



Queensland

# **Transport Legislation (Road Safety and Other Matters) Amendment Bill 2022**





Queensland

# Transport Legislation (Road Safety and Other Matters) Amendment Bill 2022

## Contents

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		Page
<b>Part 1</b>	<b>Preliminary</b>	
1	Short title . . . . .	6
<b>Part 2</b>	<b>Amendment of Motor Accident Insurance Regulation 2018</b>	
2	Regulation amended . . . . .	6
3	Amendment of s 14 (Gratuitous insurance—Act, s 23) . . . . .	6
<b>Part 3</b>	<b>Amendment of State Penalties Enforcement Regulation 2014</b>	
4	Regulation amended . . . . .	7
5	Amendment of sch 1 (Infringement notice offences and fines for nominated laws) . . . . .	7
<b>Part 4</b>	<b>Amendment of Transport Infrastructure Act 1994</b>	
6	Act amended . . . . .	7
7	Amendment of s 162 (Application of div 1) . . . . .	7
8	Amendment of s 163 (Entering land for railway works etc.) . . . . .	7
9	Amendment of s 164 (Entry to land by notice or with approval) . . . . .	8
10	Amendment of s 165 (Care to be taken in carrying out works etc.) . . . . .	9
11	Amendment of s 166 (Compensation for carrying out works etc.) . . . . .	9
12	Amendment of sch 6 (Dictionary) . . . . .	10
<b>Part 5</b>	<b>Amendment of Transport Operations (Road Use Management) Act 1995</b>	
13	Act amended . . . . .	10
14	Amendment of s 93 (Duties of a driver involved in a crash—stopping and providing information) . . . . .	10
15	Amendment of s 117 (Use of penalties collected for camera-detected offences) . . . . .	11
16	Amendment of s 123A (Proof of appointments unnecessary) . . . . .	12
17	Amendment of s 123B (Proof of signatures unnecessary) . . . . .	12
18	Amendment of s 123N (Evidence of registration number) . . . . .	13

Contents

---

19	Insertion of new s 123SA .....	13
	123SA Evidence of particular matters relating to vehicles ..	13
20	Amendment of s 124 (Facilitation of proof) .....	15
21	Amendment of s 124AA (Inspection certificates) .....	15
22	Amendment of s 124A (Additional ground of challenge not stated in written notice required under particular provisions) .....	16
23	Amendment of s 142 (Health professional's disclosure not breach of confidence) .....	16
24	Insertion of new ch 7, pt 26 .....	16
	Part 26 Transitional provision for Transport Legislation (Road Safety and Other Matters) Amendment Act 2022	
	244 Evidentiary provisions .....	17
25	Amendment of sch 1 (Evidence by certificate) .....	17
26	Amendment of sch 4 (Dictionary) .....	17
<b>Part 6</b>	<b>Amendment of Transport Operations (Road Use Management— Road Rules) Regulation 2009</b>	
27	Regulation amended .....	20
28	Amendment of s 15 (What is a vehicle) .....	20
29	Amendment of s 15A (Personal mobility devices—Act, sch 4) ..	21
30	Amendment of s 16 (Who is a driver) .....	21
31	Amendment of s 111 (Entering a roundabout from a multi-lane road or a road with 2 or more lines of traffic travelling in the same direction)	21
32	Amendment of s 119 (Giving way by the rider of a bicycle or animal to a vehicle leaving a roundabout) .....	21
33	Amendment of s 158 (Exceptions to driving in special purpose lanes etc.) .....	21
34	Amendment of s 239 (Pedestrians on a bicycle path or separated footpath) .....	22
35	Insertion of new s 239A .....	22
	239A Operating a motorised mobility device on a path ...	22
36	Amendment of s 288 (Driving on a path) .....	23
37	Amendment of s 289 (Driving on a nature strip) .....	23
38	Amendment of s 294 (Keeping control of a vehicle being towed)	23
<b>Part 7</b>	<b>Amendment of Transport Operations (Road Use Management— Vehicle Registration) Regulation 2021</b>	
39	Regulation amended .....	23
40	Amendment of s 20 (Requirements for registration application) .	24
41	Amendment of s 117 (Assigning registration numbers and giving number plates) .....	24

42	Amendment of s 222 (Eligible person may apply for exemption from paying particular fees) . . . . .	24
43	Amendment of s 223 (Registered operator for motorised wheelchair may apply for exemption from paying transfer application fee) . . . . .	24
44	Amendment of sch 1 (Exempt vehicles) . . . . .	24
45	Amendment of sch 8 (Dictionary) . . . . .	25
<b>Part 8</b>	<b>Amendment of Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2021</b>	
46	Regulation amended . . . . .	25
47	Insertion of new pt 1, div 2, sdiv 1, hdg . . . . .	25
	Subdivision 1 General	
48	Insertion of new pt 1, div 2, sdiv 2 and sdiv 3, hdg . . . . .	26
	Subdivision 2 Meaning of GVM	
	4A Application of subdivision . . . . .	26
	4B Way for stating maximum loaded mass . . . . .	26
	Subdivision 3 Other key concepts	
49	Amendment of sch 4 (Dictionary) . . . . .	27
<b>Part 9</b>	<b>Amendment of Transport Planning and Coordination Act 1994</b>	
50	Act amended . . . . .	29
51	Amendment of s 28E (Definitions for pt 4C) . . . . .	29
52	Insertion of new pt 7, div 6 . . . . .	30
	Division 6 Transitional provision for Transport Legislation (Road Safety and Other Matters) Amendment Act 2022	
	48 Application of new shelf life definition . . . . .	30
53	Amendment of sch 1 (Dictionary) . . . . .	30
<b>Part 10</b>	<b>Other amendments</b>	
54	Legislation amended . . . . .	31
<b>Schedule 1</b>	<b>Other amendments</b> . . . . .	32
	Housing Legislation Amendment Act 2021 . . . . .	32
	Justices Act 1886 . . . . .	32
	Motor Accident Insurance Act 1994 . . . . .	33
	Motor Dealers and Chattel Auctioneers Act 2014 . . . . .	34
	National Injury Insurance Scheme (Queensland) Act 2016 . . . . .	35
	Nature Conservation (Protected Areas Management) Regulation 2017 . . . . .	35
	Photo Identification Card Act 2008 . . . . .	35
	Public Health Act 2005 . . . . .	36

