



**Transport and Other
Legislation (Managing E-
mobility Use and Protecting
Our Communities)
Amendment Bill 2026**



Queensland

Transport and Other Legislation (Managing E-mobility Use and Protecting Our Communities) Amendment Bill 2026

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2026

A Bill

for

An Act to amend the *Police Powers and Responsibilities Act 2000*, the *State Penalties Enforcement Act 1999*, the *State Penalties Enforcement Regulation 2014*, the *Summary Offences Act 2005*, the *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015*, the *Transport Operations (Road Use Management) Act 1995*, the *Transport Operations (Road Use Management—Road Rules) Regulation 2009* and the legislation mentioned in schedule 1 for particular purposes

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1 Short title 3

This Act may be cited as the *Transport and Other Legislation (Managing E-mobility Use and Protecting Our Communities) Amendment Act 2026*. 4
5
6

Clause 2 Commencement 7

- (1) This Act, other than the following provisions, commences on 1 July 2026— 8
9
- (a) part 3; 10
- (b) section 34, to the extent it inserts section 78C. 11
- (2) Part 3 commences on a day to be fixed by proclamation. 12
- (3) Section 34, to the extent it inserts section 78C, commences on 1 January 2027. 13
14

Part 2 Amendment of Police Powers and Responsibilities Act 2000 15
16

Clause 3 Act amended 17

This part amends the *Police Powers and Responsibilities Act 2000*. 18
19

Clause 4 Amendment of s 30 (Prescribed circumstances for searching persons without warrant) 20
21

Section 30(1)(a)(viii), ‘section 17,’— 22

omit, insert—

1

section 17, 19Q(1), 19S(2),

2

Clause 5 Amendment of s 32 (Prescribed circumstances for searching vehicle without warrant)

3

4

Section 32(1)(1), ‘section 17,’—

5

omit, insert—

6

section 17, 19Q(1), 19S(2),

7

Clause 6 Insertion of new s 43AA

8

After section 43A—

9

insert—

10

43AA Unlawful sale of controlled vehicle to child under 16

11

12

(1) This section applies if—

13

(a) a police officer—

14

(i) observes a person being sold a thing that the officer reasonably suspects is a controlled vehicle; or

15

16

17

(ii) reasonably suspects a person has just been sold a controlled vehicle; and

18

19

(b) the officer reasonably suspects the person is under 16 years.

20

21

(2) The police officer may—

22

(a) ask the person to show acceptable evidence of age of the person; and

23

24

(b) require the person to produce the thing sold to the person.

25

26

(3) The police officer may seize the thing if—

27

(a) the person—

28

[s 7]

	(i) refuses, or is unable, to show acceptable evidence of age of the person; or	1 2 3
	(ii) shows acceptable evidence of age showing the person is under 16 years; and	4 5 6
	(b) the officer reasonably suspects the thing is evidence of an offence against the <i>Summary Offences Act 2005</i> , section 19Q(1) or 19S(2).	7 8 9 10
(4)	In this section— <i>acceptable evidence of age</i> see the <i>Summary Offences Act 2005</i> , schedule 2. <i>controlled vehicle</i> see the <i>Summary Offences Act 2005</i> , section 19O.	11 12 13 14 15
Clause 7	Amendment of s 52 (Prevention of offences—general)	16
(1)	Section 52, examples, ‘Examples of continuation’— <i>omit, insert—</i> <i>Examples of preventing the continuation</i>	17 18 19
(2)	Section 52, examples of preventing the continuation of an offence as amended by this Act— <i>insert—</i>	20 21 22
	3 A police officer who stops a child unlawfully riding an e-mobility device may take possession of the device to prevent the child continuing to ride it when the officer leaves the area, on the basis that the device will later be released to the child’s parent or another responsible adult for the child.	23 24 25 26 27 28
Clause 8	Insertion of new ch 4A	29
	After chapter 4— <i>insert—</i>	30 31

Chapter 4A Removal and 1
destruction powers 2
for prohibited bikes 3
on roads or in public 4
places 5

Part 1 Preliminary 6

123A Definitions for ch 4A 7

In this chapter— 8

extended release application period means the 9
release application period extended under section 10
123G(4). 11

extended review period, for a release application, 12
means the review period extended under section 13
123L(2). 14

forfeiture notice see section 123P(3). 15

information notice, for an original decision, see 16
section 123H(4). 17

internal review, of an original decision, see 18
section 123K(1). 19

original decision means a decision on a release 20
application made under section 123H. 21

owner includes a joint owner and a part owner. 22

prohibited bike see the Road Use Management 23
Act, section 6. 24

release application means an application for the 25
release of a seized vehicle made under section 26
123G. 27

release application period, for a vehicle seized 28

under section 123C, means—	1
(a) the standard release application period; or	2
(b) the extended release application period.	3
<i>release notice</i> see section 123H(3).	4
<i>review period</i> , for a release application decided under section 123H, means—	5
(a) the standard review period; or	7
(b) the extended review period.	8
<i>road-related area</i> has the meaning given under a regulation made under the Road Use Management Act.	9
<i>Note</i>	10
See section 13 of the Queensland Road Rules.	11
<i>seizure notice</i> see section 123F(7).	12
<i>shared e-mobility provider</i> see the Road Use Management Act, section 48AA(7).	13
<i>standard release application period</i> , for a vehicle seized under section 123C, means the period of 30 days after the day of seizure.	14
<i>standard review period</i> , for a release application decided under section 123H, means the period of 28 days after the day notice of the original decision is given.	15
123B Relationship to National Credit Code	16
Nothing in this chapter affects the rights of a credit provider to repossess a vehicle under the National Credit Code and sell it.	17
Part 2	18
Seizing prohibited bikes	19

123C Seizure of prohibited bike on road, on road-related area or in public place	1
	2
(1) This section applies if a police officer reasonably suspects that—	3
	4
(a) a vehicle is a prohibited bike; and	5
(b) the vehicle is being, or has been, ridden on a road, on a road-related area or in a public place.	6
	7
	8
<i>Example of reasonable suspicion that a vehicle reasonably suspected of being a prohibited bike has been ridden in a public place</i>	9
	10
	11
A police officer finds a vehicle reasonably suspected of being a prohibited bike chained to a post in a public place and reasonably suspects it was unlawfully ridden to reach that location.	12
	13
	14
	15
(2) The police officer may seize the vehicle.	16
123D Particular powers for seizing prohibited bike—attended seizure	17
	18
(1) To seize a vehicle under this part if a person is riding or in possession of the vehicle, a police officer may—	19
	20
	21
(a) stop the vehicle if it is moving, whether or not the vehicle is on a road; or	22
	23
(b) if the vehicle is stationary—require the person to remain at the place where it is stopped for the time reasonably necessary;	24
	25
	26
	27
(c) direct the person to give the police officer any key or code needed to move the vehicle;	28
	29
	30
(d) remove any chain or lock securing the vehicle in place; or	31
	32

(e)	require the person to state the person's name and address and the name and address of the owner of the vehicle; or	1 2 3
(f)	do anything else reasonably necessary for seizing the vehicle.	4 5
(2)	After seizing a vehicle, a police officer may move the vehicle, or arrange for the vehicle to be moved by a government agency or third party, to a holding yard or storage facility in the way the police officer considers appropriate.	6 7 8 9 10
123E Particular powers for seizing prohibited bike—unattended seizure		11 12
(1)	To seize a vehicle under this part if the vehicle is unattended, a police officer may—	13 14
(a)	remove any chain or lock securing the vehicle in place; or	15 16
(b)	do anything else reasonably necessary for seizing the vehicle.	17 18
(2)	After seizing a vehicle, a police officer may move the vehicle, or arrange for the vehicle to be moved by a government agency or third party, to a holding yard or storage facility in the way the police officer considers appropriate.	19 20 21 22 23
123F Steps after seizing prohibited bike		24
(1)	If a police officer seizes a vehicle under this part where a person was riding or in possession of the vehicle, the officer must ensure the person is personally served with a seizure notice.	25 26 27 28
(2)	If a police officer seizes a vehicle under this part where the vehicle is unattended, the officer must publish a seizure notice on the police service website.	29 30 31 32

-
- (3) If a police officer seizes a vehicle under this part that the officer reasonably suspects belongs to a shared e-mobility provider, the officer must serve a seizure notice on the shared e-mobility provider for the vehicle. 1
2
3
4
5
- (4) Subsection (3) applies regardless of whether at the time of seizure a person was in possession of the vehicle or the vehicle was unattended. 6
7
8
- (5) The service or publication of a seizure notice under this section must be done as soon as practicable and no later than 7 days after the day the vehicle was seized. 9
10
11
12
- (6) A police officer need not publish a seizure notice required by subsection (2) if the officer reasonably believes the vehicle is abandoned. 13
14
15
- (7) In this section— 16
seizure notice means a notice in the approved form stating— 17
18
- (a) the day, time and location of the seizure; and 19
- (b) any available identifying particulars of the vehicle; and 20
21
- (c) the identity of the rider of, or person in possession of, the vehicle (if known); and 22
23
- (d) the storage location of the vehicle; and 24
- (e) the requirements for making a release application for the vehicle; and 25
26
- (f) that if no valid release application is made within the release application period, the vehicle will be forfeited to the State and may be destroyed or otherwise disposed of. 27
28
29
30

Part 3 **Application for release of vehicle** 31
32

123G Release application

- 1
- (1) This section applies to a seized vehicle described 2
in a seizure notice given or published under 3
section 123F. 4
- (2) A person who claims to be an owner of the vehicle 5
may apply to the commissioner for the release of 6
the vehicle. 7
- (3) The release application must— 8
- (a) be in the approved form; and 9
- (b) be made within the standard release 10
application period; and 11
- (c) contain information to establish— 12
- (i) the person is an owner of the vehicle; 13
and 14
- (ii) the grounds on which the vehicle 15
should be released. 16
- Example of information to establish the grounds on which 17
the vehicle should be released— 18*
- CCTV footage showing that the vehicle was brought to 19
the public place in a lawful way and was not ridden in 20
the public place 21
- (4) Despite subsection (3)(b), the commissioner may, 22
before the end of the standard release application 23
period, extend the period for making an 24
application by a further period of up to 30 days if 25
satisfied the extension is reasonable in the 26
interests of justice. 27

123H Deciding application

- 28
- (1) The commissioner must decide a release 29
application within 28 days after receiving it and 30
either release or refuse to release the vehicle the 31
subject of the application. 32
- (2) The commissioner must release the vehicle if 33

-
- satisfied the applicant is an owner of the vehicle and— 1
2
- (a) the vehicle is registered and may lawfully be used in a public place; or 3
4
- (b) the vehicle is otherwise not a prohibited bike; or 5
6
- (c) the applicant was not responsible for, and did not authorise, the suspected riding of the vehicle on a road, on a road-related area or in a public place; or 7
8
9
10
- (d) the vehicle was not ridden on a road, on a road-related area or in a public place. 11
12
- (3) If the commissioner decides to release the vehicle, the commissioner must give the applicant written notice of the decision (a *release notice*), stating— 13
14
15
- (a) the release application is granted; and 16
- (b) that the applicant may collect the vehicle from a stated place during stated hours; and 17
18
- (c) that if the applicant does not collect the vehicle within 30 days after the date of the release notice, the vehicle will be forfeited to the State and may be disposed of. 19
20
21
22
- (4) If the commissioner refuses to release the vehicle, the commissioner must give the applicant written notice of the decision (an *information notice*), stating— 23
24
25
26
- (a) that the release application is refused; and 27
- (b) the reasons for the decision, including whether the refusal is because of failure to satisfy the commissioner of the applicant's claim to ownership of the vehicle or failure to establish grounds on which the vehicle should be released; and 28
29
30
31
32
33

