <i>insert</i> in chapter 5, part 6 and <i>renumber</i> as sections 101 to	6
111.	7
111. Section 44O—	8
<i>relocate to Transport Operations (Road Use Management) Act 1995</i>	9
and in that Act <i>insert</i> in chapter 5, part 7, division 1 and <i>renumber</i> as	10
section 112.	11
112. Section 44P, heading—	12
<i>omit, insert—</i>	13
‘Definitions for div 2’.	14
113. Section 44P, definition “responsible operator”, ‘the Transport	15
Infrastructure’ to ‘Act 1995’—	16
<i>omit, insert—</i>	17
‘this Act’.	18
114. Section 44S(1)(a), ‘section 44Q(3)(b)(i)’—	19
<i>omit, insert—</i>	20
‘section 114(3)(b)(i)’.	21

SCHEDULE (continued)

115. Section 44S(1)(b), ‘section 44Q’—	1
<i>omit, insert—</i>	2
‘section 114’.	3
116. Section 44S(1)(c), ‘section 44U’—	4
<i>omit, insert—</i>	5
‘section 118’.	6
117. Section 44X(3)(c) and (d), ‘section 44Q’—	7
<i>omit, insert—</i>	8
‘section 114’.	9
118. Section 44X(3)(d), ‘section 44Q(6)’—	10
<i>omit, insert—</i>	11
‘section 114(6)’.	12
119. Sections 44P to 44X—	13
<i>relocate to Transport Operations (Road Use Management) Act 1995</i>	14
and in that Act <i>insert</i> in chapter 5, part 7, division 2 and <i>renumber</i> as	15
sections 113 to 121.	16
120. Section 48(2), ‘driver’s’—	17
<i>omit, insert—</i>	18
‘Queensland driver’.	19

SCHEDULE (continued)

121. Section 49(1)(b) and (g), ‘drivers’—	1
<i>omit, insert—</i>	2
‘Queensland driver’.	3
122. Section 49(1)(g), ‘driver’s’—	4
<i>omit, insert—</i>	5
‘Queensland driver’.	6
123. Section 49(1)(j) and (r)(i)(D), ‘driver’s’—	7
<i>omit, insert—</i>	8
‘driver’.	9
124. Section 49(1)(l), ‘the <i>Motor Vehicles Safety Act 1980</i>’—	10
<i>omit, insert—</i>	11
‘this Act’.	12
125. Section 49(1)(n)(i), ‘the <i>Transport Infrastructure (Roads) Act 1991</i>’—	13
<i>omit, insert—</i>	14
‘this Act’.	15
126. Section 49(1)(pf)(i), ‘section 49(1)(pa) or (pd)’—	16
<i>omit, insert—</i>	17
‘paragraph (pa) or (pd)’.	18
	19

SCHEDULE (continued)

127. Section 49(1)(u), ‘section 16A’—	1
<i>omit, insert—</i>	2
‘section 80’.	3
128. Section 51, heading—	4
<i>omit, insert—</i>	5
‘When offences not to be dealt with summarily’.	6
129. Section 51(1)—	7
<i>omit.</i>	8
130. Sections 47 to 51—	9
<i>relocate</i> to <i>Transport Operations (Road Use Management) Act 1995</i>	10
and in that Act <i>insert</i> in chapter 5, part 8 and <i>renumber</i> as sections 122	11
to 125.	12
131. Section 53(1)(a) to (c)—	13
<i>omit.</i>	14
132. Section 55(1) to (3), (5), (8)(a), (10) and (11), ‘driver’s’—	15
<i>omit, insert—</i>	16
‘Queensland driver’.	17
133. Section 55(6), ‘driver’s’ (first mention)—	18
<i>omit, insert—</i>	19
‘Queensland driver’.	20

SCHEDULE (continued)

134. Section 55(6), ‘driver’s’(second mention)—	1
<i>omit, insert—</i>	2
‘driver’.	3
135. Section 55(7) and (13), ‘provisional’—	4
<i>omit, insert—</i>	5
‘restricted’.	6
136. Section 55(7) and (13), ‘section 20A’—	7
<i>omit, insert—</i>	8
‘section 87’.	9
137. Section 55(12), ‘driver’s’ (first mention)—	10
<i>omit, insert—</i>	11
‘Queensland driver’.	12
138. Section 55(12), ‘driver’s’ (second mention)—	13
<i>omit, insert—</i>	14
‘driver’.	15
139. Section 55A, heading, ‘driver’s’—	16
<i>omit, insert—</i>	17
‘Queensland driver’.	18
140. Section 55A, ‘driver’s’ (first mention)—	19
<i>omit, insert—</i>	20
‘Queensland driver’.	21

