



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



Queensland

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

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2026

A Bill

for

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

[s 1]

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1 Short title 3

This Act may be cited as the *Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026*. 4
5

Clause 2 Commencement 6

This Act commences on 1 March 2027. 7

Part 2 Amendment of Criminal Code 8

Clause 3 Code amended 9

This part amends the Criminal Code. 10

Clause 4 Amendment of s 1 (Definitions) 11

(1) Section 1, definitions *material*, *motor vehicle* and *place*— 12
omit. 13

(2) Section 1— 14
insert— 15

advertise, for chapter 29B, see section 334G. 16

dangerously, for chapter 29B, in relation to 17
driving or operating, or interfering with the 18
driving or operation of, a vehicle, see section 19
334H. 20

drug, for chapter 29B, see section 334G. 21

<i>excessively speeding</i> , for chapter 29B, see section 334G.	1 2
<i>high alcohol limit</i> , for chapter 29B, see section 334G.	3 4
<i>material</i> —	5
(a) for chapter 22, see section 207A; or	6
(b) for chapter 29B, see section 334G.	7
<i>motor vehicle</i> —	8
(a) for chapter 29B, see section 334G; or	9
(b) otherwise, includes the following—	10
(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;	11 12 13 14 15
(ii) a caravan, caravan trailer or other trailer designed to be attached to a motor vehicle;	16 17 18
(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.	19 20 21 22 23 24 25
<i>non-motor vehicle</i> , for chapter 29B, see section 334G.	26 27
<i>place</i> —	28
(a) for chapter 23, see section 230A; or	29
(b) for chapter 29B, see section 334G.	30
<i>previously convicted</i> , for chapter 29B, see section 334G.	31 32

[s 5]

	<i>Queensland driver licence</i> , for chapter 29B, see section 334G.	1 2
	<i>relevant drug</i> , for chapter 29B, see section 334G.	3
	<i>unlawful race</i> , for chapter 29B, see section 334G.	4
	<i>unlawful speed trial</i> , for chapter 29B, see section 334G.	5 6
Clause 5	Omission of ss 328A and 328B	7
	Sections 328A and 328B—	8
	<i>omit</i> .	9
Clause 6	Insertion of new pt 5, ch 29B	10
	Part 5, after section 334F—	11
	<i>insert</i> —	12
	Chapter 29B Dangerous driving or operation of vehicles	13 14
	334G Definitions for chapter	15
	In this chapter—	16
	<i>advertise</i> means attract the notice and attention of the public or a limited section of the public.	17 18
	<i>dangerously</i> , in relation to driving or operating, or interfering with the driving or operation of, a vehicle, see section 334H.	19 20 21
	<i>drug</i> means—	22
	(a) a dangerous drug under the <i>Drugs Misuse Act 1986</i> , section 4; or	23 24
	(b) another substance, other than alcohol, that if consumed or used by a person deprives the	25 26

person temporarily or permanently of any of the person's normal mental or physical faculties.	1 2 3
<i>excessively speeding</i> 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 <i>Transport Operations (Road Use Management) Act 1995</i> .	4 5 6 7 8
<i>high alcohol limit</i> see the <i>Transport Operations (Road Use Management) Act 1995</i> , section 79A(3).	9 10 11
<i>material</i> includes an electronic document.	12
<i>motor vehicle</i> see the <i>Transport Operations (Road Use Management) Act 1995</i> , schedule 4.	13 14
<i>non-motor vehicle</i> means a vehicle other than a motor vehicle, and includes—	15 16
(a) a train, aircraft or vessel; or	17
(b) anything else used or to be used to carry persons or goods from place to place.	18 19
<i>place</i> 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.	20 21 22 23
<i>previously convicted</i> , of an offence in relation to an offender who is an adult, includes a previous finding of guilt, within the meaning of the <i>Youth Justice Act 1992</i> , schedule 4, against the offender as a child.	24 25 26 27 28
<i>Note</i> —	29
See the <i>Youth Justice Act 1992</i> , section 148B in relation to the admissibility of a previous finding of guilt.	30 31
<i>Queensland driver licence</i> see the <i>Transport Operations (Road Use Management) Act 1995</i> , schedule 4.	32 33 34

[s 6]

relevant drug see the *Transport Operations (Road Use Management) Act 1995*, schedule 4. 1
2

unlawful race means a race involving a vehicle in 3
contravention of the *Transport Operations (Road 4*
Use Management) Act 1995, section 85. 5

unlawful speed trial means a trial of the speed of 6
a vehicle in contravention of the *Transport 7*
Operations (Road Use Management) Act 1995, 8
section 85. 9

334H Meaning of drive or operate, or interfere with 10
the driving or operation of, a vehicle 11
***dangerously* 12**

A person (the *relevant person*) drives or operates 13
a vehicle, or interferes with the driving or 14
operation of a vehicle, at a place *dangerously* if 15
the relevant person drives or operates, or 16
interferes with the driving or operation of, the 17
vehicle in a way that is dangerous to the public, or 18
to a person in or on the vehicle other than the 19
relevant person, having regard to all the 20
circumstances, including the following— 21

- (a) the nature, condition and use of the place; 22
- (b) the nature and condition of the vehicle; 23
- (c) the speed at which the vehicle is driven or 24
operated; 25
- (d) the number of persons, vehicles or other 26
objects that are, or might reasonably be 27
expected to be, in the place; 28
- (e) the concentration of alcohol in the relevant 29
person's blood, breath or urine; 30
- (f) the presence of a drug in the relevant 31
person's saliva, blood or urine. 32

334I Driving motor vehicles dangerously	1
(1) A person who drives a motor vehicle dangerously at any place commits a misdemeanour.	2 3
Maximum penalty—400 penalty units or 5 years imprisonment.	4 5
(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.	6 7 8
Maximum penalty—16 years imprisonment.	9
(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—	10 11 12
(a) advertise the offender’s involvement in the offence; or	13 14
(b) advertise the act or omission constituting the offence;	15 16
the offender commits a crime.	17
Maximum penalty—600 penalty units or 7 years imprisonment.	18 19
(4) If, in relation to an offence against subsection (1) or (2)—	20 21
(a) at the time of committing the offence—	22
(i) the offender is under the influence of alcohol or a drug; or	23 24
(ii) the offender is over the high alcohol limit; or	25 26
(iii) a relevant drug is present in the offender’s blood or saliva; or	27 28
(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	29 30 31 32

[s 6]

