

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

## **Explanatory Notes**

### **FOR**

## **Amendments to be moved during consideration in detail by the Honourable Brent Mickelberg MP, Minister for Transport and Main Roads**

### **Short title**

The short title of the Bill is the Transport and Other Legislation (Managing E-mobility Use and Protecting Our Communities) Amendment Bill 2026.

### **Policy objectives of the amendments**

The Transport and Other Legislation (Managing E-mobility Use and Protecting Our Communities) Amendment Bill 2026 (the Bill) implements the transport-related reform recommendations of the State Development, Infrastructure and Works Committee following its parliamentary inquiry into e-mobility safety and use in Queensland. It provides for nation-leading reforms to respond to increasing safety, enforcement and community concerns arising from the growing use of e-mobility devices across the State.

The objectives of the amendments are to refine and strengthen the Bill in response to stakeholder feedback, Committee consideration and recommendations, and further policy development following the Bill's introduction. While maintaining the Bill's core objectives of improving safety and strengthening enforcement, the amendments address implementation and operability issues to ensure the regulatory framework is practical, proportionate and capable of effective implementation.

In particular, the amendments address potential unintended consequences arising from new technical standards, licensing and age requirements and enforcement powers; better balance safety and enforcement outcomes with accessibility and equity considerations; support targeted licensing and age limit exemption pathways and transitional arrangements; strengthen safeguards relating to the seizure, release and disposal of property; and refine the proposed footpath and shared path speed limit framework. Together, the amendments maintain robust controls on unsafe and unlawful e-mobility use while seeking to minimise disproportionate impacts on vulnerable and transport-disadvantaged cohorts.

Technical amendments are also included to correct minor errors and ensure consistency with current drafting practice.

The amendments support a staged commencement to facilitate the robust and effective implementation of the new regulatory framework. The Bill will largely commence on 1 July 2026, except for:

- the age and licencing requirement, which will commence on 31 August 2026, and
- the obligation on shared e-mobility providers to ensure riders comply with age and licensing requirements, which will commence on 1 March 2027.

This staged approach allows time for the development of appropriate regulatory exemptions for the age and licensing framework, including engagement with key stakeholders, and for e-mobility providers to implement system and procedural changes necessary to verify a person's age and licence status. It further enables the development of supporting systems and guidance materials, and allows stakeholders to adapt to the new framework, thereby supporting a smooth and practical transition.

Consistent with this staged approach, the omission of the existing age restrictions for personal mobility device (PMD) riders in section 245A of the Queensland Road Rules is deferred until the commencement of the new age and licensing requirements. This ensures the continued operation of the current requirements—that a person riding a PMD must be at least 16 years of age, or at least 12 years of age if supervised by an adult—during the transition period, avoiding any regulatory gap.

The Bill also provides for a longer transitional period, ending on 28 February 2027, to support the establishment of an e-bike assurance scheme by allowing sufficient time to work with industry, develop EPAC verification rules, supported by regulation, and implement necessary controls to prevent misuse. This period will also provide e-mobility riders and retailers the opportunity to ensure compliance with the new requirements.

### **EN 15194 standard**

The objective of the amendments relating to the EN 15194 standard is to ensure the technical standards framework for electrically power-assisted cycles (EPACs) operates fairly and proportionately, while maintaining regulatory certainty and supporting improved safety outcomes.

The Bill modernises Queensland's regulatory framework by replacing the concept of a "power-assisted bicycle" with a new definition of "electrically power-assisted cycle", supported by a prescribed technical standard. The prescribed standard is *EN 15194 – Cycles – Electrically power assisted cycles – EPAC Bicycles*, published by the European Committee for Standardization. This approach aligns Queensland law with contemporary international manufacturing and safety standards for EPACs (also referred to as e-bikes).

However, as introduced, the Bill would recognise compliance only with the most recent version of the EN 15194 standard. This would have the unintended effect of rendering EPACs that were lawfully manufactured and supplied in accordance with an earlier version of the standard non-compliant, despite those vehicles having been manufactured in accordance with the applicable standard at the time and continuing to operate within accepted safety parameters.

The amendments address this unintended consequence by ensuring continuity for existing lawful EPACs, while allowing updated versions of EN 15194 to apply prospectively to newly manufactured devices as standards evolve.

## **EPAC compliance labelling**

The objective of the amendments relating to EPAC compliance labelling is to ensure the compliance labelling framework operates as a practical and effective mechanism for identifying compliant EPACs, supports enforcement of EPAC requirements, and avoids disproportionate impacts on existing lawful EPACs and their supply.

The Bill introduces mandatory compliance labelling as part of the new regulatory framework for EPACs. The framework relies on the presence of a “compliance label” to indicate that a vehicle complies with the prescribed EPAC standard, being EN 15194, and includes offences intended to deter false or misleading labelling of non-compliant vehicles as EPACs.

