



Queensland

Transport and Other Legislation (Managing E-mobility Use and Protecting Our Communities) Amendment Act 2026

Act No. 13 of 2026

An Act to amend the Police Powers and Responsibilities Act 2000, the State Penalties Enforcement Act 1999, the State Penalties Enforcement Regulation 2014, the Summary Offences Act 2005, the Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015, the Transport Operations (Road Use Management) Act 1995, the Transport Operations (Road Use Management—Road Rules) Regulation 2009 and the legislation mentioned in schedule 1 for particular purposes

[Assented to 16 June 2026]



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The Parliament of Queensland enacts—

Part 1 Preliminary

1 Short title

This Act may be cited as the *Transport and Other Legislation (Managing E-mobility Use and Protecting Our Communities) Amendment Act 2026*.

2 Commencement

- (1) This Act, other than the provisions mentioned in subsections (2) and (3), commences on 1 July 2026.
- (2) The following provisions commence on 31 August 2026—
 - (a) section 15(4);
 - (b) section 18(3A) and (4);
 - (c) section 34, to the extent it inserts section 78B;
 - (d) section 34A;
 - (e) section 45, to the extent it inserts section 247;
 - (f) section 56.
- (3) The following provisions commence on 1 March 2027—
 - (a) section 18(3B);
 - (b) section 34, to the extent it inserts section 78C.

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- (ii) reasonably suspects a person has just been sold a controlled vehicle; and
 - (b) the officer reasonably suspects the person is under 16 years.
 - (2) The police officer may—
 - (a) ask the person to show acceptable evidence of age of the person; and
 - (b) require the person to produce the thing sold to the person.
 - (3) The police officer may seize the thing if—
 - (a) the person—
 - (i) refuses, or is unable, to show acceptable evidence of age of the person; or
 - (ii) shows acceptable evidence of age showing the person is under 16 years; and
 - (b) the officer reasonably suspects the thing is evidence of an offence against the *Summary Offences Act 2005*, section 19Q(1) or 19S(2).
 - (4) In this section—
 - acceptable evidence of age* see the *Summary Offences Act 2005*, schedule 2.
 - controlled vehicle* see the *Summary Offences Act 2005*, section 19O.

7 Amendment of s 52 (Prevention of offences—general)

- (1) Section 52, examples, ‘Examples of continuation’—
 - omit, insert—*

Examples of preventing the continuation

- (2) Section 52, examples of preventing the continuation of an offence as amended by this Act—

insert—

- 3 A police officer who stops a child unlawfully riding an electrically power-assisted cycle or personal mobility device may take possession of the cycle or device to prevent the child continuing to ride it when the officer leaves the area, on the basis that the cycle or device will later be released to the child's parent or another responsible adult for the child.

8 Insertion of new ch 4A

After chapter 4—

insert—

Chapter 4A Seizure and destruction powers for prohibited bikes

Part 1 Preliminary

123A Definitions for chapter

In this chapter—

extended release application period means the release application period extended under section 123G(4).

extended review period, for a release application, means the review period extended under section 123L(2).

forfeiture notice see section 123P(3).

information notice, for an original decision, see section 123H(4).

internal review, of an original decision, see section 123K(1).

internal review decision means a decision made, or taken to have been made, under section 123M on an application for internal review of an original decision.

original decision means a decision on a release application made under section 123H.

owner includes a joint owner and a part owner.

prohibited bike see the Road Use Management Act, section 6.

release application means an application for the release of a seized vehicle made under section 123G.

release application period, for a vehicle seized under section 123C, means—

- (a) the standard release application period; or
- (b) the extended release application period.

release notice see section 123H(3) or (3A).

review period, for a release application decided under section 123H, means—

- (a) the standard review period; or
- (b) the extended review period.

road-related area has the meaning given under a regulation made under the Road Use Management Act.

Note

See section 13 of the Queensland Road Rules.

seizure notice see section 123F(7).

shared e-mobility provider see the Road Use Management Act, section 48AA(7).

standard release application period, for a vehicle

seized under section 123C, means the period of 30 days after the day the vehicle was seized.

standard review period, for a release application decided under section 123H, means the period of 28 days after the day notice of the original decision is given.

123AB Ways notice may be given

If a provision in this chapter requires the commissioner or a police officer to give notice to a person, the notice may be given in any of the following ways—

- (a) by delivering it to the person personally;
- (b) by leaving it at, or by sending it by post or similar facility to, the address of the place of residence or business of the person last known to the commissioner;
- (c) by sending it by electronic communication to the unique electronic address nominated by the person to a police officer.

123B Relationship to National Credit Code

Nothing in this chapter affects the rights of a credit provider to repossess a vehicle under the National Credit Code and sell it.

Part 2 Seizing prohibited bikes

123C Seizure of prohibited bike on road, on road-related area or in public place

- (1) This section applies if a police officer reasonably suspects that—

- (a) a vehicle is a prohibited bike; and
- (b) the vehicle is being, or has been, ridden on a road, on a road-related area or in a public place.

Example of reasonable suspicion that a vehicle reasonably suspected of being a prohibited bike has been ridden in a public place

A police officer finds a vehicle reasonably suspected of being a prohibited bike chained to a post in a public place and reasonably suspects it was unlawfully ridden to reach that location.

- (2) The police officer may seize the vehicle.

123D Particular powers for seizing prohibited bike—attended seizure

- (1) To seize a vehicle under this part if a person is riding or in possession of the vehicle, a police officer may—
 - (a) stop the vehicle if it is moving, whether or not the vehicle is on a road; or
 - (b) if the vehicle is stationary—require the person to remain at the place where it is stopped for the time reasonably necessary; or
 - (c) direct the person to give the police officer any key or code needed to move the vehicle; or
 - (d) remove any chain or lock securing the vehicle in place; or
 - (e) require the person to state the person’s name and address and the name and address of the owner of the vehicle; or
 - (f) do anything else reasonably necessary for seizing the vehicle.
- (2) After seizing a vehicle, a police officer may move

the vehicle, or arrange for the vehicle to be moved by a government agency or third party, to a holding yard or storage facility in the way the police officer considers appropriate.

- (3) This section does not limit section 60.

123E Particular powers for seizing prohibited bike—unattended seizure

- (1) To seize a vehicle under this part if the vehicle is unattended, a police officer may—
- (a) remove any chain or lock securing the vehicle in place; or
 - (b) do anything else reasonably necessary for seizing the vehicle.
- (2) After seizing a vehicle, a police officer may move the vehicle, or arrange for the vehicle to be moved by a government agency or third party, to a holding yard or storage facility in the way the police officer considers appropriate.

123EA Particular powers and steps for dealing with personal property—unattended seizure

- (1) If a police officer seizes an unattended vehicle under this part the officer may remove and take possession of any item of personal property found on or with the vehicle.
- (2) The commissioner must take reasonable steps to—
- (a) identify the owner of the item; and
 - (b) facilitate the return of the item to the owner.
- (3) If the identity of the owner of the item is known, the commissioner must give the owner a notice stating that the item is in police possession and may be collected from a stated location.

- (4) If the identity of the owner of the item is unknown after reasonable steps have been taken to identify the owner, the item must be dealt with under chapter 21, part 3.

123F Steps after seizing prohibited bike

- (1) If a police officer seizes a vehicle under this part where a person was riding or in possession of the vehicle, the officer must ensure the person is given a seizure notice.
- (2) If a police officer seizes a vehicle under this part where the vehicle is unattended, the officer must publish a seizure notice on the police service website.
- (3) If a police officer seizes a vehicle under this part that the officer reasonably suspects belongs to a shared e-mobility provider, the officer must give a seizure notice to the shared e-mobility provider for the vehicle.
- (4) Subsection (3) applies regardless of whether at the time of seizure a person was in possession of the vehicle or the vehicle was unattended.
- (5) The giving or publication of a seizure notice under this section must be done as soon as practicable and no later than 7 days after the day the vehicle was seized.
- (6) A police officer need not publish a seizure notice required under subsection (2) if the officer reasonably believes the vehicle is abandoned.
- (7) In this section—
seizure notice, for a vehicle seized under this part, means a notice in the approved form stating—
 - (a) the day, time and location the vehicle was seized; and

- (b) any available identifying particulars of the vehicle; and
- (c) the identity of the rider of, or person in possession of, the vehicle (if known); and
- (e) the requirements for making a release application for the vehicle; and
- (f) that if no valid release application is made within the release application period, the vehicle will be forfeited to the State and may be destroyed or otherwise disposed of.

Part 3 Application for release of vehicle

123FA Grounds for release of seized vehicle

In relation to a vehicle seized under part 2 that is the subject of a release application under this part, each of the following is a *ground for release* of the vehicle—

- (a) the vehicle is registered and may lawfully be used in a public place;
- (b) the vehicle is otherwise not a prohibited bike;
- (c) the applicant was not responsible for, and did not authorise, the suspected riding of the vehicle on a road, on a road-related area or in a public place;
- (d) the vehicle was not ridden on a road, on a road-related area or in a public place.

123G Release application

- (1) This section applies to a seized vehicle described in a seizure notice given or published under

section 123F.

- (2) A person who claims to be an owner of the vehicle may apply to the commissioner for the release of the vehicle.
- (3) The release application must—
 - (a) be in the approved form; and
 - (b) be made within the standard release application period; and
 - (c) contain evidence to establish—
 - (i) the person is an owner of the vehicle; and
 - (ii) at least 1 ground for release is made out.

Examples of evidence to establish that a ground for release is made out—

- CCTV footage showing that a vehicle was brought to a public place in a lawful way and was not ridden in a public place
 - documentation showing a vehicle is not a prohibited bike
- (4) Despite subsection (3)(b), the commissioner may, before the end of the standard release application period, extend the period for making an application by a further period of up to 30 days if satisfied the extension is reasonable in the interests of justice.
 - (5) For subsection (3)(c)(ii), a statement or statutory declaration by the applicant about a particular matter is not of itself sufficient evidence to establish the matter.

123H Deciding application

- (1) The commissioner must, within 28 days after receiving a release application, decide to—

- (a) grant the application and release the vehicle;
or
 - (b) grant the application and retain the vehicle until the commissioner is satisfied it is no longer required for investigative or evidentiary purposes; or
 - (c) refuse the application.
- (2) The commissioner must decide to grant the application if satisfied—
- (a) the applicant is an owner of the vehicle; and
 - (b) at least 1 ground for release is made out.
- (3) If the commissioner decides to grant the application, the commissioner must give the applicant written notice of the decision (a ***release notice***) stating that the release application is granted and either—
- (a) the vehicle will be released when the commissioner is satisfied it is no longer required for investigative or evidentiary purposes; or
 - (b) the applicant may collect the vehicle from a stated place during stated hours and, if the applicant does not collect the vehicle within 30 days after the date of the release notice, the vehicle may be forfeited to the State and may be disposed of.
- (3A) If the commissioner gives a release notice under subsection (3)(a), the commissioner must, when the commissioner is satisfied the vehicle is no longer required for investigative or evidentiary purposes, give the applicant a further notice (also a ***release notice***) stating the matters mentioned in subsection (3)(b).
- (4) If the commissioner refuses the application, the commissioner must give the applicant written

notice of the decision (an *information notice*),
stating—

- (a) that the release application is refused; and
- (b) the reasons for the decision, including whether the refusal is because of failure to satisfy the commissioner of the applicant's claim to ownership of the vehicle or failure to establish a ground for release of the vehicle; and

Note—

See also the *Acts Interpretation Act 1954*, section 27B for matters that must be included with the reasons.