- (c) at the time of committing the offence— 1
 - (i) the offender is disqualified from 2
holding or obtaining a Queensland 3
driver licence under an order of a court 4
made under section 334M or 334N or 5
the *Penalties and Sentences Act 1992*, 6
section 187; or 7
 - (ii) the offender is disqualified from 8
holding or obtaining a Queensland 9
driver licence under the *Transport 10*
Operations (Road Use Management) 11
Act 1995; or 12
 - (iii) the offender’s Queensland driver 13
licence, or authority to drive on a 14
Queensland road under a 15
non-Queensland driver licence, is 16
suspended under the *Transport 17*
Operations (Road Use Management) 18
Act 1995; or 19
- (d) the offender has, within the period of 5 years 20
before the offender’s conviction for the 21
offence, been previously convicted, whether 22
on indictment or summarily, of— 23
 - (i) an offence against this section; or 24
 - (ii) an offence against section 334J; or 25
 - (iii) an offence, other than an offence 26
against this section, charged on 27
indictment involving the driving of a 28
motor vehicle by the offender in a way 29
that causes, or is likely to cause, injury 30
or death to another person; or 31
 - (iv) an offence against the *Transport 32*
Operations (Road Use Management) 33
Act 1995, section 79(1), (1F), (2), 34
(2AA), (2A), (2B), (2D), (2J), (2K) or 35
(2L) involving a motor vehicle; or 36

-
- (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

[s 6]

- (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— 2 3 4
- (i) subsection (1); 5
- (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; 6 7 8 9 10 11
- (iii) an offence against the *Transport Operations (Road Use Management) Act 1995*, section 79(1), (1F), (2), (2AA), (2A), (2B), (2D), (2J), (2K) or (2L) involving a motor vehicle; 12 13 14 15 16
- the court must, on conviction, impose imprisonment as the whole or part of the punishment. 17 18 19
- (6) In this section— 20
- non-Queensland driver licence* see the *Transport Operations (Road Use Management) Act 1995*, schedule 4. 21 22 23

334J Interfering dangerously with the driving of motor vehicles 24 25

- (1) A person who interferes dangerously with the driving of a motor vehicle at any place commits a misdemeanour. 26 27 28
- Maximum penalty—400 penalty units or 5 years imprisonment. 29 30
- (2) A person who interferes dangerously with the driving of a motor vehicle at any place and causes the death of, or grievous bodily harm to, another person commits a crime. 31 32 33 34

Maximum penalty—16 years imprisonment.	1
(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—	2 3 4
(a) advertise the offender’s involvement in the offence; or	5 6
(b) advertise the act or omission constituting the offence;	7 8
the offender commits a crime.	9
Maximum penalty—600 penalty units or 7 years imprisonment.	10 11
(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.	12 13 14 15 16 17 18
Maximum penalty—	19
(a) for an offence against subsection (1)—600 penalty units or 7 years imprisonment; or	20 21
(b) for an offence against subsection (2)—25 years imprisonment.	22 23
334K Operating non-motor vehicles dangerously	24
(1) A person who operates a non-motor vehicle dangerously at any place commits a misdemeanour.	25 26 27
Maximum penalty—200 penalty units or 3 years imprisonment.	28 29
(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.	30 31 32 33

[s 6]

Maximum penalty—14 years imprisonment.	1
(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—	2 3 4
(a) advertise the offender’s involvement in the offence; or	5 6
(b) advertise the act or omission constituting the offence;	7 8
the offender commits a crime.	9
Maximum penalty—400 penalty units or 5 years imprisonment.	10 11
(4) If, in relation to an offence against subsection (1) or (2)—	12 13
(a) at the time of committing the offence—	14
(i) the offender is under the influence of alcohol or a drug; or	15 16
(ii) the offender contravenes the <i>Transport Operations (Road Use Management) Act 1995</i> , section 79(1) or (7A) because the offender is over the high alcohol limit; or	17 18 19 20 21
(iii) a relevant drug is present in the offender’s blood or saliva in contravention of the <i>Transport Operations (Road Use Management) Act 1995</i> , section 79(2AA); or	22 23 24 25 26
(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	27 28 29 30
(c) the offender has, within the period of 5 years before the offender’s conviction for the offence, been previously convicted, whether	31 32 33

on indictment or summarily, of an offence against—	1 2
(i) this section; or	3
(ii) section 334L; or	4
(iii) the <i>Transport Operations (Road Use Management) Act 1995</i> , section 79(1) (1F), (2), (2AA), (2A), (2B), (2D), (2J), (2K), (2L) or (7) involving a non-motor vehicle; or	5 6 7 8 9
(iv) the <i>Transport Operations (Road Use Management) Act 1995</i> , section 79(2AAA), (2AAB) or (7A); or	10 11 12
(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	13 14 15 16 17 18 19
(e) before or while committing the offence, the offender commits an offence against the <i>Police Powers and Responsibilities Act 2000</i> , section 754(2) in relation to operating an electrically power-assisted cycle or personal mobility device;	20 21 22 23 24 25
the offender commits a crime.	26
Maximum penalty—	27
(a) for an offence against subsection (1)—400 penalty units or 5 years imprisonment; or	28 29
(b) for an offence against subsection (2)—20 years imprisonment.	30 31
(5) In this section—	32
<i>electrically power-assisted cycle</i> see the <i>Transport Operations (Road Use Management)</i>	33 34

[s 6]

<i>Act 1995, schedule 4.</i>	1
<i>personal mobility device</i> see the <i>Transport Operations (Road Use Management) Act 1995, schedule 4.</i>	2 3 4
334L Interfering dangerously with the operation of non-motor vehicles	5 6
(1) A person who interferes dangerously with the operation of a non-motor vehicle at any place commits a misdemeanour.	7 8 9
Maximum penalty—200 penalty units or 3 years imprisonment.	10 11
(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.	12 13 14 15
Maximum penalty—14 years imprisonment.	16
(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—	17 18 19
(a) advertise the offender’s involvement in the offence; or	20 21
(b) advertise the act or omission constituting the offence;	22 23
the offender commits a crime.	24
Maximum penalty—400 penalty units or 5 years imprisonment.	25 26
(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 334K, the offender commits a crime.	27 28 29 30 31 32 33

Maximum penalty—	1
(a) for an offence against subsection (1)—400 penalty units or 5 years imprisonment; or	2 3
(b) for an offence against subsection (2)—20 years imprisonment.	4 5
334M Licence disqualification if commission of offence involves driving motor vehicle	6 7
(1) This section applies if a person is convicted of an offence against section 334I.	8 9
(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.	10 11 12 13 14 15
(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—	16 17 18 19 20
(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	21 22 23 24
(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	25 26 27 28
(c) otherwise—6 months.	29
(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—	30 31 32 33

[s 6]