<i>Note—</i>	1	
See also the <i>Acts Interpretation Act 1954</i> , section 27B for matters that must be included with the reasons.	2 3 4	
(c) that the applicant may apply for internal review of the decision within the review period; and	5 6 7	
(d) the requirements for applying; and	8	
(e) that if no application for internal review is made within the review period, the vehicle will be forfeited to the State and may be destroyed or otherwise disposed of.	9 10 11 12	
Part 4	Review of decisions	13
Division 1	Preliminary	14
123I Definitions for part		15
In this part—		16
<i>affected person</i> , in relation to an original decision, means a person whose release application is refused.		17 18 19
<i>internal review decision</i> means a decision made, or taken to have been made, under section 123M on an application for internal review of an original decision.		20 21 22 23
<i>QCAT information notice</i> , for an internal review decision, means a notice complying with the QCAT Act, section 157(2).		24 25 26
Division 2	Internal review	27

123J Review process must start with internal review	1 2
An affected person for an original decision may apply to QCAT for a review of the decision only if a decision on an application for internal review of the decision has been made, or taken to have been made, under this division.	3 4 5 6 7
123K Who may apply for internal review	8
(1) An affected person for an original decision may apply to the commissioner for a review of the decision under this division (an <i>internal review</i>).	9 10 11
(2) If the affected person has not been given an information notice for the original decision, the affected person may ask the commissioner for an information notice for the decision.	12 13 14 15
(3) A failure by the commissioner to give the affected person an information notice for the original decision does not limit or otherwise affect the person’s right to apply for an internal review of the decision.	16 17 18 19 20
123L Requirements for application	21
(1) An application for internal review of an original decision must—	22 23
(a) be in the approved form; and	24
(b) for a person who has been given an information notice for the decision—include enough information to enable the reviewer to decide the application; and	25 26 27 28
(c) be made to the commissioner within—	29
(i) for a person who has been given an information notice for the	30 31

[s 8]

decision—28 days after the day the person is given the notice; or	1 2
(ii) for a person who has not been given an information notice for the decision—28 days after the day the person becomes aware of the decision.	3 4 5 6
(2) The commissioner may extend the period within which the application for internal review may be made by a further period of no more than 28 days.	7 8 9
123M Internal review	10
(1) The commissioner must, within 20 days after receiving an application for internal review—	11 12
(a) review the original decision and either—	13
(i) confirm the original decision; or	14
(ii) substitute another decision for the original decision; and	15 16
(b) give the affected person for the original decision a QCAT information notice for the commissioner’s decision under paragraph (a).	17 18 19 20
(2) The commissioner and the affected person may, before the period stated in subsection (1) ends, agree to a longer period for the chief executive to comply with the subsection.	21 22 23 24
(3) The application may be dealt with only by a person who—	25 26
(a) did not make the original decision; and	27
(b) holds a rank equivalent to or higher than the person who made the original decision.	28 29
(4) Subsection (3) does not apply to an original decision made by the commissioner personally.	30 31
(5) If the commissioner does not give the affected	32

person a QCAT information notice within the 1
period required under subsection (1) or a longer 2
period agreed under subsection (2), the 3
commissioner is taken to confirm the original 4
decision. 5

- (6) If the commissioner decides to substitute for the 6
original decision a decision to release the vehicle, 7
the commissioner must give the affected person 8
for the original decision a release notice. 9

Division 3 External review 10

123N Applying for external review 11

- (1) This section applies to a person who must be 12
given a QCAT information notice for an internal 13
review decision. 14
- (2) The person may apply to QCAT, as provided 15
under the QCAT Act, for a review of the internal 16
review decision. 17

123O Notice of external review application 18

A person who applies to QCAT for a review of an 19
internal review decision must, within 7 days after 20
filing the application in the QCAT registry, give 21
the commissioner notice of the application in the 22
approved form. 23

Part 5 Forfeiture and disposal 24 of prohibited bikes 25

123P Forfeiture of prohibited bikes 26

- (1) This section applies if— 27

- (a) a police officer has seized a vehicle under section 123C; and
- (b) one of the following (each a *forfeiture event*) applies—
 - (i) the release application period ends and no release application has been made for the vehicle within the period;
 - (ii) each release application for the vehicle has been refused and no application for internal review has been made within the review period;
 - (iii) each internal review decision has confirmed each original decision and no application for external review has been made under the QCAT Act within the period provided under that Act;
 - (iv) each application to QCAT for external review of an internal review decision has resulted in a decision to confirm the internal review decision, or has been withdrawn or struck out;
 - (v) a person issued with a release notice fails to collect the vehicle the subject of the release notice within 30 days after the date of the notice.
- (2) The vehicle is forfeited to the State on the forfeiture event.
- (3) The commissioner must issue a notice (a *forfeiture notice*) for each vehicle forfeited under this section, stating—
 - (a) the name and address of the owner of the vehicle (if known); and
 - (b) any available identifying particulars of the vehicle; and

-
- (c) the day, time and location the vehicle was seized; and 1
2
- (d) that the release application period and review period are complete; and 3
4
- (e) that the vehicle is forfeited to the State; and 5
- (f) that the commissioner is empowered to destroy or otherwise dispose of the vehicle. 6
7
- (4) If the forfeited vehicle was seized in the circumstance mentioned in section 123F(1)— 8
9
- (a) if a release application was made—the commissioner must ensure the forfeiture notice is served, either by post or personally, on the person who made the release application; or 10
11
12
13
14
- (b) if a release application was not made or a release application was made but the commissioner is not satisfied the applicant is an owner of the vehicle—the commissioner must ensure the forfeiture notice is served, either by post or personally, on the person who was riding or in possession of the vehicle. 15
16
17
18
19
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21
22
- (5) If the forfeited vehicle was seized in the circumstance mentioned in section 123F(2)— 23
24
- (a) if a release application was made—the commissioner must ensure the forfeiture notice is served, either by post or personally, on the person who made the release application; or 25
26
27
28
29
- (b) if a release application was not made or a release application was made but the commissioner is not satisfied the applicant is an owner of the vehicle—the commissioner must publish the forfeiture notice on the police service website. 30
31
32
33
34
35

- (6) If the forfeited vehicle was seized in the
circumstance mentioned in section 123F(3), the
commissioner must ensure the forfeiture notice is
served, either by post or personally, on the shared
e-mobility provider.

123Q Disposal of forfeited vehicles

- (1) The commissioner may dispose of a vehicle
forfeited to the State under this part in the way the
commissioner considers appropriate, including
by—
- (a) destroying the vehicle; or
- (b) if satisfied the vehicle is not a prohibited
bike or is eligible to be registered—selling
the vehicle.
- (2) The commissioner may arrange for the disposal of
a vehicle to be carried out by a government
agency or third party.

123R Application of proceeds of sale

- (1) This section applies if the commissioner decides
to sell a vehicle under section 123Q.
- (2) The proceeds of the sale are to be applied in the
following order—
- (a) in payment of the expenses of the sale;
- (b) in payment of other reasonable costs
incurred by the State in dealing with the
vehicle, including, for example, the costs of
seizing, removing and storing the vehicle
and giving the seizure notice and forfeiture
notice;
- (c) if there is an amount owing to a person
under a security interest registered for the
vehicle under the *Personal Property*

<i>Securities Act 2009</i> (Cwlth)—in payment of	1
the amount owing to the holder of the	2
security interest;	3
(d) in payment of any balance to the	4
consolidated fund.	5
123S Liability for costs	6
(1) This section applies if—	7
(a) a vehicle has been disposed of under section	8
123Q; and	9
(b) the costs mentioned in section 123R(2)(a)	10
and (b) have not been met by the proceeds	11
of the sale of the vehicle or otherwise by an	12
entity other than the State; and	13
(c) the identity of the person who was, at the	14
time the vehicle was seized, an owner or	15
rider of the vehicle is known to the	16
commissioner.	17
(2) The commissioner may give the person a notice (a	18
<i>costs notice</i>) in the approved form stating—	19
(a) the reasonable costs incurred by the State in	20
dealing with and disposing of the vehicle;	21
and	22
(b) any portion of those costs that has already	23
been recovered by the State and the costs	24
outstanding; and	25
(c) that the person is liable to pay the	26
outstanding costs to the State, and the ways	27
the person can pay; and	28
(d) that if the person does not pay the costs	29
within 30 days after the date of the notice,	30
the costs may be recovered as a debt due to	31
the State.	32
(3) A person who receives a costs notice under this	33

section is liable to pay the costs stated in the notice. 1
2

- (4) The costs stated in a costs notice are payable to, and recoverable as a debt by, the State. 3
4

Part 6 General 5

123T Limitation of review 6

- (1) Unless the Supreme Court decides a decision made under this chapter is affected by jurisdictional error, the decision— 7
8
9
- (a) is final and conclusive; and 10
- (b) can not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise (whether by the Supreme Court, another court, a tribunal or another entity); and 11
12
13
14
15
16
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground. 17
18
19
20
- (2) The *Judicial Review Act 1991*, part 5 applies to a decision only to the extent it is affected by jurisdictional error. 21
22
23
- (3) In this section— 24
- decision* includes a decision or conduct leading up to or forming part of the process of making a decision. 25
26
27

123U Evidentiary provision 28

- (1) In a proceeding, a certificate signed by the commissioner and stating any of the following is 29
30

-
- | | |
|--|----------------------------|
| evidence of what it states— | 1 |
| (a) that stated steps were taken during the seizure of a vehicle under section 123C; | 2
3 |
| (b) that a seizure notice was given or published under section 123F in a stated way on a stated day; | 4
5
6 |
| (c) that a release application made under section 123G was considered in a stated way and notice of the decision was given in a stated way on a stated day; | 7
8
9
10 |
| (d) that an application for internal review made under section 123K was considered in a stated way and notice of the decision was given in a stated way on a stated day; | 11
12
13
14 |
| (e) that a vehicle was forfeited to the State under section 123P at the time of a stated forfeiture event; | 15
16
17 |
| (f) that a forfeited vehicle was disposed of under section 123Q in a stated way on a stated day. | 18
19
20 |
| (2) If, in a criminal proceeding, the prosecuting authority intends to rely on the certificate, it must, at least 20 business days before the hearing day, give a copy of the certificate to the defendant or the defendant’s lawyer. | 21
22
23
24
25 |
| (3) If the defendant intends to challenge a matter stated in the certificate, the defendant must, at least 15 business days before the hearing day, give the prosecuting authority notice, in the approved form, of the matter to be challenged. | 26
27
28
29
30 |
| (4) If the defendant acts under subsection (3), the certificate stops being evidence of the matter to be challenged. | 31
32
33 |
| (5) In this section— | 34 |
| <i>hearing day</i> means the day the hearing of the | 35 |
-

criminal proceeding starts. 1

prosecuting authority means the entity 2
responsible for prosecuting the criminal 3
proceeding. 4

Note 5

See also the Road Use Management Act, section 123KA 6
for evidentiary certificates relating to approved testing 7
devices. 8

123V Protection from liability 9

(1) A police officer acting in good faith and without 10
negligence is not liable for any damage, loss or 11
depreciation to a vehicle that occurs during the 12
seizure, removal or storage of the vehicle under 13
this chapter. 14

(2) An officer of a government agency acting in good 15
faith and without negligence is not liable for any 16
damage, loss or depreciation to a vehicle that 17
occurs during the removal or storage of the 18
vehicle under this chapter. 19

(3) To remove any doubt, it is declared that 20
subsections (1) and (2) apply whether the officer 21
was personally responsible for the removal or 22
storage of the vehicle or arranged for the removal 23
or storage to be carried out by another officer or 24
by a third party. 25