- (c) that the applicant may apply for internal review of the decision within the review period; and
- (d) the requirements for making an application for internal review; and
- (e) that if no application for internal review is made within the review period, the vehicle will be forfeited to the State and may be destroyed or otherwise disposed of.

Part 4 Review of decisions

Division 1 Preliminary

123I Definitions for part

In this part—

affected person, in relation to an original decision, means a person whose release application is refused.

QCAT information notice, for an internal review

decision, means a notice complying with the QCAT Act, section 157(2).

Division 2 Internal review

123J Review process must start with internal review

An affected person for an original decision may apply to QCAT for a review of the decision only if a decision on an application for internal review of the decision has been made, or taken to have been made, under this division.

123K Who may apply for internal review

- (1) An affected person for an original decision may apply to the commissioner for a review of the decision under this division (an *internal review*).
- (2) If the affected person has not been given an information notice for the original decision, the affected person may ask the commissioner for an information notice for the decision.
- (3) A failure by the commissioner to give the affected person an information notice for the original decision does not limit or otherwise affect the person's right to apply for an internal review of the decision.

123L Requirements for application

- (1) An application for internal review of an original decision must—
 - (a) be in the approved form; and
 - (b) for a person who has been given an information notice for the decision—include

-
- enough information to enable the reviewer to decide the application; and
- (c) be made to the commissioner within—
- (i) for a person who has been given an information notice for the decision—28 days after the day the person is given the notice; or
 - (ii) for a person who has not been given an information notice for the decision—28 days after the day the person becomes aware of the decision.
- (2) The commissioner may extend the period within which the application for internal review may be made by a further period of no more than 28 days.

123M Internal review

- (1) The commissioner must, within 20 days after receiving an application for internal review—
- (a) review the original decision and either—
 - (i) confirm the original decision; or
 - (ii) substitute another decision for the original decision; and
 - (b) give the affected person for the original decision a QCAT information notice for the commissioner's decision under paragraph (a).
- (2) The commissioner and the affected person may, before the period stated in subsection (1) ends, agree to a longer period for the commissioner to comply with the subsection.
- (3) The application may be dealt with only by a person who—
- (a) did not make the original decision; and

- (b) holds a rank equivalent to or higher than the person who made the original decision.
- (4) Subsection (3) does not apply to an original decision made by the commissioner personally.
- (5) If the commissioner does not give the affected person a QCAT information notice within the period required under subsection (1) or a longer period agreed under subsection (2), the commissioner is taken to confirm the original decision.
- (6) If the commissioner decides to substitute for the original decision a decision to release the vehicle, the commissioner must give the affected person for the original decision a release notice.

Division 3 External review

123N Applying for external review

- (1) This section applies to a person who must be given a QCAT information notice for an internal review decision.
- (2) The person may apply to QCAT, as provided under the QCAT Act, for a review of the internal review decision.

123O Notice of external review application

A person who applies to QCAT for a review of an internal review decision must, within 7 days after filing the application in the QCAT registry, give the commissioner notice of the application in the approved form.

Part 5 Forfeiture and disposal of prohibited bikes

123P Forfeiture of prohibited bikes

- (1) This section applies if—
 - (a) a police officer has seized a vehicle under section 123C; and
 - (b) one of the following (each a *forfeiture event*) applies—
 - (i) the release application period ends and no release application has been made for the vehicle within the period;
 - (ii) each release application for the vehicle has been refused and no application for internal review has been made within the review period;
 - (iii) each internal review decision has confirmed each original decision and no application for external review has been made under the QCAT Act within the period provided under that Act;
 - (iv) each application to QCAT for external review of an internal review decision has resulted in a decision to confirm the internal review decision, or has been withdrawn or struck out;
 - (v) a person issued with a release notice fails to collect the vehicle the subject of the release notice within 30 days after the date of the notice.
- (2) The vehicle is forfeited to the State on the forfeiture event.
- (3) The commissioner must issue a notice (a *forfeiture notice*) for a vehicle forfeited under this

section stating—

- (a) the name and address of the owner of the vehicle (if known); and
 - (b) any available identifying particulars of the vehicle; and
 - (c) the day, time and location the vehicle was seized; and
 - (d) that the release application period and review period are complete; and
 - (e) that the vehicle is forfeited to the State; and
 - (f) that the commissioner is empowered to destroy or otherwise dispose of the vehicle.
- (4) If the forfeited vehicle was seized in the circumstance mentioned in section 123F(1)—
- (a) if a release application was made—the commissioner must ensure the forfeiture notice is given to the person who made the release application; or
 - (b) if a release application was not made or a release application was made but the commissioner is not satisfied the applicant is an owner of the vehicle—the commissioner must ensure the forfeiture notice is given to the person who was riding or in possession of the vehicle.
- (5) If the forfeited vehicle was seized in the circumstance mentioned in section 123F(2)—
- (a) if a release application was made—the commissioner must ensure the forfeiture notice is given to the person who made the release application; or
 - (b) if a release application was not made or a release application was made but the commissioner is not satisfied the applicant

is an owner of the vehicle—the commissioner must publish the forfeiture notice on the police service website.

- (6) If the forfeited vehicle was seized in the circumstance mentioned in section 123F(3), the commissioner must ensure the forfeiture notice is given to the shared e-mobility provider.

123Q Disposal of forfeited vehicles

- (1) The commissioner may dispose of a vehicle forfeited to the State under this part in the way the commissioner considers appropriate, including by—
 - (a) destroying the vehicle; or
 - (b) if satisfied the vehicle is not a prohibited bike or is eligible to be registered—selling the vehicle.
- (2) The commissioner may arrange for the disposal of a vehicle to be carried out by a government agency or third party.

123R Application of proceeds of sale

- (1) This section applies if the commissioner decides to sell a vehicle under section 123Q.
- (2) The proceeds of the sale are to be applied in the following order—
 - (a) in payment of the expenses of the sale;
 - (b) in payment of other reasonable costs incurred by the State in dealing with the vehicle after it is no longer required for investigative or evidentiary purposes, including, for example, the costs of storing the vehicle and giving the seizure notice and forfeiture notice;

- (c) if there is an amount owing to a person under a security interest registered for the vehicle under the *Personal Property Securities Act 2009* (Cwlth)—in payment of the amount owing to the holder of the security interest;
- (d) in payment of any balance to the consolidated fund.

123S Liability for costs

- (1) This section applies if—
 - (a) a vehicle has been disposed of under section 123Q; and
 - (b) the costs mentioned in section 123R(2)(a) and (b) have not been met by the proceeds of the sale of the vehicle or otherwise by an entity other than the State; and
 - (c) the identity of the person who was, at the time the vehicle was seized, an owner or rider of the vehicle is known to the commissioner.
- (2) The commissioner may give the person a notice (*costs notice*) in the approved form stating—
 - (a) the reasonable costs incurred by the State in dealing with the vehicle after it was no longer required for investigative or evidentiary purposes and in disposing of the vehicle; and
 - (b) any portion of those costs that has already been recovered by the State and the costs outstanding; and
 - (c) that the person is liable to pay the outstanding costs to the State, and the ways the person can pay; and

-
- (d) that if the person does not pay the outstanding costs within 30 days after the date of the notice, the costs may be recovered as a debt due to the State.
 - (3) A person who receives a costs notice under this section is liable to pay the costs stated in the notice.
 - (4) The costs stated in a costs notice are payable to, and recoverable as a debt by, the State.

Part 6 General

123T Limitation of review

- (1) Unless the Supreme Court decides a decision made under this chapter is affected by jurisdictional error, the decision—
 - (a) is final and conclusive; and
 - (b) can not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise (whether by the Supreme Court, another court, a tribunal or another entity); and
 - (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground.
- (2) The *Judicial Review Act 1991*, part 5 applies to a decision only to the extent it is affected by jurisdictional error.
- (3) In this section—
decision includes a decision or conduct leading up to or forming part of the process of making a decision.

123U Evidentiary provision

- (1) In a proceeding, a certificate signed by the commissioner and stating any of the following is evidence of what it states—
 - (a) that stated steps were taken during the seizure of a vehicle under section 123C;
 - (b) that a seizure notice was given or published under section 123F in a stated way on a stated day;
 - (c) that a release application made under section 123G was considered in a stated way and notice of the decision was given in a stated way on a stated day;
 - (d) that an application for internal review made under section 123K was considered in a stated way and notice of the decision was given in a stated way on a stated day;
 - (e) that a vehicle was forfeited to the State under section 123P at the time of a stated forfeiture event;
 - (f) that a vehicle forfeited to the State was disposed of under section 123Q in a stated way on a stated day.

Note—

See also the Road Use Management Act, section 123KA for evidentiary certificates relating to approved testing devices.

- (2) If, in a criminal proceeding, the prosecuting authority intends to rely on the certificate, it must, at least 20 business days before the hearing day, give a copy of the certificate to the defendant or the defendant's lawyer.
- (3) If the defendant intends to challenge a matter stated in the certificate, the defendant must, at least 15 business days before the hearing day, give

the prosecuting authority notice, in the approved form, of the matter to be challenged.

- (4) If the defendant acts under subsection (3), the certificate stops being evidence of the matter to be challenged.
- (4A) Subsection (4B) applies if—
- (a) a person makes a release application for a seized vehicle on the ground mentioned in section 123FA(c); and
 - (b) the vehicle is released under section 123H; and
 - (c) a proceeding for an offence involving the vehicle is started against the applicant or another person, or the applicant or another person is served with an infringement notice for an infringement notice offence involving the vehicle.
- (4B) The release of the vehicle under section 123H is not evidence in the proceeding mentioned in subsection (4A)(c) that the vehicle was, or was not, a prohibited bike at the time of the alleged offence.
- (5) In this section—

hearing day means the day the hearing of the criminal proceeding starts.

prosecuting authority means the entity responsible for prosecuting the criminal proceeding.

123V Protection from liability

- (1) A police officer acting in good faith and without negligence is not liable for any damage, loss or depreciation to a vehicle that occurs during the seizure, removal or storage of the vehicle under

this chapter.

- (2) An officer of a government agency acting in good faith and without negligence is not liable for any damage, loss or depreciation to a vehicle that occurs during the removal or storage of the vehicle under this chapter.
- (3) To remove any doubt, it is declared that subsections (1) and (2) apply whether the officer was personally responsible for the removal or storage of the vehicle or arranged for the removal or storage to be carried out by another officer or by a third party.
- (4) If subsection (1) or (2) prevents liability attaching to a police officer or an officer of a government agency, liability instead attaches to the State.