As introduced, the definition of “compliance label” refers to a label attached by the manufacturer of the vehicle. However, a large proportion of EPACs currently in circulation were manufactured and supplied before compliance with EN 15194 was mandated under Queensland legislation and therefore do not carry a compliance label, despite meeting the applicable speed and motor power output requirements of the standard. While newly manufactured EPACs are expected to comply with EN 15194 and be supplied with compliance labels, this approach does not accommodate compliant EPACs that were manufactured or supplied prior to the commencement.

Issues identified during Committee consideration highlighted that restricting the affixing of compliance labels to manufacturers creates practical barriers to lawful compliance for existing EPACs. Stakeholders advised that retailers and other appropriately qualified persons are capable of determining whether an EPAC complies with the applicable version of EN 15194 and supporting the affixing of a compliance label under the legislative framework, including in circumstances where a compliance label is provided for affixing after supply.

Without this flexibility, existing EPACs that otherwise meet the prescribed technical requirements may be unable to be labelled and treated as lawful EPACs solely due to the absence of a manufacturer-affixed label. This outcome would arise despite there being no underlying safety or compliance concerns and would undermine the practical operation of the compliance labelling regime, particularly during the transitional period.

It has also been identified that sellers may, in practice, be required to rely on technical specifications or assurances provided by manufacturers when determining whether an EPAC complies with the prescribed standard and whether a compliance label should be applied. Without appropriate clarification and safeguards, the compliance labelling framework could expose sellers acting reasonably and in good faith to offence liability.

The policy objective of the amendments is therefore to ensure that the compliance labelling framework is directed at preventing false or misleading labelling of non-compliant vehicles, while providing practical pathways for existing lawful EPACs to be correctly labelled and protecting riders and sellers who act in good faith.

## **Existing compliant e-bikes that cannot meet EN 15194**

The Bill introduces a requirement that EPACs comply with the prescribed EPAC standard, being EN 15194, as in force from time to time. This reform is intended to provide greater clarity, consistency and enforceability in the regulation of e-bikes in Queensland, and to align the regulatory framework with contemporary international safety and manufacturing standards.

During the Committee’s inquiry into the Bill, stakeholders raised concerns that a substantial number of e-bikes currently in lawful use operate within the core performance parameters of EN 15194—

most notably, a maximum continuous rated motor output of 250 watts and a maximum assisted speed of 25 km/h—but are not capable of being retrospectively certified to the standard. EN 15194 certification is undertaken at the point of manufacture and applies to a complete integrated product. In practice, there is no viable pathway for many existing e-bikes to undergo post-market testing or certification once supplied.

The Committee also heard that EN 15194 includes design-based requirements, such as anti-tampering features and battery safety systems, that are not intended to be retro-fitted to in-service devices. As a result, many e-bikes that have been lawfully acquired and safely used would become technically non-compliant under the new definition despite posing no materially different safety risk to compliant EPACs.

In the absence of an alternative compliance pathway, this outcome would have the effect of rendering a large cohort of existing e-bikes unlawful for use in public places because certification cannot be retrospectively obtained. Stakeholders advised that such an outcome would impose disproportionate impacts on riders and retailers, reduce consumer confidence in the regulatory framework, and risk undermining the broader transport, accessibility and sustainability benefits associated with e-bike use.

At the same time, stakeholders emphasised the importance of maintaining EN 15194 as the mandatory standard for newly manufactured and newly supplied EPACs, and of avoiding any approach that would legitimise high-powered, throttle-controlled or otherwise prohibited devices. Stakeholders and the Committee supported a targeted and proportionate response that preserves safety outcomes and enforcement clarity while recognising the practical limitations associated with retroactive certification of legacy devices.

The policy objective of the amendments is to address these issues by establishing a legislative framework for the verification of legacy and special purpose EPACs. The framework provides a clear statutory basis for the chief executive to make EPAC verification rules governing the technical and operational requirements for verification, supported by a regulation-making power to prescribe characteristics, limitations, conditions of use and other matters relevant to these categories of EPACs. The framework also provides for the assessment and testing of vehicles and imposes compliance obligations in relation to verification activities.

The objective is to enable the continued lawful use of certain existing e-bikes that operate within accepted EPAC power and speed limits, as well as accommodating vehicles designed or modified to enable use by persons with a disability or medical condition, provided they meet prescribed criteria. At the same time, it preserves EN 15194 as the mandatory compliance standard for new manufacture and supply.

### **Licensing and age exemptions**

The Bill introduces a requirement for EPAC and PMD riders to be at least 16 years old and hold a valid driver licence. This requirement is intended to support improved safety outcomes by ensuring riders have a level of maturity, judgment and basic road-rule knowledge, and have demonstrated medical fitness through the driver licensing framework.

Stakeholder feedback during the Committee inquiry into the Bill has emphasised that the age and licensing requirement will prohibit persons from using e-mobility devices regardless of their ability to do so safely. In particular, it may unreasonably impact on people with disabilities, older Queenslanders, families riding with children, and tourism and recreation businesses. Concerns were raised that the blanket licensing and age requirement may discourage the uptake of e-mobility devices and undermine policy objectives relating to accessibility, inclusion and sustainable transport.