(4) If subsection (1) or (2) prevents liability attaching 26
to a police officer or an officer of a government 27
agency, liability instead attaches to the State. 28

123W Protection for persons exercising power 29 under ch 4A 30

(1) This section applies to proceedings in relation to 31
liability for breach of duty arising out of damage 32
to a vehicle that happens when a person exercises 33

	power, or assists another person exercising	1
	power, under this chapter in relation to the	2
	seizure, removal or storage of a vehicle.	3
(2)	The person, or a person assisting the person, is not	4
	civily liable—	5
(a)	because of the paramount or high degree of	6
	importance the person gave to moving the	7
	vehicle off the road, road-related area or	8
	public place quickly; or	9
(b)	to the extent there was an increased	10
	likelihood that a vehicle would be damaged	11
	in the exercise of power mentioned in	12
	subsection (1), because of the nature of the	13
	power.	14
Clause 9	Amendment of s 686 (Application of pt 3)	15
	Section 686(2)(a), after ‘or seized under section’—	16
	<i>insert</i> —	17
	123C or	18
Clause 10	Amendment of s 747 (Definitions for chapter)	19
	Section 747—	20
	<i>insert</i> —	21
	<i>electrically power-assisted cycle</i> see the Road	22
	Use Management Act, schedule 4.	23
	<i>personal mobility device</i> see the Road Use	24
	Management Act, schedule 4.	25
Clause 11	Amendment of s 754 (Evasion offence)	26
(1)	Section 754(1), from ‘another’ to ‘driver’—	27
	<i>omit, insert</i> —	28

[s 12]

	another motor vehicle or the driver of an electrically power-assisted cycle or personal mobility device a direction to stop the motor vehicle, electrically power-assisted cycle or personal mobility device the driver	1 2 3 4 5
(2)	Section 754(2), from ‘of’ to ‘motor vehicle’, last mention— <i>omit, insert—</i> must stop the motor vehicle, electrically power-assisted cycle or personal mobility device as soon as reasonably practicable if a reasonable person would stop the motor vehicle, electrically power-assisted cycle or personal mobility device	6 7 8 9 10 11 12
(3)	Section 754— <i>insert—</i> (5A) Subsection (5) does not apply to an offence that involves an electrically power-assisted cycle or personal mobility device.	13 14 15 16 17
(4)	Section 754(9)— <i>insert—</i> <i>drive</i> , in relation to an electrically power-assisted cycle or personal mobility device, includes ride.	18 19 20 21
Clause 12	Amendment of s 755 (When type 1 vehicle related offence notice may be given to owner of motor vehicle involved in offence)	22 23 24
	Section 755(1), from ‘type’ to ‘motor vehicle’— <i>omit, insert—</i> type 1 vehicle related offence, other than an offence that involves an electrically power-assisted cycle or personal mobility device, it appears to a police officer investigating the offence that giving the owner of a motor vehicle	25 26 27 28 29 30 31

Clause 13	Amendment of sch 6 (Dictionary)	1
	Schedule 6—	2
	<i>insert—</i>	3
	<i>affected person</i> , for a decision, for chapter 4A, part 4, see section 123I.	4 5
	<i>electrically power-assisted cycle</i> , for chapter 22, see section 747.	6 7
	<i>extended release application period</i> , for chapter 4A, see section 123A.	8 9
	<i>extended review period</i> , for chapter 4A, see section 123A.	10 11
	<i>forfeiture notice</i> , for chapter 4A, see section 123A.	12 13
	<i>information notice</i> , for chapter 4A, see section 123A.	14 15
	<i>internal review</i> , for chapter 4A, see section 123A.	16
	<i>internal review decision</i> , for chapter 4A, part 4, see section 123I.	17 18
	<i>original decision</i> , for chapter 4A, see section 123A.	19 20
	<i>owner</i> , for chapter 4A, see section 123A.	21
	<i>personal mobility device</i> , for chapter 22, see section 747.	22 23
	<i>prohibited bike</i> , for chapter 4A, see section 123A.	24
	<i>QCAT information notice</i> , for chapter 4A, part 4, see section 123I.	25 26
	<i>release application</i> , for chapter 4A, see section 123A.	27 28
	<i>release application period</i> , for chapter 4A, see section 123A.	29 30
	<i>release notice</i> , for chapter 4A, see section 123A.	31

	<i>review period</i> , for chapter 4A, see section 123A.	1
	<i>road-related area</i> , for chapter 4A, see section 123A.	2 3
	<i>seizure notice</i> , for chapter 4A, see section 123A.	4
	<i>shared e-mobility provider</i> , for chapter 4A, see section 123A.	5 6
	<i>standard release application period</i> , for chapter 4A, see section 123A.	7 8
	<i>standard review period</i> , for chapter 4A, see section 123A.	9 10
Part 3	Amendment of State Penalties Enforcement Act 1999	11 12
Clause 14	Act amended	13
	This part amends the <i>State Penalties Enforcement Act 1999</i> .	14
Clause 15	Amendment of s 5 (Act has limited application to children)	15 16
	(1) Section 5(2), from ‘17 years’ to ‘points offence’—	17
	<i>omit, insert—</i>	18
	16 years is served with an infringement notice for a prescribed transport offence	19 20
	(2) Section 5(5)—	21
	<i>insert—</i>	22
	prescribed transport offence means—	23
	(a) a transport demerit points offence; or	24
	(b) an offence against the following provisions of the <i>Transport Operations (Road Use Management) Act 1995—</i>	25 26 27

-
- (i) section 78(1); 1
- (ii) section 78B; 2
- (iii) section 79(2AAA) or (2AAB); 3
- (iv) section 80(22DA); 4
- (v) section 84, to the extent the offence 5
involves a bicycle or personal mobility 6
device; 7
- (vi) section 84AA; 8
- (vii) section 84B; 9
- (viii) section 93; or 10
- (c) an offence against the following provisions 11
of the *Transport Operations (Road Use 12
Management—Road Rules) Regulation 13
2009— 14*
- (i) section 151; 15
- (ii) part 15, other than sections 246(2) and 16
256(2). 17
- (3) Section 5(5), definition *transport demerit points offence*, ‘the 18
offender’s’— 19
omit, insert— 20
an offender’s 21

- Clause 16** **Insertion of new pt 10, div 11** 22
- Part 10— 23
- insert— 24*
- Division 11** **Transitional provision for 25**
Transport and Other 26
Legislation (Managing 27
E-mobility Use and 28
Protecting Our 29

	Communities) Amendment Act 2026	1 2
	199 Application of new s 5	3
	(1) New section 5 applies in relation to a child for an offence only if the offence is committed after the commencement.	4 5 6
	(2) In this section— <i>new section 5</i> means section 5 of this Act as in force on the commencement.	7 8 9
Part 4	Amendment of State Penalties Enforcement Regulation 2014	10 11
Clause 17	Regulation amended	12
	This part amends the <i>State Penalties Enforcement Regulation 2014</i> .	13 14
Clause 18	Amendment of sch 1 (Infringement notice offences and fines for nominated laws)	15 16
	(1) Schedule 1, entry for <i>Summary Offences Act 2005</i> — <i>insert</i> —	17 18
	s 19Q(1)	14
	s 19R	4
	s 19S(2)	2
	s 19U(1)	2
	(2) Schedule 1, entry for <i>Summary Offences Act 2005</i> , entry for section 23A(1), column 1, ‘23A(1)’— <i>omit, insert</i> —	19 20 21

23A(2)	1
(3) Schedule 1, entry for <i>Transport Operations (Road Use Management) Act 1995</i> —	2
<i>insert</i> —	3
	4
s 34A(3)	6
s 48AA(4)	2
s 78B(1)	3
s 78C(1)	14
s 79(2AAA)	5
s 79(2AAB)	3
s 80(22DA)	2
s 84(2) for a contravention that involves riding a bicycle or personal mobility device, if the contravention does not cause the death of, or grievous bodily harm to, a person	3
s 84AA if the contravention does not cause the death of, or grievous bodily harm to, a person	3
s 84B(1)	3 ^{3/5}
s 84C(1)	3
s 84C(2)	3
(4) Schedule 1, entry for <i>Transport Operations (Road Use Management—Road Rules) Regulation 2009</i> , entry for section 245A—	5
	6
<i>omit.</i>	7
	8

(5)	Schedule 1, entry for <i>Transport Operations (Road Use Management—Road Rules) Regulation 2009</i> , entries for sections 246(1), 246(2), 246(3) and 246A— <i>omit.</i>	1 2 3 4
(6)	Schedule 1, entry for <i>Transport Operations (Road Use Management—Road Rules) Regulation 2009</i> — <i>insert—</i>	5 6 7
s 246(1)		3
s 246(2)		3
s 246(3)		3
s 246A		3
s 253A		1
(7)	Schedule 1, entry for <i>Transport Operations (Road Use Management—Road Rules) Regulation 2009</i> , entry for section 20— <i>omit, insert—</i>	8 9 10 11
s 20	For a contravention that involves driving over the speed limit by—	
(a)	less than 11km/h	Individual 2 Corporation 10
(b)	at least 11km/h but not more than 20km/h	Individual 3 Corporation 15
(c)	more than 20km/h but not more than 30km/h	Individual 4½ Corporation 22½

(d) more than 30km/h but not more than 40km/h	Individual	7½	
	Corporation	37½	
(e) more than 40km/h	Individual	11½	
	Corporation	57½	
(8) Schedule 1, entry for <i>Transport Operations (Road Use Management—Road Rules) Regulation 2009</i> , entry for section 244B(1), column 2, ‘ ² / ₅ ’—			1 2 3
<i>omit, insert—</i>			4
1			5
(9) Schedule 1, entry for <i>Transport Operations (Road Use Management—Road Rules) Regulation 2009</i> , entry for s 252B(1), column 2, ‘ ¹ / ₅ ’—			6 7 8
<i>omit, insert—</i>			9
3			10
(10) Schedule 1, entry for <i>Transport Operations (Road Use Management—Road Rules) Regulation 2009</i> , entry for section 256(1), column 2, ‘1’—			11 12 13
<i>omit, insert—</i>			14
3			15
(11) Schedule 1, entry for <i>Transport Operations (Road Use Management—Road Rules) Regulation 2009</i> , entry for section 256(2), column 2, ‘1’—			16 17 18
<i>omit, insert—</i>			19
3			20
(12) Schedule 1, entry for <i>Transport Operations (Road Use Management—Road Rules) Regulation 2009</i> , entry for section 256(3), column 2, ‘1’—			21 22 23
<i>omit, insert—</i>			24
3			25

[s 19]

- (13) Schedule 1, entry for *Transport Operations (Road Use Management—Road Rules) Regulation 2009*, entry for section 256A(1), column 2, ‘1’— 1
2
3
omit, insert— 4
3 5
- (14) Schedule 1, entry for *Transport Operations (Road Use Management—Road Rules) Regulation 2009*, entry for section 257(1), column 2, ‘1’— 6
7
8
omit, insert— 9
3 10

Part 5 **Amendment of Summary Offences Act 2005** 11 12

Clause 19 Act amended 13
This part amends the *Summary Offences Act 2005*. 14

Clause 20 Insertion of new s 19AA 15
After section 19A— 16
insert— 17

19AA Definitions for division 18

In this division— 19

burn out, for a vehicle, means wilfully drive the 20
vehicle in a way that causes a sustained loss of 21
traction of 1 or more of the wheels with the road 22
surface. 23