Contents

---

Recreation Areas Management Act 2006 .....	36
Traffic Regulation 1962 .....	36
Transport Operations (Passenger Transport) Regulation 2018 .	37
Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015 .....	37
Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021 .....	37
Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2021 .....	38
Waste Reduction and Recycling Act 2011 .....	38

# 2022

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## A Bill

for

**An Act to amend the *Motor Accident Insurance Regulation 2018*, the *State Penalties Enforcement Regulation 2014*, the *Transport Infrastructure Act 1994*, the *Transport Operations (Road Use Management) Act 1995*, the *Transport Operations (Road Use Management—Road Rules) Regulation 2009*, the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021*, the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2021*, the *Transport Planning and Coordination Act 1994* and the legislation mentioned in schedule 1 for particular purposes**

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[s 1]

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**The Parliament of Queensland enacts—** 1

**Part 1 Preliminary** 2

**Clause 1 Short title** 3

This Act may be cited as the *Transport Legislation (Road Safety and Other Matters) Amendment Act 2022*. 4  
5

**Part 2 Amendment of Motor Accident Insurance Regulation 2018** 6  
7

**Clause 2 Regulation amended** 8

This part amends the *Motor Accident Insurance Regulation 2018*. 9  
10

**Clause 3 Amendment of s 14 (Gratuitous insurance—Act, s 23)** 11

(1) Section 14, from ‘wheelchairs’ to ‘motor’— 12

*omit, insert—* 13

mobility devices are a class of 14

(2) Section 14— 15

*insert—* 16

(2) In this section— 17

*motorised mobility device* see the *Transport Operations (Road Use Management) Act 1995*, 18  
schedule 4. 19  
20

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<b>Part 3</b>	<b>Amendment of State Penalties Enforcement Regulation 2014</b>	1 2
<b>Clause 4</b>	<b>Regulation amended</b>	3
	This part amends the <i>State Penalties Enforcement Regulation 2014</i> .	4 5
<b>Clause 5</b>	<b>Amendment of sch 1 (Infringement notice offences and fines for nominated laws)</b>	6 7
	Schedule 1, entry for <i>Transport Operations (Road Use Management—Road Rules) Regulation 2009</i> —	8 9
	<i>insert—</i>	10
	s 239A(1)	<sup>2</sup> / <sub>5</sub>
<b>Part 4</b>	<b>Amendment of Transport Infrastructure Act 1994</b>	11 12
<b>Clause 6</b>	<b>Act amended</b>	13
	This part amends the <i>Transport Infrastructure Act 1994</i> .	14
<b>Clause 7</b>	<b>Amendment of s 162 (Application of div 1)</b>	15
	Section 162, after ‘works’—	16
	<i>insert—</i>	17
	and accommodation works	18
<b>Clause 8</b>	<b>Amendment of s 163 (Entering land for railway works etc.)</b>	19 20
	Section 163—	21

[s 9]

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*insert—*

- (2) For accommodation works that are necessary or convenient to be done as a result of railway works, the chief executive, or someone authorised in writing by the chief executive, may temporarily occupy and use land, including roads, to carry out the works.

**Clause 9      Amendment of s 164 (Entry to land by notice or with approval)**

- (1) Section 164, before subsection (1)—

*insert—*

- (1AA) This section applies if a person proposes to enter, occupy or use land under this division.

- (2) Section 164(1), from ‘, the’ to ‘accredited’—

*omit, insert—*

or accommodation works, the

- (3) Section 164(2)—

*insert—*

- (d) if accommodation works are proposed to be carried out on the land—state—

- (i) details of the things proposed to be done on the land in relation to the proposed accommodation works; and

- (ii) that the owner or occupier may, within 7 days after the notice is given, make submissions to the person about the proposed accommodation works.

- (4) Section 164(3)—

*omit, insert—*

- (3) The chief executive, an accredited person or a person authorised in writing by the chief

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	executive under section 163(2) need not comply with subsection (2) for maintenance on a road.	1 2
	(3A) The chief executive or an accredited person need not comply with subsection (2) for urgent remedial action on a railway.	3 4 5
(5)	Section 164—	6
	<i>insert—</i>	7
	(5) If accommodation works are proposed to be carried out on the land, the person must consider any submissions that are made within 7 days after the notice is given, before carrying out the accommodation works.	8 9 10 11 12
(6)	Section 164(1AA) to (5)—	13
	<i>renumber</i> as section 164(1) to (7).	14
<b>Clause 10</b>	<b>Amendment of s 165 (Care to be taken in carrying out works etc.)</b>	15 16
	Section 165, from ‘works on’ to ‘accredited’—	17
	<i>omit, insert—</i>	18
	works or accommodation works on the land, the	19
<b>Clause 11</b>	<b>Amendment of s 166 (Compensation for carrying out works etc.)</b>	20 21
(1)	Section 166(1), from ‘under’ to ‘or accredited’—	22
	<i>omit, insert—</i>	23
	, occupied or used under this part by a person may, by written notice given to the	24 25
(2)	Section 166(1)(a) and (2)(a), after ‘works’—	26
	<i>insert—</i>	27
	or accommodation works	28
(3)	Section 166(2)(b), from ‘by’—	29