To address these concerns, amendments are included that are designed to better balance the safety benefits of the licensing and age requirement with accessibility and equity considerations.

### **Path speed limits**

The objective of the amendments is to improve pedestrian safety by introducing a clear and enforceable speed management framework for EPACs and PMDs in pedestrian-focused environments, while preserving the safe and effective operation of shared paths that are designed to accommodate bicycle use.

The amendments are intended to ensure that footpaths, as primarily pedestrian spaces, are subject to a consistently low default speed limit that reflects the vulnerability of pedestrians and addresses community concerns about unsafe riding behaviour. At the same time, the amendments seek to avoid imposing unnecessary restrictions on higher-quality shared paths, such as bikeways, rail trails and other purpose-built active transport corridors, which form an important part of Queensland's active transport network.

During the Committee's inquiry into the Bill, stakeholders raised concerns that applying a uniform low speed limit to all shared paths would have unintended consequences. In particular, submitters noted that many shared paths are designed to support cycling for commuting, recreation and tourism, and that a blanket limit could reduce their practicality and attractiveness, discourage uptake of active transport, increase demands for additional signage and enforcement, and encourage some riders to divert onto roads, increasing interaction with motor vehicles and potentially undermining overall safety outcomes.

The policy objective of the amendments is therefore to balance pedestrian safety with practical and proportionate access for riders. The amendments are intended to ensure pedestrians feel safe when sharing space with e-mobility devices, while maintaining an appropriate speed framework that does not introduce instability risks for riders or diminish the safety and functionality of shared path infrastructure.

### **Enforcement issues**

The objective of the amendments is to improve the clarity, effectiveness and fairness of enforcement provisions supporting the new e-mobility regulatory framework. The amendments are intended to ensure that offences, powers and procedures operate as intended, are capable of practical and flexible administration, and support consistent enforcement outcomes.

The amendments also seek to address identified operational and drafting issues so that appropriate procedural safeguards apply, and to ensure the new enforcement framework is properly aligned with existing police powers, evidentiary requirements and review mechanisms.

Since the introduction of the Bill, a number of enforcement and operational issues have been identified that may limit the effective application of the new offences and seizure powers, or create uncertainty in their operation. These issues include inconsistencies in terminology, gaps in evidentiary provisions, the absence of a delegation power, and a lack of clarity regarding the interaction between the new prohibited bike enforcement framework and existing powers under the *Police Powers and Responsibilities Act 2000* (PPR Act).

Concerns were also raised that, without clarification, some provisions may give rise to procedural fairness issues. These include situations where the evidentiary requirements for release applications are not sufficiently defined, or the release of a seized device may unintentionally affect subsequent enforcement or prosecution action.

The policy objective of the amendments is therefore to strengthen the operation of the enforcement framework by clarifying terminology, reinforcing evidentiary and procedural safeguards, and ensuring that the new powers operate coherently alongside established police powers, in a manner that is fair, transparent and effective.

## **Achievement of policy objectives**

### **EN 15194 standard**

The policy objectives are achieved by amending the definition of “electrically power-assisted cycle” to clarify how compliance with the prescribed EPAC standard is to be assessed over time.

The amendments provide that an EPAC is taken to comply with the EN 15194 standard if it complies with the version of the standard that was in force at the time the EPAC was manufactured. This ensures that EPACs that were lawfully designed, tested and certified in accordance with the applicable technical requirements at the time of manufacture continue to be recognised as compliant under Queensland law.

The amendments also provide that the EPAC standard applies as in force from time to time. This ensures that subsequent updates to EN 15194 apply prospectively to newly manufactured EPACs, allowing the regulatory framework to accommodate evolving safety and design standards without disrupting the lawful use of existing vehicles.

Together, these amendments provide regulatory certainty for manufacturers, retailers, riders and enforcement agencies, avoid unintended retrospective operation, and support ongoing alignment with contemporary international manufacturing and safety standards.

### **EPAC compliance labelling**

The objective of the amendments is achieved by amending the EPAC compliance labelling provisions in section 84C of the TORUM Act to remove the requirement that a compliance label be added by the manufacturer, and by introducing statutory defences in specified circumstances, while retaining offences directed at false or misleading labelling of non-compliant vehicles.

The amendments achieve this by revising the definition of “compliance label” so that it is no longer limited to a label added by the manufacturer of the vehicle. This removes practical barriers to lawful compliance for existing EPACs by allowing compliance labels to be affixed where an EPAC complies with the applicable version of EN 15194 but does not carry a manufacturer-affixed label.

Consistent with this approach, the compliance labelling offences in section 84C remain directed at preventing the false or misleading representation of a vehicle as an EPAC. The offences for attaching a purported compliance label to a vehicle that is not an EPAC, and for riding a vehicle bearing a compliance label that does not comply with the EPAC standard, are retained.