Examples— 24

- driving a vehicle in a way that causes a sustained 25
loss of traction of 1 or more of the drive wheels 26
with a road surface so that the tyres or a substance 27
poured onto the road surface smokes 28

	<ul style="list-style-type: none">driving a vehicle in a way that causes a sustained loss of traction of 1 or more of the drive wheels with a wet or gravelled road surface, regardless of whether the tyres smoke because of a loss of traction	1 2 3 4 5
	<i>drive</i> , in relation to an electrically power-assisted cycle or personal mobility device, includes ride.	6 7
	<i>motor vehicle</i> see the <i>Transport Operations (Road Use Management) Act 1995</i> , schedule 4.	8 9
	<i>speed trial</i> see the <i>Police Powers and Responsibilities Act 2000</i> , schedule 6.	10 11
	<i>vehicle</i> means—	12
	(a) a motor vehicle; or	13
	(b) a personal mobility device; or	14
	(c) an electrically power-assisted cycle.	15
Clause 21	Amendment of s 19B (Meaning of <i>racing, burn out or other hooning offence</i>)	16 17
	Section 19B, from ‘is a type 1’—	18
	<i>omit, insert</i> —	19
	is—	20
	(a) a type 1 vehicle related offence under the <i>Police Powers and Responsibilities Act 2000</i> , section 69A(1); or	21 22 23
	(b) any of the following offences involving a vehicle that is an electrically power-assisted cycle or personal mobility device committed in circumstances involving a speed trial, a race between vehicles, or a burn out—	24 25 26 27 28
	(i) an offence against the Criminal Code, section 328A committed on a road or in a public place;	29 30 31

[s 22]

	(ii) an offence against the <i>Transport Operations (Road Use Management) Act 1995</i> , section 84;	1 2 3
	(iii) an offence against the <i>Transport Operations (Road Use Management) Act 1995</i> , section 84AA;	4 5 6
	(iv) an offence against the <i>Transport Operations (Road Use Management) Act 1995</i> , section 85;	7 8 9
	(v) an offence against the <i>Transport Operations (Road Use Management) Act 1995</i> involving wilfully starting the vehicle, or driving the vehicle, in a way that makes unnecessary noise or smoke.	10 11 12 13 14 15
	<i>Notes—</i>	16
	1 Under the <i>Acts Interpretation Act 1954</i> , section 7(1), a reference to a law includes a reference to statutory instruments made or in force under the law.	17 18 19 20
	2 At the enactment of this definition, a relevant offence for paragraph (b)(v), for example, is an offence against the <i>Transport Operations (Road Use Management—Road Rules) Regulation 2009</i> , section 291(1)(b).	21 22 23 24 25
Clause 22	Amendment of s 19C (Unlawful conduct associated with commission of racing, burn out or other hooning offence)	26 27
	Section 19C, ‘motor’—	28
	<i>omit.</i>	29
Clause 23	Amendment of s 19D (Possession of things used in commission of racing, burn out or other hooning offence)	30 31
	Section 19D, ‘motor’—	32
	<i>omit.</i>	33

Clause 24	Amendment of s 19I (Sale by employees of controlled items to minors)	1
		2
	Section 19I(3), ‘subsection (1)’—	3
	<i>omit, insert—</i>	4
	subsection (2)	5
Clause 25	Insertion of new pt 2, div 4C	6
	Part 2—	7
	<i>insert—</i>	8
	Division 4C	9
	Offences about selling particular vehicles to children under 16	10
		11
	190 Definitions for division	12
	In this division—	13
	<i>commercial seller—</i>	14
	(a) means a person who, in trade or commerce, sells controlled vehicles to the public; but	15
		16
	(b) does not include a person who sells controlled vehicles to the public only as an employee.	17
		18
		19
	<i>controlled vehicle</i> means any of the following—	20
	(a) a motorbike, other than an exempt motorbike;	21
		22
	(b) a personal mobility device;	23
	(c) an electrically power-assisted cycle.	24
	<i>employee</i> means a person who sells or may sell controlled vehicles in the course of the person’s employment.	25
		26
		27
	<i>exempt motorbike</i> means a motorbike that is—	28

[s 25]

- (a) eligible for registration under the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021*, section 18(1) but is not registered; or 1
2
3
4
5
- (b) registered. 6
- motorbike* see the *Transport Operations (Road Use Management) Act 1995*, schedule 4. 7
8
- registered* see the *Transport Operations (Road Use Management) Act 1995*, schedule 4. 9
10

19P Meaning of *sell* for division 11

- (1) This section applies for the application, to this division, of the definition *sell* in the dictionary. 12
13
- (2) A person does not keep or expose for sale or offer to sell a controlled vehicle to a child under 16 years only because the person keeps or exposes for sale or offers to sell controlled vehicles to the public generally. 14
15
16
17
18

19Q Sale of controlled vehicle to child under 16 19

- (1) A person must not sell a controlled vehicle to a child under 16 years. 20
21
- Maximum penalty— 22
- (a) for a first offence—140 penalty units; or 23
- (b) for a second offence—280 penalty units; or 24
- (c) for a third or later offence—420 penalty units. 25
26
- (2) An employee who sells a controlled vehicle to a child under 16 years in the course of their employment can not be prosecuted under this section. 27
28
29
30

<i>Note—</i>	1
See section 19S.	2
(3) It is a defence to a charge of an offence against subsection (1) for the person to prove—	3 4
(a) the person, or an employee of the person, required the child to produce acceptable evidence of age; and	5 6 7
(b) the child produced acceptable evidence of age, or purported acceptable evidence of age, showing the child was not a child under 16 years; and	8 9 10 11
(c) the person or employee had no reason to believe the evidence was false.	12 13
19R Commercial sellers must instruct employees about sale of controlled vehicle to child under 16	14 15 16
A commercial seller who is an employer must do the following in relation to each employee of the seller—	17 18 19
(a) instruct the employee—	20
(i) not to sell a controlled vehicle to a child under 16 years in any circumstances, even if the sale is for, or is claimed to be for, a person of or over 16 years; and	21 22 23 24 25
(ii) to sight acceptable evidence of age for a person before selling a controlled vehicle to the person, unless satisfied the person is of or over 16 years;	26 27 28 29
(b) warn the employee that, if the employee disregards the instructions mentioned in paragraph (a) and sells a controlled vehicle to a child under 16 years, the employee commits an offence against section 19S;	30 31 32 33 34

[s 25]

- (c) obtain written acknowledgement by the employee that the employee received the instructions and warning mentioned in paragraphs (a) and (b). 1
2
3
4
- Maximum penalty—40 penalty units. 5

19S Sale by employees of controlled vehicle to child under 16 6
7

- (1) This section applies to an employee if a commercial seller who is an employer has complied with section 19R in relation to the employee. 8
9
10
11
- (2) The employee must not, in the course of their employment, sell a controlled vehicle to a child under 16 years. 12
13
14
Maximum penalty— 15
 - (a) for a first offence—20 penalty units; or 16
 - (b) for a second or later offence—40 penalty units. 17
18
- (3) It is a defence to a charge of an offence against subsection (2) for the employee to prove— 19
20
 - (a) the employee, their employer or another employee of their employer required the child to produce acceptable evidence of age; and 21
22
23
24
 - (b) the child produced acceptable evidence of age, or purported acceptable evidence of age, showing the child was not under 16 years; and 25
26
27
28
 - (c) the employee, employer or other employee had no reason to believe the evidence was false. 29
30
31
- (4) For this section, it does not matter if the commercial seller who complied with section 19R 32
33

in relation to the employee is their employer at the 1
time the employee sells the controlled vehicle to 2
the child under 16 years. 3

19T Application of Anti-Discrimination Act 1991, s 46 4
5

For the *Anti-Discrimination Act 1991*, section 46, 6
a person (the *seller*) is not to be taken to 7
discriminate against another person only because 8
the seller refuses to sell a controlled vehicle to the 9
other person because of section 19Q(1) or 19S(2). 10

19U Commercial sellers must display prohibition signs 11
12

(1) A commercial seller must display a prohibition 13
sign at the seller's retail outlet, or in the seller's 14
online shop, under this section. 15

Maximum penalty—20 penalty units. 16

(2) If any controlled vehicles are displayed at the 17
retail outlet or in the online shop, a prohibition 18
sign must be displayed— 19

(a) at each point of display of the controlled 20
vehicle, so the sign is clearly visible to a 21
person viewing the displayed vehicle; or 22

(b) at each point of sale, so the sign is clearly 23
visible to a person purchasing a controlled 24
vehicle. 25

(3) If no controlled vehicles are displayed at the retail 26
outlet or in the online shop, a prohibition sign 27
must be displayed at each point of sale at the 28
outlet or in the online shop, so the sign is clearly 29
visible to a person purchasing a controlled 30
vehicle. 31

(4) Each prohibition sign must comply with the 32
requirements prescribed by regulation. 33

(5)	In this section—	1
	<i>online shop</i> means a website or other online application for a business that enables customers to purchase products or services from the business.	2 3 4 5
	<i>point of display</i> , of a controlled vehicle, means—	6
(a)	for a vehicle displayed at a retail outlet—the place where the vehicle is displayed at the outlet; or	7 8 9
(b)	for a vehicle displayed in an online shop—the place where the vehicle is displayed on the online shop’s website or other online application.	10 11 12 13
	<i>point of sale</i> means—	14
(a)	for a retail outlet—a counter or similar fixture where a controlled vehicle may be sold; or	15 16 17
(b)	for an online shop—the place where a controlled vehicle may be sold on the online shop’s website or other online application.	18 19 20
	<i>prohibition sign</i> means a sign about the sale of controlled vehicles to a child under 16 years.	21 22
	<i>retail outlet</i> means premises where controlled vehicles are available for sale to the public.	23 24
Clause 26	Amendment of sch 2 (Dictionary)	25
(1)	Schedule 2, definitions <i>commercial seller</i> and <i>vehicle</i> — <i>omit.</i>	26 27
(2)	Schedule 2— <i>insert—</i>	28 29
	<i>burn out</i> , for part 2, division 4A, see section 19AA.	30 31

<i>commercial seller</i> —	1
(a) for part 2, division 4B, see section 19E; or	2
(b) for part 2, division 4C, see section 19O.	3
<i>controlled vehicle</i> , for part 2, division 4C, see section 19O.	4 5
<i>drive</i> , for part 2, division 4A, see section 19AA.	6
<i>electrically power-assisted cycle</i> see the <i>Transport Operations (Road Use Management)</i> <i>Act 1995</i> , schedule 4.	7 8 9
<i>exempt motorbike</i> , for part 2, division 4C, see section 19O.	10 11
<i>motorbike</i> , for part 2, division 4C, see section 19O.	12 13
<i>motor vehicle</i> for part 2, division 4A, see section 19AA.	14 15
<i>personal mobility device</i> see the <i>Transport</i> <i>Operations (Road Use Management) Act 1995</i> , schedule 4.	16 17 18
<i>registered</i> , for part 2, division 4C, see section 19O.	19 20
<i>speed trial</i> , for part 2, division 4A, see section 19AA.	21 22
<i>vehicle</i> —	23
(a) for part 2, division 4A, see section 19AA; or	24
(b) otherwise, includes a motor vehicle, bicycle and boat.	25 26
(3) Schedule 2, definition <i>employee</i> , paragraph (b)—	27
<i>omit, insert</i> —	28
(b) for part 2, division 4C, see section 19O; or	29

- (c) for sections 23A to 23E, means a person who sells, or may sell, spray paint in the course of the person's employment. 1
2
3
- (4) Schedule 2, definition *sell*, notes, note 2— 4
omit, insert— 5
- 2 For part 2, division 4C, *sell* has the meaning affected by section 19P. 6
7
- 3 For sections 23A to 23D, *sell* has the meaning affected by section 23E. 8
9

Part 6 **Amendment of Transport Operations (Road Use Management) Act 1995** 10
11
12

Clause 27 **Act amended** 13
This part amends the *Transport Operations (Road Use Management) Act 1995*. 14
15

Clause 28 **Insertion of ch 1, pt 1, hdg** 16
Before section 1— 17
insert— 18

Part 1 **Preliminary** 19

Clause 29 **Renumbering and relocation of s 6 (Act binds everyone, including government entities)** 20
21
Section 6— 22
renumber and *relocate* as section 4A. 23

Clause 30 **Insertion of ch 1, pt 2, hdg** 24
Before section 5— 25

insert—

1

Part 2 Interpretation

2

Clause 31 Insertion of new s 6

3

After section 5—

4

insert—

5

6 What is a *prohibited bike*

6

(1) Each of the following vehicles is a *prohibited bike*—

7

8

(a) a noncompliant electrically power-assisted cycle;

9

10

(b) a noncompliant personal mobility device;

11

(c) a 2-wheeled or 3-wheeled vehicle that is capable of being propelled by an electric motor or internal-combustion engine and—

12

13

14

(i) is not eligible to be registered; or

15

Example for subparagraph (i)—

16

an electric or petrol-powered motorbike that does not comply with the Australian Design Rules under the *Road Vehicle Standards Act 2018* (Cwlth)

17

18

19

20

(ii) is eligible to be registered but is not registered.