- | | | |
|-----|--|----------------------------|
| (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 | 1
2
3
4 |
| (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 | 5
6
7
8 |
| (c) | otherwise—1 year. | 9 |
| (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— | 10
11
12
13
14 |
| (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 | 15
16
17
18 |
| (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 | 19
20
21
22 |
| (c) | otherwise—1 year. | 23 |
| (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— | 24
25
26
27 |
| (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 | 28
29
30
31 |
| (b) | if the person has, within the period of 5 years before the conviction, been previously convicted once for an offence against section 334I—3 years; or | 32
33
34
35 |

-
- (c) otherwise—2 years. 1
- (7) The registrar of the court in which the person is 2
convicted must give a copy of the order to the 3
chief executive of the department in which the 4
Transport Operations (Road Use Management) 5
Act 1995 is administered. 6
- (8) The court must disqualify the person from holding 7
or obtaining a Queensland driver licence under 8
this section whether or not any other sentence is 9
imposed for the offence. 10
- (9) This section does not otherwise limit a court’s 11
power to make an order under the *Penalties and* 12
Sentences Act 1992, section 187. 13
- (10) In this section— 14
repeat offence circumstance, for an offence 15
against section 334I, means a circumstance of 16
aggravation stated in section 334I(4)(d)(i). 17

**334N Power to disqualify person from holding or 18
obtaining Queensland driver licence 19**

- (1) This section applies on the hearing before a court 20
of a charge against a person of an offence against 21
section 334I, if the person is not convicted of the 22
offence. 23
- (2) If the presiding judge or magistrate considers it 24
desirable, the judge or magistrate may constitute 25
the court to decide whether a disqualification 26
order should be made against the person. 27
- (3) The judge or magistrate may act under subsection 28
(2) on application by the prosecution or on the 29
judge’s or magistrate’s own initiative. 30
- (4) The court hearing the disqualification order 31
proceeding may make the order if the court 32
considers it is in the public interest to do so having 33
regard to— 34

[s 6]

- (a) the evidence given at the hearing of the charge; and 1
2
- (b) any application under subsection (3); and 3
- (c) any submissions by the prosecution or defence; and 4
5
- (d) any further evidence the court may admit. 6
- (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. 7
8
9
10
- (6) A disqualification order proceeding is not a criminal proceeding. 11
12
- (7) A question of fact in a disqualification order proceeding must be decided on the balance of probabilities. 13
14
15
- (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. 16
17
18
19
20
- (9) In this section— 21
- disqualification order* means an order disqualifying a person, absolutely or for a stated period, from holding or obtaining a Queensland driver licence. 22
23
24
25
- disqualification order proceeding* means a proceeding started under subsection (2). 26
27

3340 Additional power to convict for offences against this chapter 28
29

- (1) This section applies if a person is charged on indictment with an offence in connection with or arising out of the driving or operation, or interference with the driving or operation, of a 30
31
32
33

vehicle by the person, other than an offence 1
against a chapter 29B provision. 2

(2) The person may be convicted of an offence 3
defined in a chapter 29B provision, with or 4
without a relevant circumstance of aggravation, if 5
the offence is established by the evidence. 6

(3) This section applies despite section 576. 7

(4) In this section— 8

chapter 29B provision means section 334I, 334J, 9
334K or 334L. 10

relevant circumstance of aggravation, for an 11
offence defined in a chapter 29B provision, 12
means— 13

(a) for section 334I—a circumstance of 14
aggravation stated in section 334I(3) or (4); 15
or 16

(b) for section 334J—a circumstance of 17
aggravation stated in section 334J(3) or (4); 18
or 19

(c) for section 334K—a circumstance of 20
aggravation stated in section 334K(3) or (4); 21
or 22

(d) for section 334L—a circumstance of 23
aggravation stated in section 334L(3) or (4). 24

334P Particular complaints and indictments 25

In an indictment or complaint for an offence 26
against this chapter relating to a person driving or 27
operating a vehicle while under the influence of 28
alcohol or a drug, it is enough to state the person 29
was under the influence of ‘alcohol or a drug’ 30
without specifying which. 31

[s 7]

Clause 7	Amendment of s 552A (Charges of indictable offences that must be heard and decided summarily on prosecution election)	1 2 3
	Section 552A(1)(a)—	4
	<i>insert—</i>	5
	• section 334I(1)	6
	• section 334J(1)	7
	• section 334K(1), if the offence is alleged to have been committed with a circumstance of aggravation stated in section 334K(3) or (4)	8 9 10
	• section 334L(1), if the offence is alleged to have been committed with a circumstance of aggravation stated in section 334L(3) or (4)	11 12 13
Clause 8	Amendment of s 552B (Charges of indictable offences that must be heard and decided summarily unless defendant elects for jury trial)	14 15 16
	Section 552B(1)(g)—	17
	<i>omit.</i>	18
Clause 9	Insertion of new pt 9, ch 115	19
	Part 9—	20
	<i>insert—</i>	21

Chapter 115 Transitional provisions for Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026	1 2 3 4 5 6 7 8
772 Definitions for chapter	9
In this chapter—	10
<i>amendment Act</i> means the <i>Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026</i> .	11 12 13
<i>former</i> , in relation to a provision of an Act, means the provision as in force from time to time before the commencement.	14 15 16
773 Matters relating to offences committed before commencement against former s 328A	17 18
(1) This section applies in relation to an offence committed before the commencement against former section 328A.	19 20 21
(2) Without limiting the <i>Acts Interpretation Act 1954</i> , 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.	22 23 24 25 26
(3) Also, the following provisions continue to apply in relation to the proceeding as if the amendment Act had not commenced—	27 28 29

[s 9]

(a) former section 328B;	1
(b) former sections 89 and 90 of the <i>Transport Operations (Road Use Management) Act 1995</i> .	2 3 4
(4) Former section 86 of the <i>Transport Operations (Road Use Management) Act 1995</i> continues to apply in relation to a person convicted of an offence committed before the commencement against former section 328A.	5 6 7 8 9
774 Application of ch 29B in relation to previous convictions	10 11
(1) From the commencement—	12
(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	13 14 15 16 17
(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	18 19 20 21 22
(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.	23 24 25 26 27
(2) Also, from the commencement—	28
(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	29 30 31 32 33

[s 12]

insert— 1
334I, 334J, 2

Part 4 **Amendment of Penalties and Sentences Act 1992** 3
4

Clause 12 **Act amended** 5
This part amends the *Penalties and Sentences Act 1992*. 6

