



Queensland

Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026

Act No. 24 of 2026

An Act to amend the Criminal Code, the District Court of Queensland Act 1967, the Penalties and Sentences Act 1992, the Police Powers and Responsibilities Act 2000, the Transport Operations (Passenger Transport) Act 1994, the Transport Operations (Road Use Management) Act 1995, the Youth Justice Act 1992 and the legislation mentioned in schedule 1 for particular purposes

[Assented to 21 September 2026]



Queensland

Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026

Contents

		Page
Part 1	Preliminary	
1	Short title	5
2	Commencement	5
Part 2	Amendment of Criminal Code	
3	Code amended	5
4	Amendment of s 1 (Definitions)	5
5	Omission of ss 328A and 328B	7
6	Insertion of new pt 5, ch 29B	7
	Chapter 29B Dangerous driving or operation of vehicles	
334G	Definitions for chapter	7
334H	Meaning of drive or operate, or interfere with the driving or operation of, a vehicle dangerously	9
334I	Driving motor vehicles dangerously	10
334J	Interfering dangerously with the driving of motor vehicles	13
334K	Operating non-motor vehicles dangerously	14
334L	Interfering dangerously with the operation of non-motor vehicles	17
334M	Licence disqualification if commission of offence involves driving motor vehicle	18
334N	Power to disqualify person from holding or obtaining Queensland driver licence	20
334O	Additional power to convict for offences against this chapter	21
334P	Particular complaints and indictments	22
7	Amendment of s 552A (Charges of indictable offences that must be heard and decided summarily on prosecution election)	23
8	Amendment of s 552B (Charges of indictable offences that must be heard and decided summarily unless defendant elects for jury trial)	23

Contents

9	Insertion of new pt 9, ch 115	23
	Chapter 115 Transitional provisions for Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026	
772	Definitions for chapter	24
773	Matters relating to offences committed before commencement against former s 328A	24
774	Application of ch 29B in relation to previous convictions	25
Part 3	Amendment of District Court of Queensland Act 1967	
10	Act amended	26
11	Amendment of s 61 (Criminal jurisdiction if maximum penalty more than 20 years)	26
Part 4	Amendment of Penalties and Sentences Act 1992	
12	Act amended	27
13	Amendment of s 9 (Sentencing guidelines)	27
14	Amendment of s 126A (Particular provision for driver licence disqualifications)	27
15	Insertion of new pt 14, div 27	27
	Division 27 Transitional provision for Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026	
266	Former s 328A of Criminal Code included within meaning of relevant serious offence for s 9	28
16	Amendment of sch 1 (Serious violent offences)	28
Part 5	Amendment of Police Powers and Responsibilities Act 2000	
17	Act amended	29
18	Amendment of s 69A (Meaning of type 1 and type 2 vehicle related offences)	29
19	Amendment of s 197E (Accessing information stored electronically on smartcard transport authorities)	29
20	Amendment of s 754 (Evasion offence)	30
21	Amendment of s 756 (Who may be prosecuted for type 1 vehicle related offence if no response to type 1 vehicle related offence notice) .	30
22	Insertion of new ch 24, pt 30	30
	Part 30 Transitional provision for Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026	
908	Application of ss 69A, 754 and 756	30
Part 6	Amendment of Transport Operations (Passenger Transport) Act 1994	
23	Act amended	31
24	Amendment of s 111B (When person is suitable to be transit officer)	31

25	Amendment of sch 1 (Disqualifying offences—provisions of the Criminal Code)	31
26	Amendment of sch 1A (Driver disqualifying offences)	32
Part 7	Amendment of Transport Operations (Road Use Management) Act 1995	
27	Act amended	33
28	Amendment of s 79 (Vehicle offences involving liquor or other drugs)	33
29	Amendment of s 79B (Immediate suspension or disqualification)	36
30	Amendment of s 80 (Breath and saliva tests, and analysis and laboratory tests)	36
31	Amendment of s 86 (Disqualification of drivers of motor vehicles for certain offences)	38
32	Amendment of s 87 (Issue of restricted licence to disqualified person)	42
33	Replacement of ss 89 and 90	42
	89 Power to disqualify person from holding or obtaining Queensland driver licence	42
34	Amendment of s 90A (Definitions for ss 90B–90D)	44
35	Amendment of s 91A (Definitions for part)	45
36	Amendment of s 91I (Definitions for part)	45
37	Amendment of s 123P (Evidence about analysing instruments)	46
38	Insertion of new ch 7, pt 29	46
	Part 29 Transitional provisions for Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026	
	253 Definition for part	46
	254 Continuation of former ss 89 and 90	46
	255 Particular references to Criminal Code, s 334I include reference to former s 328A of Criminal Code	47
	256 Particular defined terms include reference to former s 328A of Criminal Code	48
	257 Application of ss 91D and 91J	49
39	Amendment of sch 4 (Dictionary)	49
Part 8	Amendment of Youth Justice Act 1992	
40	Act amended	49
41	Amendment of s 148B (Admissibility of childhood finding of guilt against adult for particular purposes)	50
42	Amendment of s 150 (Sentencing principles)	51
43	Amendment of s 175A (Sentence orders—significant offences to which	

Contents

	adult penalties apply)	51
44	Amendment of s 254 (Disqualification)	51
45	Insertion of new pt 11, div 30	52
	Division 30 Transitional provisions for Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026	
	448 Definition for division	52
	449 Application of s 148B	52
	450 Particular provisions include reference to offence committed before commencement against former s 328A of Criminal Code	52
46	Amendment of sch 4 (Dictionary)	53
Part 9	Other amendments	
47	Legislation amended	53
Schedule 1	Other amendments	54
	Bail Act 1980	54
	Child Protection Act 1999	55
	Disability Services Act 2006	56
	Evidence Act 1977	57
	Introduction Agents Act 2001	58
	Security Providers Act 1993	59
	Summary Offences Act 2005	59
	Tow Truck Act 2023	60
	Transport Operations (Marine Safety) Act 1994	61
	Transport Operations (Road Use Management) Act 1995	62
	Transport Operations (Road Use Management—Driver Licensing) Regulation 2021	63
	Transport Operations (Road Use Management—Road Rules) Regulation 2009	64
	Weapons Act 1990	65
	Workers' Compensation and Rehabilitation Act 2003	66

The Parliament of Queensland enacts—

Part 1 Preliminary

1 Short title

This Act may be cited as the *Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026*.

2 Commencement

This Act commences on 1 March 2027.

Part 2 Amendment of Criminal Code

3 Code amended

This part amends the Criminal Code.

4 Amendment of s 1 (Definitions)

(1) Section 1, definitions *material*, *motor vehicle* and *place*—
omit.

(2) Section 1—
insert—

advertise, for chapter 29B, see section 334G.

dangerously, for chapter 29B, in relation to driving or operating, or interfering with the driving or operation of, a vehicle, see section 334H.

drug, for chapter 29B, see section 334G.

[s 4]

excessively speeding, for chapter 29B, see section 334G.

high alcohol limit, for chapter 29B, see section 334G.

material—

- (a) for chapter 22, see section 207A; or
- (b) for chapter 29B, see section 334G.

motor vehicle—

- (a) for chapter 29B, see section 334G; or
- (b) otherwise, includes the following—
 - (i) any machine or apparatus designed for propulsion wholly or partly by gas, motor spirit, oil, electricity, steam or other mechanical power, including, for example, a motor cycle;
 - (ii) a caravan, caravan trailer or other trailer designed to be attached to a motor vehicle;
 - (iii) a machine or apparatus mentioned in this paragraph even if the machine or apparatus is incapable of use through mechanical defect or any part or parts of the machine or apparatus have been removed for any purpose or by any person.

non-motor vehicle, for chapter 29B, see section 334G.

place—

- (a) for chapter 23, see section 230A; or
- (b) for chapter 29B, see section 334G.

previously convicted, for chapter 29B, see section 334G.