21

22

Example for subparagraph (ii)—

23

a motorbike that is not registered

24

(2) However, none of the following vehicles is a *prohibited bike*—

25

26

(a) a personal mobility device;

27

(b) an electrically power-assisted cycle;

28

(c) a low powered toy scooter;

29

(d) a motorised mobility device.

30

- (3) For subsection (1) it is irrelevant whether the vehicle may also be propelled by use of pedals. 1
2
- (4) In this section— 3
- noncompliant electrically power-assisted cycle* 4
means a vehicle that resembles an electrically 5
power-assisted cycle but does not meet all 6
elements of the definition of electrically 7
power-assisted cycle under this Act. 8
- noncompliant personal mobility device* means a 9
vehicle that resembles a personal mobility device 10
but does not meet all elements of the definition of 11
personal mobility device under this Act. 12

Clause 32 Insertion of new s 34A 13

After section 34— 14

insert— 15

34A Power to require testing of particular vehicles 16

(1) This section applies— 17

(a) to any of the following vehicles— 18

(i) a vehicle that is, or resembles, an 19
electrically power-assisted cycle or 20
personal mobility device; 21

(ii) a vehicle that a person using the 22
vehicle claims is an electrically 23
power-assisted cycle or personal 24
mobility device; 25

(iii) a vehicle that an authorised officer 26
reasonably suspects is a prohibited 27
bike; and 28

(b) if the vehicle— 29

(i) is being ridden, or otherwise in the 30
possession of a person while, on a road, 31

on a road-related area or in a public place; or	1 2
(ii) has been seized by a police officer under the <i>Police Powers and Responsibilities Act 2000</i> chapter 4A, part 2.	3 4 5 6
(2) An authorised officer may require the rider, or another person in possession, of the vehicle to do 1 or more of the following—	7 8 9
(a) place, or allow the officer to place, the vehicle on an approved testing device;	10 11
(b) transport the vehicle, or allow the officer to transport the vehicle, to a place for the purpose of the vehicle being tested on using an approved testing device;	12 13 14 15
(c) do anything reasonably necessary to enable a test to be carried out using the approved testing device in accordance with a procedure approved by the commissioner.	16 17 18 19
<i>Example for paragraph (c)—</i>	20
enable electronic communication between the vehicle and an approved testing device through a physical or wireless connection	21 22 23
(3) A person must comply with a requirement made of the person under subsection (2), unless the person has a reasonable excuse.	24 25 26
Maximum penalty—60 penalty units.	27
Clause 33 Insertion of new s 48AA	28
After section 48—	29
<i>insert—</i>	30
48AA Power to require information from shared e-mobility providers	31 32
(1) This section applies if—	33

[s 33]

- (a) an authorised officer finds an electrically power-assisted cycle or personal mobility device (a *relevant device*) at a place; and
- (b) the authorised officer reasonably suspects the relevant device—
 - (i) is parked at the place in a way that contravenes this Act; and
 - (ii) is provided by a shared e-mobility provider in carrying on the provider’s business as a shared e-mobility provider.
- (2) The authorised officer may require the shared e-mobility provider to give any of the following information in relation to the relevant device—
 - (a) the name given by the person who was the last person to ride the relevant device (the *last known rider*) before the device was found by the authorised officer;
 - (b) the last known rider’s contact details;
 - (c) the day and time the ride of the last known rider started and ended;
 - (d) the place where the relevant device was parked at the end of the ride as recorded by the shared e-mobility provider;
 - (e) any photograph of the relevant device at the place mentioned in paragraph (d) provided by the last known rider;
 - (f) for a photograph mentioned in paragraph (e) that has metadata, the metadata relevant to—
 - (i) the day and time the photograph was taken; and
 - (ii) the place, if recorded in the metadata, where the photograph was taken;

-
- (g) any other information, including telemetry data issued by the relevant device, showing where the device was—
- (i) parked at the end of the ride by the last known rider; and
 - (ii) found by the authorised officer;
- (h) details that identify the relevant device including, for example, the identification number or QR code of the relevant device.
- (3) When making a requirement under subsection (2), the authorised officer must warn the shared e-mobility provider it is an offence to fail to comply with the requirement unless the provider has a reasonable excuse.
- (4) The shared e-mobility provider must comply with a requirement under subsection (2), unless the provider has a reasonable excuse.
- Maximum penalty—40 penalty units.
- (5) It is a reasonable excuse for the shared e-mobility provider to fail to give information under subsection (4) if giving the information might tend to incriminate the provider.
- (6) However, subsection (5) does not apply to an employee of the shared e-mobility provider for an alleged offence committed by the employee.
- (7) In this section—
- information* includes a document.
- shared e-mobility provider* means a person who carries on a business in which electrically power-assisted cycles or personal mobility devices are available to the public for loan or hire by using a publicly accessible electronic booking system.

Clause 34	Insertion of new ss 78B–78D	1
	After section 78A—	2
	<i>insert—</i>	3
	78B Riding electrically power-assisted cycle or personal mobility device without valid licence prohibited	4
		5
		6
	(1) A person must not ride an electrically power-assisted cycle or personal mobility device on a road, on a road-related area or in a public place unless the person—	7
		8
		9
		10
	(a) is at least 16 years; and	11
	(b) holds either—	12
	(i) a valid Queensland driver licence; or	13
	(ii) a valid non-Queensland driver licence.	14
	Maximum penalty—30 penalty units.	15
	(2) In this section—	16
	<i>valid</i> , in relation to a Queensland driver licence or non-Queensland driver licence, means—	17
		18
	(a) the licence has not expired; and	19
	(b) the licence has not been cancelled or suspended; and	20
		21
	(c) the person in whose name the licence is issued is not disqualified from holding or obtaining a driver licence in this or another jurisdiction.	22
		23
		24
		25
	78C Requirement for e-mobility providers to ensure user is over 16 years and holds valid licence	26
		27
	(1) An e-mobility provider must take reasonable steps to ensure each user of the provider’s electrically power-assisted cycles or personal mobility devices—	28
		29
		30
		31

-
- (a) is at least 16 years; and 1
- (b) holds either— 2
- (i) a valid Queensland driver licence; or 3
- (ii) a valid non-Queensland driver licence. 4
- Maximum penalty— 5
- (a) for a first offence—140 penalty units; or 6
- (b) for a second offence—280 penalty units; or 7
- (c) for a third or later offence—420 penalty 8
units. 9
- (2) It is a defence to a charge for an offence against 10
subsection (1) for the e-mobility provider to 11
prove— 12
- (a) that a user has made a declaration that the 13
user is at least 16 years and holds a valid 14
Queensland driver licence or 15
non-Queensland driver licence; and 16
- (b) it was reasonable in the circumstances for 17
the provider to rely on the declaration. 18
- (3) In this section— 19
- e-mobility provider* means a person who carries 20
on a business in which electrically power-assisted 21
cycles or personal mobility devices are available 22
to the public for loan or hire. 23
- user* means an individual who borrows or hires an 24
electrically power-assisted cycle or personal 25
mobility device from an e-mobility provider. 26

**78D Liability of parent—particular offences 27
committed by child under 16 28**

- (1) If a child under 16 years commits an offence 29
against section 78B or 84B, a parent of the child 30
is taken to have also committed an offence against 31
section 78B or 84B, as the case may be, and is 32

[s 34]

- liable to the same penalty. 1
- (2) However, it is a defence for the parent to prove 2
that— 3
- (a) the parent did not know, and could not 4
reasonably have been expected to know, of 5
the child’s conduct constituting the offence 6
against section 78B or 84B; or 7
- (b) the parent took all reasonable steps to ensure 8
the child did not engage in the conduct 9
constituting the offence against section 78B 10
or 84B. 11
- (3) In deciding whether things done or omitted to be 12
done by the parent constitute reasonable steps for 13
subsection (2)(b), a court must have regard to 14
whether the parent was in a position to influence 15
the child’s conduct in relation to the offence. 16
- (4) The parent may be proceeded against for, and 17
convicted of, an offence against section 78B or 18
84B whether or not the child has been proceeded 19
against for, or convicted of, the child’s offence 20
against section 78B or 84B. 21
- (5) In a proceeding for an offence against a parent of 22
a child under 16 years for an offence against 23
section 78B or 84B, in relation to proof of 24
whether a person is the parent of the child, a belief 25
of a police officer, on reasonable grounds, that a 26
person is the parent of the child is, unless the 27
contrary is proved, sufficient evidence of the fact 28
that the person is the child’s parent. 29
- (6) For subsection (5), a belief mentioned in that 30
subsection may be formed by the police officer 31
after reasonable enquiries are made of the child 32
and parent when the police officer finds the child 33
riding an electrically power-assisted cycle, 34
personal mobility device or prohibited bike on a 35
road, on a road-related area or in a public place or 36
soon after that time. 37

-
- (7) This section does not affect— 1
- (a) the liability of the child for an offence 2
against section 78B or 84B; or 3
 - (b) the liability, under the Criminal Code, 4
chapter 2, of any person, whether or not the 5
person is a parent of the child, for the child’s 6
offence against section 78B or 84B. 7
- (8) In this section— 8
- approved carer**, of a child, means— 9
- (a) an approved foster carer under the *Child 10
Protection Act 1999*, schedule 3 in whose 11
care the child is placed under section 82 of 12
that Act; or 13
 - (b) an approved kinship carer of the child under 14
the *Child Protection Act 1999*, schedule 3; 15
or 16
 - (c) a provisionally approved carer of the child 17
under the *Child Protection Act 1999*, 18
schedule 3. 19
- chief executive (child safety)** means the chief 20
executive of the department in which the *Child 21
Protection Act 1999* is administered. 22
- parent**, of a child— 23
- (a) means an adult who is the child’s mother, 24
father or someone else, other than the chief 25
executive (child safety), having or 26
exercising parental responsibility for the 27
child; but 28
 - (b) does not include— 29
 - (i) a person standing in the place of a 30
parent of the child on a temporary 31
basis; or 32
 - (ii) an approved carer of the child. 33
-