[s 12]

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<i>omit, insert—</i>	1
by—	2
(i) if the land is entered by the chief executive or an accredited person—that person; or	3 4 5
(ii) if the land is entered by a person authorised in writing by the chief executive under section 163(2)—the chief executive.	6 7 8 9

<b>Clause 12</b>	<b>Amendment of sch 6 (Dictionary)</b>	10
	Schedule 6, definition <i>accommodation works</i> , before ‘or road’—	11 12
	<i>insert—</i>	13
	, rail transport infrastructure, railway works	14

<b>Part 5</b>	<b>Amendment of Transport Operations (Road Use Management) Act 1995</b>	15 16 17
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<b>Clause 13</b>	<b>Act amended</b>	18
	This part amends the <i>Transport Operations (Road Use Management) Act 1995</i> .	19 20

<b>Clause 14</b>	<b>Amendment of s 93 (Duties of a driver involved in a crash—stopping and providing information)</b>	21 22
	(1) Section 93(5), definition <i>driver</i> , paragraph (a), ‘pushing a motorised wheelchair’—	23 24
	<i>omit, insert—</i>	25
	mentioned in schedule 4, definition <i>pedestrian</i> , paragraph (a), (b) or (c)	26 27

- 
- (2) Section 93(5), definition *vehicle*— 1  
*omit, insert*— 2  
*vehicle* includes a tram and train, but does not 3  
include— 4  
(a) a motorised mobility device; or 5  
(b) a wheelchair; or 6  
(c) a wheeled recreational device; or 7  
(d) a wheeled toy; or 8  
(e) a personal mobility device. 9

**Clause 15 Amendment of s 117 (Use of penalties collected for camera-detected offences)** 10  
11

- (1) Section 117(1)(a), (b) and (c)— 12  
*omit, insert*— 13  
(a) to fund the development or delivery of 14  
programs or initiatives for any of the 15  
following— 16  
(i) road safety education and awareness; 17  
(ii) enabling practices and behaviours that 18  
improve road safety; 19  
(iii) rehabilitation of persons who have 20  
been injured in a road crash; 21  
(b) to fund infrastructure and related 22  
technologies to improve the safety of 23  
State-controlled roads, with funding to be 24  
prioritised using a risk assessment 25  
methodology to maximise the reduction in 26  
the frequency and severity of road crashes. 27  
(2) Section 117(2)— 28  
*insert*— 29  
*road crash* means a collision or incident— 30

[s 16]

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	(a) on or adjacent to a road; and	1
	(b) involving a moving vehicle; and	2
	(c) in which a person is killed or injured or property is damaged.	3 4
<b>Clause 16</b>	<b>Amendment of s 123A (Proof of appointments unnecessary)</b>	5 6
	Section 123A—	7
	<i>insert—</i>	8
	(o) the Minister responsible for administering, or the Secretary under, the <i>Road Vehicle Standards Act 2018</i> (Cwlth), or a delegate of the Minister or Secretary under that Act;	9 10 11 12
	(p) the Minister responsible for administering the repealed <i>Motor Vehicle Standards Act 1989</i> (Cwlth) or the <i>Road Vehicle Standards (Consequential and Transitional Provisions) Act 2018</i> (Cwlth), or a delegate of the Minister under those Acts.	13 14 15 16 17 18
<b>Clause 17</b>	<b>Amendment of s 123B (Proof of signatures unnecessary)</b>	19
	Section 123B—	20
	<i>insert—</i>	21
	(o) the Minister responsible for administering, or the Secretary under, the <i>Road Vehicle Standards Act 2018</i> (Cwlth), or a delegate of the Minister or Secretary under that Act;	22 23 24 25
	(p) the Minister responsible for administering the repealed <i>Motor Vehicle Standards Act 1989</i> (Cwlth) or the <i>Road Vehicle Standards (Consequential and Transitional Provisions) Act 2018</i> (Cwlth), or a delegate of the Minister under those Acts.	26 27 28 29 30 31

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<b>Clause 18</b>	<b>Amendment of s 123N (Evidence of registration number)</b>	1
	Section 123N—	2
	<i>insert—</i>	3
	(3) In this section—	4
	<i>motor vehicle</i> includes a motorised mobility device.	5 6
<b>Clause 19</b>	<b>Insertion of new s 123SA</b>	7
	After section 123S—	8
	<i>insert—</i>	9
	<b>123SA Evidence of particular matters relating to vehicles</b>	10 11
	(1) In a proceeding for an offence against a transport Act—	12 13
	(a) evidence that a sticker, label, plate or marking was on or attached to a vehicle, or a component of a vehicle, purportedly in relation to an approval under a vehicle standards Act, is evidence of the matters stated on the sticker, label, plate or marking; and	14 15 16 17 18 19 20
	(b) a certificate purporting to be signed by the chief executive stating that a document attached to the certificate is an extract from a register, database or administration system kept by the Commonwealth under, or for the administration of, a vehicle standards Act is evidence of the matters stated in the document; and	21 22 23 24 25 26 27 28
	<i>Examples of registers, databases and administration systems for paragraph (b)—</i>	29 30
	<ul style="list-style-type: none"><li>the Register of Approved Vehicles under the <i>Road Vehicle Standards Act 2018</i> (Cwlth) (also known as the RAV)</li></ul>	31 32 33