Queensland driver licence, for chapter 29B, see section 334G.

relevant drug, for chapter 29B, see section 334G.

unlawful race, for chapter 29B, see section 334G.

unlawful speed trial, for chapter 29B, see section 334G.

5 Omission of ss 328A and 328B

Sections 328A and 328B—

omit.

6 Insertion of new pt 5, ch 29B

Part 5, after section 334F—

insert—

Chapter 29B Dangerous driving or operation of vehicles

334G Definitions for chapter

In this chapter—

advertise means attract the notice and attention of the public or a limited section of the public.

dangerously, in relation to driving or operating, or interfering with the driving or operation of, a vehicle, see section 334H.

drug means—

- (a) a dangerous drug under the *Drugs Misuse Act 1986*, section 4; or
- (b) another substance, other than alcohol, that if consumed or used by a person deprives the

[s 6]

person temporarily or permanently of any of the person's normal mental or physical faculties.

excessively speeding means driving or operating a vehicle at a speed more than 40km/h over the speed limit applying to the driver or operator under the *Transport Operations (Road Use Management) Act 1995*.

high alcohol limit see the *Transport Operations (Road Use Management) Act 1995*, section 79A(3).

material includes an electronic document.

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

non-motor vehicle means a vehicle other than a motor vehicle, and includes—

- (a) a train, aircraft or vessel; or
- (b) anything else used or to be used to carry persons or goods from place to place.

place does not include a place from which traffic is excluded while the place is being lawfully used to race or test vehicles under a licence or another authority under an Act.

previously convicted, of an offence in relation to an offender who is an adult, includes a previous finding of guilt, within the meaning of the *Youth Justice Act 1992*, schedule 4, against the offender as a child.

Note—

See the *Youth Justice Act 1992*, section 148B in relation to the admissibility of a previous finding of guilt.

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

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

unlawful race means a race involving a vehicle in contravention of the *Transport Operations (Road Use Management) Act 1995*, section 85.

unlawful speed trial means a trial of the speed of a vehicle in contravention of the *Transport Operations (Road Use Management) Act 1995*, section 85.

334H Meaning of drive or operate, or interfere with the driving or operation of, a vehicle dangerously

A person (the **relevant person**) drives or operates a vehicle, or interferes with the driving or operation of a vehicle, at a place **dangerously** if the relevant person drives or operates, or interferes with the driving or operation of, the vehicle in a way that is dangerous to the public, or to a person in or on the vehicle other than the relevant person, having regard to all the circumstances, including the following—

- (a) the nature, condition and use of the place;
- (b) the nature and condition of the vehicle;
- (c) the speed at which the vehicle is driven or operated;
- (d) the number of persons, vehicles or other objects that are, or might reasonably be expected to be, in the place;
- (e) the concentration of alcohol in the relevant person's blood, breath or urine;
- (f) the presence of a drug in the relevant person's saliva, blood or urine.

[s 6]

334I Driving motor vehicles dangerously

- (1) A person who drives a motor vehicle dangerously at any place commits a misdemeanour.

Maximum penalty—400 penalty units or 5 years imprisonment.

- (2) A person who drives a motor vehicle dangerously at any place and causes the death of, or grievous bodily harm to, another person commits a crime.

Maximum penalty—16 years imprisonment.

- (3) If, in relation to an offence against subsection (1), the offender publishes material on a social media platform or an online social network to—

- (a) advertise the offender's involvement in the offence; or
- (b) advertise the act or omission constituting the offence;

the offender commits a crime.

Maximum penalty—600 penalty units or 7 years imprisonment.

- (4) If, in relation to an offence against subsection (1) or (2)—

- (a) at the time of committing the offence—

- (i) the offender is under the influence of alcohol or a drug; or
- (ii) the offender is over the high alcohol limit; or
- (iii) a relevant drug is present in the offender's blood or saliva; or

- (b) at the time of committing the offence, the offender is excessively speeding or taking part in an unlawful race or unlawful speed trial; or

-
- (c) at the time of committing the offence—
- (i) the offender is disqualified from holding or obtaining a Queensland driver licence under an order of a court made under section 334M or 334N or the *Penalties and Sentences Act 1992*, section 187; or
 - (ii) the offender is disqualified from holding or obtaining a Queensland driver licence under the *Transport Operations (Road Use Management) Act 1995*; or
 - (iii) the offender's Queensland driver licence, or authority to drive on a Queensland road under a non-Queensland driver licence, is suspended under the *Transport Operations (Road Use Management) Act 1995*; or
- (d) the offender has, within the period of 5 years before the offender's conviction for the offence, been previously convicted, whether on indictment or summarily, of—
- (i) an offence against this section; or
 - (ii) an offence against section 334J; or
 - (iii) an offence, other than an offence against this section, charged on indictment involving the driving of a motor vehicle by the offender in a way that causes, or is likely to cause, injury or death to another person; or
 - (iv) an offence against the *Transport Operations (Road Use Management) Act 1995*, section 79(1), (1F), (2), (2AA), (2AB), (2A), (2B), (2D), (2J),

[s 6]

(2K) or (2L) involving a motor vehicle;
or

(v) an offence against the *Transport Operations (Road Use Management) Act 1995*, section 83(1), with a circumstance of aggravation stated in paragraph (a) or (b) of the penalty for that provision; or

(e) the offender knows, or ought reasonably to know, another person has been killed or injured in connection with the offence, and the offender leaves the scene of the incident, other than to obtain medical or other help for the other person, before a police officer arrives; or

(f) before or while committing the offence, the offender commits an offence against the *Police Powers and Responsibilities Act 2000*, section 754(2) in relation to driving a motor vehicle;

the offender commits a crime.

Maximum penalty—

(a) for an offence against subsection (1)—600 penalty units or 7 years imprisonment; or

(b) for an offence against subsection (2)—25 years imprisonment.

(5) If, in relation to an offence against subsection (1) or (2)—

(a) the offender has been previously convicted of an offence against—

(i) subsection (2); or

(ii) the *Transport Operations (Road Use Management) Act 1995*, section 83(1), with a circumstance of aggravation

stated in paragraph (a) or (b) of the penalty for that provision; or

(b) the offender has been previously convicted more than once, whether on indictment or summarily, of an offence against any 1 or more of the following provisions—

(i) subsection (1);

(ii) an offence, other than an offence against this section, charged on indictment involving the driving of a motor vehicle by the offender in a way that causes, or is likely to cause, injury or death to another person;

(iii) an offence against the *Transport Operations (Road Use Management) Act 1995*, section 79(1), (1F), (2), (2AA), (2AB), (2A), (2B), (2D), (2J), (2K) or (2L) involving a motor vehicle;

the court must, on conviction, impose imprisonment as the whole or part of the punishment.

(6) In this section—

non-Queensland driver licence see the *Transport Operations (Road Use Management) Act 1995*, schedule 4.

334J Interfering dangerously with the driving of motor vehicles

(1) A person who interferes dangerously with the driving of a motor vehicle at any place commits a misdemeanour.

Maximum penalty—400 penalty units or 5 years imprisonment.

(2) A person who interferes dangerously with the driving of a motor vehicle at any place and causes

[s 6]

the death of, or grievous bodily harm to, another person commits a crime.

Maximum penalty—16 years imprisonment.

- (3) If, in relation to an offence against subsection (1), the offender publishes material on a social media platform or an online social network to—
- (a) advertise the offender's involvement in the offence; or
 - (b) advertise the act or omission constituting the offence;

the offender commits a crime.

Maximum penalty—600 penalty units or 7 years imprisonment.

- (4) If, in relation to an offence against subsection (1) or (2), the offender has, within the period of 5 years before the offender's conviction for the offence, been previously convicted, whether on indictment or summarily, of an offence against this section or section 334I, the offender commits a crime.