Clause 35	Amendment of s 79 (Vehicle offences involving liquor or other drugs)	1 2
(1)	Section 79, after subsection (2)—	3
	<i>insert—</i>	4
(2AAA)	Offence of riding bicycle or personal mobility device while over middle alcohol limit but not over high alcohol limit	5 6 7
	A person who is 16 years or older and who rides a bicycle or personal mobility device on a road, on a road-related area or in a public place while the person is over the middle alcohol limit but is not over the high alcohol limit is guilty of an offence.	8 9 10 11 12
	Maximum penalty—28 penalty units.	13
(2AAB)	Offence of riding bicycle or personal mobility device while over general alcohol limit but not over middle alcohol limit	14 15 16
	A person who is 16 years or older and who rides a bicycle or personal mobility device on a road, on a road-related area or in a public place while the person is over the general alcohol limit but is not over the middle alcohol limit is guilty of an offence.	17 18 19 20 21 22
	Maximum penalty—20 penalty units.	23
(2)	Section 79(7), after ‘motor vehicle’—	24
	<i>insert—</i>	25
	, bicycle or personal mobility device	26
(3)	Section 79—	27
	<i>insert—</i>	28
(7A)	Offence of riding etc. bicycle or personal mobility device while under the influence on road, on a road-related area or in public place	29 30 31
	A person who, while under the influence of liquor or a drug, rides or is in charge of a bicycle or	32 33

	personal mobility device on a road, on a road-related area or in a public place, or attempts to put in motion a bicycle or personal mobility device on a road, on a road-related area or in a public place, is guilty of an offence.	1 2 3 4 5
	Maximum penalty—40 penalty units or 9 months imprisonment.	6 7
	(7B) Presumption that defendant of offences involving bicycles or personal mobility devices is under the influence of liquor if over high alcohol limit	8 9 10 11
	If, on the hearing of a complaint of an offence under subsection (7A), the court is satisfied that at the material time the defendant was over the high alcohol limit, the defendant is conclusively presumed to have been at that time under the influence of liquor.	12 13 14 15 16 17
(4)	Section 79(8), ‘or (7)’— <i>omit, insert—</i> <i>, (7) or (7A)</i>	18 19 20
Clause 36	Amendment of s 80 (Breath and saliva tests, and analysis and laboratory tests)	21 22
(1)	Section 80(2), heading, after ‘saliva’— <i>insert—</i> in relation to circumstances involving motor vehicles, trams, trains or vessels	23 24 25 26
(2)	Section 80, after subsection (2)— <i>insert—</i> (2AA) Request for specimen of breath in relation to circumstances involving bicycles or personal mobility devices A police officer may require a person who is 16	27 28 29 30 31 32

[s 36]

years or older and who is found by the officer or who the officer reasonably suspects was during the last preceding 3 hours—	1 2 3
(a) riding or attempting to ride a bicycle or personal mobility device on a road, on a road-related area or in a public place; or	4 5 6
(b) in charge of a bicycle or personal mobility device on a road, on a road-related area or in a public place;	7 8 9
to provide a specimen of breath for a breath test by the person.	10 11
(3) Section 80(2A), heading, after ‘incident’— <i>insert</i> —	12 13
involving motor vehicles, trams, trains or vessels	14 15
(4) Section 80, after subsection (2A)— <i>insert</i> —	16 17
(2AAA) Request for specimen of breath after incident involving bicycles or personal mobility devices	18 19
If a bicycle or personal mobility device is involved in an incident resulting in injury to or death of any person or damage to property a police officer may require any person who is 16 years or older and who the officer reasonably suspects—	20 21 22 23 24 25
(a) was riding or attempting to ride the bicycle or personal mobility device on a road, on a road-related area or in a public place; or	26 27 28
(b) was in charge of a bicycle or personal mobility device on a road, on a road-related area or in a public place;	29 30 31
at the time of the incident to provide a specimen of breath for a breath test by the person.	32 33

(9)	Section 80(11)(e), ‘the person is’—	1
	<i>omit, insert</i> —	2
	for an offence involving a motor vehicle, tram, train or vessel—the person is	3 4
(10)	Section 80(16L), ‘or (2AA)’—	5
	<i>omit, insert</i> —	6
	, (2AA) or (7A)	7
(11)	Section 80(21), definition <i>relevant provision</i> , paragraph (a), after ‘(c)’—	8 9
	<i>insert</i> —	10
	who may be required to provide a specimen of the person’s breath, saliva or blood for analysis or a test in relation to circumstances involving a motor vehicle, tram, train or vessel	11 12 13 14
(12)	Section 80(22A), from ‘the specimen’ to ‘is suspended’—	15
	<i>omit, insert</i> —	16
	the specimen mentioned in subsection (22) from a person (an <i>affected person</i>), or who arrested a person (also an <i>affected person</i>) as mentioned in subsection (22)(ba) but did not request a specimen from the person, must sign and deliver to the affected person (or to another person on behalf of the affected person at the request of that other person) a statement in writing that the driver licence of the affected person is suspended	17 18 19 20 21 22 23 24 25
(13)	Section 80, after subsection (22A)—	26
	<i>insert</i> —	27
	(22AB) Definition for subsection (22AC)	28
	In subsection (22AC)—	29
	<i>relevant provision</i> means—	30
	(a) subsection (8) to the extent it applies to a person mentioned in subsection (8)(a), (b)	31 32

-
- or (c) who may be required to provide a specimen of the person's breath, saliva or blood for analysis or a test in relation to circumstances involving a bicycle or personal mobility device; or
- (b) subsection (8C) to the extent it applies to a person who may be required to provide a specimen of breath for a breath test under subsection (2AA) or (2AAA).
- (22AC) Application of subsection (22AD)**
- Subsection (22AD) applies if—
- (a) the analysis by means of a breath analysing instrument of a specimen of breath of a person required by a police officer to be provided under a relevant provision indicates that the person is over the general alcohol limit; or
- (b) the analysis by means of a saliva analysing instrument of a specimen of saliva of a person required by a police officer to be provided under a relevant provision indicates that a relevant drug is present in the person's saliva; or
- (c) a person required to provide a specimen of breath, or a specimen of saliva for saliva analysis, as mentioned in paragraph (a) or (b) fails to provide the specimen as prescribed under subsections (8) to (8L); or
- (d) a person has been arrested for an offence under section 79(7A) but has not been required by a police officer to provide a specimen of breath for analysis or a specimen of blood for a laboratory test under subsection (8) or (8C) for any of the following reasons—
- (i) the person is violent;

[s 36]

- (ii) because of the external signs exhibited by the person, the police officer reasonably believes the person is so affected by alcohol or a drug as to be unable to provide the specimen; 1
2
3
4
5
- (iii) because of the remoteness of the area— 6
7
 - (A) a breath analysing instrument is not available to analyse a specimen of the person’s breath; 8
9
10
or 11
 - (B) a doctor or nurse is not available to take a specimen of blood from the person for a laboratory test or to direct a qualified assistant to take the specimen; or 12
13
14
15
16
- (e) a person who is required by a police officer under a relevant provision to provide a specimen of the person’s blood for a laboratory test permits a specimen of the person’s blood to be taken for that purpose and the police officer then requires the person to provide a specimen of breath for a breath test, or saliva for a saliva test, by the officer, and— 17
18
19
20
21
22
23
24
25
 - (i) it appears to the police officer as a result of the breath test carried out by the officer that the device by means of which the test is carried out indicates that the person is over the general alcohol limit; or 26
27
28
29
30
31
 - (ii) it appears to the police officer in consequence of the saliva test carried out by the officer that the device by means of which the test is carried out indicates a relevant drug is present in the person’s saliva; or 32
33
34
35
36
37

(iii) the person fails to provide a specimen of breath or saliva; or	1 2
(f) a person who is required by a police officer under a relevant provision, or under subsection (9) in relation to a relevant provision, to provide a specimen of the person's blood for a laboratory test fails to provide the specimen; or	3 4 5 6 7 8
(g) a specimen of a person's blood is taken under a relevant provision, or under another provision of this section in relation to a relevant provision, for a laboratory test and a doctor or nurse certifies in writing to the police officer who made the requisition for the provision or taking of the specimen of blood that, in respect of the person concerned, the case is a proper one for the person to be prohibited from riding a bicycle or personal mobility device for a period of 8 hours.	9 10 11 12 13 14 15 16 17 18 19 20
(22AD) Prohibition from riding bicycle or personal mobility device	21 22
The person is prohibited from riding a bicycle or personal mobility device for a period of 8 hours from when—	23 24 25
(a) the analysis mentioned in subsection (22AC)(a) or (b) was made; or	26 27
(b) the requirement mentioned in subsection (22AC)(c) or (f) was made; or	28 29
(c) the arrest mentioned in subsection (22AC)(d) was made; or	30 31
(d) the requirement to provide a specimen of breath or saliva mentioned in subsection (22AC)(e) was made; or	32 33 34
(e) a certificate in writing mentioned in subsection (22AC)(g) was given.	35 36

(22AE)	Police officer to give notice of prohibition	1
	The police officer who required a specimen mentioned in subsection (22AC) from a person (an <i>affected person</i>), or who arrested a person (also an <i>affected person</i>) as mentioned in subsection (22AC)(d) but did not request a specimen from the person, must sign and deliver to the affected person (or to another person on behalf of the affected person at the request of that other person) a notice in writing that the affected person is prohibited as prescribed by subsection (22AD) for the period of 8 hours starting at the time stated in the notice.	2 3 4 5 6 7 8 9 10 11 12 13
(14)	Section 80(22B), after ‘(22)’— <i>insert—</i> or (22AC)	14 15 16
(15)	Section 80(22C), after ‘(22AA)’— <i>insert—</i> or the prohibition from riding a bicycle or personal mobility device under subsection (22AD)	17 18 19 20 21
(16)	Section 80— <i>insert—</i> (22DA) Offence of riding bicycle or personal mobility device while prohibited under subsection (22AD) A person who rides a bicycle or personal mobility device on a road, on a road-related area or in a public place while prohibited under subsection (22AD) is guilty of an offence. Maximum penalty—14 penalty units.	22 23 24 25 26 27 28 29 30 31

Clause 37	Amendment of s 84AA (Driving particular vehicles without due care and attention on road-related areas)	1 2
(1)	Section 84AA, heading, ‘Driving’—	3
	<i>omit, insert—</i>	4
	Riding	5
(2)	Section 84AA, ‘drives’—	6
	<i>omit, insert—</i>	7
	rides	8
Clause 38	Insertion of new ss 84B and 84C	9
	After section 84A—	10
	<i>insert—</i>	11
	84B Riding prohibited bikes in public	12
(1)	A person must not ride a prohibited bike on a road, on a road-related area or in a public place.	13 14
	Maximum penalty—40 penalty units.	15
(2)	It is a defence to a charge under subsection (1) for the person to prove the prohibited bike is—	16 17
(a)	being ridden in a public place to participate in an organised competition or show happening at the place with the consent of the owner or occupier of the place; or	18 19 20 21
	<i>Examples of organised competition or show—</i>	22
	• a freestyle motocross competition	23
	• a racing event	24
	• an agricultural show	25
	• a circus	26
(b)	a vehicle to which the <i>Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021</i> , section 10(2) applies.	27 28 29 30

- (3) If, because a person rides a prohibited bike on a road, the person commits an offence against a provision of a regulation made under this Act—
- (a) the person may be charged with an offence against either subsection (1) or the provision of the regulation; and
 - (b) the person must not be—
 - (i) charged with both offences; or
 - (ii) given an infringement notice under the *State Penalties Enforcement Act 1999* for both offences.
- (4) In this section—
organised competition or show does not include a spontaneous race or gathering of vehicles.

