

Queensland



*Transport Infrastructure (Railways) Act 1991*

# **TRANSPORT INFRASTRUCTURE (CONDUCT ON RAILWAYS) REGULATION 1992**

**Reprinted as in force on 1 December 1992  
(Regulation not amended up to this date)**

**Reprint No. 1**

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# Information about this reprint

This regulation is reprinted as at 1 December 1992. The opportunity has been taken, under section 7 of the *Reprints Act 1992*, to use punctuation consistent with current legislative drafting practice as permitted by section 27 of that Act.

**Also see Endnotes for—**

- **details about when provisions commenced; and**
- **any provisions that have not commenced and are not incorporated in the reprint.**

Queensland



**TRANSPORT INFRASTRUCTURE  
(CONDUCT ON RAILWAYS)  
REGULATION 1992**

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# TRANSPORT INFRASTRUCTURE (CONDUCT ON RAILWAYS) REGULATION 1992

[reprinted as in force on 1 December 1992<sup>2</sup>]

## PART 1—PRELIMINARY

### Short title

1. This regulation may be cited as the *Transport Infrastructure (Conduct on Railways) Regulation 1992*<sup>3</sup>.

### Definitions

2. In this regulation—

“**approved form**” means a form approved by the Chief Executive for the purposes specified in the form;

“**axle mass**” has the meaning given by section 1.02 of the *Transport Infrastructure (Roads) Regulation 1991*;

“**Brisbane Suburban Railway Area**” means the electrified railway line between Brisbane Central station and the following places—

- (a) Acacia Ridge terminal;
- (b) Beenleigh station;
- (c) 2 kilometres north of Caboolture station;
- (d) Cleveland station;
- (e) Eagle Farm station;
- (f) Exhibition station;
- (g) Ferny Grove station;
- (h) Ipswich station;
- (i) Moolabin terminal;

(j) Shorncliffe station;

“**drive**”, in relation to a vehicle, includes ride;

“**employee**” means an employee of Queensland Railways;

“**occupation level crossing**” means a place where a thoroughfare (other than a road within the meaning of section 1.5 of the *Transport Infrastructure (Roads) Act 1991*) crosses a railway at substantially the same level;

“**suburban train**” means a train travelling on the railway line between Brisbane Central station and the following places—

- (a) Beenleigh station;
- (b) Caboolture station;
- (c) Cleveland station;
- (d) Ferny Grove station;
- (e) Pinkenba station;
- (f) Shorncliffe station;
- (g) Wulkuraka station;

“**vehicle**” includes a load on the vehicle.

### **Approval to act contrary to this regulation**

3. A person who acts with the prior approval of Queensland Railways does not contravene the provisions of this regulation to which the approval relates.

## **PART 2—TICKETS**

### **Invalid tickets**

4.(1) A person must not travel by train using an invalid ticket.

Maximum penalty—20 penalty units.

**(2)** A ticket is invalid—

- (a) after the person has made the journey for which the ticket was issued; or
- (b) after the expiration of the period for which the ticket was issued; or
- (c) if the ticket has been altered or defaced; or
- (d) if a false statement was made to obtain a concession when the ticket was bought; or
- (e) for travel in a railway carriage of a higher class to that shown on the ticket.

**(3)** A person must give an invalid ticket to an employee on request.

Maximum penalty—2 penalty units.

### **Buying tickets**

**5.(1)** A person, who does not hold a valid ticket, must buy a ticket at the station where the person boards the train.

**(2)** Subsection (1) does not apply if the station is not open for business and any automatic ticket machine on the station is not operating, in which case the person must buy a ticket for the distance travelled by the person—

- (a) from an employee selling tickets on the train; or
- (b) at the station where the person leaves the train.

Maximum penalty—20 penalty units.

### **Concessions on tickets**

**6.(1)** When buying a ticket, a person must not obtain a concession by making a false statement.

**(2)** A person who obtains a concession must comply with the conditions under which the concession is given.

Maximum penalty—20 penalty units.

### **Platform tickets**

7. A person who is not travelling by train, but who is accompanying a fare paying passenger onto a platform at Roma Street station must obtain a platform ticket before going onto the platform.

Maximum penalty—2 penalty units.

### **Property in tickets**

8.(1) A ticket remains the property of Queensland Railways after it has been issued.

(2) A ticket is not transferable.

## **PART 3—GENERAL CONDUCT ON RAILWAYS**

### **Alcohol**

9. A person may only consume alcohol while on rolling stock or a railway if the alcohol—

- (a) is supplied by Queensland Railways; and
- (b) is being consumed at a place set aside by Queensland Railways for that purpose.

Maximum penalty—10 penalty units.

### **Animals**

10.(1) A person must not take an animal into the passenger compartment of a railway carriage, unless the person is a blind or aurally deficient person accompanied by a guide dog.

(2) A person must not allow an animal, in his or her control, to stray onto a railway.

(3) A person must not bring an animal suffering from an infectious disease onto rolling stock or a railway.