Maximum penalty—

- (a) for an offence against subsection (1)—600 penalty units or 7 years imprisonment; or
- (b) for an offence against subsection (2)—25 years imprisonment.

334K Operating non-motor vehicles dangerously

- (1) A person who operates a non-motor vehicle dangerously at any place commits a misdemeanour.

Maximum penalty—200 penalty units or 3 years imprisonment.

- (2) A person who operates a non-motor vehicle

dangerously at any place and causes the death of, or grievous bodily harm to, another person commits a crime.

Maximum penalty—14 years imprisonment.

- (3) If, in relation to an offence against subsection (1), the offender publishes material on a social media platform or an online social network to—
- (a) advertise the offender’s involvement in the offence; or
 - (b) advertise the act or omission constituting the offence;

the offender commits a crime.

Maximum penalty—400 penalty units or 5 years imprisonment.

- (4) If, in relation to an offence against subsection (1) or (2)—
- (a) at the time of committing the offence—
 - (i) the offender is under the influence of alcohol or a drug; or
 - (ii) the offender contravenes the *Transport Operations (Road Use Management) Act 1995*, section 79(1) or (7A) because the offender is over the high alcohol limit; or
 - (iii) a relevant drug is present in the offender’s blood or saliva in contravention of the *Transport Operations (Road Use Management) Act 1995*, section 79(2AA); or
 - (b) at the time of committing the offence, the offender is excessively speeding or taking part in an unlawful race or unlawful speed trial; or

[s 6]

- (c) the offender has, within the period of 5 years before the offender's conviction for the offence, been previously convicted, whether on indictment or summarily, of an offence against—
 - (i) this section; or
 - (ii) section 334L; or
 - (iii) the *Transport Operations (Road Use Management) Act 1995*, section 79(1) (1F), (2), (2AA), (2AB), (2A), (2B), (2D), (2J), (2K), (2L) or (7) involving a non-motor vehicle; or
 - (iv) the *Transport Operations (Road Use Management) Act 1995*, section 79(2AAA), (2AAB) or (7A); or
- (d) the offender knows, or ought reasonably to know, another person has been killed or injured in connection with the offence, and the offender leaves the scene of the incident, other than to obtain medical or other help for the other person, before a police officer arrives; or
- (e) before or while committing the offence, the offender commits an offence against the *Police Powers and Responsibilities Act 2000*, section 754(2) in relation to operating an electrically power-assisted cycle or personal mobility device;

the offender commits a crime.

Maximum penalty—

- (a) for an offence against subsection (1)—400 penalty units or 5 years imprisonment; or
- (b) for an offence against subsection (2)—20 years imprisonment.

(5) In this section—

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

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

334L Interfering dangerously with the operation of non-motor vehicles

- (1) A person who interferes dangerously with the operation of a non-motor vehicle at any place commits a misdemeanour.

Maximum penalty—200 penalty units or 3 years imprisonment.

- (2) A person who interferes dangerously with the operation of a non-motor vehicle at any place and causes the death of, or grievous bodily harm to, another person commits a crime.

Maximum penalty—14 years imprisonment.

- (3) If, in relation to an offence against subsection (1), the offender publishes material on a social media platform or an online social network to—

- (a) advertise the offender's involvement in the offence; or
- (b) advertise the act or omission constituting the offence;

the offender commits a crime.

Maximum penalty—400 penalty units or 5 years imprisonment.

- (4) If, in relation to an offence against subsection (1) or (2), the offender has, within the period of 5 years before the offender's conviction for the offence, been previously convicted, whether on indictment or summarily, of an offence against

[s 6]

this section or section 334K, the offender commits a crime.

Maximum penalty—

- (a) for an offence against subsection (1)—400 penalty units or 5 years imprisonment; or
- (b) for an offence against subsection (2)—20 years imprisonment.

334M Licence disqualification if commission of offence involves driving motor vehicle

- (1) This section applies if a person is convicted of an offence against section 334I.
- (2) The court convicting the person must make an order disqualifying the person from holding or obtaining a Queensland driver licence from the day the person is convicted for a period of not less than the period stated in subsection (3), (4), (5) or (6), or absolutely.
- (3) If the person is convicted under section 334I(1) without a circumstance of aggravation stated in section 334I(3) or (4), or with a repeat offence circumstance only, for subsection (2) the period is—
 - (a) if the person has, within the period of 5 years before the conviction, been previously convicted 2 or more times for an offence against section 334I—2 years; or
 - (b) if the person has, within the period of 5 years before the conviction, been previously convicted once for an offence against section 334I—1 year; or
 - (c) otherwise—6 months.
- (4) If the person is convicted under section 334I(1) with a circumstance of aggravation stated in section 334I(3) or (4), other than a repeat offence

circumstance, for subsection (2) the period is—

- (a) if the person has, within the period of 5 years before the conviction, been previously convicted 2 or more times for an offence against section 334I—3 years; or
 - (b) if the person has, within the period of 5 years before the conviction, been previously convicted once for an offence against section 334I—2 years; or
 - (c) otherwise—1 year.
- (5) If the person is convicted under section 334I(2) without a circumstance of aggravation stated in section 334I(3) or (4), or with a repeat offence circumstance only, for subsection (2) the period is—
- (a) if the person has, within the period of 5 years before the conviction, been previously convicted 2 or more times for an offence against section 334I—3 years; or
 - (b) if the person has, within the period of 5 years before the conviction, been previously convicted once for an offence against section 334I—2 years; or
 - (c) otherwise—1 year.
- (6) If the person is convicted under section 334I(2) with a circumstance of aggravation stated in section 334I(3) or (4), other than a repeat offence circumstance, for subsection (2) the period is—
- (a) if the person has, within the period of 5 years before the conviction, been previously convicted 2 or more times for an offence against section 334I—5 years; or
 - (b) if the person has, within the period of 5 years before the conviction, been previously

[s 6]

convicted once for an offence against section 334I—3 years; or

(c) otherwise—2 years.

- (7) The registrar of the court in which the person is convicted must give a copy of the order to the chief executive of the department in which the *Transport Operations (Road Use Management) Act 1995* is administered.
- (8) The court must disqualify the person from holding or obtaining a Queensland driver licence under this section whether or not any other sentence is imposed for the offence.
- (9) This section does not otherwise limit a court's power to make an order under the *Penalties and Sentences Act 1992*, section 187.
- (10) In this section—
repeat offence circumstance, for an offence against section 334I, means a circumstance of aggravation stated in section 334I(4)(d)(i).

334N Power to disqualify person from holding or obtaining Queensland driver licence

- (1) This section applies on the hearing before a court of a charge against a person of an offence against section 334I, if the person is not convicted of the offence.
- (2) If the presiding judge or magistrate considers it desirable, the judge or magistrate may constitute the court to decide whether a disqualification order should be made against the person.
- (3) The judge or magistrate may act under subsection (2) on application by the prosecution or on the judge's or magistrate's own initiative.
- (4) The court hearing the disqualification order proceeding may make the order if the court

considers it is in the public interest to do so having regard to—

- (a) the evidence given at the hearing of the charge; and
 - (b) any application under subsection (3); and
 - (c) any submissions by the prosecution or defence; and
 - (d) any further evidence the court may admit.
- (5) The court may adjourn the proceeding to a later date to enable a submission or further evidence mentioned in subsection (4)(c) or (d) to be made or given.
- (6) A disqualification order proceeding is not a criminal proceeding.
- (7) A question of fact in a disqualification order proceeding must be decided on the balance of probabilities.
- (8) If the court makes the disqualification order, the registrar of the court must give a copy of the order to the chief executive of the department in which the *Transport Operations (Road Use Management) Act 1995* is administered.
- (9) In this section—

disqualification order means an order disqualifying a person, absolutely or for a stated period, from holding or obtaining a Queensland driver licence.

disqualification order proceeding means a proceeding started under subsection (2).