SCHEDULE (continued)

141. Section 55A, ‘section 55’—	1
<i>omit, insert—</i>	2
‘section 127’.	3
142. Section 55A, ‘driver’s’ (second mention)—	4
<i>omit, insert—</i>	5
‘Queensland driver’.	6
143. Section 55A, from ‘learner’s permit’ to ‘licence applied’—	7
<i>omit, insert—</i>	8
‘learner licence or a restricted licence applied’.	9
144. Section 55A, ‘section 20A’—	10
<i>omit, insert—</i>	11
‘section 87’.	12
145. Section 55A, from ‘any driver’s licence’—	13
<i>omit, insert—</i>	14
‘issue a probationary licence to the person.’.	15
146. Sections 55B, 56(5) and (6), ‘driver’s’—	16
<i>omit, insert—</i>	17
‘Queensland driver’.	18
147. Section 56(1)(b)(iii), after ‘to’—	19
<i>insert—</i>	20
‘the chief executive or’.	21

SCHEDULE (continued)

148. Sections 57(1C)(a), (2) and (3A) and 57B, ‘driver’s’—	1
<i>omit, insert—</i>	2
‘Queensland driver’.	3
149. Section 59(b)(i), ‘the Transport Infrastructure (Roads) Act 1991’—	4
<i>omit, insert—</i>	5
‘this Act’.	6
150. Section 60(1)(c) and example, ‘standing’—	8
<i>omit, insert—</i>	9
‘stopped’.	10
151. Section 60(6), ‘left standing’—	11
<i>omit, insert—</i>	12
‘stopped’.	13
152. Sections 53 to 60—	14
<i>relocate</i> to <i>Transport Operations (Road Use Management) Act 1995</i>	15
and in that Act <i>insert</i> in chapter 5, part 9 and <i>renumber</i> as sections 126	16
to 135.	17
153. Section 61(4), heading—	18
<i>omit.</i>	19
154. Section 61(4), from ‘Except’ to ‘this Act—’—	20
<i>omit, insert—</i>	21
‘The provisions of this chapter—’.	22

SCHEDULE (continued)

155. Section 64(2) and (4)—	1
<i>omit.</i>	2
156. Section 64(3), ‘Subsections (1) and (2)’—	3
<i>omit, insert—</i>	4
‘Subsection (1)’.	5
157. Section 65(4), ‘section 64’—	6
<i>omit, insert—</i>	7
‘section 139’.	8
158. Section 67—	9
<i>omit.</i>	10
159. Section 67A(1), ‘driver’s’—	11
<i>omit, insert—</i>	12
‘Queensland driver’.	13
160. Section 68, ‘sections 16 and 16A’—	14
<i>omit, insert—</i>	15
‘section 79 and 80’.	16
161. Sections 61, 63, 64 to 66, 67A, 67B and 68—	17
<i>relocate to Transport Operations (Road Use Management) Act 1995</i>	18
and in that Act <i>insert</i> in chapter 5, part 9 and <i>renumber</i> as sections 137	19
to 144.	20

SCHEDULE (continued)

162. Section 72, from ‘the commencement’ to ‘section 34,’—	1
<i>omit, insert—</i>	2
‘12 December 1997’.	3
163. Section 72(1)(a) and (b), ‘section 60’—	4
<i>omit, insert—</i>	5
‘section 135’.	6
164. Section 72—	7
<i>relocate to Transport Operations (Road Use Management) Act 1995</i>	8
and in that Act <i>insert</i> in chapter 5, part 9 and <i>renumber</i> as section 136.	9
165. Schedule 2, provision reference for schedule—	10
<i>omit, insert—</i>	11
‘section 138(8)’.	12
166. Schedule 2—	13
<i>relocate to Transport Operations (Road Use Management) Act 1995 as</i>	14
schedule 2.	15

SCHEDULE (continued)