(4) A person must not ride or drive an animal across a railway line, except at a bridge or level crossing.

(5) A person must not ride or drive, or attempt to ride or drive, an animal across a level crossing if—

- (a) a warning signal is operating or has been sounded; or
- (b) a train is within the sight of the person and there is a danger of collision; or
- (c) the person is told not to do so by an employee.

Maximum penalty—5 penalty units.

### **Bulky luggage**

**11.(1)** A person must not bring into a railway carriage anything, which because of its size or shape, cannot be put—

- (a) under a seat; or
- (b) in an overhead rack in the carriage; or
- (c) in a designated storage area of the carriage.

(2) A person must not put anything in the aisles of a railway carriage that is likely to cause an obstruction or injury to another person.

Maximum penalty—2 penalty units.

### **Coloured lights**

**12.** A person must not display a coloured light on a railway.

Maximum penalty—20 penalty units.

### **Conduct likely to cause injury**

**13.(1)** A person must not—

- (a) board or leave a railway or railway carriage, except through a designated entrance or exit; or
- (b) open a door of a moving railway carriage, other than a door

connecting 2 carriages; or

- (c) board or leave a moving railway carriage; or
- (d) board rolling stock that is not designed to accommodate passengers; or
- (e) ride on the outside of a train.

(2) A person must not put any part of his or her body out of a window of a railway carriage.

(3) A person must not put any part of his or her body out of a door of a moving railway carriage.

Maximum penalty—20 penalty units.

### **Crossing railway lines**

14. A person must not cross a railway line except by using a level crossing, pedestrian bridge or pedestrian subway.

Maximum penalty—20 penalty units.

### **Dirtying of seats**

15. A person must not put anything that could dirty a seat of a railway carriage (including his or her feet or shoes) on the seat.

Maximum penalty—5 penalty units.

### **Food or drink in suburban trains**

16. A person must not consume, or leave, food or drink in a suburban train.

Maximum penalty—5 penalty units.

### **Gates**

17. A person must close and secure a gate at a level crossing as soon as

practicable after the person has opened it.

Maximum penalty—20 penalty units.

### **Graffiti**

**18.** A person must not—

- (a) write or draw on rolling stock or a railway; or
- (b) place a poster, placard or other notice on rolling stock or a railway.

Maximum penalty—5 penalty units.

### **Interference with railways**

**19.** A person must not wilfully operate, alter the position of, or otherwise interfere with a brake, lever, signal, switch, rolling stock or other electrical or mechanical equipment or machinery.

Maximum penalty—20 penalty units.

### **Litter**

**20.** A person must not leave wastepaper or other rubbish on a railway or in a railway carriage, except in a receptacle provided for that purpose.

Maximum penalty—5 penalty units.

### **Loitering**

**21.** A person must not loiter on a railway so as to cause an obstruction or inconvenience to other persons.

Maximum penalty—5 penalty units.

### **Misuse of emergency stop systems**

**22.** A person must not activate or interfere with an emergency stop

system in a railway carriage.

Maximum penalty—5 penalty units.

### **Misuse of fire systems**

**23.** A person must not—

- (a) open or interfere with a fire exit door on a railway, except to allow the person or others to leave the premises in the case of a fire or other emergency; or
- (b) activate or interfere with a fire detection system on rolling stock or a railway.

Maximum penalty—5 penalty units.

### **Objects not to be thrown**

**24.** A person must not throw or propel anything from a railway or railway carriage.

Maximum penalty—20 penalty units.

### **Polluting water**

**25.** A person must not pollute water on a railway, other than water contained in facilities designated for public use.

Maximum penalty—10 penalty units.

### **Radios**

**26.(1)** A person on a railway or in a railway carriage must not operate—

- (a) a radio; or
- (b) a tape recorder; or
- (c) any other device that emits sound.

Maximum penalty—5 penalty units.

**(2)** Subsection (1) does not apply if—

- (a) earphones are attached to the device; and
- (b) the level of sound emitted from the earphones is not likely to create a nuisance to other passengers.

### **Restrictions on travel**

**27.(1)** Queensland Railways may restrict entry to a train to persons travelling to specified stations.

**(2)** A person must not travel on a train to which entry has been restricted unless travelling to a specified station.

Maximum penalty—5 penalty units.

### **Sale of goods or business**

**28.** A person on a railway or in a railway carriage must not—

- (a) sell anything; or
- (b) seek business; or
- (c) conduct a statistical survey.

Maximum penalty—2 penalty units.

### **Sewage**

**29.(1)** A person must not leave sewage, or cause it to flow, on rolling stock or a railway.

**(2)** Subsection (1) does not apply to a person using a designated toilet.

Maximum penalty—10 penalty units.

### **Smoking**

**30.** A person must not smoke on a railway or in a railway carriage that displays a notice prohibiting smoking.

Maximum penalty—5 penalty units.

### **Spitting**

**31.** A person must not spit on a railway or in a railway carriage.

Maximum penalty—5 penalty units.