334O Additional power to convict for offences against this chapter

- (1) This section applies if a person is charged on indictment with an offence in connection with or

[s 6]

arising out of the driving or operation, or interference with the driving or operation, of a vehicle by the person, other than an offence against a chapter 29B provision.

- (2) The person may be convicted of an offence defined in a chapter 29B provision, with or without a relevant circumstance of aggravation, if the offence is established by the evidence.
- (3) This section applies despite section 576.
- (4) In this section—

chapter 29B provision means section 334I, 334J, 334K or 334L.

relevant circumstance of aggravation, for an offence defined in a chapter 29B provision, means—

- (a) for section 334I—a circumstance of aggravation stated in section 334I(3) or (4);
or
- (b) for section 334J—a circumstance of aggravation stated in section 334J(3) or (4);
or
- (c) for section 334K—a circumstance of aggravation stated in section 334K(3) or (4);
or
- (d) for section 334L—a circumstance of aggravation stated in section 334L(3) or (4).

334P Particular complaints and indictments

In an indictment or complaint for an offence against this chapter relating to a person driving or operating a vehicle while under the influence of alcohol or a drug, it is enough to state the person was under the influence of ‘alcohol or a drug’ without specifying which.

7 Amendment of s 552A (Charges of indictable offences that must be heard and decided summarily on prosecution election)

Section 552A(1)(a)—

insert—

- section 334I(1)
- section 334J(1)
- section 334K(1), if the offence is alleged to have been committed with a circumstance of aggravation stated in section 334K(3) or (4)
- section 334L(1), if the offence is alleged to have been committed with a circumstance of aggravation stated in section 334L(3) or (4)

8 Amendment of s 552B (Charges of indictable offences that must be heard and decided summarily unless defendant elects for jury trial)

Section 552B(1)(g)—

omit.

9 Insertion of new pt 9, ch 115

Part 9—

insert—

Chapter 115 Transitional provisions for Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026

772 Definitions for chapter

In this chapter—

amendment Act means the *Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026*.

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

773 Matters relating to offences committed before commencement against former s 328A

- (1) This section applies in relation to an offence committed before the commencement against former section 328A.
- (2) Without limiting the *Acts Interpretation Act 1954*, section 20, a proceeding for the offence may be continued or started, and the person may be convicted of and punished for the offence, as if the amendment Act had not commenced.
- (3) Also, the following provisions continue to apply in relation to the proceeding as if the amendment Act had not commenced—

- (a) former section 328B;
- (b) former sections 89 and 90 of the *Transport Operations (Road Use Management) Act 1995*.
- (4) Former section 86 of the *Transport Operations (Road Use Management) Act 1995* continues to apply in relation to a person convicted of an offence committed before the commencement against former section 328A.

774 Application of ch 29B in relation to previous convictions

- (1) From the commencement—
 - (a) section 334I(4)(d) is taken to include a reference to an offence committed before the commencement against former section 328A involving the driving, or interfering with the driving, of a motor vehicle; and
 - (b) section 334I(5)(a) is taken to include a reference to an offence committed before the commencement against former section 328A(4) involving the driving of a motor vehicle; and
 - (c) section 334I(5)(b) is taken to include a reference to an offence committed before the commencement against former section 328A(1) involving the driving of a motor vehicle.
- (2) Also, from the commencement—
 - (a) section 334J(4) is taken to include a reference to an offence committed before the commencement against former section 328A involving the driving, or interfering with the driving, of a motor vehicle; and

[s 10]

- (b) section 334K(4)(c) is taken to include a reference to an offence committed before the commencement against former section 328A involving the operation, or interfering with the operation, of a vehicle other than a motor vehicle; and
- (c) section 334L(4) is taken to include a reference to an offence committed before the commencement against former section 328A involving the operation, or interfering with the operation, of a vehicle other than a motor vehicle; and
- (d) a reference in section 334M to a person convicted of an offence against section 334I having been previously convicted, within the period of 5 years before the conviction, of an offence against section 334I is taken to include a reference to the person having been previously convicted of an offence against former section 328A; and
- (e) a reference in section 334M(10) to a circumstance of aggravation stated in section 334I(4)(d)(i) is taken to include a reference to a circumstance of aggravation stated in former section 328A(2)(c).

Part 3 Amendment of District Court of Queensland Act 1967

10 Act amended

This part amends the *District Court of Queensland Act 1967*.

11 Amendment of s 61 (Criminal jurisdiction if maximum penalty more than 20 years)

Section 61(2)(b), after ‘319,’—

insert—

334I, 334J,

Part 4 Amendment of Penalties and Sentences Act 1992

12 Act amended

This part amends the *Penalties and Sentences Act 1992*.

13 Amendment of s 9 (Sentencing guidelines)

Section 9(12), definition *relevant serious offence*, paragraphs (a)(v) and (vi)—

omit, insert—

- (v) section 334I;
- (vi) section 334J;
- (vii) section 334K;
- (viii) section 334L;
- (ix) section 339; and

14 Amendment of s 126A (Particular provision for driver licence disqualifications)

Section 126A(1)(b)(ii), after ‘under’—

insert—

the Criminal Code, section 334M or 334N or

15 Insertion of new pt 14, div 27

Part 14—

insert—

[s 16]

**Division 27 Transitional provision for
Criminal Code (Dangerous
Driving) and Other
Legislation Amendment
Act 2026**

**266 Former s 328A of Criminal Code included
within meaning of *relevant serious offence* for
s 9**

From the commencement, section 9(12), definition *relevant serious offence* is taken to include a reference to an offence committed before the commencement against former section 328A of the Criminal Code.

16 Amendment of sch 1 (Serious violent offences)

- (1) Schedule 1, entry for Criminal Code, item 32—

omit.

- (2) Schedule 1, entry for Criminal Code—

insert—

32B section 334I(2) (Driving motor vehicles
dangerously)

32C section 334J(2) (Interfering dangerously
with the driving of motor vehicles)

32D section 334K(2) (Operating non-motor
vehicles dangerously)

32E section 334L(2) (Interfering dangerously
with the operation of non-motor vehicles)

- (3) Schedule 1—

insert—

Criminal Code (Provision repealed by Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026)

1 section 328A (Dangerous operation of a vehicle)

Part 5 Amendment of Police Powers and Responsibilities Act 2000

17 Act amended

This part amends the *Police Powers and Responsibilities Act 2000*.

18 Amendment of s 69A (Meaning of *type 1* and *type 2* *vehicle related offences*)

Section 69A(1)(a)(i), ‘section 328A’—
omit, insert—
section 334I

19 Amendment of s 197E (Accessing information stored electronically on smartcard transport authorities)

(1) Section 197E(1)(b), ‘section 328A’—
omit, insert—
section 334I

(2) Section 197E(1)(b), note—
omit, insert—
Note—

The Criminal Code, section 334I creates an offence in relation to driving a motor vehicle dangerously.

[s 20]

20 Amendment of s 754 (Evasion offence)

Section 754(3)(b)(v), ‘section 328A’—

omit, insert—

section 334I, 334K

21 Amendment of s 756 (Who may be prosecuted for type 1 vehicle related offence if no response to type 1 vehicle related offence notice)

Section 756(8), ‘section 328A’—

omit, insert—

section 334I

22 Insertion of new ch 24, pt 30

Chapter 24—

insert—

**Part 30 Transitional provision
for Criminal Code
(Dangerous Driving)
and Other Legislation
Amendment Act 2026**

908 Application of ss 69A, 754 and 756

- (1) From the commencement, a type 1 vehicle related offence under section 69A(1) is taken to include an offence committed before the commencement against the provision mentioned in former section 69A(1)(a)(i).
- (2) Also, from the commencement, section 754(3)(b)(v) is taken to include a reference to an offence committed before the commencement against former section 328A of the Criminal Code

involving the driving or operation of a vehicle by the offender.