The amendments also introduce statutory defences where a person proves that the vehicle was purchased from a retailer in the ordinary course of business and that the compliance label was either already attached to the vehicle at the time of purchase, attached by the person in accordance with instructions provided by the retailer or manufacturer of the vehicle, or attached by a retailer or employee of a retailer based on information provided by the manufacturer. These defences ensure that offence liability does not arise in circumstances where compliance labels are applied in good faith as part of ordinary retail and supply practices, while preserving the operation of the offence provisions for false or misleading representations of EPAC compliance.

Overall, the amendments maintain the integrity and enforceability of the compliance labelling offence framework, while supporting practical and proportionate compliance pathways for EPACs that meet the prescribed technical requirements.

### **Existing compliant e-bikes that cannot meet EN 15194**

The objective of the amendments is achieved by amending the TORUM Act to establish a clear and flexible legislative framework for the verification of particular categories of EPACs, being legacy EPACs and special purpose EPACs.

The framework provides a statutory head of power for the chief executive to make EPAC verification rules governing the technical and operational requirements for verifying these vehicles, supported by a regulation-making power to prescribe characteristics, limitations, conditions of use and other matters relevant to their safe and lawful use.

The amendments enable vehicles that do not comply with the prescribed EPAC standard (EN 15194) to be treated as EPACs for the purposes of the Act where they are verified as legacy EPACs or special purpose EPACs in accordance with the framework. This pathway is directed primarily to EPACs that were lawfully manufactured, supplied or used before commencement, that operate within the accepted EPAC performance parameters—being a maximum continuous rated power output of 250 watts and a maximum assisted speed of 25 km/h—but which cannot reasonably be certified to EN 15194 due to manufacturing, technical or logistical constraints associated with retrospective certification. This may include, for example, an inability to retrospectively meet anti-tampering or battery safety requirements introduced in later versions of the standard.

The framework also accommodates special purpose EPACs, being vehicles designed or modified to enable use by a person with a disability or medical condition. These vehicles (such as e-trikes) may not comply with all aspects of EN 15194 but can be verified subject to prescribed characteristics and limitations to ensure they operate safely and are appropriately regulated.

The amendments preserve EN 15194 as the mandatory compliance standard for newly manufactured or newly supplied EPACs, while providing a differentiated and controlled pathway for legacy EPACs and special purpose EPACs. The framework supports this pathway by enabling detailed requirements relating to verification, testing, labelling, record-keeping and the persons authorised to undertake verification to be specified in the EPAC verification rules, with enforceability supported by offence provisions and complementary regulation-making powers.

The framework is designed to be adaptable, enabling the EPAC verification rules and supporting regulations to be updated over time to respond to emerging safety risks, technological developments and industry practices, without requiring amendment to primary legislation. This approach supports efficient administration and regulatory responsiveness, while maintaining appropriate transparency and Parliamentary oversight.

The amendments also operate alongside the Bill's transitional arrangements. During the transitional period, an EPAC that was lawfully supplied or used before commencement and that operates within EPAC power and speed limits may continue to be treated as an EPAC for the purposes of the Act, even where it does not comply fully with EN 15194. This transitional period provides an orderly pathway for affected e-bikes to be assessed and, where appropriate, verified as a legacy EPAC or special purpose EPAC under the new legislative framework.

This approach achieves the policy objectives by enabling a proportionate, enforceable and safety-focused mechanism for managing legacy EPACs and special purpose EPACs, protecting riders and retailers from unintended regulatory impacts, and maintaining the integrity and clarity of the EPAC regulatory framework.

## **Licensing and age exemptions**

The policy objectives are achieved by inserting amendments that state that the offence in section 78B of the TORUM Act (i.e. the offence of riding an EPAC or PMD without a valid driver licence or when under the age of 16) does not apply where an exemption prescribed by regulation applies. The amendments explicitly allow a regulation to prescribe the following persons as being exempt from the section 79B offence:

- children aged 12 to 17 riding under the supervision of their parent, grandparent or legal guardian
- persons who do not hold a valid driver licence but are able to ride safely
- persons riding at a prescribed place.

There is also the ability for regulation to prescribe further exemptions and conditions relating to the exemptions. This includes, for example, prescribing additional adult supervisors, if necessary.

The intent is that regulation will prescribe exemptions for persons who, for example, do not have a driver licence because of medical reasons. The regulation may prescribe conditions (for example, a medical assessment for persons unable to obtain a driver licence due to disability, medical reasons or old age) to ensure the safety of riders and the public.

The Department of Transport and Main Roads will undertake further implementation work to support the design and practical operation of the exemption arrangements. This will include working with medical experts to develop guidance material to inform assessments of fitness to ride.

Prescribing the exemptions by regulation will allow the detailed operation of the licensing and age limit frameworks to be refined over time in response to implementation experience and safety considerations.