PART 2—AMENDMENT OF TRANSPORT OPERATIONS (ROAD USE MANAGEMENT) ACT 1995	1 2 3
167. Section 5(1), ‘schedule 3’—	4
<i>omit, insert—</i>	5
‘schedule 4’.	6
168. Section 50(1), definition “information offence”, paragraph (a)(ii), ‘section 76’—	7 8
<i>omit, insert—</i>	9
‘section 148’.	10
169. Chapter 5, part 1, heading—	11
<i>omit, insert—</i>	12
‘PART 1—LOCAL GOVERNMENT FUNCTIONS	13
‘PART 2—OFFICIAL TRAFFIC SIGNS	14
‘PART 3—DRIVING OF VEHICLES AND ANIMALS	15
‘PART 4—ROAD INCIDENTS	16
‘PART 5—POWERS AND FUNCTIONS OF POLICE OFFICERS	17 18
‘PART 6—REGULATED PARKING	19

SCHEDULE (continued)

‘PART 7—DETECTION DEVICES	1
<i>‘Division 1—Radar speed detection devices</i>	2
<i>‘Division 2—Photographic detection devices</i>	3
‘PART 8—PROCEEDINGS AND EVIDENCE	4
‘PART 9—GENERAL	5
‘PART 10—FEES AND REGULATIONS’.	6
170. Chapter 5, part 2, heading—	7
<i>omit.</i>	8
171. Section 75, heading—	9
<i>omit, insert—</i>	10
‘Regulating vehicle operations and road rules’.	11
172. Chapter 5, part 3, heading—	12
<i>omit.</i>	13
173. Section 76, heading—	14
<i>omit, insert—</i>	15
‘Regulating vehicle standards’.	16

SCHEDULE (continued)

174. Section 77, heading—	1
<i>omit, insert—</i>	2
‘Regulating identification of vehicles’.	3
175. Section 77A—	4
<i>relocate and renumber as section 170.</i>	5
176. Chapter 5, part 4, heading—	6
<i>omit.</i>	7
177. Section 78, heading—	8
<i>omit, insert—</i>	9
‘Regulating driver management’.	10
178. Sections 74, 75 and 76 to 78—	11
<i>relocate in chapter 5, part 10 and renumber as sections 145, 146 and 148 to 150.</i>	12 13
179. Section 79—	14
<i>omit.</i>	15
180. Chapter 5, part 5, heading—	16
<i>omit, insert—</i>	17
‘CHAPTER 5A—TRANSPORTING DANGEROUS GOODS’.	18 19

SCHEDULE (continued)

181. Section 79I(4)(a), ‘section 79L’—	1
<i>omit, insert—</i>	2
‘section 162’.	3
182. Section 79L(1), ‘section 83’—	4
<i>omit, insert—</i>	5
‘section 167’.	6
183. Sections 79A to 79L—	7
<i>renumber</i> as sections 151 to 162.	8
184. Chapter 5A, heading (as inserted by Act No. 66 of 1997)—	9
<i>omit.</i>	10
185. Section 79M—	11
<i>relocate</i> in chapter 5, part 10 and <i>renumber</i> as section 147.	12
186. Section 79N—	13
<i>renumber</i> as section 163.	14
187. Sections 80 to 85—	15
<i>renumber</i> as sections 164 to 171.	16
188. Section 85A, ‘sections 86 to 91’—	17
<i>omit, insert—</i>	18
‘sections 173 to 178’.	19

SCHEDULE (continued)

189. Section 93A, ‘section 93’—	1
<i>omit, insert—</i>	2
‘section 180’.	3
190. Sections 85A to 93A—	4
<i>renumber</i> as sections 172 to 181.	5
191. Section 97(2) and (3), ‘section 79C’—	6
<i>omit, insert—</i>	7
‘section 153’.	8
192. Sections 94 to 97—	9
<i>renumber</i> as sections 182 to 185.	10
193. Schedule 1, heading—	11
<i>omit, insert—</i>	12
‘SCHEDULE 1	13
‘DISQUALIFYING OFFENCES—APPROVALS’.	14
194. Schedule 2 (as in force immediately before the commencement of this amendment)—	15
<i>omit.</i>	16
	17

SCHEDULE (continued)