- (3) For a proceeding for an offence committed before the commencement against former section 328A of the Criminal Code, section 756 applies in relation to the proceeding as if section 756(8) included a reference to an offence against that section involving the driving of a motor vehicle.

- (4) In this section—

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

Part 6 Amendment of Transport Operations (Passenger Transport) Act 1994

23 Act amended

This part amends the *Transport Operations (Passenger Transport) Act 1994*.

24 Amendment of s 111B (When person is suitable to be transit officer)

Section 111B(2)(a)(ii), ‘an offence against the Criminal Code, section 328A’—

omit, insert—

an offence mentioned in schedule 1A, part 2, division 1 or 3

25 Amendment of sch 1 (Disqualifying offences—provisions of the Criminal Code)

- (1) Schedule 1, part 1—

[s 26]

insert—

8A chapter 29B (Dangerous driving or operation of vehicles)

(2) Schedule 1—

insert—

Part 4	Provision repealed by Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026
---------------	---

1 section 328A (Dangerous operation of a vehicle)

26 Amendment of sch 1A (Driver disqualifying offences)

(1) Schedule 1A, part 2—

omit, insert—

Part 2	Category B driver disqualifying offences
---------------	---

Division 1	Existing provision of Criminal Code
-------------------	--

1 section 334I (Driving motor vehicles dangerously)

Division 2	Weapons Act 1990
-------------------	-------------------------

1 section 65 (Unlawful trafficking in weapons)

**Division 3 Provision of Criminal Code
repealed by Criminal Code
(Dangerous Driving) and
Other Legislation
Amendment Act 2026**

- 1 section 328A (Dangerous operation of a vehicle)
(2) Schedule 1A, part 3, division 1—

insert—

- 8A section 334J (Interfering dangerously with the
 driving of motor vehicles)
8B section 334K (Operating non-motor vehicles
 dangerously)
8C section 334L (Interfering dangerously with the
 operation of non-motor vehicles)

**Part 7 Amendment of Transport
Operations (Road Use
Management) Act 1995**

27 Act amended

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

Note—

See also the amendments in schedule 1.

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

- (1) Section 79(1B), heading, ‘section 328A’—

omit, insert—

[s 28]

section 334I

- (2) Section 79(1B), from ‘has been previously’—

omit, insert—

has been previously—

- (a) convicted on indictment of an offence in connection with or arising out of the driving of a motor vehicle by the offender, other than an offence against the Criminal Code, section 334I; or
- (b) convicted of an offence against the Criminal Code, section 334I, with a circumstance of aggravation stated in section 334I(4)(a) of that Code;

the offender is liable—

- (c) to a minimum penalty, for the purposes of section 78E, of 16 penalty units; and
- (d) to a maximum penalty of—
 - (i) 72 penalty units; or
 - (ii) 18 months imprisonment.

- (3) Section 79(1C)(b), after ‘offender’—

insert—

, other than an offence against the Criminal Code, section 334I

- (4) Section 79(1C)(c)—

omit, insert—

- (c) of an offence against the Criminal Code, section 334I with a circumstance of aggravation stated in section 334I(4)(a) of that Code;

- (5) Section 79(1C)(d), after ‘offender’—

insert—

, other than an offence against the Criminal Code,
section 334I

(6) Section 79(1C)(e) and (f)—

omit, insert—

- (e) under subsection (1) and of an offence against the Criminal Code, section 334I with a circumstance of aggravation stated in section 334I(4)(a) of that Code; or
- (f) on indictment of an offence in connection with or arising out of the driving of a motor vehicle by the offender other than an offence against the Criminal Code, section 334I, and of an offence against the Criminal Code, section 334I with a circumstance of aggravation stated in section 334I(4)(a) of that Code;

(7) Section 79(2H), from ‘offender has been previously’—

omit, insert—

offender has been—

- (a) previously convicted on indictment of an offence in connection with or arising out of the driving of a motor vehicle by the offender, other than an offence against the Criminal Code, section 334I; or
- (b) previously convicted of an offence against the Criminal Code, section 334I with a circumstance of aggravation stated in section 334I(4)(a) of that Code; or
- (c) previously convicted under subsection (1);
the offender is liable—
- (d) to a minimum penalty, for the purposes of section 78E, of—
 - (i) for an offence against subsection (2AB)—15.5 penalty units; or

[s 29]

- (ii) for another offence—15 penalty units;
and
 - (e) to a maximum penalty of—
 - (i) for an offence against subsection (2AB)—47 penalty units; or
 - (ii) for another offence—42 penalty units;
or
 - (iii) 1 year’s imprisonment.
- (8) Section 79(2I)(a), after ‘the person’—
insert—

, other than an offence against the Criminal Code,
section 334I
- (9) Section 79(2I)(b)—
omit, insert—
 - (b) has been previously convicted of an offence against the Criminal Code, section 334I with a circumstance of aggravation stated in section 334I(4)(a) of that Code; or

29 Amendment of s 79B (Immediate suspension or disqualification)

Section 79B(1)(d)—

omit, insert—

- (d) charged under the Criminal Code, section 334I, with a circumstance of aggravation stated in section 334I(4)(a) of that Code;

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

- (1) Section 80(2)(ca) and (2A)(ba), ‘operating, or interfering with the operation of,’

omit, insert—

driving

- (2) Section 80(8)(b), from ‘person’—

omit, insert—

person, other than an offence against the Criminal Code, section 334I; or

- (3) Section 80(8)(ba)—

omit, insert—

(ba) is arrested for an offence against the Criminal Code, section 334I or 334K; or

- (4) Section 80(24), heading, ‘trial on indictment’—

omit, insert—

proceedings

- (5) Section 80(24), from ‘in the trial’—

omit, insert—

in—

(c) a trial on indictment of the person for an offence in connection with or arising out of the driving of a motor vehicle by the person, other than an offence against the Criminal Code, section 334I; or

(d) a proceeding for an offence alleged to have been committed by the person against the Criminal Code, section 334I or 334K;

and must not be excluded only because the evidence was compulsorily or otherwise obtained under this section.

- (6) Section 80(30), ‘section 328A’—

omit, insert—

section 334I or 334K

[s 31]

31 Amendment of s 86 (Disqualification of drivers of motor vehicles for certain offences)

(1) Section 86(1)(c) and (d)—

omit, insert—

- (c) on indictment, of an offence in connection with or arising out of the driving of a motor vehicle by the person, other than an offence against the Criminal Code, section 334I; or
- (d) of an offence against the Criminal Code, section 334I, with a circumstance of aggravation stated in section 334I(4)(a) of that Code;

(2) Section 86(1C), from ‘person has been’ to ‘section 328A,’—

omit, insert—

person has been previously convicted—

- (a) on indictment, of an offence in connection with or arising out of the driving of a motor vehicle by the person, other than an offence against the Criminal Code, section 334I; or
- (b) of an offence against the Criminal Code, section 334I, with a circumstance of aggravation stated in section 334I(4)(a) of that Code;

(3) Section 86(1D), from ‘person has been’ to ‘section 328A,’—

omit, insert—

person has been previously convicted of both of the following offences, or either of the following offences more than once—

- (a) an offence, on indictment, in connection with or arising out of the driving of a motor vehicle by the person, other than an offence against the Criminal Code, section 334I; or

-
- (b) an offence against the Criminal Code, section 334I, with a circumstance of aggravation stated in section 334I(4)(a) of that Code;
- (4) Section 86(1E), from ‘person has been’ to ‘section 328A,’—
omit, insert—
person has been previously convicted of an offence under section 79(1) and has been previously convicted—
- (a) on indictment, of an offence in connection with or arising out of the driving of a motor vehicle by the person, other than an offence against the Criminal Code, section 334I; or
- (b) of an offence against the Criminal Code, section 334I, with a circumstance of aggravation stated in section 334I(4)(a) of that Code;
- (5) Section 86(2)(c) and (d)—
omit, insert—
(c) on indictment, of an offence in connection with or arising out of the driving of a motor vehicle by the person, other than an offence against the Criminal Code, section 334I; or
- (d) of an offence against the Criminal Code, section 334I, with a circumstance of aggravation stated in section 334I(4)(a) of that Code;
- (6) Section 86(2E), from ‘previously convicted’—
omit, insert—
previously convicted—
- (a) of an offence under section 79(1); or
- (b) on indictment, of an offence in connection with or arising out of the driving of a motor

[s 31]

vehicle by the person, other than an offence against the Criminal Code, section 334I; or

- (c) of an offence against the Criminal Code, section 334I, with a circumstance of aggravation stated in section 334I(4)(a) of that Code;

the person is disqualified by the conviction and without any specific order from holding or obtaining a Queensland driver licence—

- (d) if the conviction is under section 79(2AB)—for a period of 10 months from the date of the conviction; or
- (e) otherwise—for a period of 9 months from the date of the conviction.