123W Protection for persons exercising power under chapter

- (1) This section applies to proceedings in relation to liability for breach of duty arising out of damage to a vehicle that happens when a person exercises power, or assists another person exercising power, under this chapter in relation to the seizure, removal or storage of a vehicle.
- (2) The person, or a person assisting the person, is not civilly liable—
 - (a) because of the paramount or high degree of importance the person gave to moving the vehicle off the road, road-related area or public place quickly; or
 - (b) to the extent there was an increased likelihood that a vehicle would be damaged in the exercise of power mentioned in subsection (1) because of the nature of the power.

123X Delegation—commissioner

- (1) The commissioner may delegate any of the commissioner’s powers under this chapter to a senior police officer.
- (2) In this section—
senior police officer means—
 - (a) an officer in charge of a police station or police establishment; or
 - (b) a police officer of at least the rank of sergeant.

9 Amendment of s 686 (Application of pt 3)

Section 686(2)(a), after ‘or seized under section’—

insert—

123C or

10 Amendment of s 747 (Definitions for chapter)

- (1) Section 747—

insert—

drive, in relation to an electrically power-assisted cycle or personal mobility device, includes ride.

- (2) Section 747, definition *stop*, ‘motor’—

omit.

10A Amendment of s 748 (Giving a direction for ch 22)

- (1) Section 748(1), ‘another motor’—

omit, insert—

another

- (2) Section 748(1)(a) and (c) and (2)(a) and (b), ‘the motor vehicle’—

omit, insert—

the vehicle

- (3) Section 748(1)(b) and (c), ‘other motor’—

omit, insert—

other

- (4) Section 748(2), ‘a motor’—

omit, insert—

a

- (5) Section 748—

insert—

- (3) In this section—

vehicle means a motor vehicle, electrically power-assisted cycle or personal mobility device.

10B Amendment of s 749 (What is a *warning light* for ch 22)

Section 749, after ‘another motor vehicle’—

omit, insert—

or an electrically power-assisted cycle or personal mobility device

11 Amendment of s 754 (Evasion offence)

- (1) Section 754(1), from ‘another’ to ‘driver’—

omit, insert—

another motor vehicle, an electrically power-assisted cycle or personal mobility device
a direction to stop the motor vehicle, electrically power-assisted cycle or personal mobility device
the driver

- (2) Section 754(2), from ‘of’ to ‘motor vehicle’, last mention—

omit, insert—

must stop the motor vehicle, electrically power-assisted cycle or personal mobility device as soon as reasonably practicable if a reasonable person would stop the motor vehicle, electrically power-assisted cycle or personal mobility device

(3) Section 754—

insert—

(5A) Subsection (5) does not apply to an offence that involves an electrically power-assisted cycle or personal mobility device.

12 **Amendment of s 755 (When type 1 vehicle related offence notice may be given to owner of motor vehicle involved in offence)**

Section 755(1), from ‘type’ to ‘motor vehicle’—

omit, insert—

type 1 vehicle related offence, other than an offence that involves an electrically power-assisted cycle or personal mobility device, it appears to a police officer investigating the offence that giving the owner of a motor vehicle

13 **Amendment of sch 6 (Dictionary)**

Schedule 6—

insert—

affected person, for an original decision, for chapter 4A, part 4, see section 123I.

electrically power-assisted cycle see the Road Use Management Act, schedule 4.

extended release application period, for chapter 4A, see section 123A.

extended review period, for chapter 4A, see section 123A.

forfeiture notice, for chapter 4A, see section 123P(3).

information notice, for an original decision, for chapter 4A, see section 123H(4).

internal review, of an original decision, for chapter 4A, see section 123K(1).

internal review decision, for chapter 4A, see section 123A.

original decision, for chapter 4A, see section 123A.

owner, for chapter 4A, see section 123A.

personal mobility device see the Road Use Management Act, schedule 4.

prohibited bike, for chapter 4A, see section 123A.

QCAT information notice, for chapter 4A, part 4, see section 123I.

release application, for chapter 4A, see section 123A.

release application period, for chapter 4A, see section 123A.

release notice, for chapter 4A, see section 123H(3).

review period, for chapter 4A, see section 123A.

road-related area, for chapter 4A, see section 123A.

seizure notice, for chapter 4A, see section 123F(7).

shared e-mobility provider, for chapter 4A, see section 123A.

standard release application period, for chapter

4A, see section 123A.

standard review period, for chapter 4A, see section 123A.

Part 3 **Amendment of State Penalties Enforcement Act 1999**

14 **Act amended**

This part amends the *State Penalties Enforcement Act 1999*.

15 **Amendment of s 5 (Act has limited application to children)**

(1) Section 5(2), from ‘17 years’ to ‘points offence’—

omit, insert—

16 years is served with an infringement notice for a prescribed transport offence

(2) Section 5(5)—

insert—

prescribed transport offence means—

- (a) a transport demerit points offence; or
- (b) an offence against any of the following provisions of the *Transport Operations (Road Use Management) Act 1995*—
 - (i) section 78(1);
 - (iii) section 79(2AAA) or (2AAB);
 - (iv) section 80(22DA);
 - (v) section 84, to the extent the offence involves a bicycle or personal mobility device;
 - (vi) section 84AA;

- (vii) section 84B;
- (viii) section 93; or
- (c) an offence against either of the following provisions of the *Transport Operations (Road Use Management—Road Rules) Regulation 2009*—
 - (i) section 151;
 - (ii) part 15, other than sections 246(2) and 256(2).
- (3) Section 5(5), definition *transport demerit points offence*, ‘the offender’s’—
omit, insert—
an offender’s
- (4) Section 5(5), definition *prescribed transport offence*, paragraph (b), as inserted by this Act—
insert—
 - (ii) section 78B;

16 Insertion of new pt 10, div 11

Part 10—

insert—

Division 11

Transitional provision for Transport and Other Legislation (Managing E-mobility Use and Protecting Our Communities) Amendment Act 2026

insert—

s 34A(3)	6	
s 48AA(4)	2	
s 79(2AAA)	5	
s 79(2AAB)	3	
s 80(22DA)	2	
s 84(2)	for a contravention that involves riding a bicycle or personal mobility device, if the contravention does not cause the death of, or grievous bodily harm to, a person	3
s 84AA	if the contravention does not cause the death of, or grievous bodily harm to, a person	3
s 84B(1)		3 ³ / ₅
s 84C(1)		3
s 84C(2)		3
s 122T(1)		3
s 122T(2)		3
(3A)	Schedule 1, entry for <i>Transport Operations (Road Use Management) Act 1995—</i>	
	<i>insert—</i>	
s 78B(1)		3
(3B)	Schedule 1, entry for <i>Transport Operations (Road Use Management) Act 1995—</i>	
	<i>insert—</i>	

s 78C(1)		14
	(4) Schedule 1, entry for <i>Transport Operations (Road Use Management—Road Rules) Regulation 2009</i> , entry for section 245A— <i>omit.</i>	
	(5) Schedule 1, entry for <i>Transport Operations (Road Use Management—Road Rules) Regulation 2009</i> , entries for sections 246(1), 246(2), 246(3) and 246A— <i>omit.</i>	
	(6) Schedule 1, entry for <i>Transport Operations (Road Use Management—Road Rules) Regulation 2009</i> — <i>insert—</i>	
s 246(1)		3
s 246(2)		3
s 246(3)		3
s 246A		3
	(7) Schedule 1, entry for <i>Transport Operations (Road Use Management—Road Rules) Regulation 2009</i> , entry for section 20— <i>omit, insert—</i>	
s 20	For a contravention that involves driving over the speed limit by—	
	(a) less than 11km/h	Individual 2 Corporation 10
	(b) at least 11km/h but not more than 20km/h	Individual 3 Corporation 15

(c) more than 20km/h but not more than 30km/h	Individual	4 $\frac{1}{2}$
	Corporation	22 $\frac{1}{2}$
(d) more than 30km/h but not more than 40km/h	Individual	7 $\frac{1}{2}$
	Corporation	37 $\frac{1}{2}$
(e) more than 40km/h	Individual	11 $\frac{1}{2}$
	Corporation	57 $\frac{1}{2}$
(8) Schedule 1, entry for <i>Transport Operations (Road Use Management—Road Rules) Regulation 2009</i> , entry for section 244B(1), column 2, ‘ $\frac{2}{5}$ ’— <i>omit, insert—</i> 1		
(8A) Schedule 1, entry for <i>Transport Operations (Road Use Management—Road Rules) Regulation 2009—</i> <i>insert—</i>		
s 250A(2)		3
(9) Schedule 1, entry for <i>Transport Operations (Road Use Management—Road Rules) Regulation 2009</i> , entry for s 252B(1), column 2, ‘ $\frac{1}{5}$ ’— <i>omit, insert—</i> 3		
(9A) Schedule 1, entry for <i>Transport Operations (Road Use Management—Road Rules) Regulation 2009—</i> <i>insert—</i>		
s 253A		1

-
- (10) Schedule 1, entry for *Transport Operations (Road Use Management—Road Rules) Regulation 2009*, entry for section 256(1), column 2, ‘1’—
omit, insert—
3
- (11) Schedule 1, entry for *Transport Operations (Road Use Management—Road Rules) Regulation 2009*, entry for section 256(2), column 2, ‘1’—
omit, insert—
3
- (12) Schedule 1, entry for *Transport Operations (Road Use Management—Road Rules) Regulation 2009*, entry for section 256(3), column 2, ‘1’—
omit, insert—
3
- (13) Schedule 1, entry for *Transport Operations (Road Use Management—Road Rules) Regulation 2009*, entry for section 256A(1), column 2, ‘1’—
omit, insert—
3
- (14) Schedule 1, entry for *Transport Operations (Road Use Management—Road Rules) Regulation 2009*, entry for section 257(1), column 2, ‘1’—
omit, insert—
3

Part 5 **Amendment of Summary Offences Act 2005**

19 **Act amended**

This part amends the *Summary Offences Act 2005*.

20 Insertion of new s 19AA

After section 19A—

insert—

19AA Definitions for division

In this division—

burn out, for a vehicle, means wilfully drive the vehicle in a way that causes a sustained loss of traction of 1 or more of the wheels with the road surface.

Examples—

- driving a vehicle in a way that causes a sustained loss of traction of 1 or more of the drive wheels with a road surface so that the tyres or a substance poured onto the road surface smokes
- driving a vehicle in a way that causes a sustained loss of traction of 1 or more of the drive wheels with a wet or gravelled road surface, regardless of whether the tyres smoke because of a loss of traction

drive, in relation to an electrically power-assisted cycle or personal mobility device, includes ride.

motor vehicle see the *Transport Operations (Road Use Management) Act 1995*, schedule 4.

speed trial see the *Police Powers and Responsibilities Act 2000*, schedule 6.

vehicle means—

- (a) a motor vehicle; or
- (b) a personal mobility device; or
- (c) an electrically power-assisted cycle.

21 Amendment of s 19B (Meaning of *racing, burn out or other hooning offence*)

Section 19B, from ‘is a type 1’—

omit, insert—

is—

- (a) a type 1 vehicle related offence under the *Police Powers and Responsibilities Act 2000*, section 69A(1); or
- (b) any of the following offences involving a vehicle that is an electrically power-assisted cycle or personal mobility device committed in circumstances involving a speed trial, a race between vehicles, or a burn out—
 - (i) an offence against the Criminal Code, section 328A committed on a road or in a public place;
 - (ii) an offence against the *Transport Operations (Road Use Management) Act 1995*, section 84;
 - (iii) an offence against the *Transport Operations (Road Use Management) Act 1995*, section 84AA;
 - (iv) an offence against the *Transport Operations (Road Use Management) Act 1995*, section 85;
 - (v) an offence against the *Transport Operations (Road Use Management) Act 1995* involving wilfully starting the vehicle, or driving the vehicle, in a way that makes unnecessary noise or smoke.