195. Schedule 3, definitions “breath analysing instrument” and “road” (as in force immediately before the commencement of this amendment), and definitions “convicted”, “corresponding law”, “MUTCD” and “official traffic sign”—	1 2 3 4
<i>omit.</i>	5
196. Schedule 3—	6
<i>insert—</i>	7
‘ “corresponding law” , to an Act or provision of an Act, means a law of the Commonwealth or another State that provides for the same matter as—	8 9 10
(a) for an Act—the Act or a provision of the Act; or	11
(b) for a provision of an Act—the provision.	12
“MUTCD” see section 166(1).	13
“official traffic sign” see section 166(1).’	14
197. Schedule 3, definition “approved form”, ‘section 84A’—	15
<i>omit, insert—</i>	16
‘section 169’.	17
198. Schedule 3, definition “disqualifying offence”, ‘means—’—	18
<i>omit, insert—</i>	19
‘means—	20
(a) for chapter 3, part 1A—’.	21
199. Schedule 3, definition “disqualifying offence”, paragraphs (a) to (d)—	22 23
<i>renumber</i> as paragraphs (a)(i) to (iv).	24

SCHEDULE (continued)

200. Schedule 3, definition “disqualifying offence”, paragraph (a)(iv) (as renumbered), ‘Queensland.’—	1
	2
<i>omit, insert—</i>	3
‘ Queensland; or	4
(b) for section 138—see schedule 2.’.	5
201. Schedules 2A and 3—	6
<i>renumber</i> as schedules 3 and 4.	7
PART 3—AMENDMENT OF OTHER ACTS	8
AGRICULTURAL COLLEGES ACT 1994	9
1. Section 38, ‘Traffic Act 1949’—	10
<i>omit, insert—</i>	11
‘ <i>Transport Operations (Road Use Management) Act 1995</i> ’.	12
2. Section 38(1), definition “driver’s licence”—	13
<i>omit, insert—</i>	14
‘ “driver licence” has the meaning given by the <i>Transport Operations (Road Use Management) Act 1995</i> .’.	15
	16
3. Section 38(2), ‘driver’s’—	17
<i>omit, insert—</i>	18
‘driver’.	19

SCHEDULE (continued)

AMBULANCE SERVICE ACT 1991**1. Section 42(1), ‘Traffic Act 1949’—***omit, insert—**‘Transport Operations (Road Use Management) Act 1995’.***BAIL ACT 1980****1. Schedule, ‘Traffic Act 1949, section 16’—***omit, insert—**‘Transport Operations (Road Use Management) Act 1995, section 79’.***CENTRAL QUEENSLAND UNIVERSITY ACT 1998****1. Schedule 2, definitions “official traffic sign” and “vehicle”, ‘Traffic Act 1949’—***omit, insert—**‘Transport Operations (Road Use Management) Act 1995’.***COLLECTIONS ACT 1966****1. Section 14, definition “street”, ‘Traffic Act 1949’—***omit, insert—**‘Transport Operations (Road Use Management) Act 1995’.*

SCHEDULE (continued)

CORONERS ACT 1958**1. Section 4(1)(e), ‘Traffic Act 1949’—***omit, insert—**‘Transport Operations (Road Use Management) Act 1995’.***CRIMINAL CODE ACT 1899****1. Section 328A(5), definition “prescribed offence”, ‘Traffic Act 1949, section 16(1), (2), (2A), (2B) or (2D)’—***omit, insert—**‘Transport Operations (Road Use Management) Act 1995, section 79(1), (2), (2A), (2B), (2D) or (2J)’.***2. Section 450H, ‘driver’s’—***omit, insert—**‘driver’.***3. Section 450H(2), ‘Traffic Act 1949’—***omit, insert—**‘Transport Operations (Road Use Management) Act 1995’.*

SCHEDULE (continued)

DOMESTIC VIOLENCE (FAMILY PROTECTION) ACT 1989	1 2
1. Section 6(a), ‘Traffic Act 1949’—	3
<i>omit, insert—</i>	4
‘ <i>Transport Operations (Road Use Management) Act 1995</i> ’.	5
 FIRE AND RESCUE AUTHORITY ACT 1990	 6
1. Section 6, definitions “vehicle” and “vessel”, ‘Traffic Act 1949’—	7
<i>omit, insert—</i>	8
‘ <i>Transport Operations (Road Use Management) Act 1995</i> ’.	9
 FORESTRY ACT 1959	 10
1. Section 5, definitions “motor vehicle” and “official traffic sign”, ‘Traffic Act 1949’—	11 12
<i>omit, insert—</i>	13
‘ <i>Transport Operations (Road Use Management) Act 1995</i> ’.	14
 GRIFFITH UNIVERSITY ACT 1998	 15
1. Schedule 2, definitions “official traffic sign” and “vehicle”, ‘Traffic Act 1949’—	16 17
<i>omit, insert—</i>	18
‘ <i>Transport Operations (Road Use Management) Act 1995</i> ’.	19