The amendments also provide a transitional provision so that if a person has a reasonable excuse, that person can ride an e-mobility device for a 3-month period from commencement despite not having a valid licence and not complying with any requirements of an exemption prescribed by regulation. This will allow time for regulatory schemes to be developed and for riders without a driver licence to, where applicable, demonstrate compliance with any exemption. A rider may, for example, need time to get an appointment for a medical assessment that is required by an exemption.

## **Path speed limits**

The policy objective is achieved by refining the speed limit framework for EPACs and PMDs to better reflect the differing functions, design standards and risk profiles of footpaths and shared paths.

The amendments retain a default speed limit of 12 km/h for EPACs and PMDs on footpaths, unless otherwise signed or marked. This provides a clear and easily understood rule for pedestrian environments, supports enforcement, aligns with existing PMD provisions, and reflects evidence that very low speed limits may create stability risks for devices designed to operate above walking pace.

For shared paths, the amendments adopt a more targeted, proximity-based approach. Under the new framework, riders of EPACs and PMDs must not travel at a speed exceeding 12 km/h when passing a pedestrian on a shared path. This ensures that pedestrian safety is prioritised in situations of direct interaction, where the risk of harm is highest.

Where a rider is not passing a pedestrian, the applicable speed on a shared path will continue to be determined under the existing Queensland Road Rules framework, including any posted path speed limit, path speed limit marking, or other relevant default rules. Dedicated bicycle lanes and cycleways where pedestrian use is prohibited remain outside the scope of the default path speed limits.



This approach protects pedestrians in higher-risk contexts while allowing bikeways, rail trails and other higher-quality shared paths to continue to operate safely and efficiently. It also improves regulatory clarity for riders and enforcement agencies, reduces reliance on widespread installation of signage or path markings, and supports speed management that is responsive to local conditions and infrastructure quality.

### **Enforcement issues**

The objective of the amendments is achieved by amending the enforcement framework established by the Bill to clarify the operation of offences, seizure powers and related procedures, and to ensure appropriate interaction with existing police powers and evidentiary regimes.

The amendments address identified issues by:

- clarifying terminology used in enforcement provisions to ensure consistency with defined terms used elsewhere in the Bill and related legislation,
- clarifying evidentiary requirements applying to applications for the release or review of seized devices, to ensure decisions are made on the basis of objective and verifiable material,
- establishing a mechanism for the return of personal property found with a prohibited bike during an unattended seizure,
- providing a delegation power to enable the Police Commissioner to delegate powers under new Chapter 4A to appropriately qualified senior police officers, supporting efficient and practical administration of the seizure framework, and
- expressly providing for the interaction between the new prohibited bike enforcement framework and existing powers under the PPR Act, including powers to seize, retain and deal with property for investigative or evidentiary purposes.

These amendments ensure that enforcement powers are exercisable in a practical and legally robust manner, support consistent decision-making by enforcement agencies, and reduce uncertainty for device owners and riders.

By reinforcing procedural safeguards and evidentiary clarity, the amendments also ensure that the exercise of enforcement powers does not unintentionally prejudice subsequent enforcement action or prosecution, and that affected persons are provided with appropriate transparency and review mechanisms.

Overall, the amendments support the effective implementation of the new e-mobility enforcement framework while ensuring it operates in a fair, proportionate and accountable manner consistent with the policy objectives of the Bill.

## **Alternative ways of achieving policy objectives**

There are no reasonable alternative ways of achieving the policy objectives. The proposed amendments represent the most effective and proportionate means of addressing the identified issues and preventing unintended outcomes associated with the Bill.

## **Estimated cost for government implementation**

The proposed amendments are not expected to result in any immediate or material additional cost to government beyond those associated with implementation of the Bill as introduced.

Some amendments, particularly those supporting the development of longer-term licensing exemption arrangements, may require future updates to departmental systems and the development of additional guidance material, including the assessment of medical fitness to ride e-mobility

devices. The scope and cost of this work has not yet been finalised and will be subject to further design, consultation and approval through established government processes.

The amendments also support the establishment of a verification framework for legacy EPACs and special purpose EPACs. The framework enables alternative compliance pathways for certain existing e-bikes that meet the core EPAC power and speed parameters, but cannot reasonably be certified to EN 15194, as well as vehicles designed or modified to enable use by persons with a disability or medical condition. Verification of these vehicles will be supported by EPAC verification rules made by the chief executive, together with supporting regulation-making powers. While elements of the framework, such as verification and testing, are expected to be largely user-funded, there may be limited administrative or oversight costs to government associated with establishing, maintaining and monitoring the framework.

Any initial implementation activity required to give effect to the proposed amendments, including transitional arrangements and operational refinements, will be managed within existing resourcing and implementation planning. Where further costs arise as part of longer-term implementation, these will be considered through established budget and approval processes.