Clause 13 **Amendment of s 9 (Sentencing guidelines)** 7
Section 9(12), definition *relevant serious offence*, paragraphs 8
(a)(v) and (vi)— 9
omit, insert— 10
(v) section 334I; 11
(vi) section 334J; 12
(vii) section 334K; 13
(viii) section 334L; 14
(ix) section 339; and 15

Clause 14 **Amendment of s 126A (Particular provision for driver licence disqualifications)** 16
Section 126A(1)(b)(ii), after ‘under’— 17
insert— 19
the Criminal Code, section 334M or 334N or 20

Clause 15 **Insertion of new pt 14, div 27** 21
Part 14— 22
insert— 23

Division 27	Transitional provision for Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026	1 2 3 4 5
266	Former s 328A of Criminal Code included within meaning of <i>relevant serious offence</i> for s 9	6 7 8
	From the commencement, section 9(12), definition <i>relevant serious offence</i> is taken to include a reference to an offence committed before the commencement against former section 328A of the Criminal Code.	9 10 11 12 13
Clause 16	Amendment of sch 1 (Serious violent offences)	14
(1)	Schedule 1, entry for Criminal Code, item 32— <i>omit.</i>	15 16
(2)	Schedule 1, entry for Criminal Code— <i>insert—</i>	17 18
	32B section 334I(2) (Driving motor vehicles dangerously)	19 20
	32C section 334J(2) (Interfering dangerously with the driving of motor vehicles)	21 22
	32D section 334K(2) (Operating non-motor vehicles dangerously)	23 24
	32E section 334L(2) (Interfering dangerously with the operation of non-motor vehicles)	25 26
(3)	Schedule 1— <i>insert—</i>	27 28

[s 17]

**Criminal Code (Provision repealed by
Criminal Code (Dangerous Driving)
and Other Legislation Amendment
Act 2026)** 1
2
3
4

1 section 328A (Dangerous operation of a vehicle) 5

**Part 5 Amendment of Police Powers
and Responsibilities Act 2000** 6
7

Clause 17 Act amended 8
This part amends the *Police Powers and Responsibilities Act* 9
2000. 10

**Clause 18 Amendment of s 69A (Meaning of *type 1* and *type 2*
vehicle related offences)** 11
12
Section 69A(1)(a)(i), ‘section 328A’— 13
omit, insert— 14
section 334I 15

**Clause 19 Amendment of s 197E (Accessing information stored
electronically on smartcard transport authorities)** 16
17
(1) Section 197E(1)(b), ‘section 328A’— 18
omit, insert— 19
section 334I 20
(2) Section 197E(1)(b), note— 21
omit, insert— 22
Note— 23
The Criminal Code, section 334I creates an offence in 24
relation to driving a motor vehicle dangerously. 25

Clause 20	Amendment of s 754 (Evasion offence)	1
	Section 754(3)(b)(v), ‘section 328A’—	2
	<i>omit, insert—</i>	3
	section 334I, 334K	4
Clause 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)	5
	Section 756(8), ‘section 328A’—	6
	<i>omit, insert—</i>	7
	section 334I	8
		9
		10
Clause 22	Insertion of new ch 24, pt 30	11
	Chapter 24—	12
	<i>insert—</i>	13
	Part 30	14
	Transitional provision	15
	for Criminal Code	16
	(Dangerous Driving)	17
	and Other Legislation	18
	Amendment Act 2026	19
		20
		21
		22
		23
		24
		25
		26
		27
		28
	908 Application of ss 69A, 754 and 756	19
	(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).	20
		21
		22
		23
		24
	(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	25
		26
		27
		28

[s 23]

	involving the driving or operation of a vehicle by the offender.	1 2
(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.	3 4 5 6 7 8
(4)	In this section— <i>former</i> , in relation to a provision of an Act, means the provision as in force from time to time before the commencement.	9 10 11 12
Part 6	Amendment of Transport Operations (Passenger Transport) Act 1994	13 14 15
Clause 23	Act amended This part amends the <i>Transport Operations (Passenger Transport) Act 1994</i> .	16 17 18
Clause 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’— <i>omit, insert—</i> an offence mentioned in schedule 1A, part 2, division 1 or 3	19 20 21 22 23 24 25
Clause 25	Amendment of sch 1 (Disqualifying offences—provisions of the Criminal Code) (1) Schedule 1, part 1—	26 27 28

insert—

1

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

2

3

(2) Schedule 1—

4

insert—

5

Part 4

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

6

7

8

9

10

1 section 328A (Dangerous operation of a vehicle)

11

Clause 26 Amendment of sch 1A (Driver disqualifying offences)

12

(1) Schedule 1A, part 2—

13

omit, insert—

14

Part 2

Category B driver disqualifying offences

15

16

Division 1

Existing provision of Criminal Code

17

18

1 section 334I (Driving motor vehicles
dangerously)

19

20

Division 2

Weapons Act 1990

21

1 section 65 (Unlawful trafficking in weapons)

22

[s 27]

Division 3	Provision of Criminal Code repealed by Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026	1 2 3 4 5
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- | | | |
|-----|--|----------|
| 1 | section 328A (Dangerous operation of a vehicle) | 6 |
| (2) | Schedule 1A, part 3, division 1— | 7 |
| | <i>insert—</i> | 8 |
| 8A | section 334J (Interfering dangerously with the
driving of motor vehicles) | 9
10 |
| 8B | section 334K (Operating non-motor vehicles
dangerously) | 11
12 |
| 8C | section 334L (Interfering dangerously with the
operation of non-motor vehicles) | 13
14 |

Part 7	Amendment of Transport Operations (Road Use Management) Act 1995	15 16 17
---------------	---	----------------

- | | | |
|------------------|---|----------|
| Clause 27 | Act amended | 18 |
| | This part amends the <i>Transport Operations (Road Use
Management) Act 1995</i> . | 19
20 |
| | <i>Note—</i> | 21 |
| | See also the amendments in schedule 1. | 22 |

- | | | |
|------------------|---|----------|
| Clause 28 | Amendment of s 79 (Vehicle offences involving liquor or
other drugs) | 23
24 |
| (1) | Section 79(1B), heading, ‘section 328A’— | 25 |
| | <i>omit, insert—</i> | 26 |

section 334I	1
(2) Section 79(1B), from ‘has been previously’—	2
<i>omit, insert—</i>	3
has been previously—	4
(a) convicted on indictment of an offence in	5
connection with or arising out of the driving	6
of a motor vehicle by the offender, other	7
than an offence against the Criminal Code,	8
section 334I; or	9
(b) convicted of an offence against the Criminal	10
Code, section 334I, with a circumstance of	11
aggravation stated in section 334I(4)(a) of	12
that Code;	13
the offender is liable to a maximum penalty of 72	14
penalty units or 18 months imprisonment.	15
(3) Section 79(1C)(b), after ‘offender’—	16
<i>insert—</i>	17
, other than an offence against the Criminal Code,	18
section 334I	19
(4) Section 79(1C)(c)—	20
<i>omit, insert—</i>	21
(c) of an offence against the Criminal Code,	22
section 334I with a circumstance of	23
aggravation stated in section 334I(4)(a) of	24
that Code;	25
(5) Section 79(1C)(d), after ‘offender’—	26
<i>insert—</i>	27
, other than an offence against the Criminal Code,	28
section 334I	29
(6) Section 79(1C)(e) and (f)—	30
<i>omit, insert—</i>	31