SCHEDULE (continued)

- 2. Schedule 2, definition “owner”, ‘Infrastructure (Roads) Act 1991’—** 1
omit, insert— 2
‘Operations (Road Use Management) Act 1995’. 3

HEALTH SERVICES ACT 1991 4

- 1. Section 2, definitions “official traffic sign” and “vehicle”, ‘Traffic Act 1949’—** 5
omit, insert— 6
‘Transport Operations (Road Use Management) Act 1995’. 7

- 2. Section 2, definition “owner”, ‘Infrastructure (Roads) Act 1991’—** 9
omit, insert— 10
‘Operations (Road Use Management) Act 1995’. 11

INDY CAR GRAND PRIX ACT 1990 12

- 1. Section 6(5), ‘Traffic Act 1949, sections 16, 16A and 16C,’—** 13
omit, insert— 14
‘Transport Operations (Road Use Management) Act 1995, sections 79, 15
80 and 82,’. 16

- 2. Section 12(2), from ‘provisions of’ to ‘Act, do’—** 17
omit, insert— 18
‘Transport Operations (Road Use Management) Act 1995, other than 19
sections 79, 80 and 82, does’. 20

SCHEDULE (continued)

3. Section 12(3), from ‘a road’—	1
<i>omit, insert—</i>	2
‘ a “road” or “public place” under the <i>Transport Operations (Road Use Management) Act 1995</i> .’.	3
	4
 INTEGRATED RESORT DEVELOPMENT ACT 1987	5
 1. Section 97(2), ‘Traffic Act 1949 (other than parts 4 and 6A)’—	6
<i>omit, insert—</i>	7
‘ <i>Transport Operations (Road Use Management) Act 1995</i> (other than part 6)’.	8
	9
 JAMES COOK UNIVERSITY ACT 1997	10
 1. Schedule 2, definitions “official traffic sign” and “vehicle”, ‘Traffic Act 1949’—	11
	12
<i>omit, insert—</i>	13
‘ <i>Transport Operations (Road Use Management) Act 1995</i> ’.	14
 2. Schedule 2, definition “owner”, paragraph (a), ‘Infrastructure (Roads) Act 1991’—	15
	16
<i>omit, insert—</i>	17
‘ <i>Operations (Road Use Management) Act 1995</i> ’.	18

SCHEDULE (continued)

JUSTICES ACT 1886**1. Sections 23A, definition “motor vehicle” and 266(2)(c), ‘Traffic Act 1949’—***omit, insert—**‘Transport Operations (Road Use Management) Act 1995’.***2. Section 56(2)(a), ‘driver’s’—***omit, insert—**‘driver’.***JUVENILE JUSTICE ACT 1992****1. Section 5, definition “driver’s licence”—***omit, insert—**‘ “driver licence” means a driver licence under the Transport Operations (Road Use Management) Act 1995.’.***2. Part 5, division 9, heading, section 193 and heading and section 194(2) and (3)(a), ‘Traffic Act 1949’—***omit, insert—**‘Transport Operations (Road Use Management) Act 1995’.***3. Section 194(4), ‘Traffic Act 1949, section 16C’—***omit, insert—**‘Transport Operations (Road Use Management) Act 1995, section 82’.*

SCHEDULE (continued)

- 4. Section 194(5), ‘Traffic Act 1949, sections 21 and 22’—** 1
omit, insert— 2
‘Transport Operations (Road Use Management) Act 1995, sections 89 3
and 90’. 4

LIQUOR ACT 1992 5

- 1. Section 231A(1), example, ‘driver’s’—** 6
omit, insert— 7
‘driver’. 8

LOCAL GOVERNMENT (ABORIGINAL LANDS) ACT 1978 9
10

- 1. Section 39(4)(a), ‘Transport Infrastructure (Roads) Act 1991 and’—** 11
omit. 12
- 2. Section 39(4)(b), ‘Traffic Act 1949’—** 13
omit, insert— 14
‘Transport Operations (Road Use Management) Act 1995’. 15