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[s 19]

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- the online administration system known as the 'Road Vehicle Regulator' or ROVER 1  
2
  - the online administration system known as the 'Road Vehicle Certification System' or RVCS 3  
4  
5
- (c) a document purporting to have been published or produced by a manufacturer in relation to the manufacturer's specifications for a specified type of vehicle, or a component of a specified type of vehicle, is evidence of the specifications stated in the document for the type of vehicle or the component; and 6  
7  
8  
9  
10  
11  
12  
13
- (d) a document purporting to have been prepared by a manufacturer or importer of vehicles or components of vehicles, or a person acting on behalf of the manufacturer or importer, that purports to contain the results of testing of vehicles or components done for the purposes of an approval under a vehicle standards Act is evidence of the matters stated in the document; and 14  
15  
16  
17  
18  
19  
20  
21  
22
- (e) evidence that a VIN or chassis number was on or attached to a vehicle is evidence that the vehicle had the VIN or chassis number; and 23  
24  
25  
26
- (f) evidence that a modification plate under a vehicle standards and safety regulation, or an equivalent plate under a corresponding law to a vehicle standards and safety regulation, was on or attached to a specified vehicle is evidence of the matters stated on the plate. 27  
28  
29  
30  
31  
32  
33
- (2) If a defendant intends, at the hearing of a charge against the defendant under a transport Act, to challenge a matter mentioned in subsection (1), the defendant must give written notice of the challenge to the prosecution at least 14 days 34  
35  
36  
37  
38

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	before the day fixed for the hearing.	1
(3)	The notice must—	2
	(a) be in the approved form; and	3
	(b) be signed by the defendant; and	4
	(c) state the grounds on which the defendant intends to rely to challenge the matter.	5 6
(4)	In this section—	7
	<i>vehicle standards Act</i> means any of the following Acts—	8 9
	(a) the <i>Road Vehicle Standards Act 2018</i> (Cwlth);	10 11
	(b) the repealed <i>Motor Vehicle Standards Act 1989</i> (Cwlth);	12 13
	(c) the <i>Road Vehicle Standards (Consequential and Transitional Provisions) Act 2018</i> (Cwlth).	14 15 16
<b>Clause 20</b>	<b>Amendment of s 124 (Facilitation of proof)</b>	17
(1)	Section 124(1)(f), after ‘vehicle’—	18
	<i>insert—</i>	19
	or motorised mobility device	20
(2)	Section 124(1)(f)(ii), after ‘vehicles’—	21
	<i>insert—</i>	22
	or motorised mobility devices	23
<b>Clause 21</b>	<b>Amendment of s 124AA (Inspection certificates)</b>	24
	Section 124AA(3), definition <i>vehicle standards and safety regulation—</i>	25 26
	<i>relocate</i> to schedule 4.	27

[s 22]

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<b>Clause 22</b>	<b>Amendment of s 124A (Additional ground of challenge not stated in written notice required under particular provisions)</b>	1 2 3
	(1) Section 124A(1) and (3), ‘or 123R(2)’—	4
	<i>omit, insert—</i>	5
	, 123R(2) or 123SA(2)	6
	(2) Section 124A(2), ‘or 123R(3)’—	7
	<i>omit, insert—</i>	8
	, 123R(3) or 123SA(3)	9
<b>Clause 23</b>	<b>Amendment of s 142 (Health professional’s disclosure not breach of confidence)</b>	10 11
	Section 142(1)—	12
	<i>omit, insert—</i>	13
	(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—	14 15 16 17
	(a) to hold, or to continue to hold, a Queensland driver licence; or	18 19
	(b) to continue to be authorised to drive on a Queensland road under a non-Queensland driver licence.	20 21 22
<b>Clause 24</b>	<b>Insertion of new ch 7, pt 26</b>	23
	Chapter 7—	24
	<i>insert—</i>	25

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<b>Part 26</b>	<b>Transitional provision for Transport Legislation (Road Safety and Other Matters) Amendment Act 2022</b>	1 2 3 4 5 6
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<b>244 Evidentiary provisions</b>	7
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- |   |                            |
|---|----------------------------|
| (1) Sections 123A(o) and (p), 123B(o) and (p) and 123SA apply in relation to a proceeding for an offence under a transport Act only if the offence is committed after the commencement.                             | 8<br>9<br>10<br>11         |
| (2) Schedule 1, item 28, as in force immediately before the commencement, continues to apply in relation to a proceeding for an offence under a transport Act if the offence was committed before the commencement. | 12<br>13<br>14<br>15<br>16 |

<b>Clause 25</b>	<b>Amendment of sch 1 (Evidence by certificate)</b>	17
	Schedule 1, item 28—	18
	<i>omit.</i>	19

<b>Clause 26</b>	<b>Amendment of sch 4 (Dictionary)</b>	20
(1)	Schedule 4, definitions <i>compliance plate</i> and <i>GVM</i> —	21
	<i>omit.</i>	22
(2)	Schedule 4—	23
	<i>insert</i> —	24
	<b><i>GVM</i></b> (gross vehicle mass), of a vehicle, means the maximum loaded mass of the vehicle stated in the way prescribed by a vehicle standards and safety regulation.	25 26 27 28

[s 26]