[s 28]

- (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 for the offence to a maximum penalty of 42 penalty units or 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	1
	against the Criminal Code, section 334I	2
	with a circumstance of aggravation stated in	3
	section 334I(4)(a) of that Code; or	4
Clause 29	Amendment of s 79B (Immediate suspension or	5
	disqualification)	6
	Section 79B(1)(d)—	7
	<i>omit, insert—</i>	8
	(d) charged under the Criminal Code, section	9
	334I, with a circumstance of aggravation	10
	stated in section 334I(4)(a) of that Code;	11
Clause 30	Amendment of s 80 (Breath and saliva tests, and analysis	12
	and laboratory tests)	13
	(1) Section 80(2)(ca) and (2A)(ba), ‘operating, or interfering with	14
	the operation of,’	15
	<i>omit, insert—</i>	16
	driving	17
	(2) Section 80(8)(b), from ‘person’—	18
	<i>omit, insert—</i>	19
	person, other than an offence against the Criminal	20
	Code, section 334I; or	21
	(3) Section 80(8)(ba)—	22
	<i>omit, insert—</i>	23
	(ba) is arrested for an offence against the	24
	Criminal Code, section 334I or 334K; or	25
	(4) Section 80(24), heading, ‘trial on indictment’—	26
	<i>omit, insert—</i>	27
	proceedings	28
	(5) Section 80(24), from ‘in the trial’—	29

[s 31]

- omit, insert—* 1
- in— 2
- (c) a trial on indictment of the person for an 3
offence in connection with or arising out of 4
the driving of a motor vehicle by the person, 5
other than an offence against the Criminal 6
Code, section 334I; or 7
- (d) a proceeding for an offence alleged to have 8
been committed by the person against the 9
Criminal Code, section 334I or 334K; 10
- and must not be excluded only because the 11
evidence was compulsorily or otherwise obtained 12
under this section. 13
- (6) Section 80(30), ‘section 328A’— 14
- omit, insert—* 15
- section 334I or 334K 16

- Clause 31 Amendment of s 86 (Disqualification of drivers of motor 17
vehicles for certain offences) 18**
- (1) Section 86(1)(c) and (d)— 19
- omit, insert—* 20
- (c) on indictment, of an offence in connection 21
with or arising out of the driving of a motor 22
vehicle by the person, other than an offence 23
against the Criminal Code, section 334I; or 24
- (d) of an offence against the Criminal Code, 25
section 334I, with a circumstance of 26
aggravation stated in section 334I(4)(a) of 27
that Code; 28
- (2) Section 86(1C), from ‘person has been’ to ‘section 328A,’— 29
- omit, insert—* 30
- person has been previously convicted— 31

-
- (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;

[s 31]

- (5) Section 86(2)(c) and (d)— 1
omit, insert— 2
- (c) on indictment, of an offence in connection 3
with or arising out of the driving of a motor 4
vehicle by the person, other than an offence 5
against the Criminal Code, section 334I; or 6
- (d) of an offence against the Criminal Code, 7
section 334I, with a circumstance of 8
aggravation stated in section 334I(4)(a) of 9
that Code; 10
- (6) Section 86(2E), from ‘previously convicted’ to ‘section 11
328A,’— 12
omit, insert— 13
- previously convicted— 14
- (a) of an offence under section 79(1); or 15
- (b) on indictment, of an offence in connection 16
with or arising out of the driving of a motor 17
vehicle by the person, other than an offence 18
against the Criminal Code, section 334I; or 19
- (c) of an offence against the Criminal Code, 20
section 334I, with a circumstance of 21
aggravation stated in section 334I(4)(a) of 22
that Code; 23
- (7) Section 86(2F)(b)— 24
omit, insert— 25
- (b) has been previously convicted— 26
- (i) on indictment, of an offence in 27
connection with or arising out of the 28
driving of a motor vehicle by the 29
person, other than an offence against 30
the Criminal Code, section 334I; or 31
- (ii) of an offence against the Criminal 32
Code, section 334I, with a 33

circumstance of aggravation stated in section 334I(4)(a) of that Code;	1 2
(8) Section 86(3) and (3AA)—	3
<i>omit, insert—</i>	4
(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.	5 6 7 8 9 10 11 12 13
(9) Section 86(3A), ‘subsection (3)(a) or (b) the’—	14
<i>omit, insert—</i>	15
subsection (3) the	16
(10) Section 86(3A)(a) and (b)—	17
<i>omit, insert—</i>	18
(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	19 20 21 22 23
(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	24 25 26 27
(c) under section 79(1);	28
(11) Section 86(3B), from ‘person has been’ to ‘subsection (3),’—	29
<i>omit, insert—</i>	30
person has been previously convicted of both of the following offences, or either of the following offences more than once—	31 32 33

[s 32]

	(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	1 2 3 4 5
	(b) an offence against the Criminal Code, section 334I, with a circumstance of aggravation stated in section 334I(4)(a) of that Code;	6 7 8 9
(12)	Section 86(3D), from ‘person has been previously’ to ‘section 79(1),’— <i>omit, insert—</i> person has been previously convicted of an offence under section 79(1) and has been previously convicted—	10 11 12 13 14 15
	(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	16 17 18 19 20
	(b) of an offence against the Criminal Code, section 334I, with a circumstance of aggravation stated in section 334I(4)(a) of that Code;	21 22 23 24
(13)	Section 86(3E) and (3F), ‘subsection (3)(a) or (b)’— <i>omit, insert—</i> subsection (3)	25 26 27
Clause 32	Amendment of s 87 (Issue of restricted licence to disqualified person)	28 29
	Section 87(5)(c)(i), ‘or the Criminal Code, section 328A’— <i>omit.</i>	30 31