84C False or misleading labelling related to electrically power-assisted cycles

- (1) A person must not attach, or cause to be attached, to a vehicle a label that purports to be a compliance label, unless the vehicle is an electrically power-assisted cycle.
Maximum penalty—30 penalty units.
- (2) A person must not ride a vehicle on a road, on a road-related area or in a public place if the vehicle—
- (a) has a compliance label attached to it; and
 - (b) does not comply with the EPAC standard.
- Maximum penalty—30 penalty units.
- (3) It is a defence to a charge under subsection (2) for the person to prove the person purchased the vehicle from a retailer in the ordinary course of business and the label was already attached to the vehicle at the time of the purchase.

	(4) In this section—	1
	<i>compliance label</i> , in relation to a vehicle, means	2
	a permanent label or marking, added by the	3
	manufacturer, indicating the vehicle complies	4
	with the EPAC standard.	5
	<i>manufacturer</i> , of a vehicle, includes anyone who	6
	assembles or prepares the vehicle before its sale	7
	by a retailer.	8
	<i>retailer</i> means a business that purports to sell	9
	electrically power-assisted cycles, regardless of	10
	what other items the business also sells.	11
Clause 39	Amendment of ch 5, pt 7, hdg	12
	Chapter 5, part 7, after ‘devices’—	13
	<i>insert—</i>	14
	and testing	15
Clause 40	Insertion of new ch 5, pt 7, div 3	16
	After section 121—	17
	<i>insert—</i>	18
	Division 3	
	Approved testing devices	19
	121A Approved testing devices for particular	20
	vehicles	21
	(1) The chief executive or commissioner may, by	22
	signed certificate, approve a device or system (an	23
	<i>approved testing device</i>) for—	24
	(a) testing a vehicle to assess whether it is an	25
	electrically power-assisted cycle, personal	26
	mobility device or prohibited bike; or	27
	(b) testing a vehicle to assess whether it	28
	complies with the EPAC standard.	29

- (2) The chief executive or commissioner may, by signed certificate, approve the following things—
 - (a) the standards or procedures for testing or calibrating approved testing devices;
 - (b) procedures for carrying out a test using an approved testing device, including at a roadside location;
 - (c) training or qualification requirements for persons who may operate an approved testing device.
- (3) The chief executive must—
 - (a) publish on a Queensland Government website a list of current approved testing devices; and
 - (b) keep records of approvals and calibration checks for approved testing devices for the period prescribed by regulation.
- (4) The commissioner must give the chief executive the information necessary for publishing lists and keeping records under subsection (3), to the extent the commissioner has control of that information.
- (5) In this section—

Queensland government website means a website with a URL that contains ‘qld.gov.au’, other than the website of a local government.

- Clause 41 Insertion of new s 123KA** 27
- After section 123K— 28
- insert—* 29
- 123KA Certificate is evidence of another matter—approved testing device** 30
- (1) Subsection (2) applies to a certificate purporting 31

	to be signed by the chief executive or commissioner stating any of the following—	1 2
	(a) that a stated device or system is an approved testing device;	3 4
	(b) the results of a stated test carried out using an approved testing device on a stated device or vehicle at a stated time and place;	5 6 7
	(c) that a stated vehicle does not comply with the EPAC standard for stated reasons.	8 9
(2)	For a proceeding for an offence against a transport Act, the certificate is evidence of the matters stated in it.	10 11 12
(3)	Subsection (4) applies to a certificate purporting to be signed by the chief executive or commissioner stating—	13 14 15
	(a) that, on a stated day or during a stated period, a stated approved testing device was tested or calibrated in accordance with a stated standard or procedure approved by the chief executive or commissioner; or	16 17 18 19 20
	(b) that a stated approved testing device was operated in accordance with the manufacturer's instructions or a procedure approved by the chief executive or commissioner.	21 22 23 24 25
(4)	For a proceeding for an offence against a transport Act, the certificate is evidence—	26 27
	(a) of the matters stated in it; and	28
	(b) that the stated approved testing device was producing accurate results when tested and for 1 year after the day of testing.	29 30 31
Clause 42	Amendment of s 123R (Challenges to devices)	32
	Section 123R(1)(a) and (b)—	33

- omit, insert—* 1
- (a) the accuracy of a speed detection device for which a certificate is given under section 123J; or 2 3 4
 - (b) the accuracy of a vehicle speedometer accuracy indicator for which a certificate is given under section 123K; or 5 6 7
 - (c) the results of an approved testing device for which a certificate is given under section 123KA; or 8 9 10
 - (d) the time at which, or way in which, a device mentioned in paragraph (a) to (c) was used. 11 12

Clause 43 Amendment of s 123SA (Evidence of particular matters relating to vehicles) 13 14

Section 123SA(1)— 15

insert— 16

- (g) evidence that a motorbike does not have a number plate attached to it is evidence that the motorbike is not registered; 17 18 19
- (h) evidence that a prohibited bike does not have a VIN engraved or permanently affixed to the bike is evidence that the bike is not eligible for registration; 20 21 22 23
- (i) evidence that an electrically power-assisted cycle has been modified is evidence that the cycle is not compliant with the EPAC standard. 24 25 26 27

Clause 44 Amendment of s 124 (Facilitation of proof) 28

(1) Section 124(1)(i)(iii)— 29

omit, insert— 30

- (iii) any place or thing is or was— 31

-
- (A) a public place or part of a public place; 1
or 2
- (B) a road or part of a road; or 3
- (C) a road-related area or part of a 4
road-related area; or 5
- (D) an off-street regulated parking area or 6
part of an off-street regulated parking 7
area; or 8
- (2) Section 124— 9
insert— 10
- (3) Without limiting subsection (1)(i)(ii), in a 11
proceeding under or for the purpose of this Act, a 12
certificate purporting to be signed by the 13
commissioner stating that a vehicle has been 14
disposed of under the *Police Powers and* 15
Responsibilities Act 2000, section 123K is, 16
subject to subsection (4), conclusive evidence 17
that, at the relevant time, the vehicle was a 18
prohibited bike. 19
- (4) In a proceeding in which a certificate under 20
subsection (3) is produced, the court may admit 21
evidence that a vehicle the subject of the 22
certificate was not at the relevant time a 23
prohibited bike, or that the vehicle was not 24
unlawfully ridden on a road, on a road-related 25
area or in a public place, only if the evidence 26
could not reasonably have been provided during 27
the administrative process available before the 28
disposal of the vehicle. 29
- (5) In this section— 30
administrative process available before disposal 31
means the release application process and internal 32
review process available under chapter 4A, part 3 33
of the *Police Powers and Responsibilities Act* 34
2000. 35

relevant time, in relation to a vehicle, means the time at or during which the vehicle is suspected of having been unlawfully ridden on a road, on a road-related area or in a public place.

Clause 45	Insertion of new part 27	5
	After section 244—	6
	<i>insert</i> —	7
	Part 27	8
	Transitional provisions for Transport and Other Legislation (Managing E-mobility Use and Protecting Our Communities) Amendment Act 2026	9
		10
		11
		12
		13
		14
	245 Transition period for formerly compliant power-assisted bicycles and personal mobility devices	15
		16
		17
	(1) For 6 months from the commencement of this section, the definition of <i>electrically power-assisted cycle</i> under this Act includes a vehicle that was a power-assisted bicycle under this Act as in force immediately before the commencement.	18
		19
		20
		21
		22
		23
	(2) For 6 months from the commencement of this section, the definition of <i>personal mobility device</i> under this Act includes a vehicle that was a personal mobility device under this Act as in force immediately before the commencement.	24
		25
		26
		27
		28
	246 Evidentiary provisions	29
	(1) Former section 124(1)(i)(iii) continues to apply in	30

relation to an allegation or averment in a
complaint in a proceeding under or for the
purpose of this Act started, but not decided,
immediately before the commencement as if the
amendment Act, section 44(1) had not
commenced.

(2) A certificate given under former schedule 1, item
2 as in force immediately before the
commencement may continue to be used after the
commencement in relation to a proceeding
started, but not decided, immediately before the
commencement.

(3) New section 124 and schedule 1, item 2 apply in
relation to a proceeding for an offence only if the
offence is committed after the commencement.

(4) In this section—

amendment Act means the *Transport and Other
Legislation (Managing E-mobility Use and
Protecting Our Communities) Amendment Act
2026*.

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

new, in relation to a provision of this Act, means
the provision as in force from the commencement
of this section.

Clause 46 Amendment of sch 1 (Evidence by certificate)

Schedule 1, item 2, column 1, paragraph (c)—

omit, insert—

(c) a public place; or

(d) part of a place or thing mentioned in
paragraph (a), (b) or (c)

Clause 47	Amendment of sch 4 (Dictionary)	1
(1)	Schedule 4, definition <i>power-assisted bicycle</i> —	2
	<i>omit.</i>	3
(2)	Schedule 4—	4
	<i>insert—</i>	5
	<i>approved testing device</i> see section 121A(1).	6
	<i>electrically power-assisted cycle</i> means a vehicle that—	7
		8
	(a) has 2 or more wheels; and	9
	(b) is built to be propelled by human power through a belt, chain or gears; and	10
		11
	(c) has 1 or more auxiliary electric motors; and	12
	(d) unless a special circumstances permit applies in relation to the vehicle—	13
		14
	(i) complies with the EPAC standard; and	15
	(ii) has attached to it, in a permanent way, a label that indicates compliance with the EPAC standard.	16
		17
		18
	<i>EPAC standard</i> means the standard associated with electrically power-assisted cycles prescribed by regulation.	19
		20
		21
	<i>prohibited bike</i> see section 6.	22
	<i>ride</i> , in relation to a vehicle, does not include—	23
	(a) being carried on the vehicle as a passenger;	24
	or	25
	(b) walking while pushing or pulling the vehicle.	26
		27
	<i>special circumstances permit</i> means a special circumstances permit issued under the <i>Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015</i> , section 128.	28
		29
		30
		31
		32

- | | | |
|-----|---|---|
| (3) | Schedule 4, definition <i>bicycle</i> , ‘a power-assisted bicycle’— | 1 |
| | <i>omit, insert—</i> | 2 |
| | an electrically power-assisted cycle | 3 |
| (4) | Schedule 4, definition <i>motor vehicle</i> , paragraph (b), ‘a power-assisted bicycle.’— | 4 |
| | <i>omit, insert—</i> | 5 |
| | an electrically power-assisted cycle. | 6 |
| | | 7 |

Part 7	Amendment of Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015	8
		9
		10
		11
		12

Clause 48	Regulation amended	13
	This part amends the <i>Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015</i> .	14
		15
		16

Clause 49	Amendment of s 128 (Application for, and issue of, permit)	17
		18
	(1) Section 128, heading, before ‘permit’—	19
	<i>insert—</i>	20
	special circumstances	21
	(2) Section 128(2)—	22
	<i>omit, insert—</i>	23
	(2) Without limiting subsection (1), an application may relate to—	24
		25

	(a) use of a motor vehicle in a way that would otherwise contravene section 85A(1) of the Act; or	1 2 3
	(b) use of a vehicle (a <i>special EPAC</i>) that would otherwise be an electrically power-assisted cycle if not for a lack of compliance with the EPAC standard or a label indicating compliance with the standard.	4 5 6 7 8
(3)	Section 128(4)(a)— <i>omit, insert—</i>	9 10
	(a) include a description of—	11
	(i) the particular way in which the authorised persons for the permit are to be permitted to use roads; or	12 13 14
	(ii) if the permit relates to a special EPAC—the special EPAC; and	15 16
(4)	Section 128(6), example— <i>insert—</i>	17 18
	• ensuring the vehicle complies with a standard or stated specifications	19 20
Clause 50	Amendment of s 129 (Authority of special circumstances permit)	21 22
(1)	Section 129— <i>insert—</i>	23 24
	(3A) To the extent the special circumstances permit applies in relation to a special EPAC, the permit only applies while the special EPAC complies with the conditions of the permit.	25 26 27 28
(2)	Section 129(4)— <i>insert—</i>	29 30
	<i>special EPAC</i> see section 128(2)(b).	31