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- mobility scooter*** means a vehicle that is a chair on wheels that—
- (a) is built to transport a person who is unable to walk or has difficulty in walking; and
  - (b) is fitted with an electric motor; and
  - (c) is steered by handlebars or a steering wheel; and
  - (d) when propelled only by the motor, can not reach a speed on level ground of more than—
    - (i) if a speed is prescribed by regulation—the prescribed speed; or
    - (ii) otherwise—15 km/h; and
  - (e) has an unladen mass of no more than—
    - (i) if a mass is prescribed by regulation—the prescribed mass; or
    - (ii) otherwise—170kg.
- motorised mobility device*** means—
- (a) a mobility scooter; or
  - (b) a motorised wheelchair.
- motorised wheelchair***—
- (a) means a vehicle that is a chair on wheels that—
    - (i) is built to transport a person who is unable to walk or has difficulty in walking; and
    - (ii) is fitted with an electric motor or an accessory containing an electric motor; and
    - (iii) when propelled only by the motor, can not reach a speed on level ground of more than—

- 
- (A) if a speed is prescribed by regulation—the prescribed speed; or
- (B) otherwise—15 km/h; but
- (b) does not include—
- (i) a pram, stroller or trolley; or
- (ii) a mobility scooter; or
- (iii) a vehicle that would be a mobility scooter other than because it does not comply with the requirement in definition *mobility scooter*, paragraph (e).
- operating***, a motorised mobility device, includes—
- (a) for a person in a motorised mobility device—controlling the device; and
- (b) for a person assisting a person in a motorised mobility device—
- (i) pushing the device; and
- (ii) controlling the device, including, for example, using a wired or wireless controller for the device.
- (3) Schedule 4, definition *bicycle*, paragraph (c), before subparagraph (i)—
- insert*—
- (iaa) a motorised mobility device;
- (4) Schedule 4, definition *bicycle*, paragraph (c), subparagraphs (iaa) to (iv)—
- renumber* as subparagraphs (i) to (v).
- (5) Schedule 4, definition *motor vehicle*, paragraph (b), after ‘include’—
- insert*—
-

[s 27]

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- a motorised mobility device, 1
- (6) Schedule 4, definition *pedestrian*, paragraphs (a) to (c)— 2  
*omit, insert—* 3
- (a) a person operating a motorised mobility 4  
device; and 5
- (b) a person in a wheelchair; and 6
- (c) a person pushing a wheelchair; and 7
- (7) Schedule 4, definition *scooter*, paragraph (e)(iii), ‘is not 8  
capable of going faster’— 9  
*omit, insert—* 10  
can not reach a speed of more 11
- (8) Schedule 4, definition *wheelchair*, paragraph (b), ‘or 12  
trolley’— 13  
*omit, insert—* 14  
, trolley or motorised mobility device 15

**Part 6** **Amendment of Transport** 16  
**Operations (Road Use** 17  
**Management—Road Rules)** 18  
**Regulation 2009** 19

**Clause 27** **Regulation amended** 20  
This part amends the *Transport Operations (Road Use* 21  
*Management—Road Rules) Regulation 2009*. 22

**Clause 28** **Amendment of s 15 (What is a *vehicle*)** 23

(1) Section 15(e)— 24  
*omit.* 25

(2) Section 15, ‘another kind of’— 26

---

	<i>omit, insert—</i>	1
	a motorised mobility device, a	2
<b>Clause 29</b>	<b>Amendment of s 15A (Personal mobility devices—Act, sch 4)</b>	3 4
	Section 15A(h), ‘wheelchair’—	5
	<i>omit, insert—</i>	6
	mobility device	7
<b>Clause 30</b>	<b>Amendment of s 16 (Who is a driver)</b>	8
	Section 16(2)—	9
	<i>omit.</i>	10
<b>Clause 31</b>	<b>Amendment of s 111 (Entering a roundabout from a multi-lane road or a road with 2 or more lines of traffic travelling in the same direction)</b>	11 12 13
	Section 111(1), ‘, motorbikes or motorised wheelchairs’—	14
	<i>omit, insert—</i>	15
	or motorbikes	16
<b>Clause 32</b>	<b>Amendment of s 119 (Giving way by the rider of a bicycle or animal to a vehicle leaving a roundabout)</b>	17 18
	Section 119, ‘, motorbikes or motorised wheelchairs’—	19
	<i>omit, insert—</i>	20
	or motorbikes	21
<b>Clause 33</b>	<b>Amendment of s 158 (Exceptions to driving in special purpose lanes etc.)</b>	22 23
	Section 158(1)(d), ‘, motorbikes or motorised wheelchairs’—	24
	<i>omit, insert—</i>	25

	or motorbikes	1
<b>Clause 34</b>	<b>Amendment of s 239 (Pedestrians on a bicycle path or separated footpath)</b>	2
	Section 239(2)(a)—	3
	<i>insert—</i>	4
	(iv) operating a motorised mobility device; and	5
<b>Clause 35</b>	<b>Insertion of new s 239A</b>	6
	After section 239—	7
	<i>insert—</i>	8
	<b>239A Operating a motorised mobility device on a path</b>	9
	(1) A person operating a motorised mobility device must not operate the device on a path unless—	10
	(a) the motorised mobility device is not travelling over 10km/h; and	11
	(b) because of the physical condition of a person in the motorised mobility device, the person in the device has a reasonable need to use a motorised mobility device.	12
	Maximum penalty—20 penalty units.	13
	(2) In this section—	14
	<i>motorised mobility device</i> includes—	15
	(a) a vehicle that would be a mobility scooter other than because it does not comply with the requirement in schedule 4 of the Act, definition <i>mobility scooter</i> , paragraph (d); and	16
	(b) a vehicle that would be a motorised wheelchair other than because it does not comply with the requirement in schedule 4	17
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	of the Act, definition <i>motorised wheelchair</i> ,	1
	paragraph (a)(iii).	2
	<i>path</i> means a bicycle path, footpath or shared	3
	path.	4
<b>Clause 36</b>	<b>Amendment of s 288 (Driving on a path)</b>	5
	(1) Section 288(1), ‘or (3)’—	6
	<i>omit.</i>	7
	(2) Section 288(3)—	8
	<i>omit.</i>	9
<b>Clause 37</b>	<b>Amendment of s 289 (Driving on a nature strip)</b>	10
	Section 289(1)(f)—	11
	<i>omit.</i>	12
<b>Clause 38</b>	<b>Amendment of s 294 (Keeping control of a vehicle being towed)</b>	13
	Section 294(3), ‘or wheelchair’—	14
	<i>omit, insert—</i>	15
	, wheelchair or motorised mobility device	16
<b>Part 7</b>	<b>Amendment of Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021</b>	18
		19
		20
		21
<b>Clause 39</b>	<b>Regulation amended</b>	22
	This part amends the <i>Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021</i> .	23
		24