Notes—

- 1 Under the *Acts Interpretation Act 1954*, section 7(1), a reference to a law includes a reference to statutory instruments made or in force under the law.
- 2 At the enactment of paragraph (b) of this definition, an offence for paragraph (b)(v), for example, is an offence against the *Transport*

[s 22]

Operations (Road Use Management—Road Rules) Regulation 2009, section 291(1)(b).

22 Amendment of s 19C (Unlawful conduct associated with commission of racing, burn out or other hooning offence)

Section 19C, ‘motor’—

omit.

23 Amendment of s 19D (Possession of things used in commission of racing, burn out or other hooning offence)

Section 19D, ‘motor’—

omit.

24 Amendment of s 19I (Sale by employees of controlled items to minors)

Section 19I(3), ‘subsection (1)’—

omit, insert—

subsection (2)

25 Insertion of new pt 2, div 4C

Part 2—

insert—

Division 4C Offences about selling particular vehicles to children under 16

190 Definitions for division

In this division—

commercial seller—

-
- (a) means a person who, in trade or commerce, sells controlled vehicles to the public; but
 - (b) does not include a person who sells controlled vehicles to the public only as an employee.

controlled vehicle means any of the following—

- (a) a motorbike, other than an exempt motorbike;
- (b) a personal mobility device;
- (c) an electrically power-assisted cycle.

employee means a person who sells or may sell controlled vehicles in the course of the person's employment.

exempt motorbike means a motorbike that is—

- (a) eligible for registration under the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021*, section 18(1) but is not registered; or
- (b) registered.

motorbike see the *Transport Operations (Road Use Management) Act 1995*, schedule 4.

registered see the *Transport Operations (Road Use Management) Act 1995*, schedule 4.

19P Meaning of *sell* for division

- (1) This section applies for the application, to this division, of the definition *sell* in the dictionary.
- (2) A person does not keep or expose for sale or offer to sell a controlled vehicle to a child under 16 years only because the person keeps or exposes for sale or offers to sell controlled vehicles to the public generally.

19Q Sale of controlled vehicle to child under 16

- (1) A person must not sell a controlled vehicle to a child under 16 years.

Maximum penalty—

- (a) for a first offence—140 penalty units; or
- (b) for a second offence—280 penalty units; or
- (c) for a third or later offence—420 penalty units.

- (2) An employee who sells a controlled vehicle to a child under 16 years in the course of their employment can not be prosecuted under this section.

Note—

See section 19S.

- (3) It is a defence to a charge of an offence against subsection (1) for the person to prove—
- (a) the person, or an employee of the person, required the child to produce acceptable evidence of age; and
 - (b) the child produced acceptable evidence of age, or purported acceptable evidence of age, showing the child was not a child under 16 years; and
 - (c) the person or employee had no reason to believe the evidence was false.

19R Commercial sellers must instruct employees about sale of controlled vehicle to child under 16

A commercial seller who is an employer must do the following in relation to each employee of the seller—

- (a) instruct the employee—

-
- (i) not to sell a controlled vehicle to a child under 16 years in any circumstances, even if the sale is for, or is claimed to be for, a person of or over 16 years; and
 - (ii) to sight acceptable evidence of age for a person before selling a controlled vehicle to the person, unless satisfied the person is of or over 16 years;
 - (b) warn the employee that, if the employee disregards the instructions mentioned in paragraph (a) and sells a controlled vehicle to a child under 16 years, the employee commits an offence against section 19S;
 - (c) obtain written acknowledgement by the employee that the employee received the instructions and warning mentioned in paragraphs (a) and (b).

Maximum penalty—40 penalty units.

19S Sale by employees of controlled vehicle to child under 16

- (1) This section applies to an employee if a commercial seller who is an employer has complied with section 19R in relation to the employee.
- (2) The employee must not, in the course of their employment, sell a controlled vehicle to a child under 16 years.

Maximum penalty—

- (a) for a first offence—20 penalty units; or
- (b) for a second or later offence—40 penalty units.
- (3) It is a defence to a charge of an offence against subsection (2) for the employee to prove—

- (a) the employee, their employer or another employee of their employer required the child to produce acceptable evidence of age; and
 - (b) the child produced acceptable evidence of age, or purported acceptable evidence of age, showing the child was not a child under 16 years; and
 - (c) the employee, employer or other employee had no reason to believe the evidence was false.
- (4) For this section, it does not matter if the commercial seller who complied with section 19R in relation to the employee is their employer at the time the employee sells the controlled vehicle to the child under 16 years.

19T Application of Anti-Discrimination Act 1991, s 46

For the *Anti-Discrimination Act 1991*, section 46, a person (the *seller*) is not to be taken to discriminate against another person only because the seller refuses to sell a controlled vehicle to the other person because of section 19Q(1) or 19S(2).

19U Commercial sellers must display prohibition signs

- (1) A commercial seller must display a prohibition sign at the seller's retail outlet, or in the seller's online shop, under this section.

Maximum penalty—20 penalty units.

- (2) If any controlled vehicles are displayed at the retail outlet or in the online shop, a prohibition sign must be displayed—

-
- (a) at each point of display of the controlled vehicle, so the sign is clearly visible to a person viewing the displayed vehicle; or
 - (b) at each point of sale, so the sign is clearly visible to a person purchasing a controlled vehicle.
- (3) If no controlled vehicles are displayed at the retail outlet or in the online shop, a prohibition sign must be displayed at each point of sale at the outlet or in the online shop, so the sign is clearly visible to a person purchasing a controlled vehicle.
- (4) Each prohibition sign must comply with the requirements prescribed by regulation.
- (5) In this section—

online shop means a website or other online application for a business that enables customers to purchase products or services from the business.

point of display, of a controlled vehicle, means—

- (a) for a vehicle displayed at a retail outlet—the place where the vehicle is displayed at the outlet; or
- (b) for a vehicle displayed in an online shop—the place where the vehicle is displayed on the online shop’s website or other online application.

point of sale means—

- (a) for a retail outlet—a counter or similar fixture where a controlled vehicle may be sold; or
- (b) for an online shop—the place where a controlled vehicle may be sold on the online shop’s website or other online application.

prohibition sign means a sign about the sale of controlled vehicles to a child under 16 years.

retail outlet means premises where controlled vehicles are available for sale to the public.

26 Amendment of sch 2 (Dictionary)

(1) Schedule 2, definitions *commercial seller* and *vehicle*—
omit.

(2) Schedule 2—
insert—

burn out, for part 2, division 4A, see section 19AA.

commercial seller—

(a) for part 2, division 4B, see section 19E; or

(b) for part 2, division 4C, see section 19O.

controlled vehicle, for part 2, division 4C, see section 19O.

drive, for part 2, division 4A, see section 19AA.

electrically power-assisted cycle see the *Transport Operations (Road Use Management) Act 1995*, schedule 4.

exempt motorbike, for part 2, division 4C, see section 19O.

motorbike, for part 2, division 4C, see section 19O.

motor vehicle for part 2, division 4A, see section 19AA.

personal mobility device see the *Transport Operations (Road Use Management) Act 1995*, schedule 4.

registered, for part 2, division 4C, see section

19O.

speed trial, for part 2, division 4A, see section 19AA.

vehicle—

- (a) for part 2, division 4A, see section 19AA; or
- (b) otherwise, includes a motor vehicle, bicycle and boat.

(3) Schedule 2, definition *employee*, paragraph (b)—

omit, insert—

- (b) for part 2, division 4C, see section 19O; or
- (c) for sections 23A to 23E, means a person who sells, or may sell, spray paint in the course of the person's employment.

(4) Schedule 2, definition *sell*, notes, note 2—

omit, insert—

- 2 For part 2, division 4C, *sell* has the meaning affected by section 19P.
- 3 For sections 23A to 23D, *sell* has the meaning affected by section 23E.

Part 6 **Amendment of Transport Operations (Road Use Management) Act 1995**

27 **Act amended**

This part amends the *Transport Operations (Road Use Management) Act 1995*.

28 **Insertion of ch 1, pt 1, hdg**

Before section 1—

insert—

Part 1 Preliminary

29 Renumbering and relocation of s 6 (Act binds everyone, including government entities)

Section 6—

renumber and relocate as section 4A.

30 Insertion of ch 1, pt 2, hdg

Before section 5—

insert—

Part 2 Interpretation

31 Insertion of new s 6

After section 5—

insert—

6 What is a *prohibited bike*

- (1) Each of the following vehicles is a ***prohibited bike***—
 - (a) a noncompliant electrically power-assisted cycle;
 - (b) a noncompliant personal mobility device;
 - (c) a 2-wheeled or 3-wheeled vehicle that is capable of being propelled by an electric motor or internal-combustion engine and—
 - (i) is not eligible to be registered; or

Example for subparagraph (i)—

an electric or petrol-powered motorbike that does not comply with the Australian Design Rules under the *Road Vehicle Standards Act 2018* (Cwlth)

- (ii) is eligible to be registered but is not registered.

Example for subparagraph (ii)—

a motorbike that is not registered

- (2) However, none of the following vehicles is a ***prohibited bike***—

- (a) a personal mobility device;
- (b) an electrically power-assisted cycle;
- (c) a low powered toy scooter;
- (d) a motorised mobility device.

- (3) For subsection (1) it is irrelevant whether the vehicle may also be propelled by use of pedals.

- (4) In this section—

noncompliant electrically power-assisted cycle means a vehicle that resembles an electrically power-assisted cycle but does not meet all elements of the definition of electrically power-assisted cycle under this Act.

noncompliant personal mobility device means a vehicle that resembles a personal mobility device but does not meet all elements of the definition of personal mobility device under this Act.

32 Insertion of new s 34A

After section 34—

insert—

34A Power to require testing of particular vehicles

- (1) This section applies—
- (a) to any of the following vehicles—
 - (i) a vehicle that is, or resembles, an electrically power-assisted cycle or personal mobility device;

- (ii) a vehicle that a person using the vehicle claims is an electrically power-assisted cycle or personal mobility device;
 - (iii) a vehicle that an authorised officer reasonably suspects is a prohibited bike; and
 - (b) if the vehicle—
 - (i) is being ridden, or otherwise in the possession of a person while, on a road, on a road-related area or in a public place; or
 - (ii) has been seized by a police officer under the *Police Powers and Responsibilities Act 2000* chapter 4A, part 2.
- (2) An authorised officer may require the rider, or another person in possession, of the vehicle to do 1 or more of the following—
 - (a) place, or allow the officer to place, the vehicle on an approved testing device;
 - (b) transport the vehicle, or allow the officer to transport the vehicle, to a place for the purpose of the vehicle being tested using an approved testing device;
 - (c) do anything reasonably necessary to enable a test to be carried out using the approved testing device in accordance with a procedure approved by the commissioner.