(7) Section 86(2F)(b)—

omit, insert—

- (b) has been previously convicted—
 - (i) on indictment, of an offence in connection with or arising out of the driving of a motor vehicle by the person, other than an offence against the Criminal Code, section 334I; or
 - (ii) of an offence against the Criminal Code, section 334I, with a circumstance of aggravation stated in section 334I(4)(a) of that Code;

(8) Section 86(3) and (3AA)—

omit, insert—

- (3) Subject to subsections (3A) to (3F), a person who is convicted on indictment of an offence in connection with or arising out of the driving of a motor vehicle by the person, other than an offence against the Criminal Code, section 334I, is disqualified by the conviction and without any

specific order from holding or obtaining a Queensland driver licence for a period of 6 months from the date of the conviction.

- (9) Section 86(3A), ‘subsection (3)(a) or (b) the’—

omit, insert—

subsection (3) the

- (10) Section 86(3A)(a) and (b)—

omit, insert—

(a) on indictment of another offence in connection with or arising out of the driving of a motor vehicle by the person, other than an offence against the Criminal Code, section 334I; or

(b) of an offence against the Criminal Code, section 334I, with a circumstance of aggravation stated in section 334I(4)(a) of that Code; or

(c) under section 79(1);

- (11) Section 86(3B), from ‘person has been’ to ‘subsection (3),’—

omit, insert—

person has been previously convicted of both of the following offences, or either of the following offences more than once—

(a) another offence, on indictment, in connection with or arising out of the driving of a motor vehicle by the person, other than an offence against the Criminal Code, section 334I; or

(b) an offence against the Criminal Code, section 334I, with a circumstance of aggravation stated in section 334I(4)(a) of that Code;

[s 32]

- (12) Section 86(3D), from ‘person has been previously’ to ‘section 79(1),’—

omit, insert—

person has been previously convicted of an offence under section 79(1) and has been previously convicted—

- (a) on indictment of another offence in connection with or arising out of the driving of a motor vehicle by the person, other than an offence against the Criminal Code, section 334I; or
- (b) of an offence against the Criminal Code, section 334I, with a circumstance of aggravation stated in section 334I(4)(a) of that Code;

- (13) Section 86(3E) and (3F), ‘subsection (3)(a) or (b)’—

omit, insert—

subsection (3)

32 Amendment of s 87 (Issue of restricted licence to disqualified person)

Section 87(5)(c)(i), ‘or the Criminal Code, section 328A’—

omit.

33 Replacement of ss 89 and 90

Sections 89 and 90—

omit, insert—

89 Power to disqualify person from holding or obtaining Queensland driver licence

- (1) This section applies—

- (a) either—

- (i) on the trial of a person charged on indictment with an offence in relation to the driving of a motor vehicle by the person, other than an offence against the Criminal Code, section 334I; or
 - (ii) on the hearing of a complaint against a person of an offence in relation to a motor vehicle against section 79, 83 or 85; and
- (b) if the person is not convicted of the offence.
- (2) If the presiding judge or magistrate considers it desirable, the judge or magistrate may constitute the court to decide whether a disqualification order should be made against the person.
- (3) The judge or magistrate may act under subsection (2) on application by the prosecution or on the judge's or magistrate's own initiative.
- (4) The court hearing the disqualification order proceeding may make the order if the court considers that it is in the public interest to do so having regard to—
 - (a) the evidence given at the trial or hearing of the complaint; and
 - (b) any application under subsection (3); and
 - (c) any submissions by the prosecution or defence; and
 - (d) any further evidence the court may admit.
- (5) The court may adjourn the proceeding to a later date to enable a submission or further evidence mentioned in subsection (4)(c) or (d) to be made or given.
- (6) A disqualification order proceeding is not a criminal proceeding.
- (7) A question of fact in a disqualification order

[s 34]

proceeding must be decided on the balance of probabilities.

(8) If the court makes the order, the registrar of the court must give a copy of the order to the chief executive.

(9) In this section—

disqualification order means an order disqualifying a person, absolutely or for a stated period, from holding or obtaining a Queensland driver licence.

disqualification order proceeding means a proceeding started under subsection (2).

34 Amendment of s 90A (Definitions for ss 90B–90D)

(1) Section 90A, definitions *section 89 disqualification* and *section 90 disqualification*—

omit.

(2) Section 90A—

insert—

court-ordered disqualification means—

(a) a disqualification ordered by a court under section 89 as a result of a person being charged with, but not convicted of, an offence against section 79; or

(b) a disqualification ordered by a court under the Criminal Code, section 334N as a result of a person being charged with, but not convicted of, a dangerous driving offence.

(3) Section 90A, definition *dangerous driving offence*, from ‘section 328A(1) or (4)’—

omit, insert—

section 334I, if the offence is committed with a circumstance of aggravation stated in section

334I(4)(a) of that Code.

- (4) Section 90A, definition *relevant disqualifying provision*—
insert—

(ga) the Criminal Code, section 334M; or

- (5) Section 90A, definition *relevant disqualifying provision*,
paragraphs (ga) and (h)—
renumber as paragraphs (h) and (i).

35 Amendment of s 91A (Definitions for part)

Section 91A, definition *alcohol-related driver offence*,
paragraph (d)—

omit, insert—

- (d) an offence against the Criminal Code,
section 334I, if the offence—
- (i) is committed with a circumstance of
aggravation stated in section
334I(4)(a)(i) of that Code while the
offender is under the influence of
alcohol; or
 - (ii) is committed with a circumstance of
aggravation stated in section
334I(4)(a)(ii) of that Code.

36 Amendment of s 91I (Definitions for part)

Section 91I, definition *drink driving offence*, paragraph (e)—

omit, insert—

- (e) an offence against the Criminal Code,
section 334I, if the offence—
- (i) is committed with a circumstance of
aggravation stated in section
334I(4)(a)(i) of that Code while the

[s 37]

offender is under the influence of alcohol; or

- (ii) is committed with a circumstance of aggravation stated in section 334I(4)(a)(ii) of that Code;

37 Amendment of s 123P (Evidence about analysing instruments)

Section 123P(1), after ‘transport Act’—

insert—

or the Criminal Code, section 334I or 334K

38 Insertion of new ch 7, pt 29

Chapter 7—

insert—

**Part 29 Transitional provisions
for Criminal Code
(Dangerous Driving)
and Other Legislation
Amendment Act 2026**

253 Definition for part

In this part—

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

254 Continuation of former ss 89 and 90

Former sections 89 and 90 continue to apply in relation to a trial or hearing of a complaint for an offence mentioned in those sections committed

before the commencement.