Part 8	Amendment of Transport Operations (Road Use Management—Road Rules) Regulation 2009	1
		2
		3
		4
Clause 51	Regulation amended	5
	This part amends the <i>Transport Operations (Road Use Management—Road Rules) Regulation 2009</i> .	6
		7
Clause 52	Replacement of s 15A (Personal mobility devices—Act, sch 4)	8
		9
	Section 15A—	10
	<i>omit, insert—</i>	11
	15A Personal mobility devices—Act, sch 4, definition <i>personal mobility device</i>	12
		13
	(1) For schedule 4 of the Act, definition <i>personal mobility device</i> , paragraph (b), a vehicle is a personal mobility device if the vehicle—	14
		15
		16
	(a) has 1 or more wheels; and	17
	(b) is propelled by an electric motor; and	18
	(c) does not exceed any of the following dimensions—	19
		20
	(i) a width of 750mm;	21
	(ii) a height of 1350mm;	22
	(iii) if the vehicle has 2 or more axles—a wheelbase of 1100mm; and	23
		24
	(d) weighs 60kg or less when not carrying a person or other load; and	25
		26
	(e) when propelled only by the electric motor, can not exceed a speed of 25km/h.	27
		28
	(2) However, each of the following is not a personal	29

[s 53]

	mobility device—	1
	(a) a low powered toy scooter;	2
	(b) a motorised mobility device;	3
	(c) a vehicle with pedals;	4
	(d) a vehicle that is registered and, in connection with that registration, has a number plate attached.	5 6 7
Clause 53	Amendment of s 21 (Speed limit where a speed limit sign applies)	8 9
	Section 21—	10
	<i>insert—</i>	11
	(3) This section applies to a driver for a length of road that is a bicycle path, footpath, separated footpath or shared path subject to section 24B.	12 13 14
Clause 54	Replacement of s 24B (Speed limit for personal mobility devices)	15 16
	Section 24B—	17
	<i>omit, insert—</i>	18
	24B Speed limit on particular signed or marked paths	19 20
	(1) This section applies in relation to a length of bicycle path, footpath, separated footpath or shared path to which a path speed limit sign or speed limit path marking applies.	21 22 23 24
	(2) The speed limit applying to a driver for the length of the path is the number of kilometres per hour indicated by the number on the path speed limit sign or speed limit path marking.	25 26 27 28
	(3) The path speed limit sign or speed limit path marking applies to the length of the path beginning at the sign or marking and ending at the	29 30 31

-
- nearest of the following— 1
- (a) a path speed limit sign or speed limit path marking on the path with a different number on the sign or marking; 2
3
4
 - (b) an end path speed limit sign or end speed limit path marking on the path; 5
6
 - (c) the place where the path meets, or is intersected by, a road or another path. 7
8
- (4) This section applies despite a higher speed limit that would otherwise apply to a driver for a length of bicycle path, footpath, separated footpath or shared path under another section of this part. 9
10
11
12
- (5) This section applies to a rider of a personal mobility device subject to section 24C. 13
14
- (6) In this section— 15
- end path speed limit sign* means a path speed limit sign that includes the word ‘end’. 16
17
- end speed limit path marking* means a speed limit path marking that includes the word ‘end’. 18
19
- path speed limit sign* means a speed limit sign that— 20
21
- (a) applies to a bicycle path, footpath, separated footpath or shared path; but 22
23
 - (b) does not apply to a road. 24
- road* does not include a road-related area. 25
- speed limit path marking* means a road marking on the surface of a bicycle path, footpath, separated footpath or shared path consisting of a number indicating the speed limit in kilometres per hour in a red circle. 26
27
28
29
30

24C Speed limit for personal mobility devices 31

- (1) The speed limit applying to the rider of a personal 32

[s 54]

mobility device is—	1
(a) for a rider riding across a road using a crossing on the road—10km/h; or	2 3
(b) for a rider riding on a length of bicycle path, footpath, separated footpath or shared path to which a path speed limit sign or speed limit path marking applies—the lesser of the following—	4 5 6 7 8
(i) the speed limit applying under section 24B;	9 10
(ii) 25km/h; or	11
(c) for a rider riding on a length of footpath or shared path to which no path speed limit sign or speed limit path marking applies—10km/h; or	12 13 14 15
(d) if paragraphs (a), (b) and (c) do not apply—25km/h.	16 17
(2) Subsection (1)(a), (b), (c) or (d) applies to a rider of a personal mobility device despite a higher speed limit that would otherwise apply to the rider under this part.	18 19 20 21
(3) Subsection (1)(d) does not apply to a rider of a personal mobility device if the rider is, under another section of this part, required to ride the mobility device at a lower speed than 25km/h.	22 23 24 25
24D Speed limit for electrically power-assisted cycles on crossings or particular paths	26 27
(1) The speed limit applying to the rider of an electrically power-assisted cycle is—	28 29
(a) for a rider riding across a road using a crossing on the road—10km/h; or	30 31
(b) for a rider riding on a length of bicycle path, footpath, separated footpath or shared path	32 33

	to which a path speed limit sign or speed	1
	limit path marking applies—the speed limit	2
	applying under section 24B; or	3
	(c) for a rider riding on a length of footpath or	4
	shared path to which no path speed limit	5
	sign or speed limit path marking	6
	applies—10km/h.	7
	(2) Subsection (1)(a), (b) or (c) applies to a rider of a	8
	electrically power-assisted cycle despite a higher	9
	speed limit that would otherwise apply to the rider	10
	under this part.	11
Clause 55	Amendment of s 244B (Wearing of helmets by users of	12
	low powered toy scooters)	13
	(1) Section 244B(1), after ‘bicycle helmet’—	14
	<i>insert—</i>	15
	or approved motorbike helmet	16
	(2) Section 244B(2) and (3), ‘bicycle’—	17
	<i>omit.</i>	18
	(3) Section 244B—	19
	<i>insert—</i>	20
	(4) If, for any reason, a person can not wear an	21
	approved motorbike helmet, the person is not	22
	exempt from the requirement to wear an approved	23
	bicycle helmet under subsection (1) unless	24
	subsection (2) or (3) also applies to the person in	25
	relation to a bicycle helmet.	26
Clause 56	Omission of s 245A (Age restrictions for personal	27
	mobility device riders)	28
	Section 245A—	29
	<i>omit.</i>	30

Clause 57	Amendment of s 252B (Personal mobility devices not to be ridden on particular roads)	1 2
	(1) Section 252B, heading, ‘particular roads’—	3
	<i>omit, insert—</i>	4
	roads with speed limit of more than 60km/h	5
	(2) Section 252B(1), from ‘must not ride on’ to ‘1 marked lane.’—	6 7
	<i>omit, insert—</i>	8
	must not ride on a length of road for which the speed limit applying to a driver is more than 60km/h.	9 10 11
 Clause 58	 Amendment of s 252C (Exception to not riding personal mobility devices on particular roads—PMD-permitted bicycle lane)	 12 13 14
	(1) Section 252C, heading, from ‘not riding’ to ‘particular roads’—	15 16
	<i>omit, insert—</i>	17
	offence against s 252B	18
	(2) Section 252C(2), from ‘if’ to ‘the bicycle lane’—	19
	<i>omit, insert—</i>	20
	if the bicycle lane	21
 Clause 59	 Amendment of s 252D (Other exceptions to not riding personal mobility devices on particular roads)	 22 23
	Section 252D, heading, from ‘not riding’—	24
	<i>omit, insert—</i>	25
	offence against s 252B	26
 Clause 60	 Insertion of new s 253A	 27
	After section 253—	28

insert—

1

**253A Unreasonably obstructing bicycle paths,
footpaths etc.**

2

3

A person must not park an electrically
power-assisted cycle or personal mobility device
on a bicycle path, footpath, separated footpath,
shared path or nature strip in a way that
unreasonably obstructs the path of pedestrians or
other vehicles.

4

5

6

7

8

9

Maximum penalty—20 penalty units.

10

Clause 61 Amendment of s 256 (Bicycle helmets)

11

(1) Section 256, heading—

12

omit, insert—

13

**256 Bicycle rider and passenger required to wear
helmet**

14

15

(2) Section 256(1) and (2), after ‘bicycle helmet’—

16

insert—

17

or approved motorbike helmet

18

(3) Section 256(4) and (5), ‘bicycle’—

19

omit.

20

(4) Section 256—

21

insert—

22

(6) If, for any reason, a person can not wear an
approved motorbike helmet, the person is not
exempt from the requirement to wear an approved
bicycle helmet under subsection (1) or (2) unless
subsection (4) or (5) also applies to the person in
relation to a bicycle helmet.

23

24

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28

Clause 62	Amendment of s 257 (Riding a bicycle or personal mobility device with a person on a bicycle or PMD trailer)	1 2
(1)	Section 257(1)(d), after ‘bicycle helmet’— <i>insert—</i> or approved motorbike helmet	3 4 5
(2)	Section 257(1A) and (1B), ‘bicycle’— <i>omit.</i>	6 7
(3)	Section 257— <i>insert—</i> (1C) If, for any reason, a person can not wear an approved motorbike helmet, the person is not exempt from the requirement to wear an approved bicycle helmet under subsection (1) unless subsection (1A) or (1B) also applies to the person in relation to a bicycle helmet.	8 9 10 11 12 13 14 15
Clause 63	Replacement of s 353B (Power-assisted bicycles—Act, sch 4, definition <i>power-assisted bicycle</i>)	16 17
	Section 353B— <i>omit, insert—</i>	18 19
	353B Prescribed standard—Act, sch 4, definition <i>EPAC standard</i>	20 21
	For the Act, schedule 4, definition <i>EPAC standard</i> , the standard prescribed is the standard titled ‘EN 15194:2017+A1 Cycles – Electrically power assisted cycles – EPAC Bicycles’, published by the European Committee for Standardization.	22 23 24 25 26 27
Clause 64	Amendment of sch 3 (Other permitted traffic signs)	28
	Schedule 3, entries for Personal mobility device speed limit sign and entry for End personal mobility device speed limit sign—	29 30 31

omit. 1

Clause 65 Amendment of sch 4 (Symbols and traffic-related items) 2

Schedule 4, entry for Personal mobility device symbol— 3

omit. 4

Clause 66 Amendment of sch 5 (Dictionary) 5

Schedule 5— 6

insert— 7

path speed limit sign see section 24B(6). 8

speed limit path marking see section 24B(6). 9

Part 9 Other amendments 10

Clause 67 Legislation amended 11

Schedule 1 amends the legislation it mentions. 12

Schedule 1	Other amendments	1
	section 67	2
	Rural and Regional Adjustment Regulation 2011	3
1	Schedule 62, part 1, section 3, definition <i>e-bicycle</i>, ‘a power-assisted bicycle’—	4
	<i>omit, insert—</i>	5
	an electrically power-assisted cycle	6
2	Schedule 62, part 1, section 3, definition <i>e-bicycle</i>, note, ‘are, and vehicles that are not, power-assisted bicycles.’—	7
	<i>omit, insert—</i>	8
	are electrically power-assisted cycles.	9
		10
		11
		12
	Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2021	13
		14
		15
1	Schedule 4, definition <i>miscellaneous vehicle</i>, paragraph (c)—	16
	<i>omit, insert—</i>	17
	(c) an electrically power-assisted cycle; or	18
		19