Example for paragraph (c)—

 - enable electronic communication between the vehicle and an approved testing device through a physical or wireless connection
- (3) A person must comply with a requirement made of the person under subsection (2), unless the

person has a reasonable excuse.

Maximum penalty—60 penalty units.

33 Insertion of new s 48AA

After section 48—

insert—

48AA Power to require information from shared e-mobility providers

- (1) This section applies if—
 - (a) an authorised officer finds an electrically power-assisted cycle or personal mobility device (a *relevant device*) at a place; and
 - (b) the authorised officer reasonably suspects the relevant device—
 - (i) is parked at the place in a way that contravenes this Act; and
 - (ii) is provided by a shared e-mobility provider in carrying on the provider's business as a shared e-mobility provider.
- (2) The authorised officer may require the shared e-mobility provider to give any of the following information in relation to the relevant device—
 - (a) the name given by the person who was the last person to ride the relevant device (the *last known rider*) before the device was found by the authorised officer;
 - (b) the last known rider's contact details;
 - (c) the day and time the ride of the last known rider started and ended;
 - (d) the place where the relevant device was parked at the end of the ride as recorded by the shared e-mobility provider;

- (e) any photograph of the relevant device at the place mentioned in paragraph (d) provided by the last known rider;
 - (f) for a photograph mentioned in paragraph (e) that has metadata, the metadata relevant to—
 - (i) the day and time the photograph was taken; and
 - (ii) the place, if recorded in the metadata, where the photograph was taken;
 - (g) any other information, including telemetry data issued by the relevant device, showing where the device was—
 - (i) parked at the end of the ride by the last known rider; and
 - (ii) found by the authorised officer;
 - (h) details that identify the relevant device including, for example, the identification number or QR code of the relevant device.
- (3) When making a requirement under subsection (2), the authorised officer must warn the shared e-mobility provider it is an offence to fail to comply with the requirement unless the provider has a reasonable excuse.
- (4) The shared e-mobility provider must comply with a requirement under subsection (2), unless the provider has a reasonable excuse.
- Maximum penalty—40 penalty units.
- (5) It is a reasonable excuse for the shared e-mobility provider to fail to give information under subsection (4) if giving the information might tend to incriminate the provider.
- (6) However, subsection (5) does not apply to an employee of the shared e-mobility provider for an

alleged offence committed by the employee.

(7) In this section—

information includes a document.

shared e-mobility provider means a person who carries on a business in which electrically power-assisted cycles or personal mobility devices are available to the public for loan or hire by using a publicly accessible electronic booking system.

34 Insertion of new ss 78B–78D

After section 78A—

insert—

78B Riding electrically power-assisted cycle or personal mobility device without valid licence prohibited

- (1) A person must not ride an electrically power-assisted cycle or personal mobility device on a road, on a road-related area or in a public place unless the person—
- (a) is at least 16 years; and
 - (b) holds either—
 - (i) a valid Queensland driver licence; or
 - (ii) a valid non-Queensland driver licence.

Maximum penalty—30 penalty units.

(1A) A regulation may prescribe the following—

- (a) the circumstances in which a child who is at least 12 years is exempt from complying with subsection (1) while the child is under adult supervision;
- (b) the circumstances in which a person who does not hold a valid Queensland driver

licence or non-Queensland driver licence is exempt from complying with subsection (1) because the person is able to safely operate the electrically power-assisted cycle or personal mobility device;

- (c) a place at which a person who rides an electrically power-assisted cycle or personal mobility device is exempt from complying with subsection (1);

Example—

an area containing mountain bike trails or designed for the riding of vehicles other than motor vehicles

- (d) another circumstance in which a person is exempt from complying with subsection (1).
- (1B) A regulation made under subsection (1A) may prescribe the requirements, including any conditions, that must be complied with for the exemption to apply.
- (1C) Subsection (1) does not apply to a person if—
- (a) an exemption prescribed under subsection (1A) applies to the person; and
 - (b) the person complies with the requirements, including any conditions, prescribed for the exemption under subsection (1B).
- (1D) This section does not limit section 171(3)(i).

- (2) In this section—

adult supervision, in relation to a child, means supervision by—

- (a) the child's parent or grandparent; or
- (b) the child's legal guardian; or
- (c) another person prescribed by regulation who is responsible for the child.

valid, in relation to a Queensland driver licence or

non-Queensland driver licence, means—

- (a) the licence has not expired; and
- (b) the licence has not been cancelled or suspended; and
- (c) the person in whose name the licence is issued is not disqualified from holding or obtaining a driver licence in this or another jurisdiction.

78C Requirement for e-mobility providers to ensure user is 16 or over and holds valid licence

- (1) An e-mobility provider must take reasonable steps to ensure each user of the provider's electrically power-assisted cycles or personal mobility devices—
 - (a) is at least 16 years and holds either—
 - (i) a valid Queensland driver licence; or
 - (ii) a valid non-Queensland driver licence; or
 - (b) if the user does not meet a requirement mentioned in paragraph (a)—is, under section 78B(1C), exempt from the requirement in relation to section 78B(1).

Maximum penalty—

- (a) for a first offence—140 penalty units; or
 - (b) for a second offence—280 penalty units; or
 - (c) for a third or later offence—420 penalty units.
- (2) It is a defence to a charge for an offence against subsection (1) for the e-mobility provider to prove—

- (a) that a user has made a declaration that the user meets the requirements mentioned in subsection (1)(a) or (b); and
 - (b) it was reasonable in the circumstances for the provider to rely on the declaration.
- (3) In this section—

e-mobility provider means a person who carries on a business in which electrically power-assisted cycles or personal mobility devices are available to the public for loan or hire.

user means an individual who borrows or hires an electrically power-assisted cycle or personal mobility device from an e-mobility provider.

valid, in relation to a Queensland driver licence or non-Queensland driver licence, see section 78B(2).

78D Liability of parent—offence committed by child against parent liability provision

- (1) If a child under 16 years commits an offence against a parent liability provision, a parent of the child is taken to have also committed an offence against the provision and is liable to the same penalty.
- (2) However, it is a defence for the parent to prove that—
 - (a) the parent did not know, and could not reasonably have been expected to know, of the child's conduct constituting the offence against the parent liability provision; or
 - (b) the parent took all reasonable steps to ensure the child did not engage in the conduct constituting the offence against the parent liability provision.
- (3) In deciding whether things done or omitted to be

done by the parent constitute reasonable steps for subsection (2)(b), a court must have regard to whether the parent was in a position to influence the child's conduct in relation to the offence.

- (4) The parent may be proceeded against for, and convicted of, an offence against the parent liability provision whether or not the child has been proceeded against for, or convicted of, the child's offence against the parent liability provision.
- (5) In a proceeding for an offence against a parent of a child under 16 years for an offence against a parent liability provision, in relation to proof of whether a person is the parent of the child, a belief of a police officer, on reasonable grounds, that a person is the parent of the child is, unless the contrary is proved, sufficient evidence of the fact that the person is the child's parent.
- (6) For subsection (5), a belief mentioned in that subsection may be formed by the police officer after reasonable enquiries are made of the child and parent when the police officer finds the child riding a prohibited bike on a road, on a road-related area or in a public place or soon after that time.
- (7) This section does not affect—
 - (a) the liability of a child for an offence against a parent liability provision; or
 - (b) the liability, under the Criminal Code, chapter 2, of any person, whether or not the person is a parent of a child, for the child's offence against a parent liability provision.
- (8) In this section—

approved carer, of a child, means—
 - (a) an approved foster carer under the *Child Protection Act 1999*, schedule 3 in whose

care the child is placed under section 82 of that Act; or

- (b) an approved kinship carer of the child under the *Child Protection Act 1999*, schedule 3; or
- (c) a provisionally approved carer of the child under the *Child Protection Act 1999*, schedule 3.

chief executive (child safety) means the chief executive of the department in which the *Child Protection Act 1999* is administered.

parent, of a child—

- (a) means an adult who is the child’s mother, father or someone else, other than the chief executive (child safety), having or exercising parental responsibility for the child; but
- (b) does not include—
 - (i) a person standing in the place of a parent of the child on a temporary basis; or
 - (ii) an approved carer of the child.

parent liability provision means section 84B.

34A Amendment of s 78D (Liability of parent—offence committed by child against parent liability provision)

- (1) Section 78D(6), as inserted by this Act, ‘a prohibited bike’—

omit, insert—

an electrically power-assisted cycle, personal mobility device or prohibited bike

- (2) Section 78D(8), definition *parent liability provision*, as inserted by this Act—

omit, insert—

parent liability provision means—

- (a) section 78B; or
- (b) section 84B.

35 Amendment of s 79 (Vehicle offences involving liquor or other drugs)

- (1) Section 79, after subsection (2)—

insert—

- (2AAA) **Offence of riding bicycle or personal mobility device while over middle alcohol limit but not over high alcohol limit**

A person who is 16 years or older and who rides a bicycle or personal mobility device on a road, on a road-related area or in a public place while the person is over the middle alcohol limit but is not over the high alcohol limit is guilty of an offence.

Maximum penalty—28 penalty units.

- (2AAB) **Offence of riding bicycle or personal mobility device while over general alcohol limit but not over middle alcohol limit**

A person who is 16 years or older and who rides a bicycle or personal mobility device on a road, on a road-related area or in a public place while the person is over the general alcohol limit but is not over the middle alcohol limit is guilty of an offence.

Maximum penalty—20 penalty units.

- (2) Section 79(7), after ‘motor vehicle’—

insert—

, bicycle or personal mobility device

- (3) Section 79—

insert—

(7A) **Offence of riding etc. bicycle or personal mobility device while under the influence**

A person who, while under the influence of liquor or a drug, rides or is in charge of a bicycle or personal mobility device on a road, on a road-related area or in a public place, or attempts to put in motion a bicycle or personal mobility device on a road, on a road-related area or in a public place, is guilty of an offence.

Maximum penalty—40 penalty units or 9 months imprisonment.

(7B) **Presumption that defendant of offences involving bicycles or personal mobility devices is under the influence of liquor if over high alcohol limit**

If, on the hearing of a complaint of an offence under subsection (7A), the court is satisfied that at the material time the defendant was over the high alcohol limit, the defendant is conclusively presumed to have been at that time under the influence of liquor.

- (4) Section 79(8), ‘or (7)’—
omit, insert—
, (7) or (7A)

36 Amendment of s 80 (Breath and saliva tests, and analysis and laboratory tests)

- (1) Section 80(2), heading, after ‘saliva’—
insert—

in relation to circumstances involving motor vehicles, trams, trains or vessels

- (2) Section 80, after subsection (2)—
insert—

(2AA) **Request for specimen of breath in relation to circumstances involving bicycles or personal mobility devices**

A police officer may require a person who is 16 years or older and who is found by the officer or who the officer reasonably suspects was during the last preceding 3 hours—

- (a) riding or attempting to ride a bicycle or personal mobility device on a road, on a road-related area or in a public place; or
- (b) in charge of a bicycle or personal mobility device on a road, on a road-related area or in a public place;

to provide a specimen of breath for a breath test by the person.

