



Queensland

Transport Legislation (E-mobility Use) Amendment Regulation 2026

Subordinate Legislation 2026 No. 119

made under the

State Penalties Enforcement Act 1999

Transport Operations (Road Use Management) Act 1995

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Transport Legislation (E-mobility Use) Amendment Regulation 2026*.

2 Commencement

This regulation commences on 31 August 2026.

Part 2 Amendment of State Penalties Enforcement Regulation 2014

3 Regulation amended

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

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

Schedule 1, entry for *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015*—

insert—

s 129F(2)	3
s 129G(2)	3

Part 3

Amendment of Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015

5 Regulation amended

This part amends the *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015*.

6 Insertion of new pt 5A

After part 5—

insert—

Part 5A E-mobility use

Division 1 Exemptions for riding electrically power-assisted cycle or personal mobility device without valid licence

129A Exemption for child riding while under adult supervision—Act, s 78B

- (1) For section 78B(1A)(a) and (1B) of the Act, a child who is at least 12 years is exempt from complying with section 78B(1) of the Act while the child is under adult supervision if, at all times during the supervision, the adult is within sufficient physical proximity to the child to—

- (a) easily observe and communicate with the child; and
- (b) provide immediate instruction to the child.

Example of adult who is within sufficient physical proximity to the child—

the adult is walking or riding beside or directly behind the child who is riding the electrically power-assisted cycle or personal mobility device

- (2) For section 78B(2) of the Act, definition *adult supervision*, paragraph (c), each of the following persons is prescribed for a child—

- (a) an approved kinship carer, approved foster carer or provisionally approved carer in whose care the child is placed under the *Child Protection Act 1999*, section 82(1)(a), (b) or (e);
- (b) another person who has responsibility for the child because the child is placed in the care of an entity under the *Child Protection Act 1999*, section 82(1)(c), (d) or (f).

129B Exemption for person with medical condition or physical or mental incapacity

- (1) For section 78B(1A)(b) and (1B) of the Act, a person is exempt from complying with section 78B(1) of the Act if—
 - (a) the person is at least 16 years; and
 - (b) the person is unable to hold or obtain a driver licence only because the person has a medical condition or a physical or mental incapacity; and
 - (c) a medical exemption certificate is in effect for the person; and

- (d) while riding the electrically power-assisted cycle or personal mobility device, the person—
 - (i) carries the medical exemption certificate; and
 - (ii) complies with any conditions stated in the medical exemption certificate.
- (2) Subsection (3) applies if the person—
 - (a) is required by an authorised officer to produce the medical exemption certificate; and
 - (b) is not able to comply with the requirement immediately.
- (3) The person is taken to have complied with subsection (1)(d)(i) if the person produces the medical exemption certificate to a person or at a place nominated by the authorised officer within 48 hours after the requirement is made.
- (4) In this section—
 - health practitioner***, for a medical exemption certificate, means—
 - (a) a registered health practitioner under the Health Practitioner Regulation National Law; or
 - (b) another appropriately qualified health practitioner stated in the approved form for the certificate.
 - medical exemption certificate***, for a person, means a certificate in the approved form signed by a health practitioner stating—
 - (a) that the person is able to safely operate a stated electrically power-assisted cycle or personal mobility device; and

- (b) the day the certificate expires, being not more than 5 years after the day the certificate is signed; and
- (c) any conditions applying to the person in relation to the matters stated in the certificate.

129C Exemption for person riding at particular places

- (1) For section 78B(1A)(c) and (1B) of the Act, a person is exempt from complying with section 78B(1) of the Act if the person is riding the electrically power-assisted cycle or personal mobility device at any of the following places—
 - (a) a mountain bike trail;
 - (b) a private recreational cycling facility;
 - (c) a rail trail.
- (2) The chief executive may publish a place, or a map showing the location of a place, mentioned in subsection (1) on the department’s website.
- (3) A place published under subsection (2) does not limit the places to which subsection (1) applies.
- (4) In this section—

mountain bike trail means a trail or network of trails open to the public—

- (a) that is for, or has as 1 of its main uses, use by riders for the recreational riding of bicycles; and
- (b) that is located on 1 or more types of relevant government managed land; and
- (c) that is identified as a mountain bike trail by signage on, or at an entrance to, the trail or at least 1 trail in the network of trails.