## **PART 4—VEHICLES**

### *Division 1—General*

#### **Division does not apply to roads**

**32.** This Division does not apply to a road within the meaning of the *Traffic Act 1949*.

#### **Drivers to obey directions**

**33.** The driver of a vehicle on a railway, or at a level crossing, must obey—

- (a) the lawful directions of an employee; or
- (b) a warning signal erected on the railway or at the level crossing; or
- (c) the directions on a sign erected on the railway or at the level crossing.

Maximum penalty—5 penalty units.

#### **Parking of vehicles**

**34.** A person must not park a vehicle on a railway unless the person—

- (a) is engaged in business with Queensland Railways; or
- (b) is waiting for a passenger travelling by train to the railway; or
- (c) is transporting the vehicle from the railway by rail.

Maximum penalty—5 penalty units.

### **Vehicles on pedestrian bridges and in subways**

**35.** A person must not drive a vehicle (other than a wheelchair) on a pedestrian bridge, or in a pedestrian subway, situated on a railway.

Maximum penalty—5 penalty units.

### **Speed of vehicles**

**36.** A person must not drive a vehicle on a railway, at a speed greater than—

- (a) the speed indicated on a sign erected on the railway; or
- (b) if no sign is erected, 20 km per hour.

Maximum penalty—5 penalty units.

## ***Division 2—Overdimensional vehicles***

### **Heavy vehicles**

**37.** Except with Queensland Railways' written permission, a person must not drive, or attempt to drive, a vehicle across a level crossing or on a bridge crossing a railway line, if the vehicle has—

- (a) a total axle mass over 105 t; or
- (b) a total axle mass, for any 9 m length of the vehicle, over 48 t; or
- (c) an axle mass, for any single axle, over 12 t.

Maximum penalty—20 penalty units.

### **High vehicles**

**38.(1)** Except with Queensland Railways' written permission, a person must not drive, or attempt to drive, a vehicle higher than 5.2 m on a bridge crossing a railway line.

**(2)** Except with Queensland Railways' written permission, a person must not drive, or attempt to drive, a vehicle across a level crossing, other than an occupation level crossing—

- (a) in the Brisbane Suburban Railway Area—if the vehicle is higher than 5 m at the point of crossing the railway line; or
- (b) in any other area—if the vehicle is higher than 5.2 m at the point of crossing the railway line; or
- (c) if the vehicle is higher than a height barrier erected near the entrance to the crossing.

**(3)** Except with Queensland Railways' written permission, a person must not drive, or attempt to drive, a vehicle across an occupation level crossing—

- (a) in the Brisbane Suburban Railway Area—if the vehicle is higher than 4.1 m; or
- (b) in any other electrified area—if the vehicle is higher than 4.3 m; or
- (c) in any other area—if the vehicle is higher than 5.2 m; or
- (d) if the vehicle is higher than a height barrier erected near the entrance to the crossing.

Maximum penalty—20 penalty units.

### **Long vehicles**

**39.(1)** Except with Queensland Railways' written permission, a person must not drive, or attempt to drive, a vehicle longer than 35 m across a level crossing or on a bridge crossing a railway line.

Maximum penalty—20 penalty units.

**(2)** Subsection (1) does not apply to a road train being driven under a permit issued under the *Traffic Act 1949*.

### **Wide vehicles**

**40.(1)** Except with Queensland Railways' written permission, a person must not drive, or attempt to drive, a vehicle across a level crossing if the vehicle is wider than—

- (a) 5 m; or
- (b) a height barrier erected near the entrance to the level crossing.

(2) Except with Queensland Railways' written permission, a person must not drive, or attempt to drive, a vehicle wider than 5 m, on a bridge crossing a railway line.

Maximum penalty—20 penalty units.

### **Vehicles generally**

41. A person must obtain Queensland Railways' written permission before attempting to drive a vehicle, which is likely to cause an obstruction or damage, across a level crossing or on a bridge crossing a railway line.

### **Obtaining Queensland Railways' permission**

42.(1) A person may apply for Queensland Railways' written permission only in the approved form.

(2) Permission may be given subject to conditions as to—

- (a) the time a vehicle may cross a level crossing or a bridge crossing a railway line; and
- (b) the raising or dismantling of, or cutting power to, overhead electricity lines; and
- (c) the repair, replacement or reconstruction of the level crossing, bridge or overhead electricity lines; and
- (d) payment of any costs or damages incurred by Queensland Railways in relation to the crossing; and
- (e) such other matters as Queensland Railways determines.

## ENDNOTES

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### 2 Date to which amendments incorporated

This is the day mentioned in section 5(c) of the *Reprints Act 1992*. However, no amendments have commenced operation before that day. Future amendments of the *Transport Infrastructure (Conduct on Railways) Regulation 1992* may be made in accordance with this reprint because of section 49 of the *Reprints Act 1992*.

### 3 List of legislation

**Transport Infrastructure (Conduct on Railways) Regulation 1992 SL No. 62**  
 pubd Gaz 3 April 1992 pp 1815–29  
 commenced on date of publication