- (3) Section 80(2A), heading, after ‘incident’—

insert—

involving motor vehicles, trams, trains or vessels

- (4) Section 80, after subsection (2A)—

insert—

(2AAA) **Request for specimen of breath after incident involving bicycles or personal mobility devices**

If a bicycle or personal mobility device is involved in an incident resulting in injury to or death of any person or damage to property a police officer may require any person who is 16 years or older and who the officer reasonably suspects—

- (a) was riding or attempting to ride the bicycle or personal mobility device on a road, on a road-related area or in a public place; or

(b) was in charge of a bicycle or personal mobility device on a road, on a road-related area or in a public place;

at the time of the incident to provide a specimen of breath for a breath test by the person.

(5) Section 80(2B)(a), (3), (4), (5), (5A), (6)(b), (8C), (10)(a) and (10E), 'or (2A)'—

omit, insert—

, (2AA), (2A) or (2AAA)

(6) Section 80(2C)—

omit, insert—

(2C) More than 1 specimen may be required

A police officer may require a person to provide—

(a) under subsection (2) or (2A), as many specimens of breath or saliva, or both, as the police officer considers reasonably necessary to carry out the breath test, the saliva test or both; or

(b) under subsection (2AA) or (2AAA), as many specimens of breath as the police officer considers reasonably necessary to carry out the breath test.

(7) Section 80(11), 'or vessel'—

omit, insert—

, vessel, bicycle or personal mobility device

(8) Section 80(11)(d)—

omit, insert—

(d) the person is guilty of an offence that is taken to be an offence against—

(i) for an offence involving a motor vehicle, tram, train or vessel—the

-
- appropriate provision of section 79(1);
or
- (ii) for an offence involving a bicycle or
personal mobility device—section
79(7A);
- (9) Section 80(11)(e), ‘the person is’—
omit, insert—
for an offence involving a motor vehicle, tram,
train or vessel—the person is
- (10) Section 80(16L), ‘or (2AA)’—
omit, insert—
, (2AA) or (7A)
- (11) Section 80(21), definition *relevant provision*, paragraph (a),
after ‘(c)’—
insert—
who may be required to provide a specimen of the
person’s breath, saliva or blood for analysis or a
test in relation to circumstances involving a motor
vehicle, tram, train or vessel
- (12) Section 80(22A), from ‘the specimen’ to ‘is suspended’—
omit, insert—
the specimen mentioned in subsection (22) from a
person (an ***affected person***), or who arrested a
person (also an ***affected person***) as mentioned in
subsection (22)(ba) but did not request a specimen
from the affected person, must sign and deliver to
the affected person (or to another person on behalf
of the affected person at the request of that other
person) a statement in writing that the driver
licence of the affected person is suspended
- (13) Section 80, after subsection (22A)—
insert—

(22AB) Definition for subsection (22AC)

In subsection (22AC)—

relevant provision means—

- (a) subsection (8) to the extent it applies to a person mentioned in subsection (8)(a), (b) or (c) who may be required to provide a specimen of the person's breath, saliva or blood for analysis or a test in relation to circumstances involving a bicycle or personal mobility device; or
- (b) subsection (8C) to the extent it applies to a person who may be required to provide a specimen of breath for a breath test under subsection (2AA) or (2AAA).

(22AC) Application of subsection (22AD)

Subsection (22AD) applies if—

- (a) the analysis by means of a breath analysing instrument of a specimen of breath of a person required by a police officer to be provided under a relevant provision indicates that the person is over the general alcohol limit; or
- (b) the analysis by means of a saliva analysing instrument of a specimen of saliva of a person required by a police officer to be provided under a relevant provision indicates that a relevant drug is present in the person's saliva; or
- (c) a person required to provide a specimen of breath, or a specimen of saliva for saliva analysis, as mentioned in paragraph (a) or (b) fails to provide the specimen as prescribed under subsections (8) to (8L); or
- (d) a person has been arrested for an offence under section 79(7A) but has not been

required by a police officer to provide a specimen of breath for analysis or a specimen of blood for a laboratory test under subsection (8) or (8C) for any of the following reasons—

- (i) the person is violent;
- (ii) because of the external signs exhibited by the person, the police officer reasonably believes the person is so affected by alcohol or a drug as to be unable to provide the specimen;
- (iii) because of the remoteness of the area—
 - (A) a breath analysing instrument is not available to analyse a specimen of the person's breath; or
 - (B) a doctor or nurse is not available to take a specimen of blood from the person for a laboratory test or to direct a qualified assistant to take the specimen; or
- (e) a person who is required by a police officer under a relevant provision to provide a specimen of the person's blood for a laboratory test permits a specimen of the person's blood to be taken for that purpose and the police officer then requires the person to provide a specimen of breath for a breath test, or saliva for a saliva test, by the officer, and—
 - (i) it appears to the police officer as a result of the breath test carried out by the officer that the device by means of which the test is carried out indicates that the person is over the general alcohol limit; or

- (ii) it appears to the police officer in consequence of the saliva test carried out by the officer that the device by means of which the test is carried out indicates a relevant drug is present in the person's saliva; or
- (iii) the person fails to provide a specimen of breath or saliva; or
- (f) a person who is required by a police officer under a relevant provision, or under subsection (9) in relation to a relevant provision, to provide a specimen of the person's blood for a laboratory test fails to provide the specimen; or
- (g) a specimen of a person's blood is taken under a relevant provision, or under another provision of this section in relation to a relevant provision, for a laboratory test and a doctor or nurse certifies in writing to the police officer who made the requisition for the provision or taking of the specimen of blood that, in respect of the person concerned, the case is a proper one for the person to be prohibited from riding a bicycle or personal mobility device for a period of 8 hours.

(22AD) Prohibition from riding bicycle or personal mobility device

The person is prohibited from riding a bicycle or personal mobility device for a period of 8 hours from when—

- (a) the analysis mentioned in subsection (22AC)(a) or (b) was made; or
- (b) the requirement mentioned in subsection (22AC)(c) or (f) was made; or

- (c) the arrest mentioned in subsection (22AC)(d) was made; or
- (d) the requirement to provide a specimen of breath or saliva mentioned in subsection (22AC)(e) was made; or
- (e) a certificate in writing mentioned in subsection (22AC)(g) was given.

(22AE) Police officer to give notice of prohibition

The police officer who required a specimen mentioned in subsection (22AC) from a person (an *affected person*), or who arrested a person (also an *affected person*) as mentioned in subsection (22AC)(d) but did not request a specimen from the affected person, must sign and deliver to the affected person (or to another person on behalf of the affected person at the request of that other person) a notice in writing that the affected person is prohibited as prescribed by subsection (22AD) from riding a bicycle or personal mobility device for a period of 8 hours starting at the time stated in the notice.

- (14) Section 80(22B), after ‘(22)’—

insert—

or (22AC)

- (15) Section 80(22C), after ‘(22AA)’—

insert—

or the prohibition from riding a bicycle or personal mobility device under subsection (22AD)

- (16) Section 80—

insert—

(22DA) Offence of riding bicycle or personal mobility device while prohibited under subsection (22AD)

A person who rides a bicycle or personal mobility device on a road, on a road-related area or in a public place while prohibited under subsection (22AD) is guilty of an offence.

Maximum penalty—14 penalty units.

37 Amendment of s 84AA (Driving particular vehicles without due care and attention on road-related areas)

(1) Section 84AA, heading, ‘Driving’—

omit, insert—

Riding

(2) Section 84AA, ‘drives’—

omit, insert—

rides

38 Insertion of new ss 84B and 84C

After section 84A—

insert—

84B Riding prohibited bikes in public

(1) A person must not ride a prohibited bike on a road, on a road-related area or in a public place.

Maximum penalty—40 penalty units.

(2) It is a defence to a charge under subsection (1) for the person to prove the prohibited bike is—

(a) being ridden in a public place to participate in an organised competition or show happening at the place with the consent of the owner or occupier of the place; or

Examples of organised competition or show—

- a freestyle motocross competition
- a racing event

-
- an agricultural show
 - a circus
- (b) a vehicle to which the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021*, section 10(2) applies.
- (3) If, because a person rides a prohibited bike on a road, the person commits an offence against a related offence provision—
- (a) the person may be charged with an offence against either subsection (1) or the related offence provision; and
 - (b) the person must not be—
 - (i) charged with both offences; or
 - (ii) given an infringement notice under the *State Penalties Enforcement Act 1999* for both offences.
- (4) In this section—
- organised competition or show*** does not include a spontaneous race or gathering of vehicles.
- related offence provision*** means any of the following—
- (a) the *Motor Accident Insurance Act 1994*, section 20;
 - (b) the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021*, section 10;
 - (c) the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2021*, section 8.

84C False or misleading labelling related to electrically power-assisted cycles

- (1) A person must not attach, or cause to be attached, to a vehicle a label that purports to be a compliance label, unless the vehicle is an electrically power-assisted cycle.

Maximum penalty—30 penalty units.

- (2) A person must not ride a vehicle on a road, on a road-related area or in a public place if the vehicle has a compliance label attached to it but the vehicle is not an electrically power-assisted cycle.

Maximum penalty—30 penalty units.

- (3) It is a defence to a charge under subsection (1) or (2) for the person to prove that—

(a) the person purchased the vehicle from a retailer in the ordinary course of business and—

(i) the compliance label was already attached to the vehicle when purchased from the retailer; or

(ii) the person attached the compliance label to the vehicle in accordance with instructions provided by the retailer or the manufacturer of the vehicle; or

(b) the person attached the compliance label to the vehicle—

(i) as a retailer or an employee of a retailer; and

(ii) based on information provided by the manufacturer of the vehicle.

- (4) In this section—

compliance label, in relation to a vehicle, means a permanent label or marking indicating that the vehicle—

-
- (a) if the vehicle has been verified as a legacy EPAC—is a legacy EPAC; or
 - (b) if the vehicle has been verified as a special purpose EPAC—is a special purpose EPAC; or
 - (c) otherwise—complies with the EPAC standard.

manufacturer, of a vehicle, includes anyone who assembles or prepares the vehicle before its sale by a retailer.

retailer means a business that purports to sell electrically power-assisted cycles, regardless of what other items the business also sells.

39 Amendment of ch 5, pt 7, hdg

Chapter 5, part 7, heading, ‘devices’—
omit, insert—

and testing devices

40 Insertion of new ch 5, pt 7, div 3

After section 121—
insert—

Division 3 Approved testing devices

121A Approved testing devices for particular vehicles

- (1) The chief executive or commissioner may, by signed certificate, approve a device or system (an *approved testing device*) for—
 - (a) testing a vehicle to assess whether it is an electrically power-assisted cycle, personal mobility device or prohibited bike; or

- (b) testing a vehicle to assess whether it complies with the EPAC standard.
- (2) The chief executive or commissioner may, by signed certificate, approve the following things—
 - (a) the standards or procedures for testing or calibrating approved testing devices;
 - (b) procedures for carrying out a test using an approved testing device, including at a roadside location;
 - (c) training or qualification requirements for persons who may operate an approved testing device.
- (3) The chief executive must—
 - (a) publish on a Queensland Government website a list of current approved testing devices; and
 - (b) keep records of approvals and calibration checks for approved testing devices for the period prescribed by regulation.
- (4) The commissioner must give the chief executive the information necessary for publishing lists and keeping records under subsection (3), to the extent the commissioner has control of that information.
- (5) In this section—

Queensland Government website means a website with a URL that contains ‘qld.gov.au’, other than the website of a local government.