## Consistency with fundamental legislative principles

### EN 15194 standard

The amendments relating to the EN 15194 standard engage the fundamental legislative principle in section 4(3) of the *Legislative Standards Act 1992*, which requires legislation to have sufficient regard to the rights and liberties of individuals. This principle is engaged because the amendments clarify how compliance with the prescribed EPAC standard is assessed for EPACs, including EPACs manufactured before commencement.

The amendments provide that an EPAC is taken to comply with the EN 15194 standard if it complies with the version of the standard that was in force at the time the EPAC was manufactured. Without this clarification, EPACs that were lawfully manufactured, tested and certified in accordance with earlier versions of EN 15194 would be rendered non-compliant solely due to subsequent updates to the standard. The amendments do not impose new obligations or liabilities in relation to past conduct. Rather, they operate beneficially by preserving the lawful status of EPACs that complied with the applicable technical requirements in force at the time of manufacture and continue to operate within accepted safety parameters.

The amendments also provide that the EPAC standard applies as in force from time to time. This aspect of the amendments engages the fundamental legislative principle in section 4(4)(a) of the *Legislative Standards Act 1992*, which requires that legislation allow the delegation of power only in appropriate cases and to appropriate persons, as it incorporates an external technical standard that may be amended from time to time without further amendment to the Act or regulation.

Any departure from fundamental legislative principles is considered reasonable and proportionate. EN 15194 is an internationally recognised standard developed through established expert and consultative processes and deals with detailed and evolving engineering and safety matters that are not suitable for inclusion in primary legislation. Applying the standard as in force from time to time ensures that updated safety requirements apply prospectively to newly manufactured EPACs, while avoiding unintended impacts on existing lawful vehicles.

The incorporation of EN 15194 as a standard applying from time to time supports regulatory certainty, alignment with international practice and improved safety outcomes, while ensuring that individuals and businesses are not disadvantaged by changes to technical standards that occur after

manufacture. Any impact on fundamental legislative principles is therefore considered justified, having regard to the beneficial and clarifying nature of the amendments and the safeguards retained in the legislative framework.

### **EPAC compliance labelling**

The amendments relating to EPAC compliance labelling engage the fundamental legislative principles in section 4(2) and 4(3) of the *Legislative Standards Act 1992*, which require legislation to have sufficient regard to the rights and liberties of individuals and to the institution of Parliament.

The amendments revise the compliance labelling offence framework in section 84C of the TORUM Act, including by removing the requirement that a compliance label be added by the manufacturer of a vehicle and by introducing statutory defences in specified circumstances where a person acquires or applies a compliance label in the ordinary course of retail supply.

These amendments engage the rights and liberties principle because they affect the circumstances in which individuals may be subject to offence liability for attaching, or riding a vehicle bearing, a compliance label. The amendments do not impose new obligations or liabilities. Rather, they operate beneficially by narrowing the circumstances in which offence liability arises, and by protecting purchasers, retailers and retail employees who act reasonably and in good faith within ordinary supply and retail practices. In particular, the statutory defences ensure that a person is not exposed to offence liability solely because a compliance label was applied or relied on in circumstances beyond their control, such as where the label was already attached at purchase or applied based on manufacturer information.

The amendments also engage the principle relating to the institution of Parliament by refining the operation of statutory offence provisions proposed to be inserted by the Bill. Any departure from fundamental legislative principles is considered reasonable and proportionate, having regard to the confined nature of the amendments, the retention of the core offence prohibitions in section 84C, and the continued focus of the framework on preventing false or misleading representations of EPAC compliance.

Overall, the amendments strike an appropriate balance between maintaining the integrity and enforceability of the compliance labelling offence framework and avoiding disproportionate impacts on individuals acting in good faith. On balance, the amendments are considered consistent with fundamental legislative principles.

### **Existing compliant e-bikes that cannot meet EN 15194**

The amendments relating to existing compliant e-bikes that cannot meet EN 15194 engage the fundamental legislative principle in section 4(4)(a) of the *Legislative Standards Act 1992*, which requires legislation to have sufficient regard to the institution of Parliament and to allow the delegation of legislative power only in appropriate cases and to appropriate persons. This principle is engaged because the amendments establish a new legislative framework that provides for EPAC verification rules to be made and published by the chief executive, supported by a regulation-making power to prescribe characteristics, limitations, conditions of use and other matters for legacy EPACs and special purpose EPACs.

The delegation is considered appropriate and proportionate. The verification of legacy EPACs and special purpose EPACs involves detailed, technical and operational matters, including testing methods, verification processes, labelling requirements, record-keeping and the authorisation of persons to carry out verification. These matters are not suitable for inclusion in primary legislation and require flexibility to respond to safety evidence, technological change and implementation

experience. Providing a statutory head of power for the chief executive to make EPAC verification rules allows these matters to be dealt with in a transparent and adaptable manner, while remaining supported by legislative authority.