LOCAL GOVERNMENT ACT 1993 16

- 1. Section 901(3), ‘Traffic Act 1949’—** 17
omit, insert— 18
‘Transport Operations (Road Use Management) Act 1995’. 19

SCHEDULE (continued)

LOCAL GOVERNMENT (CHINATOWN AND THE VALLEY MALLS) ACT 1984	1 2
1. Section 18(2), ‘Traffic Act 1949’—	3
<i>omit, insert—</i>	4
‘ <i>Transport Operations (Road Use Management) Act 1995</i> ’.	5
MENTAL HEALTH ACT 1974	6
1. Section 64, heading, ‘Traffic Act’—	7
<i>omit, insert—</i>	8
‘ Transport Operations (Road Use Management) Act ’.	9
2. Section 64(1), definition “vehicle” and (2), ‘Traffic Act 1949’—	10
<i>omit, insert—</i>	11
‘ <i>Transport Operations (Road Use Management) Act 1995</i> ’.	12
MIXED USE DEVELOPMENT ACT 1993	13
1. Section 153(2), ‘Traffic Act 1949 (other than parts 4 and 6A)’—	14
<i>omit, insert—</i>	15
‘ <i>Transport Operations (Road Use Management) Act 1995 (other than part 6)</i> ’.	16 17

SCHEDULE (continued)

PEACEFUL ASSEMBLY ACT 1992

- | | |
|--|----------|
| | 1 |
| 1. Section 4, definition “road”, ‘section 9(1) of the <i>Traffic Act 1949</i>’— | 2 |
| <i>omit, insert—</i> | 3 |
| ‘the <i>Transport Operations (Road Use Management) Act 1995</i> ’. | 4 |
|
 | |
| 2. Section 17, ‘<i>Traffic Act 1949</i>’— | 5 |
| <i>omit, insert—</i> | 6 |
| ‘ <i>Transport Operations (Road Use Management) Act 1995</i> ’. | 7 |

PENALTIES AND SENTENCES ACT 1992

- | | |
|---|-----------|
| | 8 |
|
 | |
| 1. Section 187, heading, ‘driver’s’— | 9 |
| <i>omit, insert—</i> | 10 |
| ‘driver’. | 11 |
|
 | |
| 2. Section 187(1), ‘driver’s’— | 12 |
| <i>omit, insert—</i> | 13 |
| ‘driver’. | 14 |
|
 | |
| 3. Section 187(2), ‘<i>Traffic Act 1949</i>’— | 15 |
| <i>omit, insert—</i> | 16 |
| ‘ <i>Transport Operations (Road Use Management) Act 1995</i> ’. | 17 |

SCHEDULE (continued)

- 4. Section 187(3), definition “driver’s licence”—** 1
omit, insert— 2
 ‘ “**driver licence**” means a driver licence within the meaning of the 3
Transport Operations (Road Use Management) Act 1995.’ 4

PLACE NAMES ACT 1994 5

- 1. Section 4(2), ‘Traffic Act 1949’—** 6
omit, insert— 7
 ‘*Transport Operations (Road Use Management) Act 1995*’ 8

**QUEENSLAND UNIVERSITY OF TECHNOLOGY
ACT 1998** 9
10

- 1. Schedule 2, definitions “official traffic sign” and “vehicle”, ‘Traffic
Act 1949’—** 11
omit, insert— 12
 ‘*Transport Operations (Road Use Management) Act 1995*’ 14

**SECOND-HAND DEALERS AND COLLECTORS ACT
1984** 15
16

- 1. Section 6, definition “second-hand goods”, paragraph (e)—** 17
omit, insert— 18
 ‘(e) used tyres removed from a car, motorbike or trailer within the 19
 meaning of the *Transport Operations (Road Use Management)* 20
Act 1995; or’ 21

SCHEDULE (continued)