40A Insertion of new ch 5, pt 7B

Chapter 5—

insert—

Part 7B Legacy EPAC and special purpose EPAC verification

122Q Definitions for part

In this part—

legacy EPAC means a vehicle that—

- (a) has 2 or more wheels; and
- (b) is built to be propelled by human power; and
- (c) has 1 or more auxiliary electric motors; and
- (d) was manufactured before 1 July 2026; and
- (e) complies with the characteristics or limitations prescribed by regulation.

special purpose EPAC means a vehicle that—

- (a) has 2 or more wheels; and
- (b) is built to be propelled by human power; and
- (c) has 1 or more auxiliary electric motors; and
- (d) is designed or modified to enable a person with a disability or medical condition to ride the vehicle; and
- (e) complies with the characteristics or limitations prescribed by regulation.

122R Verification includes assessment and testing

A reference in this part to verifying that a vehicle is a legacy EPAC or special purpose EPAC includes—

- (a) assessing whether the vehicle is a legacy EPAC or special purpose EPAC; and

- (b) testing the vehicle for the purpose of assessing whether it is, or verifying that it is, a legacy EPAC or special purpose EPAC.

122S EPAC verification rules

- (1) The chief executive may make rules (*EPAC verification rules*) about verifying that a vehicle is a legacy EPAC or special purpose EPAC.
- (2) Without limiting subsection (1), the EPAC verification rules may include rules about the following—
 - (a) the method or standard of testing to be used in verifying that a vehicle is a legacy EPAC or special purpose EPAC;
 - (b) the presumptions that may be relied on in verifying that a vehicle is a legacy EPAC or special purpose EPAC;
 - (c) the modifications made to a vehicle that may be ignored or accommodated in verifying that the vehicle is a legacy EPAC or special purpose EPAC;

Example of a modification—

modification of a vehicle to make it suitable for use with a prosthetic limb

- (d) who may verify that a vehicle is a legacy EPAC or special purpose EPAC;
- (e) matters relating to the label to be attached to a vehicle indicating that the vehicle is verified to be a legacy EPAC or special purpose EPAC, including, for example, who may attach the label and how it must be attached;
- (f) the records to be made or kept in relation to verifying that a vehicle is a legacy EPAC or special purpose EPAC;

- (g) the circumstances in which the verification of a vehicle ends.
- (3) For the purpose of subsection (2)(b), the EPAC verification rules may include a list of makes and models of vehicles that the chief executive is satisfied are, or are not, legacy EPACs or special purpose EPACs as defined under this Act.
- (4) The chief executive must publish the EPAC verification rules on the department's website.

122T Failure to comply with EPAC verification rules

- (1) A person must comply with the EPAC verification rules in verifying that a vehicle is a legacy EPAC or special purpose EPAC.

Maximum penalty—30 penalty units.

- (2) A person must not purport to verify that a vehicle is a legacy EPAC or special purpose EPAC unless that person is a person who may do so under the EPAC verification rules.

Maximum penalty—30 penalty units.

122U Prescribing particular matters for legacy EPACs and special purpose EPACs

- (1) A regulation may prescribe the following—
 - (a) the maximum fees payable for verifying that a vehicle is a legacy EPAC or special purpose EPAC;
 - (b) the limitations or conditions applying to the use of legacy EPACs or special purpose EPACs.
- (2) A regulation may provide for offences relating to—

- (a) charging more than the maximum fee prescribed for verifying that a vehicle is a legacy EPAC or special purpose EPAC; or
- (b) use of a legacy EPAC or special purpose EPAC in contravention of a limitation or condition applying to the EPAC under a regulation.

41 Insertion of new s 123KA

After section 123K—

insert—

123KA Certificate is evidence of another matter—approved testing device

- (1) Subsection (2) applies to a certificate purporting to be signed by the chief executive or commissioner stating any of the following—
 - (a) that a stated device or system is an approved testing device;
 - (b) the results of a stated test carried out using an approved testing device on a stated device or vehicle at a stated time and place;
 - (c) that a stated vehicle does not comply with the EPAC standard for stated reasons.
- (2) For a proceeding for an offence against a transport Act, the certificate is evidence of the matters stated in it.
- (3) Subsection (4) applies to a certificate purporting to be signed by the chief executive or commissioner stating—
 - (a) that, on a stated day or during a stated period, a stated approved testing device was tested or calibrated in accordance with a stated standard or procedure approved by the chief executive or commissioner; or

- (b) that a stated approved testing device was operated in accordance with the manufacturer's instructions or a procedure approved by the chief executive or commissioner.
- (4) For a proceeding for an offence against a transport Act, the certificate is evidence—
 - (a) of the matters stated in it; and
 - (b) that the stated approved testing device was producing accurate results when tested and for 1 year after the day of testing.

42 Amendment of s 123R (Challenges to devices)

Section 123R(1)(a) and (b)—

omit, insert—

- (a) the accuracy of a speed detection device for which a certificate is given under section 123J; or
- (b) the accuracy of a vehicle speedometer accuracy indicator for which a certificate is given under section 123K; or
- (c) the results of an approved testing device for which a certificate is given under section 123KA; or
- (d) the time at which, or way in which, a device mentioned in paragraph (a) to (c) was used.

43 Amendment of s 123SA (Evidence of particular matters relating to vehicles)

Section 123SA(1)—

insert—

- (g) evidence that a motorbike does not have a number plate attached to it is evidence that the motorbike is not registered;
- (h) evidence that a prohibited bike does not have a VIN engraved or permanently affixed to the bike is evidence that the bike is not eligible for registration;
- (i) evidence that an electrically power-assisted cycle has been modified is evidence that the cycle is not compliant with the EPAC standard.

44 Amendment of s 124 (Facilitation of proof)

(1) Section 124(1)(i)(iii)—

omit, insert—

(iii) any place or thing is or was—

- (A) a public place or part of a public place;
or
- (B) a road or part of a road; or
- (C) a road-related area or part of a road-related area; or
- (D) an off-street regulated parking area or part of an off-street regulated parking area; or

(2) Section 124—

insert—

(3) Without limiting subsection (1)(i)(ii), in a proceeding under or for the purpose of this Act, a certificate purporting to be signed by the commissioner stating that a vehicle has been disposed of under the *Police Powers and Responsibilities Act 2000*, section 123K is, subject to subsection (4), conclusive evidence

that, at the relevant time, the vehicle was a prohibited bike.

- (4) In a proceeding in which a certificate under subsection (3) is produced, the court may admit evidence that a vehicle the subject of the certificate was not at the relevant time a prohibited bike, or that the vehicle was not unlawfully ridden on a road, on a road-related area or in a public place, only if the evidence could not reasonably have been provided during the administrative process available before the disposal of the vehicle.

- (5) In this section—

administrative process available before disposal means the release application process and internal review process available under chapter 4A, part 3 of the *Police Powers and Responsibilities Act 2000*.

relevant time, in relation to a vehicle, means the time at or during which the vehicle is suspected of having been unlawfully ridden on a road, on a road-related area or in a public place.

45 Insertion of new ch 7, pt 27

Chapter 7—

insert—

Part 27

Transitional provisions for Transport and Other Legislation (Managing E-mobility Use and Protecting Our Communities) Amendment Act 2026

245 Transition period for formerly compliant power-assisted bicycles and personal mobility devices

- (1) During the transitional period, a reference in an Act or regulation to a personal mobility device is taken to include a vehicle that—
 - (a) was manufactured before 1 July 2026; and
 - (b) would have been a personal mobility device as defined under this Act immediately before the e-mobility reforms.
- (2) During the transitional period, a reference in an Act or regulation to an electrically power-assisted cycle is taken to include a vehicle that—
 - (a) was manufactured before 1 July 2026; and
 - (b) would have been a power-assisted bicycle as defined under this Act immediately before the e-mobility reforms.
- (3) In this section—

e-mobility reforms means the amendments of this Act by the *Transport and Other Legislation (Managing E-mobility Use and Protecting Our Communities) Amendment Act 2026*.

transitional period means the period starting on 1 July 2026 and ending on the day prescribed by regulation.

245A EPAC standard may apply retrospectively

To the extent this Act applies to an EPAC standard in relation to a vehicle, the Act applies to—

- (a) the relevant version of the EPAC standard regardless of whether that version has been replaced, superseded or otherwise ceased to be in force; and

- (b) any vehicle manufactured before or after the commencement.

Example—

An electrically power-assisted cycle manufactured in 2016 may comply with a version of the EPAC standard in force when the vehicle was manufactured despite that version of the standard no longer being in force.

246 Evidentiary provisions

- (1) Former section 124(1)(i)(iii) continues to apply in relation to an allegation or averment in a complaint in a proceeding under or for the purpose of this Act started, but not decided, immediately before the commencement as if the amendment Act, section 44(1) had not commenced.
- (2) A certificate given under former schedule 1, item 2 as in force immediately before the commencement may continue to be used after the commencement in relation to a proceeding started, but not decided, immediately before the commencement.
- (3) New section 124 and schedule 1, item 2 apply in relation to a proceeding for an offence only if the offence is committed after the commencement.
- (4) In this section—

amendment Act means the *Transport and Other Legislation (Managing E-mobility Use and Protecting Our Communities) Amendment Act 2026*.

former, in relation to a provision of this Act, means the provision as in force from time to time before the commencement.

new, in relation to a provision of this Act, means the provision as in force from the commencement.

247 Requirement to hold valid licence under s 78B

- (1) This section applies for the period starting on the commencement and ending on 29 November 2026.
- (2) A person does not contravene section 78B(1)(b) if the person has a reasonable excuse.

46 Amendment of sch 1 (Evidence by certificate)

Schedule 1, item 2, column 1, paragraph (c)—
omit, insert—

- (c) a public place; or
- (d) part of a place or thing mentioned in paragraph (a), (b) or (c)

47 Amendment of sch 4 (Dictionary)

- (1) Schedule 4, definition *power-assisted bicycle*—
omit.
- (2) Schedule 4—
insert—

approved testing device see section 121A(1).

electrically power-assisted cycle means a vehicle that—

- (a) has 2 or more wheels; and
- (b) is built to be propelled by human power through a belt, chain or gears; and
- (c) has 1 or more auxiliary electric motors; and
- (d) is 1 of the following types of vehicles—
 - (i) a vehicle that—

- (A) complies with the EPAC standard in force when the vehicle was manufactured; and
 - (B) has attached to it, in a permanent way, a label that indicates compliance with the EPAC standard;
- (ii) a vehicle to which a special circumstances permit applies;
 - (iii) a vehicle that is verified as a legacy EPAC or special purpose EPAC as provided for under the EPAC verification rules.

EPAC standard means the standard associated with electrically power-assisted cycles prescribed by regulation.