**255 Particular references to Criminal Code, s 334I
include reference to former s 328A of Criminal
Code**

From the commencement—

- (a) a reference in sections 79 and 86 to an offence for which an offender has been convicted against the Criminal Code, section 334I with a circumstance of aggravation stated in section 334I(4)(a) of that Code, is taken to include a reference to a conviction for an offence committed before the commencement against former section 328A with a circumstance of aggravation stated in former section 328A(2)(a) or (4)(b)(i) of that Code involving the driving of a motor vehicle; and
- (b) a reference in sections 79, 80 and 86 to the Criminal Code, section 334I is taken to include a reference to former section 328A of that Code; and
- (c) section 79B(1)(d) is taken to include a reference to a charge under former section 328A of the Criminal Code with a circumstance of aggravation stated in section 328A(2)(a) or (4)(b)(i) of that Code; and
- (d) section 87(5)(c)(i) is taken to include a reference to a conviction for an offence committed before the commencement against former section 328A of the Criminal Code.

256 Particular defined terms include reference to former s 328A of Criminal Code

- (1) From the commencement, section 90A, definition *court-ordered disqualification* is taken to include a disqualification ordered by a court under former section 89 or 90 as a result of a person being charged with, but not convicted of, an offence committed before the commencement against former section 328A of the Criminal Code with a circumstance of aggravation stated in section 328A(2)(a) or (4)(b)(i) of that Code involving the driving of a motor vehicle.
- (2) Also, from the commencement—
 - (a) section 90A, definition *dangerous driving offence* is taken to include a reference to an offence mentioned in former section 90A, definition *dangerous driving offence* committed before the commencement; and
 - (b) section 91A, definition *alcohol-related driver offence* is taken to include a reference to an offence mentioned in former section 91A, definition *alcohol-related driver offence*, paragraph (d) committed before the commencement; and
 - (c) section 91I, definition *drink driving offence* is taken to include a reference to an offence mentioned in former section 91I, definition *drink driving offence*, paragraph (e) committed before the commencement.
- (3) To remove any doubt, it is declared that from the commencement, a person's traffic history under schedule 4 continues to include an offence committed before the commencement against former section 328A of the Criminal Code.

257 Application of ss 91D and 91J

From the commencement, the following provisions are taken to include a reference to former sections 89(1) and 90(1)—

- (a) section 91D(4), definition *prescribed provision*;
- (b) section 91J(5), definition *prescribed provision*.

39 Amendment of sch 4 (Dictionary)

- (1) Schedule 4, definitions *section 89 disqualification* and *section 90 disqualification*—
omit.

- (2) Schedule 4—
insert—

court-ordered disqualification, for sections 90B to 90D, see section 90A.

- (3) Schedule 4, definition *traffic history*, paragraph (b), ‘section 328A’—
omit, insert—

sections 334I, 334J, 334K and 334L

Part 8 Amendment of Youth Justice Act 1992

40 Act amended

This part amends the *Youth Justice Act 1992*.

[s 41]

41 Amendment of s 148B (Admissibility of childhood finding of guilt against adult for particular purposes)

- (1) Section 148B(1)(a), from ‘section 328A’ to ‘that section’—

omit, insert—

section 334I, 334J, 334K or 334L, on indictment or summarily, alleged to have been committed after a previous conviction mentioned in those sections

- (2) Section 148B(1)(b), from ‘adult’—

omit, insert—

adult convicted of an offence against the following provisions of the Criminal Code—

- (i) section 334I with a circumstance of aggravation stated in section 334I(4)(d) of that Code;
- (ii) section 334I, if section 334I(5) of that Code applies to the conviction;
- (iii) section 334J with a circumstance of aggravation stated in section 334J(4) of that Code;
- (iv) section 334K with a circumstance of aggravation stated in section 334K(4)(c) of that Code;
- (v) section 334L with a circumstance of aggravation stated in section 334L(4) of that Code.

- (3) Section 148B(3), definition *relevant offence*—

omit, insert—

relevant offence means an offence mentioned in the following provisions of the Criminal Code—

- (a) section 334I(4)(d) or (5);
- (b) section 334J(4);

- (c) section 334K(4)(c);
- (d) section 334L(4).

42 Amendment of s 150 (Sentencing principles)

Section 150(11), definition *relevant serious offence*, paragraphs (a)(v) and (vi)—

omit, insert—

- (v) section 334I;
- (vi) section 334J;
- (vii) section 334K;
- (viii) section 334L;
- (ix) section 339; and

43 Amendment of s 175A (Sentence orders—significant offences to which adult penalties apply)

- (1) Section 175A(1)(w)—

omit.

- (2) Section 175A—

insert—

- (ya) section 334I;
- (yb) section 334J;
- (yc) section 334K;
- (yd) section 334L;

- (3) Section 175A(1)(x) to (zr)—

renumber as section 175(1)(w) to (zu).

44 Amendment of s 254 (Disqualification)

Section 254(6), from ‘the’ to ‘and 90’—

[s 45]

omit, insert—

the Criminal Code, section 334N and the
Transport Operations (Road Use Management)
Act 1995, section 89

45 Insertion of new pt 11, div 30

Part 11—

insert—

Division 30 Transitional provisions for Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026

448 Definition for division

In this division—

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

449 Application of s 148B

To remove any doubt, it is declared that, from the
commencement, former section 148B applies in
relation to a proceeding for an offence against
former section 328A of the Criminal Code,
whether the proceeding is started before or after
the commencement.

450 Particular provisions include reference to offence committed before commencement against former s 328A of Criminal Code

From the commencement, each of the following is

taken to include a reference to an offence committed before the commencement against former section 328A of the Criminal Code—

- (a) section 150(11), definition *relevant serious offence*;
- (b) section 175A(1);
- (c) schedule 4, definition *prescribed indictable offence*.

46 Amendment of sch 4 (Dictionary)

- (1) Schedule 4, definition *prescribed indictable offence*, paragraph (c)(iii)—

omit, insert—

- (iii) section 334I;
- (iia)section 334J;
- (iib)section 334K;
- (iic)section 334L;

- (2) Schedule 4, definition *prescribed indictable offence*, paragraph (c)(iia) to (viii)—

renumber as paragraph (c)(iv) to (xi).

Part 9 Other amendments

47 Legislation amended

Schedule 1 amends the legislation it mentions.

Schedule 1 Other amendments

section 47

Bail Act 1980

**1 Section 16(6), definition *relevant offence*, paragraph (c),
‘328A,’—**

omit, insert—

334I, 334J, 334K, 334L,

2 Part 5—

insert—

**52 Transitional provision for Criminal Code
(Dangerous Driving) and Other Legislation
Amendment Act 2026**

- (1) Section 16 applies in relation to a person for an offence committed before the commencement against former section 328A of the Criminal Code as if section 16(6), definition *relevant offence* included a reference to former section 328A of that Code.
- (2) In this section—
former, in relation to a provision of the Criminal Code, means the provision as in force from time to time before the commencement.

Child Protection Act 1999

- 1 **Section 193(6), definition *offence of a violent nature*—**
 insert—

(ba) a provision of chapter 29B;

- 2 **Section 193(6), definition *offence of a violent nature*,
 paragraphs (ba) to (e)—**
 renumber as paragraphs (c) to (f).

- 3 **Chapter 9—**
 insert—

Part 15 Transitional provision for Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026

289 Former s 328A of Criminal Code included within meaning of *offence of a violent nature* and *traffic history*

- (1) Section 193 applies in relation to a proceeding for an offence committed before the commencement against former section 328A of the Criminal Code as if section 193(6), definition *offence of a violent nature* included a reference to former section 328A of that Code.
- (2) From the commencement, schedule 3, definition *traffic history* is taken to include a reference to a contravention of former section 328A of the Criminal Code.
- (3) In this section—

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

4 Schedule 3, definition *traffic history*, paragraph (b)—

omit, insert—

(b) the Criminal Code, section 334I.