Clause 33	Replacement of ss 89 and 90	1
	Sections 89 and 90—	2
	<i>omit, insert—</i>	3
	89 Power to disqualify person from holding or obtaining Queensland driver licence	4
		5
	(1) This section applies—	6
	(a) either—	7
	(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	8 9 10 11 12
	(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	13 14 15 16
	(b) if the person is not convicted of the offence.	17
	(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.	18 19 20 21
	(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.	22 23 24
	(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—	25 26 27 28
	(a) the evidence given at the trial or hearing of the complaint; and	29 30
	(b) any application under subsection (3); and	31
	(c) any submissions by the prosecution or defence; and	32 33

[s 34]

	(d) any further evidence the court may admit.	1
	(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.	2 3 4 5
	(6) A disqualification order proceeding is not a criminal proceeding.	6 7
	(7) A question of fact in a disqualification order proceeding must be decided on the balance of probabilities.	8 9 10
	(8) If the court makes the order, the registrar of the court must give a copy of the order to the chief executive.	11 12 13
	(9) In this section—	14
	<i>disqualification order</i> means an order disqualifying a person, absolutely or for a stated period, from holding or obtaining a Queensland driver licence.	15 16 17 18
	<i>disqualification order proceeding</i> means a proceeding started under subsection (2).	19 20
Clause 34	Amendment of s 90A (Definitions for ss 90B–90D)	21
	(1) Section 90A, definitions <i>section 89 disqualification</i> and <i>section 90 disqualification</i> —	22 23
	<i>omit.</i>	24
	(2) Section 90A—	25
	<i>insert—</i>	26
	<i>court-ordered disqualification</i> means—	27
	(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	28 29 30 31

-
- (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).

Clause 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.

[s 36]

Clause 36	Amendment of s 91I (Definitions for part)	1	
	Section 91I, definition <i>drink driving offence</i> , paragraph (e)—	2	
	<i>omit, insert—</i>	3	
	(e) an offence against the Criminal Code, section 334I, if the offence—	4	
	(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	5 6 7 8 9 10	
	(ii) is committed with a circumstance of aggravation stated in section 334I(4)(a)(ii) of that Code;	11 12 13	
Clause 37	Amendment of s 123P (Evidence about analysing instruments)	14 15	
	Section 123P(1), after ‘transport Act’—	16	
	<i>insert—</i>	17	
	or the Criminal Code, section 334I or 334K	18	
Clause 38	Insertion of new ch 7, pt 29	19	
	Chapter 7—	20	
	<i>insert—</i>	21	
	Part 29	Transitional provisions for Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026	22 23 24 25 26
	253 Definition for part	27	
	In this part—	28	

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

[s 38]

section 328A(2)(a) or (4)(b)(i) of that Code;	1
and	2
(d) section 87(5)(c)(i) is taken to include a	3
reference to a conviction for an offence	4
committed before the commencement	5
against former section 328A of the Criminal	6
Code.	7
256 Particular defined terms include reference to	8
former s 328A of Criminal Code	9
(1) From the commencement, section 90A, definition	10
<i>court-ordered disqualification</i> is taken to include	11
a disqualification ordered by a court under former	12
section 89 or 90 as a result of a person being	13
charged with, but not convicted of, an offence	14
committed before the commencement against	15
former section 328A of the Criminal Code with a	16
circumstance of aggravation stated in section	17
328A(2)(a) or (4)(b)(i) of that Code involving the	18
driving of a motor vehicle.	19
(2) Also, from the commencement—	20
(a) section 90A, definition <i>dangerous driving</i>	21
<i>offence</i> is taken to include a reference to an	22
offence mentioned in former section 90A,	23
definition <i>dangerous driving offence</i>	24
committed before the commencement; and	25
(b) section 91A, definition <i>alcohol-related</i>	26
<i>driver offence</i> is taken to include a reference	27
to an offence mentioned in former section	28
91A, definition <i>alcohol-related driver</i>	29
<i>offence</i> , paragraph (d) committed before the	30
commencement; and	31
(c) section 91I, definition <i>drink driving offence</i>	32
is taken to include a reference to an offence	33
mentioned in former section 91I, definition	34

	<i>drink driving offence</i> , paragraph (e)	1
	committed before the commencement.	2
(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.	3 4 5 6 7
	257 Application of ss 91D and 91J	8
	From the commencement, the following provisions are taken to include a reference to former sections 89(1) and 90(1)—	9 10 11
	(a) section 91D(4), definition <i>prescribed provision</i> ;	12 13
	(b) section 91J(5), definition <i>prescribed provision</i> .	14 15
Clause 39	Amendment of sch 4 (Dictionary)	16
(1)	Schedule 4, definitions <i>section 89 disqualification</i> and <i>section 90 disqualification</i> —	17 18
	<i>omit</i> .	19
(2)	Schedule 4—	20
	<i>insert</i> —	21
	<i>court-ordered disqualification</i> , for sections 90B to 90D, see section 90A.	22 23
(3)	Schedule 4, definition <i>traffic history</i> , paragraph (b), 'section 328A'—	24 25
	<i>omit, insert</i> —	26
	sections 334I, 334J, 334K and 334L	27

[s 40]

Part 8 **Amendment of Youth Justice Act 1992** 1
2

Clause 40 Act amended 3

This part amends the *Youth Justice Act 1992*. 4

Clause 41 Amendment of s 148B (Admissibility of childhood finding of guilt against adult for particular purposes) 5
6

(1) Section 148B(1)(a), from ‘section 328A’ to ‘that section’— 7

omit, insert— 8

section 334I, 334J, 334K or 334L, on indictment 9
or summarily, alleged to have been committed 10
after a previous conviction mentioned in those 11
sections 12

(2) Section 148B(1)(b), from ‘adult’— 13

omit, insert— 14

adult convicted of an offence against the 15
following provisions of the Criminal Code— 16

(i) section 334I with a circumstance of 17
aggravation stated in section 334I(4)(d) of 18
that Code; 19

(ii) section 334I, if section 334I(5) of that Code 20
applies to the conviction; 21

(iii) section 334J with a circumstance of 22
aggravation stated in section 334J(4) of that 23
Code; 24

(iv) section 334K with a circumstance of 25
aggravation stated in section 334K(4)(c) of 26
that Code; 27

(v) section 334L with a circumstance of 28
aggravation stated in section 334L(4) of that 29
Code. 30

-
- (3) Section 148B(3), definition *relevant offence*— 1
omit, insert— 2
relevant offence means an offence mentioned in 3
the following provisions of the Criminal Code— 4
(a) section 334I(4)(d) or (5); 5
(b) section 334J(4); 6
(c) section 334K(4)(c); 7
(d) section 334L(4). 8