*Note—*

See also the amendments in schedule 1.

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		2
<b>Clause 40</b>	<b>Amendment of s 20 (Requirements for registration application)</b>	3 4
	Section 20(2)(e)(i), ‘wheelchair’—	5
	<i>omit, insert—</i>	6
	mobility device	7
<b>Clause 41</b>	<b>Amendment of s 117 (Assigning registration numbers and giving number plates)</b>	8 9
	Section 117(1)(b)(i), ‘wheelchair’—	10
	<i>omit, insert—</i>	11
	mobility device	12
<b>Clause 42</b>	<b>Amendment of s 222 (Eligible person may apply for exemption from paying particular fees)</b>	13 14
	Section 222(2)(b)(iii), ‘wheelchair’—	15
	<i>omit, insert—</i>	16
	mobility device	17
<b>Clause 43</b>	<b>Amendment of s 223 (Registered operator for motorised wheelchair may apply for exemption from paying transfer application fee)</b>	18 19 20
	Section 223, heading, ‘wheelchair’—	21
	<i>omit, insert—</i>	22
	mobility device	23
<b>Clause 44</b>	<b>Amendment of sch 1 (Exempt vehicles)</b>	24
	(1) Schedule 1, item 6, ‘wheelchair, if the wheelchair’—	25

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	<i>omit, insert—</i>	1
	mobility device, if the device	2
(2)	Schedule 1, item 13, ‘or a trailer’—	3
	<i>omit, insert—</i>	4
	, trailer or motorised mobility device	5
<b>Clause 45</b>	<b>Amendment of sch 8 (Dictionary)</b>	6
	Schedule 8, definition <i>motorised wheelchair—</i>	7
	<i>omit.</i>	8
<b>Part 8</b>	<b>Amendment of Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2021</b>	9 10 11 12 13
<b>Clause 46</b>	<b>Regulation amended</b>	14
	This part amends the <i>Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2021</i> .	15 16 17
	<i>Note—</i>	18
	See also the amendments in schedule 1.	19
<b>Clause 47</b>	<b>Insertion of new pt 1, div 2, sdiv 1, hdg</b>	20
	After part 1, division 2, heading—	21
	<i>insert—</i>	22
	<b>Subdivision 1 General</b>	23

<b>Clause 48</b>	<b>Insertion of new pt 1, div 2, sdiv 2 and sdiv 3, hdg</b>	1
	After section 4—	2
	<i>insert—</i>	3
	<b>Subdivision 2 Meaning of GVM</b>	4
	<b>4A Application of subdivision</b>	5
	This subdivision prescribes the way the maximum loaded mass of a vehicle is stated for schedule 4 of the Act, definition <i>GVM</i> .	6 7 8
	<b>4B Way for stating maximum loaded mass</b>	9
	(1) A vehicle’s maximum loaded mass is the maximum loaded mass (however called) of the vehicle stated—	10 11 12
	(a) if the vehicle is recorded in the RAV—in the vehicle’s record in the RAV; or	13 14
	(b) if the vehicle is not recorded in the RAV—	15
	(i) on the vehicle’s compliance plate; or	16
	(ii) if the vehicle does not have a compliance plate or the maximum loaded mass is not stated on the compliance plate or is illegible—in writing by the vehicle’s manufacturer; or	17 18 19 20 21 22
	(c) if the maximum loaded mass is not stated in a way mentioned in paragraph (a) or (b) and the vehicle is registered in Queensland—in the vehicle’s registration certificate under the Act; or	23 24 25 26 27
	(d) if the maximum loaded mass is not stated in a way mentioned in paragraph (a) or (b) and the vehicle is registered in another State—in	28 29 30

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	writing by the entity responsible for registering the vehicle in that State; or	1 2
	(e) if the maximum loaded mass is not stated in a way mentioned in paragraph (a), (b), (c) or (d)—in writing by the chief executive, or the corresponding authority under a corresponding law to the Act, having regard to the design and construction of the vehicle and any other relevant matter.	3 4 5 6 7 8 9
(2)	However, if a modification certificate or modification plate for a modification of the vehicle states the vehicle’s maximum loaded mass (however called), the vehicle’s maximum loaded mass is the maximum loaded mass stated in the certificate or on the plate.	10 11 12 13 14 15
(3)	In this section—	16
	<i>modification certificate</i> means—	17
	(a) for a modification of a light vehicle—a relevant certificate; or	18 19
	(b) for a modification of a heavy vehicle—a HVNL certificate.	20 21
	<i>modification plate</i> means—	22
	(a) for a modification of a light vehicle—a relevant plate; or	23 24
	(b) for a modification of a heavy vehicle—a HVNL plate.	25 26
	<b>Subdivision 3 Other key concepts</b>	27
<b>Clause 49</b>	<b>Amendment of sch 4 (Dictionary)</b>	28
	(1) Schedule 4, definitions <i>GVM</i> , <i>relevant certificate</i> and <i>relevant plate</i> —	29 30
	<i>omit.</i>	31