Editor's note—

Criminal Code, section 334I (Driving motor vehicles dangerously)

Disability Services Act 2006

1 Schedule 2, item 2, entry for Criminal Code, section 328A(4)—

omit.

2 Schedule 2, item 2, entry for Criminal Code—

insert—

334I(2) Driving motor vehicles
dangerously

334J(2) Interfering dangerously with
the driving of motor vehicles

334K(2) Operating non-motor vehicles
dangerously

334L(2) Interfering dangerously with
the operation of non-motor
vehicles

3 Schedule 3, entry for Criminal Code—

insert—

- 328A(4) Dangerous operation of a vehicle as the provision was in force from time to time before its repeal by the *Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026*

Evidence Act 1977

1 Section 21AC, definition *offence involving violence*—

insert—

- a provision of chapter 29B

2 Part 9—

insert—

Division 21 Transitional provision for Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026

186 Application of definition *offence involving violence* for s 21AC

- (1) From the commencement, section 21AC, definition *offence involving violence* is taken to include a reference to an offence committed before the commencement against former section 328A of the Criminal Code.

(2) In this section—

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

Introduction Agents Act 2001

1 Schedule 1, part 1—

insert—

6A Chapter 29B (Dangerous driving or operation of vehicles)

2 Schedule 1, part 1, items 6A to 22—

renumber as schedule 1, part 1, items 7 to 23.

3 Schedule 1, part 2, before item 1—

insert—

1A Section 328A (Dangerous operation of a vehicle)

4 Schedule 1, part 2, items 1A to 3—

renumber as schedule 1, part 2, items 1 to 4.

5 Schedule 1, part 2, note—

omit.

Security Providers Act 1993

1 Schedule 1, part 1—

insert—

9A chapter 29B (Dangerous driving or operation of vehicles)

2 Schedule 1, part 1, items 9A to 24—

renumber as schedule 1, part 1, items 10 to 25.

3 Schedule 1—

insert—

Part 3

**Provision repealed by
Criminal Code
(Dangerous Driving)
and Other Legislation
Amendment Act 2026**

1 section 328A (Dangerous operation of a vehicle)

Summary Offences Act 2005

1 Section 19B(b)(i), ‘section 328A’—

omit, insert—

section 334K

2 Section 26B(5), definition *relevant Code or weapons offence*, paragraph (a)(ii)—

omit, insert—

- (ii) section 334I(1), 334J(1), 334K(1) or 334L(1);

3 After section 50—

insert—

**Part 7 Transitional provision
for Criminal Code
(Dangerous Driving)
and Other Legislation
Amendment Act 2026**

**51 Former s 328A of Criminal Code included
within meaning of *relevant Code or weapons
offence* for s 26B**

- (1) From the commencement, section 26B(5), definition *relevant Code or weapons offence* is taken to include a reference to an offence committed before the commencement against former section 328A(1) of the Criminal Code.

- (2) In this section—

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

Tow Truck Act 2023

1 Part 8, division 2—

insert—

Subdivision 8 Transitional provision for Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026

182 Former s 328A of Criminal Code included within meaning of *notifiable offence*

- (1) From the commencement, schedule 1, part 1 is taken to include a reference to an offence committed before the commencement against former section 328A of the Criminal Code.
- (2) In this section—
former, in relation to a provision of the Criminal Code, means the provision as in force from time to time before the commencement.

2 Schedule 1, part 1—

insert—

13A chapter 29B (Dangerous driving or operation of vehicles)

3 Schedule 1, part 1, items 13A to 37—

renumber as schedule 1, part 1, items 14 to 38.

Transport Operations (Marine Safety) Act 1994

1 Section 202A(1)(a)(ii), ‘section 328A’—

omit, insert—

section 334K

2 Part 19—

insert—

**Division 8 Transitional provision for
Criminal Code (Dangerous
Driving) and Other
Legislation Amendment
Act 2026**

258 Application of s 202A

- (1) From the commencement, section 202A(1)(a)(ii) is taken to include a reference to an offence committed before the commencement against former section 328A of the Criminal Code.
- (2) In this section—
former, in relation to a provision of the Criminal Code, means the provision as in force from time to time before the commencement.

**Transport Operations (Road Use Management) Act
1995**

1 Section 90B(1)(a)(ii) and (iii)—

omit, insert—

- (ii) under a court-ordered disqualification; and

2 Section 90C(1)(b)(ii) and (iii)—

omit, insert—

- (ii) under a court-ordered disqualification; or
- (iii) under the Criminal Code, section 334M; and

3 Section 90C(2)(b) and (c) and (4)(b) and (c)—

omit, insert—

(b) under a court-ordered disqualification.

4 Section 91D(4), definition *prescribed provision*, ‘, 89(1) or 90(1)’—

omit, insert—

or 89, or the Criminal Code, section 334N

5 Section 91J(5), definition *prescribed provision*, ‘, 89(1) or 90(1)’—

omit, insert—

or 89, or the Criminal Code, section 334N

Transport Operations (Road Use Management—Driver Licensing) Regulation 2021

1 Section 295(1)(d)(ii)—

omit.

2 Section 295(1)(d)(iii)—

renumber as section 295(1)(d)(ii).

3 Section 311(1)(d)—

omit.

4 Chapter 17—

insert—

Part 4 Transitional provision for Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026

442 Application of ss 295 and 311

- (1) From the commencement, sections 295(1)(d) and 311(1) are taken to include a reference to a person convicted of an offence committed before the commencement against former section 328A of the Criminal Code.
- (2) In this section—
former, in relation to a provision of the Criminal Code, means the provision as in force from time to time before the commencement.

Transport Operations (Road Use Management—Road Rules) Regulation 2009

1 Section 20, note, from ‘section 328A’ to ‘and sections’—

omit, insert—

sections 334I (Driving motor vehicles dangerously) and 334K (Operating non-motor vehicles dangerously), and sections

Weapons Act 1990

1 **Schedule 1AA, entry for Criminal Code, entry for section 328A—**

omit.

2 **Schedule 1AA, entry for Criminal Code—**

insert—

- | | | |
|---------|--|---|
| 334I(1) | Driving motor vehicles dangerously | if the Criminal Code, section 334I(3) or (4) applies to the offence |
| 334I(2) | Driving motor vehicles dangerously | |
| 334J(1) | Interfering dangerously with the driving of motor vehicles | if the Criminal Code, section 334J(3) or (4) applies to the offence |
| 334J(2) | Interfering dangerously with the driving of motor vehicles | |
| 334K(1) | Operating non-motor vehicles dangerously | if the Criminal Code, section 334K(3) or (4) applies to the offence |
| 334K(2) | Operating non-motor vehicles dangerously | |
| 334L(1) | Interfering dangerously with the operation of non-motor vehicles | if the Criminal Code, section 334L(3) or (4) applies to the offence |
| 334L(2) | Interfering dangerously with the operation of non-motor vehicles | |

3 Part 8—

insert—

**Division 11 Transitional provision for
Criminal Code (Dangerous
Driving) and Other
Legislation Amendment
Act 2026**

**208 Continuation of Criminal Code, s 328A as
class B serious offence**

- (1) From the commencement, schedule 1AA, entry for the Criminal Code is taken to include a reference to former section 328A of the Criminal Code.
- (2) In this section—
former, in relation to a provision of the Criminal Code, means the provision as in force from time to time before the commencement.

Workers' Compensation and Rehabilitation Act 2003

1 Section 36(2)(a)(ii), 'section 328A'—

omit, insert—

section 334I or 334K

2 After chapter 38—

insert—

Chapter 39 Transitional provision for Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026

754 Application of s 36 if former Criminal Code, s 328A contravened

- (1) Section 36(2) applies in relation to a worker for an event that happened before the commencement as if section 36(2)(a)(ii) included a reference to former section 328A of the Criminal Code.
- (2) In this section—

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

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