SUPREME COURT OF QUEENSLAND ACT 1991	1
1. Schedule 2, part 2, ‘Traffic Act 1949’—	2
<i>omit, insert—</i>	3
‘Transport Operations (Road Use Management) Act 1995’.	4
TOBACCO PRODUCTS (PREVENTION OF SUPPLY TO CHILDREN) ACT 1998	5 6
1. Section 6(a), ‘driver’s’—	7
<i>omit, insert—</i>	8
‘driver’.	9
2. Schedule, definition “driver’s licence”, ‘driver’s’—	10
<i>omit, insert—</i>	11
‘driver’.	12
TOW TRUCK ACT 1973	13
1. Section 4, definition “authorised officer”, from ‘inspector’ to ‘1980’—	14 15
<i>omit, insert—</i>	16
‘authorised officer under the <i>Transport Operations (Road Use Management) Act 1995</i> ’.	17 18

SCHEDULE (continued)

- | | |
|--|------------------|
| 2. Sections 4, definition “road”, 4A and 18(1), ‘Traffic Act 1949’— | 1 |
| <i>omit, insert—</i> | 2 |
| ‘ <i>Transport Operations (Road Use Management) Act 1995</i> ’. | 3 |
|
 | |
| 3. Section 4, definition “seized”, from ‘Traffic Act 1949’— | 4 |
| <i>omit, insert—</i> | 5 |
| ‘ <i>Transport Operations (Road Use Management) Act 1995</i> ,
section 100(1)(c) or (d), from a road that is an off-street regulated parking
area for which there is an arrangement mentioned in section 104 of that
Act.’. | 6
7
8
9 |
|
 | |
| 4. Section 4A, ‘in this section’— | 10 |
| <i>omit, insert—</i> | 11 |
| ‘in section 4’. | 12 |
|
 | |
| 5. Section 18, heading, ‘driver’s’— | 13 |
| <i>omit, insert—</i> | 14 |
| ‘ driver ’. | 15 |
|
 | |
| 6. Section 23(1)(a)(ii)(B), ‘Traffic Act 1949, section 44BB(1)’— | 16 |
| <i>omit, insert—</i> | 17 |
| ‘ <i>Transport Operations (Road Use Management) Act 1995</i> , section 104’. | 18 |

SCHEDULE (continued)

TRANSPORT INFRASTRUCTURE ACT 1994	1
1. Section 47(6) and schedule 3, definition “vehicle”, ‘Traffic Act 1949’—	2 3
<i>omit, insert—</i>	4
‘Transport Operations (Road Use Management) Act 1995’.	5
 UNIVERSITY OF QUEENSLAND ACT 1998	 6
1. Schedule 2, definitions “official traffic sign” and “vehicle”, ‘Traffic Act 1949’—	7 8
<i>omit, insert—</i>	9
‘Transport Operations (Road Use Management) Act 1995’.	10
 2. Schedule 2, definition “owner”, paragraph (a), ‘Infrastructure (Roads) Act 1991’—	 11 12
<i>omit, insert—</i>	13
‘Operations (Road Use Management) Act 1995’.	14
 UNIVERSITY OF SOUTHERN QUEENSLAND ACT 1998	 15 16
1. Schedule 2, definitions “official traffic sign” and “vehicle”, ‘Traffic Act 1949’—	17 18
<i>omit, insert—</i>	19
‘Transport Operations (Road Use Management) Act 1995’.	20

SCHEDULE (continued)

2. Schedule 2, definition “owner”, paragraph (a), ‘Infrastructure (Roads) Act 1991’—	1
	2
<i>omit, insert—</i>	3
‘Operations (Road Use Management) Act 1995’.	4
UNIVERSITY OF SUNSHINE COAST ACT 1998	5
1. Schedule 2, definitions “official traffic sign” and “vehicle”, ‘see the Traffic Act 1949, section 9’—	6
	7
<i>omit, insert—</i>	8
‘has the meaning given by the <i>Transport Operations (Road Use Management) Act 1995</i> ’.	9
	10
WORKCOVER QUEENSLAND ACT 1996	11
1. Section 38(2)(a), ‘Traffic Act 1949, section 16’—	12
<i>omit, insert—</i>	13
‘Transport Operations (Road Use Management) Act 1995, section 79’.	14
WORKPLACE HEALTH AND SAFETY ACT 1995	15
1. Section 3(2), ‘Traffic Act 1949’—	16
<i>omit, insert—</i>	17
‘Transport Operations (Road Use Management) Act 1995’.	18
	19