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(2) Schedule 4—	1
<i>insert—</i>	2
<b><i>compliance plate</i></b> means a plate authorised to be placed on a vehicle, or taken to have been placed on a vehicle, under—	3 4 5
(a) the repealed <i>Motor Vehicle Standards Act 1989</i> (Cwlth); or	6 7
(b) the <i>Road Vehicle Standards (Consequential and Transitional Provisions) Act 2018</i> (Cwlth), schedule 3, part 3.	8 9 10
<b><i>HVNL certificate</i></b> , for a modification of a heavy vehicle, means a certificate approving the modification given under the Heavy Vehicle National Law (Queensland), section 86(2)(a) or 87(3)(a) or a corresponding law.	11 12 13 14 15
<b><i>HVNL plate</i></b> , for a modification of a heavy vehicle, means a plate or label relating to the modification fitted or affixed to the vehicle under the Heavy Vehicle National Law (Queensland), section 86(2)(b) or 87(3)(b) or a corresponding law.	16 17 18 19 20 21
<b><i>relevant certificate</i></b> , for a modification of a light vehicle, means—	22 23
(a) a certificate of modification for the modification; or	24 25
(b) a certificate approving the modification given under a corresponding law to section 26(2)(a).	26 27 28
<b><i>relevant plate</i></b> , for a modification of a light vehicle, means—	29 30
(a) a modification plate for the modification; or	31
(b) a plate relating to the modification attached to the vehicle under a corresponding law to section 26(2)(b).	32 33 34

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- (3) Schedule 4, definition *miscellaneous vehicle*, paragraph (b),  
from ‘wheelchair’ to ‘10km/h’— 1  
2  
*omit, insert—* 3  
mobility device 4

**Part 9** **Amendment of Transport** 5  
**Planning and Coordination Act** 6  
**1994** 7

- Clause 50** **Act amended** 8  
This part amends the *Transport Planning and Coordination*  
*Act 1994*. 9  
10

- Clause 51** **Amendment of s 28E (Definitions for pt 4C)** 11  
Section 28E, definition *shelf life—* 12  
*omit, insert—* 13  
*shelf life—* 14  
(a) of a person’s digital photo—means— 15  
(i) if the person’s digital photo is taken 16  
under this Act when the person is 15 17  
years or more—10 years after the 18  
creation date of the person’s digital 19  
photo; or 20  
(ii) if the person’s digital photo is taken 21  
under this Act when the person is under 22  
15 years—5 years after the creation 23  
date of the person’s digital photo; or 24  
(b) of a person’s digitised signature taken under 25  
this Act—means 10 years after the creation 26  
date of the person’s digitised signature. 27

[s 52]

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<b>Clause 52</b>	<b>Insertion of new pt 7, div 6</b>	1
	Part 7—	2
	<i>insert—</i>	3
	<b>Division 6</b>	<b>Transitional provision for</b>
		<b>Transport Legislation</b>
		<b>(Road Safety and Other</b>
		<b>Matters) Amendment Act</b>
		<b>2022</b>
		8
	<b>48 Application of new shelf life definition</b>	9
	(1) The new shelf life definition, paragraph (a)	10
	applies in relation to a person’s digital photo	11
	whether the person’s digital photo was or is taken	12
	before or after the commencement.	13
	(2) To remove any doubt, it is declared that the	14
	ending of the shelf life of a person’s digital photo	15
	because of the operation of subsection (1) does	16
	not affect the validity of the prescribed authority	17
	or prescribed authorisation document on which	18
	the person’s digital photo is reproduced.	19
	(3) A reference to this Act in the new shelf life	20
	definition includes a reference to another Act	21
	under which a person’s digital photo or digitised	22
	signature was taken before the commencement of	23
	the <i>Holidays and Other Legislation Amendment</i>	24
	<i>Act 2015</i> , section 43.	25
	(4) In this section—	26
	<i>new shelf life definition</i> means section 28E,	27
	definition <i>shelf life</i> as in force from the	28
	commencement.	29
<b>Clause 53</b>	<b>Amendment of sch 1 (Dictionary)</b>	30
	Schedule 1—	31

*insert—*

*creation date*, of a digital photo or digitised  
signature, for part 4C, see section 28E.

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## **Part 10**

## **Other amendments**

4

### **Clause 54      Legislation amended**

5

Schedule 1 amends the legislation it mentions.

6

<b>Schedule 1</b>	<b>Other amendments</b>	1
	section 54	2
	<b>Housing Legislation Amendment Act 2021</b>	3
	<i>Editor's note—</i>	4
	Legislation ultimately amended—	5
	• <i>Residential Tenancies and Rooming Accommodation Act 2008</i>	6
<b>1</b>	<b>Section 83A, heading, 'div 7'—</b>	7
	<i>omit, insert—</i>	8
	<b>div 8</b>	9
<b>2</b>	<b>Section 83A, inserted chapter 5, part 2, division 7—</b>	10
	<i>renumber</i> as chapter 5, part 2, division 8.	11
<b>3</b>	<b>Section 83A, inserted section 396A—</b>	12
	<i>renumber</i> as section 396AA.	13
	<b>Justices Act 1886</b>	14
<b>1</b>	<b>Section 56(2)(b), from 'a motor' to '1995'—</b>	15
	<i>omit, insert—</i>	16
	a vehicle required to be registered under the	17
	<i>Transport Operations (Road Use Management)</i>	18
	<i>Act 1995</i> —the address appearing in the current	19