The legislative framework is appropriately confined. It provides a targeted pathway for particular categories of EPACs that do not comply with EN 15194 to be treated as EPACs for the purposes of the Act only where they are verified as legacy EPACs or special purpose EPACs and comply with prescribed requirements. This includes vehicles that were lawfully manufactured, supplied or used before commencement but cannot reasonably be certified to EN 15194, as well as other vehicles designed or modified to enable use by persons with a disability or medical condition. The amendments do not affect the requirement for newly manufactured or newly supplied EPACs to comply with EN 15194 and do not create an alternative or general compliance pathway for otherwise non-compliant devices.

The amendments also support the rights and liberties of individuals by avoiding the unintended effect of rendering lawfully acquired and safely used e-bikes unlawful solely because retrospective certification to EN 15194 is not reasonably practicable. Without the verification framework, affected riders and retailers may be exposed to enforcement action despite no material increase in safety risk.

Any EPAC verification rules and regulations made under the framework will be publicly available and, in the case of regulations, subject to Parliamentary scrutiny, including tabling and disallowance. Parliament therefore retains effective oversight of the framework.

On balance, any departure from fundamental legislative principles is justified, having regard to the technical and evolving nature of the matters dealt with, the limited and targeted scope of powers, the safeguards built into the legislative framework, and the need to achieve fair, proportionate and enforceable regulatory outcomes.

### **Licensing and age exemptions**

The amendments relating to the licensing and age exemption engage the fundamental legislative principle in section 4(4)(a) of the *Legislative Standards Act 1992*, which requires legislation to have sufficient regard to the institution of Parliament by allowing the delegation of legislative power only in appropriate cases and to appropriate persons. This principle is engaged because the Bill enables exemptions from the licensing and age requirement in section 78B of the TORUM Act and these exemptions will be prescribed by regulation.

The amendment is intended to support limited exemptions for situations where the exemption is appropriately limited to ensure the safety of the rider and public despite the rider not having a licence and/or being under the age of 16. For example, an exemption may be prescribed for persons who are unable to obtain a driver licence because of a medical condition only if they obtain a medical certificate that states that they are fit to ride an e-mobility device. This approach avoids imposing unnecessary restrictions where risks can be appropriately managed, while maintaining protections where warranted. The regulation-making power will be exercised consistently with the objectives of the TORUM Act, including promoting road safety.

E-mobility use patterns and safety evidence are evolving rapidly. The regulation-based exemption will allow timely, targeted adjustments that can respond to emerging data and operational needs without the delay inherent in amending primary legislation. This promotes effective and contemporary regulation while avoiding unnecessary burden where safety risks are demonstrably low.

Any regulation prescribing a licensing or age exemption will be subject to parliamentary scrutiny, including tabling in Parliament and the ordinary disallowance process. Parliament therefore retains effective oversight of the scope and operation of the exemption framework.

While the amendment delegates the ability to prescribe exemptions to subordinate legislation, this is justified by the need for a flexible, responsive and adaptive regulatory scheme, and the continued availability of Parliamentary oversight of exemptions through the disallowance process.

### **Path speed limits**

The amendments are consistent with the fundamental legislative principles under section 4 of the *Legislative Standards Act 1992*.

The amendments regulate the speed at which EPACs and PMDs may be operated on footpaths and shared paths for the purpose of improving pedestrian safety and supporting the safe and orderly use of active transport infrastructure. Although the amendments impose obligations on individuals by regulating rider behaviour in certain environments, any potential impact on individual rights and liberties is reasonable and proportionate to the policy objectives being pursued.

The amendments create a new offence in section 250A of the Queensland Road Rules relating to the operation of EPACs and PMDs at unsafe speeds in pedestrian environments. The creation of an offence engages the fundamental legislative principles relating to the rights and liberties of individuals; however, the offence is justified by the need to protect vulnerable pedestrians from harm and to provide a clear and enforceable mechanism to address unsafe riding behaviour. The offence is narrowly targeted, applies only in defined circumstances, and aligns with existing speed-related obligations and enforcement mechanisms under the Queensland Road Rules. The associated penalty is proportionate to the risk addressed and consistent with comparable regulatory offences.

The framework adopted by the amendments promotes clarity and certainty for riders and enforcement agencies by establishing clear, easily understood rules that distinguish between footpaths and shared paths and focus on higher-risk interactions with pedestrians. This reduces the risk of arbitrary or disproportionate enforcement and supports the fair administration of the law.

To the extent the amendments may be considered to affect individual rights and liberties, any such impact is appropriate and justified in a free and democratic society by the public interest in pedestrian safety and the effective shared use of public infrastructure.

Accordingly, the amendments have due regard to the rights and liberties of individuals and are consistent with fundamental legislative principles.

### **Enforcement issues**

The amendments addressing enforcement issues engage the fundamental legislative principle in section 4(3) of the *Legislative Standards Act 1992*, which requires legislation to have sufficient regard to the rights and liberties of individuals.