- Clause 42 Amendment of s 150 (Sentencing principles)** 9
Section 150(11), definition *relevant serious offence*, 10
paragraphs (a)(v) and (vi)— 11
omit, insert— 12
(v) section 334I; 13
(vi) section 334J; 14
(vii) section 334K; 15
(viii) section 334L; 16
(ix) section 339; and 17

- Clause 43 Amendment of s 175A (Sentence orders—significant 18
offences to which adult penalties apply)** 19
(1) Section 175A(1)(w)— 20
omit. 21
(2) Section 175A— 22
insert— 23
(ya) section 334I; 24
(yb) section 334J; 25
(yc) section 334K; 26
(yd) section 334L; 27

[s 44]

- (3) Section 175A(1)(x) to (zr)— 1
renumber as section 175(1)(w) to (zu). 2

Clause 44 Amendment of s 254 (Disqualification) 3

Section 254(6), from ‘the’ to ‘and 90’— 4

omit, insert— 5

the Criminal Code, section 334N and the 6

Transport Operations (Road Use Management) 7

Act 1995, section 89 8

Clause 45 Insertion of new pt 11, div 30 9

Part 11— 10

insert— 11

Division 30 Transitional provisions for 12

Criminal Code (Dangerous 13

Driving) and Other 14

Legislation Amendment 15

Act 2026 16

448 Definition for division 17

In this division— 18

former, in relation to a provision of an Act, means 19

the provision as in force from time to time before 20

the commencement. 21

449 Application of s 148B 22

To remove any doubt, it is declared that, from the 23

commencement, former section 148B applies in 24

relation to a proceeding for an offence against 25

former section 328A of the Criminal Code, 26

whether the proceeding is started before or after 27

	the commencement.	1
450	Particular provisions include reference to offence committed before commencement against former s 328A of Criminal Code	2 3 4
	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—	5 6 7 8
	(a) section 150(11), definition <i>relevant serious offence</i> ;	9 10
	(b) section 175A(1);	11
	(c) schedule 4, definition <i>prescribed indictable offence</i> .	12 13
Clause 46	Amendment of sch 4 (Dictionary)	14
(1)	Schedule 4, definition <i>prescribed indictable offence</i> , paragraph (c)(iii)—	15 16
	<i>omit, insert—</i>	17
	(iii) section 334I;	18
	(iia)section 334J;	19
	(iib)section 334K;	20
	(iic)section 334L;	21
(2)	Schedule 4, definition <i>prescribed indictable offence</i> , paragraph (c)(iia) to (viii)—	22 23
	<i>renumber</i> as paragraph (c)(iv) to (xi).	24
Part 9	Other amendments	25
Clause 47	Legislation amended	26
	Schedule 1 amends the legislation it mentions.	27

Schedule 1	Other amendments	1
	section 47	2
Bail Act 1980		3
1	Section 16(6), definition <i>relevant offence</i>, paragraph (c), ‘328A,’—	4
	<i>omit, insert—</i>	5
	334I, 334J, 334K, 334L,	6
2	Part 5—	7
	<i>insert—</i>	8
	52 Transitional provision for Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026	9
	(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 <i>relevant offence</i> included a reference to former section 328A of that Code.	10
	(2) In this section—	11
	<i>former</i> , in relation to a provision of the Criminal Code, means the provision as in force from time to time before the commencement.	12
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Child Protection Act 1999	1
1 Section 193(6), definition <i>offence of a violent nature</i>—	2
<i>insert—</i>	3
(ba) a provision of chapter 29B;	4
2 Section 193(6), definition <i>offence of a violent nature</i>, paragraphs (ba) to (e)—	5
<i>renumber</i> as paragraphs (c) to (f).	6
3 Chapter 9—	8
<i>insert—</i>	9
Part 15	10
Transitional provision	11
for Criminal Code	12
(Dangerous Driving)	13
and Other Legislation	14
Amendment Act 2026	15
289 Former s 328A of Criminal Code included	16
within meaning of <i>offence of a violent nature</i>	17
and <i>traffic history</i>	18
(1) Section 193 applies in relation to a proceeding for	19
an offence committed before the commencement	20
against former section 328A of the Criminal Code	21
as if section 193(6), definition <i>offence of a violent</i>	22
<i>nature</i> included a reference to former section	23
328A of that Code.	24
(2) From the commencement, schedule 3, definition	25
<i>traffic history</i> is taken to include a reference to a	26
contravention of former section 328A of the	27
Criminal Code.	28
(3) In this section—	29

Schedule 1

	<i>former</i> , in relation to a provision of the Criminal Code, means the provision as in force from time to time before the commencement.	1 2 3
4	Schedule 3, definition <i>traffic history</i>, paragraph (b)— <i>omit, insert—</i> (b) the Criminal Code, section 334I. <i>Editor's note—</i> Criminal Code, section 334I (Driving motor vehicles dangerously)	4 5 6 7 8 9
	Disability Services Act 2006	10
1	Schedule 2, item 2, entry for Criminal Code, section 328A(4)— <i>omit.</i>	11 12 13
2	Schedule 2, item 2, entry for Criminal Code— <i>insert—</i>	14 15
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—	1
	<i>insert—</i>	2
328A(4)	Dangerous operation of a vehicle as the provision was in force from time to time before its repeal by the <i>Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026</i>	
	Evidence Act 1977	3
1	Section 21AC, definition <i>offence involving violence</i>—	4
	<i>insert—</i>	5
	• a provision of chapter 29B	6
2	Part 9—	7
	<i>insert—</i>	8
	Division 21 Transitional provision for Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026	9 10 11 12 13
	186 Application of definition <i>offence involving violence</i> for s 21AC	14 15
	(1) From the commencement, section 21AC, definition <i>offence involving violence</i> is taken to include a reference to an offence committed before the commencement against former section 328A of the Criminal Code.	16 17 18 19 20

Schedule 1

	(2) In this section—	1
	<i>former</i> , in relation to a provision of the Criminal Code, means the provision as in force from time to time before the commencement.	2 3 4
	Introduction Agents Act 2001	5
1	Schedule 1, part 1—	6
	<i>insert—</i>	7
	6A Chapter 29B (Dangerous driving or operation of vehicles)	8 9
2	Schedule 1, part 1, items 6A to 22—	10
	<i>renumber</i> as schedule 1, part 1, items 7 to 23.	11
3	Schedule 1, part 2, before item 1—	12
	<i>insert—</i>	13
	1A Section 328A (Dangerous operation of a vehicle)	14
4	Schedule 1, part 2, items 1A to 3—	15
	<i>renumber</i> as schedule 1, part 2, items 1 to 4.	16
5	Schedule 1, part 2, note—	17
	<i>omit.</i>	18