private recreational cycling facility means private land that is made available by the person who owns or controls the land for use by the public, whether or not on payment of a fee, for the recreational riding of bicycles.

rail trail means a route—

- (a) that follows, or substantially follows—
 - (i) rail corridor land or non-rail corridor land under the *Transport Infrastructure Act 1994*; or
 - (ii) other land on which infrastructure for a railway is or was built; and
- (b) that is used for recreational purposes, including, for example, cycling or walking; and
- (c) that is identified as a rail trail by signage on, or at the entrance to, the route.

relevant government managed land means—

- (a) a protected area under the *Nature Conservation Act 1992*; or
- (b) a State forest or timber reserve under the *Forestry Act 1959*; or
- (c) other land owned or controlled by the State acting through the department in which the *Nature Conservation Act 1992* is administered; or
- (d) land owned or controlled by a local government.

Division 2 Legacy EPACs and special purpose EPACs

129D Prescribed characteristics and limitations for legacy EPACs

- (1) For section 122Q of the Act, definition *legacy EPAC*, paragraph (e), this section prescribes the characteristics and limitations for legacy EPACs.
- (2) A legacy EPAC must have pedals.
- (3) The total maximum continuous rated power of all auxiliary electric motors for a legacy EPAC must not be more than 250 watts.
- (4) When propelled only by auxiliary electric motor, a legacy EPAC must not be capable of exceeding a speed of 6km/h.
- (5) The propulsion assistance provided by an auxiliary electric motor must cut off once the legacy EPAC reaches a speed of 25km/h.
- (6) A legacy EPAC must not have a feature that allows a power or speed limitation mentioned in subsection (3), (4) or (5) to be bypassed, disengaged or overridden, unless the feature is for the purpose of setting a lower power or speed limitation.

129E Prescribed characteristics and limitations for special purpose EPACs

- (1) For section 122Q of the Act, definition *special purpose EPAC*, paragraph (e), this section prescribes the characteristics and limitations for special purpose EPACs.
- (2) A special purpose EPAC must have pedals.
- (3) When propelled only by auxiliary electric motor, a special purpose EPAC must not be capable of exceeding a speed of 12km/h.
- (4) The propulsion assistance provided by an auxiliary electric motor must cut off once the special purpose EPAC reaches a speed of 25km/h.

- (5) A special purpose EPAC must not have a feature that allows a speed limitation mentioned in subsection (3) or (4) to be bypassed, disengaged or overridden, unless the feature is for the purpose of setting a lower speed limitation.

129F Maximum fees payable for verifying vehicle is legacy EPAC or special purpose EPAC

- (1) For section 122U(1)(a) of the Act, the following maximum fees are prescribed—
 - (a) for assessing or testing whether a vehicle is a legacy EPAC or special purpose EPAC—\$50;
 - (b) for issuing or affixing a compliance label, including recording details of the verification for a legacy EPAC or special purpose EPAC—\$20.

Note—

The maximum total of fees a customer could pay for the verification of a legacy EPAC or special purpose EPAC, resulting in a compliance label being attached to the EPAC, is \$70.

- (2) A person must not charge a customer more than the maximum fees stated in subsection (1) for—
 - (a) assessing or testing whether a vehicle is a legacy EPAC or special purpose EPAC; or
 - (b) issuing or affixing a compliance label, including recording details of the verification of a legacy EPAC or special purpose EPAC.

Maximum penalty—30 penalty units.

129G Limitations and conditions applying to use of legacy EPACs or special purpose EPACs

- (1) For section 122U(1)(b) of the Act, a person must

not ride a legacy EPAC or special purpose EPAC on a road, road-related area or in a public place if—

- (a) the EPAC does not display a compliance label attached to the EPAC in accordance with the EPAC verification rules; or
 - (b) the EPAC has been modified or tampered with after verification in a way that bypasses, disengages or overrides the power or speed limitations.
- (2) A person riding a legacy EPAC or special purpose EPAC must not contravene the condition stated in subsection (1).

Maximum penalty—30 penalty units.

Endnotes

ENDNOTES

- 1 Made by the Governor in Council on 20 August 2026.
- 2 Notified on the Queensland legislation website on 21 August 2026.
- 3 The administering agency is the Department of Transport and Main Roads.

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