



Queensland

Transport Operations (Road Use Management—Road Rules) (Personal Mobility Devices) Amendment Regulation 2018

Subordinate Legislation 2018 No. 217

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 Operations (Road Use Management—Road Rules) (Personal Mobility Devices) Amendment Regulation 2018*.

Part 2 Amendment of State Penalties Enforcement Regulation 2014

2 Regulation amended

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

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

(1) Schedule 1, entry for *Transport Operations (Road Use Management—Road Rules) Regulation 2009*, entries for sections 244G to 244M—

omit.

(2) Schedule 1, entry for *Transport Operations (Road Use Management—Road Rules) Regulation 2009*—

insert—

s 244G(1)	1
s 244GA(1)	1
s 244H	1
s 244I(1)	1
s 244I(2)	1
s 244J	1

s 244JA	1
s 244K	1
s 244M	1
s 244Q(1)	1
s 244Q(2)	1
s 244Q(3)	1

Part 3

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

4 Regulation amended

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

5 Replacement of s 15A (Personal mobility devices)

Section 15A—

omit, insert—

15A Personal mobility devices—Act, sch 4

For schedule 4 of the Act, definition *personal mobility device*, paragraph (b), a vehicle is a personal mobility device if the vehicle—

- (a) has 1 or more wheels; and
- (b) is propelled by an electric motor; and
- (c) has an effective stopping system controlled by using brakes, gears or motor control; and

- (d) when propelled only by the motor, can not reach a speed of more than 25km/h on level ground; and
- (e) is not more than—
 - (i) 1,250mm in length by 700mm in width by 1,350mm in height; or
 - (ii) 700mm in length by 1,250mm in width by 1,350mm in height; and
- (f) weighs 60kg or less when the vehicle is not carrying a person or other load; and
- (g) has no sharp protrusions; and
- (h) is not a motorised scooter or a motorised wheelchair.

6 Amendment of s 238 (Pedestrians travelling along a road (except if using a wheeled recreational device, wheeled toy or personal mobility device))

Section 238(3), definition *pedestrian*, note—

omit, insert—

Note—

For using a personal mobility device to travel on a road, see sections 244G and 244GA.

7 Amendment of s 244E (Speed limit for device)

Section 244E, ‘12km/h’—

omit, insert—

25km/h

8 Replacement of s 244G (PMD user travelling along a road)

Section 244G—

omit, insert—

244G Personal mobility devices not to be used on certain roads

- (1) A PMD user must not travel on—
 - (a) a road with a dividing line or median strip;
or
 - (b) a length of road for which the speed limit applying to a driver is more than 50km/h; or
 - (c) a one-way road with more than 1 marked lane.

Maximum penalty—20 penalty units.

- (2) Subsection (1) does not apply to the PMD user if—
 - (a) there is an obstruction on a footpath, nature strip, bicycle path or shared path adjacent to the road (an *adjacent area*); and
 - (b) because of the obstruction, it is impracticable to travel on the adjacent area; and
 - (c) the user travels less than 50m along the road to avoid the obstruction.

- (3) In this section—

road does not include a road-related area, but includes any shoulder of a road.

244GA PMD user travelling on road

- (1) A PMD user travelling on a road—
 - (a) must keep as far to the left side of the road as is practicable; and
 - (b) must not travel alongside more than 1 other pedestrian or vehicle travelling on the road

in the same direction as the user, unless the user is overtaking other pedestrians.

Maximum penalty—20 penalty units.

(2) In this section—

road does not include a road-related area, but, in subsection (1)(b), includes any shoulder of a road.

9 Replacement of s 244I (Using a device on a footpath or shared path)

Section 244I—

omit, insert—

244I Using a personal mobility device on a crossing, footpath or shared path

- (1) A PMD user travelling on a crossing, footpath or shared path must—
 - (a) give way to a pedestrian who is on the crossing, footpath or shared path; and
 - (b) travel a sufficient distance from a pedestrian so the PMD user can, if necessary, stop safely to avoid a collision with the pedestrian; and
 - (c) travel at a speed that, if necessary, allows the PMD user to stop safely to avoid a collision with a pedestrian.

Maximum penalty—20 penalty units.

- (2) A PMD user travelling on a footpath or shared path must keep to the left of the footpath or shared path unless it is impracticable to do so.

Maximum penalty—20 penalty units.

- (3) This section does not apply to a PMD user travelling on a footpath or shared path if a local law prohibits using a personal mobility device on the footpath or shared path.

(4) In this section—

pedestrian does not include a PMD user.

10 Insertion of new s 244JA

After section 244J—

insert—

244JA PMD user travelling on separated footpath

A PMD user must not be on a part of a separated footpath designated for the use of pedestrians unless the PMD user—

- (a) is crossing the separated footpath by the shortest safe route; and
- (b) does not stay on the separated footpath for longer than necessary to cross the separated footpath safely.

Maximum penalty—20 penalty units.

11 Omission of s 244L (Warning equipment on device)

Section 244L—

omit.

12 Insertion of new s 244Q

After section 244P—

insert—

244Q Personal mobility devices being towed by, or travelling near, other vehicles

- (1) A person must not use a personal mobility device that is being towed by a vehicle.

Maximum penalty—20 penalty units.

- (2) A PMD user must not hold onto a vehicle while

the vehicle is moving.

Maximum penalty—20 penalty units.

- (3) A PMD user must not travel within 2m of the rear of a moving motor vehicle continuously for more than 200m.

Maximum penalty—20 penalty units.

13 Amendment of s 308A (Exemption for police officers using personal mobility devices)

Section 308A, after ‘244G’—

insert—

, 244GA, 244JA

14 Amendment of s 336 (How separated footpath signs and separated footpath road markings apply)

- (1) Section 336(4)—

omit.

- (2) Section 336—

insert—

Notes—

- See section 243 about using a wheeled recreational device on a separated footpath.
- See section 244JA about using a personal mobility device on a separated footpath.

ENDNOTES

- 1 Made by the Governor in Council on 13 December 2018.
- 2 Notified on the Queensland legislation website on 14 December 2018.
- 3 The administering agency is the Department of Transport and Main Roads.

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