Security Providers Act 1993	1
1 Schedule 1, part 1—	2
<i>insert—</i>	3
9A chapter 29B (Dangerous driving or operation of vehicles)	4 5
2 Schedule 1, part 1, items 9A to 24—	6
<i>renumber</i> as schedule 1, part 1, items 10 to 25.	7
3 Schedule 1—	8
<i>insert—</i>	9
Part 3	
Provision repealed by Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026	10 11 12 13 14
1 section 328A (Dangerous operation of a vehicle)	15
Summary Offences Act 2005	16
1 Section 19B(b)(i), ‘section 328A’—	17
<i>omit, insert—</i>	18
section 334K	19

Schedule 1

2	Section 26B(5), definition <i>relevant Code or weapons offence</i>, paragraph (a)(ii)—	1 2
	<i>omit, insert—</i>	3
	(ii) section 334I(1), 334J(1), 334K(1) or 334L(1);	4 5
3	After section 50—	6
	<i>insert—</i>	7
	Part 7	8
	Transitional provision for Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026	9 10 11 12
	51 Former s 328A of Criminal Code included within meaning of <i>relevant Code or weapons offence</i> for s 26B	13 14 15
	(1) From the commencement, section 26B(5), definition <i>relevant Code or weapons offence</i> is taken to include a reference to an offence committed before the commencement against former section 328A(1) of the Criminal Code.	16 17 18 19 20
	(2) In this section—	21
	<i>former</i> , in relation to a provision of the Criminal Code, means the provision as in force from time to time before the commencement.	22 23 24
	Tow Truck Act 2023	25
1	Part 8, division 2—	26
	<i>insert—</i>	27

	Subdivision 8 Transitional provision for Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026	1 2 3 4 5
	182 Former s 328A of Criminal Code included within meaning of <i>notifiable offence</i>	6 7
	(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.	8 9 10 11
	(2) In this section— <i>former</i> , in relation to a provision of the Criminal Code, means the provision as in force from time to time before the commencement.	12 13 14 15
2	Schedule 1, part 1— <i>insert—</i> 13A chapter 29B (Dangerous driving or operation of vehicles)	16 17 18 19
3	Schedule 1, part 1, items 13A to 37— <i>renumber</i> as schedule 1, part 1, items 14 to 38.	20 21
	Transport Operations (Marine Safety) Act 1994	22
1	Section 202A(1)(a)(ii), ‘section 328A’— <i>omit, insert—</i> section 334K	23 24 25

2	Part 19—	1
	<i>insert—</i>	2
	Division 8	3
	Transitional provision for	4
	Criminal Code (Dangerous	5
	Driving) and Other	6
	Legislation Amendment	7
	Act 2026	7
	258 Application of s 202A	8
	(1) From the commencement, section 202A(1)(a)(ii)	9
	is taken to include a reference to an offence	10
	committed before the commencement against	11
	former section 328A of the Criminal Code.	12
	(2) In this section—	13
	<i>former</i> , in relation to a provision of the Criminal	14
	Code, means the provision as in force from time	15
	to time before the commencement.	16
	Transport Operations (Road Use Management) Act	17
	1995	18
1	Section 90B(1)(a)(ii) and (iii)—	19
	<i>omit, insert—</i>	20
	(ii) under a court-ordered disqualification; and	21
2	Section 90C(1)(b)(ii) and (iii)—	22
	<i>omit, insert—</i>	23
	(ii) under a court-ordered disqualification; or	24
	(iii) under the Criminal Code, section 334M; and	25

3	Section 90C(2)(b) and (c) and (4)(b) and (c)—	1
	<i>omit, insert—</i>	2
	(b) under a court-ordered disqualification.	3
4	Section 91D(4), definition <i>prescribed provision</i>, ‘, 89(1) or 90(1)’—	4
	<i>omit, insert—</i>	5
	or 89, or the Criminal Code, section 334N	6
		7
5	Section 91J(5), definition <i>prescribed provision</i>, ‘, 89(1) or 90(1)’—	8
	<i>omit, insert—</i>	9
	or 89, or the Criminal Code, section 334N	10
		11
	Transport Operations (Road Use Management—Driver Licensing) Regulation 2021	12
		13
1	Section 295(1)(d)(ii)—	14
	<i>omit.</i>	15
2	Section 295(1)(d)(iii)—	16
	<i>renumber</i> as section 295(1)(d)(ii).	17
3	Section 311(1)(d)—	18
	<i>omit.</i>	19
4	Chapter 17—	20
	<i>insert—</i>	21

Part 4	Transitional provision for Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026	1 2 3 4 5
442 Application of ss 295 and 311		6
(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.	7 8 9 10 11
(2)	In this section— <i>former</i> , in relation to a provision of the Criminal Code, means the provision as in force from time to time before the commencement.	12 13 14 15
	Transport Operations (Road Use Management—Road Rules) Regulation 2009	16 17
1	Section 20, note, from ‘section 328A’ to ‘and sections’— <i>omit, insert—</i> sections 334I (Driving motor vehicles dangerously) and 334K (Operating non-motor vehicles dangerously), and sections	18 19 20 21 22

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—	1	
	<i>insert—</i>	2	
	Division 11	Transitional provision for	3
		Criminal Code (Dangerous	4
		Driving) and Other	5
		Legislation Amendment	6
		Act 2026	7
	208 Continuation of Criminal Code, s 328A as	8	
	class B serious offence	9	
	(1) From the commencement, schedule 1AA, entry	10	
	for the Criminal Code is taken to include a	11	
	reference to former section 328A of the Criminal	12	
	Code.	13	
	(2) In this section—	14	
	<i>former</i> , in relation to a provision of the Criminal	15	
	Code, means the provision as in force from time	16	
	to time before the commencement.	17	
	Workers’ Compensation and Rehabilitation Act 2003	18	
1	Section 36(2)(a)(ii), ‘section 328A’—	19	
	<i>omit, insert—</i>	20	
	section 334I or 334K	21	
2	After chapter 38—	22	
	<i>insert—</i>	23	

Chapter 39	Transitional	1
	provision for	2
	Criminal Code	3
	(Dangerous Driving)	4
	and Other	5
	Legislation	6
	Amendment Act	7
	2026	8

- | | | |
|------------|---|----|
| 754 | Application of s 36 if former Criminal Code, s 328A contravened | 9 |
| | | 10 |
| (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. | 11 |
| | | 12 |
| | | 13 |
| | | 14 |
| (2) | In this section— | 15 |
| | <i>former</i> , in relation to a provision of the Criminal Code, means the provision as in force from time to time before the commencement. | 16 |
| | | 17 |
| | | 18 |

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