	certificate of registration of the vehicle under that Act	1 2
	<b>Motor Accident Insurance Act 1994</b>	3
1	<b>Section 4, definitions <i>agricultural machine and mobile machinery</i>, ‘<i>Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010</i>’—</b>	4 5 6
	<i>omit, insert—</i>	7
	<i>Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021</i>	8 9 10
2	<b>Section 4, definition <i>motor vehicle</i>, ‘<i>Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010</i>’—</b>	11 12 13
	<i>omit, insert—</i>	14
	<i>Transport Operations (Road Use Management) Act 1995</i>	15 16
3	<b>Section 4, definition <i>registration</i>, from ‘<i>Transport</i>’ to ‘<i>107</i>’—</b>	17 18
	<i>omit, insert—</i>	19
	<i>Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021</i> permitting a motor vehicle to be used on a road without registration but does not include an authorisation under section 14	20 21 22 23 24

Schedule 1

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<b>4</b>	<b>Section 20A(1), ‘Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010, section 108’—</b>	1 2 3
	<i>omit, insert—</i>	4
	<i>Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021, section 17</i>	5 6 7
<b>5</b>	<b>Section 23(10), definition <i>inspection certificate</i>, from ‘the’—</b>	8 9
	<i>omit, insert—</i>	10
	a regulation made under the <i>Transport Operations (Road Use Management) Act 1995</i> , section 148.	11 12 13
	 <b>Motor Dealers and Chattel Auctioneers Act 2014</b>	 14
<b>1</b>	<b>Section 12(2)(d), ‘wheelchair’—</b>	15
	<i>omit, insert—</i>	16
	mobility device	17
<b>2</b>	<b>Section 12(3), definition <i>motorised wheelchair</i>—</b>	18
	<i>omit.</i>	19
<b>3</b>	<b>Section 12(3)—</b>	20
	<i>insert—</i>	21
	<i>motorised mobility device</i> see the <i>Transport Operations (Road Use Management) Act 1995</i> , schedule 4.	22 23 24

<b>National Injury Insurance Scheme (Queensland) Act 2016</b>	1 2
<b>1 Schedule 1, definition <i>motor vehicle</i>—</b>	3
<i>omit, insert—</i>	4
<i>motor vehicle</i> means a motor vehicle within the meaning of the <i>Transport Operations (Road Use Management) Act 1995</i> , schedule 4, and includes a motorised mobility device within the meaning of that schedule of that Act.	5 6 7 8 9
<b>Nature Conservation (Protected Areas Management) Regulation 2017</b>	10 11
<b>1 Schedule 8, definition <i>motor vehicle</i>, paragraph 2, ‘wheelchair’—</b>	12 13
<i>omit, insert—</i>	14
mobility device within the meaning of the <i>Transport Operations (Road Use Management) Act 1995</i> , schedule 4	15 16 17
<b>Photo Identification Card Act 2008</b>	18
<b>1 Schedule, definition <i>shelf life</i>—</b>	19
<i>omit.</i>	20

<b>Public Health Act 2005</b>	1
<b>1 Schedule 2, definition <i>motor vehicle</i>, ‘Transport Operations (Road Use Management—Vehicle Registration) Regulation 1999’—</b>	2 3 4
<i>omit, insert—</i>	5
<i>Transport Operations (Road Use Management) Act 1995</i>	6 7
<b>Recreation Areas Management Act 2006</b>	8
<b>1 Schedule, definition <i>motor vehicle</i>, paragraph 2, ‘motorised wheelchair’—</b>	9 10
<i>omit, insert—</i>	11
a motorised mobility device within the meaning of the <i>Transport Operations (Road Use Management) Act 1995</i> , schedule 4	12 13 14
<b>Traffic Regulation 1962</b>	15
<b>1 Section 60(3), definition <i>mobility impairment</i>, paragraph (a), after ‘wheelchair’—</b>	16 17
<i>insert—</i>	18
or motorised wheelchair	19

<b>Transport Operations (Passenger Transport) Regulation 2018</b>	1 2
<b>1 Schedule 9, definition <i>wheelchair</i>, from ‘wheelchair under’—</b>	3 4
<i>omit, insert—</i>	5
mobility device within the meaning of the <i>Transport Operations (Road Use Management) Act 1995</i> , schedule 4.	6 7 8
<b>Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015</b>	9 10 11
<b>1 Section 141—</b>	12
<i>omit.</i>	13
<b>Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021</b>	14 15
<b>1 Schedule 8—</b>	16
<i>insert—</i>	17
<i>compliance plate</i> means a plate authorised to be placed on a vehicle, or taken to have been placed on a vehicle, under—	18 19 20
(a) the repealed <i>Motor Vehicle Standards Act 1989</i> (Cwlth); or	21 22

Schedule 1

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	(b) the <i>Road Vehicle Standards (Consequential and Transitional Provisions) Act 2018</i> (Cwlth), schedule 3, part 3.	1 2 3
<b>2</b>	<b>Schedule 8, definition <i>GVM</i>—</b> <i>omit.</i>	4 5
	<b>Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2021</b>	6 7 8
<b>1</b>	<b>Section 82(3), ‘(Q)’—</b> <i>omit.</i>	9 10
<b>2</b>	<b>Section 82(4)—</b> <i>omit.</i>	11 12
	<b>Waste Reduction and Recycling Act 2011</b>	13
<b>1</b>	<b>Schedule, definition <i>GCM</i>, ‘<i>Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010</i>’—</b> <i>omit, insert—</i> <i>Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021</i>	14 15 16 17 18 19 20