EPAC verification rules see section 122S(1).

legacy EPAC see section 122Q.

prohibited bike see section 6.

ride, in relation to a vehicle, does not include—

- (a) being carried on the vehicle as a passenger; or
- (b) walking while pushing or pulling the vehicle.

special circumstances permit means a special circumstances permit issued under the *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015*, section 128.

special purpose EPAC see section 122Q.

- (3) Schedule 4, definition *bicycle*, ‘a power-assisted bicycle’—
omit, insert—
an electrically power-assisted cycle

EPAC standard or lack of a label indicating compliance with the standard.

(3) Section 128(4)(a)—

omit, insert—

(a) include a description of—

- (i) the particular way in which the authorised persons for the permit are to be permitted to use roads; or
- (ii) if the permit relates to a special EPAC—the special EPAC; and

(4) Section 128(6), examples—

insert—

- ensuring the vehicle complies with a standard or stated specifications

50 Amendment of s 129 (Authority of special circumstances permit)

(1) Section 129—

insert—

- (3A) To the extent the special circumstances permit applies in relation to a special EPAC, the permit only applies while the special EPAC complies with the conditions of the permit.

(2) Section 129(4)—

insert—

special EPAC see section 128(2)(b).

50A Insertion of new pt 8, div 4

Part 8—

insert—

Division 4 **Transitional provision for Transport and Other Legislation (Managing E-mobility Use and Protecting Our Communities) Amendment Act 2026**

177 End of transitional period for formerly compliant power-assisted bicycles and personal mobility devices

For the Act, section 245(3), definition *transitional period*, the day prescribed for the end of the transitional period is 28 February 2027.

Part 8 **Amendment of Transport Operations (Road Use Management—Road Rules) Regulation 2009**

51 Regulation amended

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

52 Replacement of s 15A (Personal mobility devices—Act, sch 4)

Section 15A—
omit, insert—

15A Personal mobility devices—Act, sch 4, definition *personal mobility device*

(1) For schedule 4 of the Act, definition *personal*

mobility device, paragraph (b), a vehicle is a personal mobility device if the vehicle—

- (a) has 1 or more wheels; and
 - (b) is propelled by an electric motor; and
 - (c) does not exceed any of the following dimensions—
 - (i) a width of 750mm;
 - (ii) a height of 1350mm;
 - (iii) if the vehicle has 2 or more axles—a wheelbase of 1100mm; and
 - (d) weighs 60kg or less when not carrying a person or other load; and
 - (e) when propelled only by the electric motor, can not exceed a speed of 25km/h.
- (2) However, each of the following is not a personal mobility device—
- (a) a low powered toy scooter;
 - (b) a motorised mobility device;
 - (c) a vehicle with pedals;
 - (d) a vehicle that is registered and, in connection with that registration, has a number plate attached.

53 Amendment of s 21 (Speed limit where a speed limit sign applies)

Section 21—

insert—

- (3) This section applies to a driver for a length of road that is a bicycle path, footpath, separated footpath or shared path subject to section 24B.

54 Replacement of s 24B (Speed limit for personal mobility devices)

Section 24B—

omit, insert—

24B Speed limit on particular signed or marked paths

- (1) This section applies in relation to a length of bicycle path, footpath, separated footpath or shared path to which a path speed limit sign or speed limit path marking applies.
- (2) The speed limit applying to a driver for the length of the path is the number of kilometres per hour indicated by the number on the path speed limit sign or speed limit path marking.
- (3) The path speed limit sign or speed limit path marking applies to the length of the path beginning at the sign or marking and ending at the nearest of the following—
 - (a) a path speed limit sign or speed limit path marking on the path with a different number on the sign or marking;
 - (b) an end path speed limit sign or end speed limit path marking on the path;
 - (c) the place where the path meets, or is intersected by, a road or another path.
- (4) This section applies despite a higher speed limit that would otherwise apply to a driver for a length of bicycle path, footpath, separated footpath or shared path under another section of this part.
- (5) This section applies to a rider of a personal mobility device subject to section 24C.
- (6) In this section—

end path speed limit sign means a path speed limit sign that includes the word ‘end’.

end speed limit path marking means a speed limit path marking that includes the word ‘end’.

path speed limit sign means a speed limit sign that—

- (a) applies to a bicycle path, footpath, separated footpath or shared path; but
- (b) does not apply to a road.

road does not include a road-related area.

speed limit path marking means a road marking on the surface of a bicycle path, footpath, separated footpath or shared path consisting of a number indicating the speed limit in kilometres per hour in a red circle.

24C Speed limit for personal mobility devices

- (1) The speed limit applying to the rider of a personal mobility device is—
 - (a) for a rider riding across a road using a crossing on the road—12km/h; or
 - (b) for a rider riding on a length of bicycle path, footpath, separated footpath or shared path to which a path speed limit sign or speed limit path marking applies—the lesser of the following—
 - (i) the speed limit applying under section 24B;
 - (ii) 25km/h; or

Note—

For riders on shared paths, see also section 250A.

- (c) for a rider riding on a length of footpath, other than a separated footpath, to which no path speed limit sign or speed limit path marking applies—12km/h; or

- (d) if paragraphs (a), (b) and (c) do not apply—25km/h.
- (2) Subsection (1)(a), (b), (c) or (d) applies to a rider of a personal mobility device despite a higher speed limit that would otherwise apply to the rider under this part.
- (3) Subsection (1)(d) does not apply to a rider of a personal mobility device if the rider is, under another provision of this regulation, required to ride the mobility device at a lower speed than 25km/h.

24D Speed limit for electrically power-assisted cycles on crossings or particular paths

- (1) The speed limit applying to the rider of an electrically power-assisted cycle is—
 - (a) for a rider riding across a road using a crossing on the road—12km/h; or
 - (b) for a rider riding on a length of bicycle path, footpath, separated footpath or shared path to which a path speed limit sign or speed limit path marking applies—the speed limit applying under section 24B; or

Note—

For riders on shared paths, see also section 250A.

- (c) for a rider riding on a length of footpath, other than a separated footpath, to which no path speed limit sign or speed limit path marking applies—12km/h.
- (2) Subsection (1)(a), (b) or (c) applies to a rider of a electrically power-assisted cycle despite a higher speed limit that would otherwise apply to the rider under this part.

55 Amendment of s 244B (Wearing of helmets by users of low powered toy scooters)

(1) Section 244B(1), after ‘bicycle helmet’—

insert—

or approved motorbike helmet

(2) Section 244B(2) and (3), ‘bicycle’—

omit.

(3) Section 244B—

insert—

(4) If, for any reason, a person can not wear an approved motorbike helmet, the person is not exempt from the requirement to wear an approved bicycle helmet under subsection (1) unless subsection (2) or (3) also applies to the person in relation to a bicycle helmet.

56 Omission of s 245A (Age restrictions for personal mobility device riders)

Section 245A—

omit.

56A Insertion of new s 250A

After section 250—

insert—

250A Riding an electrically power-assisted cycle or a personal mobility device past a pedestrian on a shared path

(1) This section applies to the rider of an electrically power-assisted cycle or a personal mobility device riding on a shared path.

(2) The rider must not ride past a pedestrian on the shared path at a speed over 12km/h.

Maximum penalty—40 penalty units.

57 Amendment of s 252B (Personal mobility devices not to be ridden on particular roads)

- (1) Section 252B, heading, ‘particular roads’—

omit, insert—

roads with speed limit of more than 60km/h

- (2) Section 252B(1), from ‘must not ride on’ to ‘1 marked lane.’—

omit, insert—

must not ride on a length of road for which the speed limit applying to a driver is more than 60km/h.

58 Amendment of s 252C (Exception to not riding personal mobility devices on particular roads—PMD-permitted bicycle lane)

- (1) Section 252C, heading, from ‘not riding’ to ‘particular roads’—

omit, insert—

offence against s 252B

- (2) Section 252C(2), from ‘if’ to ‘the bicycle lane’—

omit, insert—

if the bicycle lane

59 Amendment of s 252D (Other exceptions to not riding personal mobility devices on particular roads)

Section 252D, heading, from ‘not riding’—

omit, insert—

offence against s 252B

60 Insertion of new s 253A

After section 253—

insert—

253A Unreasonably obstructing bicycle paths, footpaths etc.

A person must not park an electrically power-assisted cycle or personal mobility device on a bicycle path, footpath, separated footpath, shared path or nature strip in a way that unreasonably obstructs the path of pedestrians or other vehicles.

Maximum penalty—20 penalty units.

61 Amendment of s 256 (Bicycle helmets)

(1) Section 256, heading—

omit, insert—

256 Bicycle rider and passenger required to wear helmet

(2) Section 256(1) and (2), after ‘bicycle helmet’—

insert—

or approved motorbike helmet

(3) Section 256(4) and (5), ‘bicycle’—

omit.

(4) Section 256—

insert—

(6) If, for any reason, a person can not wear an approved motorbike helmet, the person is not exempt from the requirement to wear an approved bicycle helmet under subsection (1) or (2) unless subsection (4) or (5) also applies to the person in relation to a bicycle helmet.

62 Amendment of s 257 (Riding a bicycle or personal mobility device with a person on a bicycle or PMD trailer)

(1) Section 257(1)(d), after ‘bicycle helmet’—

insert—

or approved motorbike helmet

(2) Section 257(1A) and (1B), ‘bicycle’—

omit.

(3) Section 257—

insert—

(1C) If, for any reason, a person can not wear an approved motorbike helmet, the person is not exempt from the requirement to wear an approved bicycle helmet under subsection (1) unless subsection (1A) or (1B) also applies to the person in relation to a bicycle helmet.

62A Amendment of s 291 (Making unnecessary noise or smoke)

Section 291(1), note, after ‘69A(1)(a)(iv)’—

insert—

and the *Summary Offences Act 2005*, section 19B(b)(v)

63 Replacement of s 353B (Power-assisted bicycles—Act, sch 4, definition *power-assisted bicycle*)

Section 353B—

omit, insert—

353B Prescribed standard—Act, sch 4, definition *EPAC standard*

For the Act, schedule 4, definition *EPAC standard*, the standard prescribed is the standard titled ‘EN 15194 Cycles – Electrically power

assisted cycles – EPAC Bicycles’, published by the European Committee for Standardization, as in force from time to time.

64 Amendment of sch 3 (Other permitted traffic signs)

Schedule 3, entries for Personal mobility device speed limit sign and entry for End personal mobility device speed limit sign—

omit.

65 Amendment of sch 4 (Symbols and traffic-related items)

Schedule 4, entry for Personal mobility device symbol—

omit.

66 Amendment of sch 5 (Dictionary)

Schedule 5—

insert—

path speed limit sign, for part 3, see section 24B(6).

speed limit path marking, for part 3, see section 24B(6).

Part 9 Other amendments

67 Legislation amended

Schedule 1 amends the legislation it mentions.

Schedule 1 Other amendments

section 67

Rural and Regional Adjustment Regulation 2011

- 1 **Schedule 62, section 3, definition *e-bicycle*, ‘a power-assisted bicycle’—**

omit, insert—

an electrically power-assisted cycle

- 2 **Schedule 62, section 3, definition *e-bicycle*, note**

omit.

Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2021

- 1 **Schedule 4, definition *miscellaneous vehicle*, paragraph (c)—**

omit, insert—

(c) an electrically power-assisted cycle; or

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