The amendments engage section 4(3)(a) by ensuring that administrative powers, such as those related to the seizure, forfeiture, and release of prohibited bikes, are clearly defined and subject to appropriate procedural safeguards. For example, the amendments clarify evidentiary requirements for release applications, ensuring that decisions are based on objective and verifiable material. This provides transparency and ensures that individuals have access to fair and reviewable processes.

Section 4(3)(b) is engaged as the amendments reinforce principles of natural justice by providing mechanisms for transparency and review. For instance, the amendments ensure that personal property found on or with a seized prohibited bike can be safeguarded and returned to its owner, even if the

bike itself is not released. This ensures that individuals are not unfairly deprived of their property and that enforcement actions are conducted in a fair and proportionate manner.

Section 4(3)(e) is engaged as the amendments clarify the interaction between the new enforcement framework and existing police powers under the PPR Act. The amendments ensure that seizure powers are exercised in a manner consistent with established legal principles, including the requirement for judicial oversight where appropriate, and that they do not unintentionally limit police powers to seize property as evidence for criminal or crash investigations.

Section 4(3)(k) is engaged as the amendments address inconsistencies in terminology and correct minor referencing errors to ensure that the enforcement framework is unambiguous and drafted in a clear and precise manner. This promotes clarity for enforcement agencies, device owners, and riders, reducing the risk of misinterpretation or inconsistent application of the law.

The amendments also engage the fundamental legislative principle in section 4(4)(a) of the *Legislative Standards Act 1992* to the extent that they provide for the delegation of the Police Commissioner's powers under the new seizure framework to senior police officers. The delegation is limited to appropriately qualified officers, being an officer in charge of a police station or police establishment or a police officer of at least the rank of sergeant, and is necessary to support the efficient and practical administration of the framework. The delegation is therefore considered appropriate, having regard to the operational nature of the powers and the safeguards built into the legislative scheme.

On balance, any potential impact on individual rights and liberties is considered reasonable and proportionate. The amendments promote a fair, transparent, and accountable enforcement framework that aligns with the policy objectives of the Bill, supports public safety, and ensures the effective and consistent application of the law.

## Consultation

The Bill was referred to the State Development, Infrastructure and Works Committee for consideration following its introduction, and public submissions were invited as part of the parliamentary inquiry process. The Committee received 4,900 submissions in relation to the Bill, raising a range of issues that informed the development of the proposed amendments.

The amendments respond directly to key themes arising from the Committee process, including concerns relating to the application of technical standards, compliance labelling, licensing and age requirements, and speed limits on shared paths.

The Queensland Police Service identified a number of enforcement and operational issues, particularly in relation to seizure powers, evidentiary requirements, procedural safeguards and the interaction between the new prohibited bike framework and existing police powers under the PPR Act. These issues informed the development of enforcement-related amendments to clarify enforcement powers and procedures, reinforce procedural fairness, and support practical and effective enforceability.

Further consultation with stakeholders, including user groups, industry bodies and medical experts, will be undertaken as part of the development of subordinate legislation and implementation.

## Consistency with legislation of other jurisdictions

### EN 15194 standard

The amendments are consistent with approaches adopted in other Australian jurisdictions that regulate EPACs by reference to the European Standard *EN 15194 – Cycles – Electrically power assisted cycles – EPAC Bicycles*.

In New South Wales, the *Road Transport Legislation Amendment (Electric Bicycles) Regulation 2026* (NSW) amended the *Road Rules 2014* (NSW) to define EPACs by reference to EN 15194:2017+A1:2023, as the standard is in force from time to time. This approach ensures that newly manufactured electric bicycles are required to comply with contemporary and future versions of the standard as it evolves, without requiring further legislative amendment, while avoiding retrospective impacts on devices that were lawfully manufactured and supplied.

In Western Australia, equivalent devices are expressly defined by reference to EN 15194. Regulation 4 of the *Road Traffic (Administration) Regulations 2014* (WA) defines a “pedalec” as a vehicle that meets EN 15194:2009 or EN 15194:2009+A1:2011, with a maximum continuous rated power output of 250 watts. This framework directly incorporates earlier versions of the EN standard into road traffic legislation and supports the ongoing lawful use of compliant devices manufactured to those versions.

At the Commonwealth level, EN 15194 is recognised as the applicable international technical standard for EPACs for the purposes of vehicle classification and importation. Under the *Road Vehicle Standards (Classes of Vehicles that are Not Road Vehicles) Determination 2021* (Cth), a power-assisted pedal cycle is defined by reference to EN 15194:2017, or later versions of that standard.

The amendments adopt a comparable approach by maintaining EN 15194 as the prescribed EPAC standard, providing that the standard applies as in force from time to time, while also clarifying that an EPAC is taken to comply with the standard if it complies with the version in force at the time of manufacture. This promotes national consistency, aligns Queensland’s regulatory framework with Commonwealth and interstate practice, and reduces unnecessary compliance complexity for riders, retailers and enforcement agencies.

### EPAC compliance labelling

The amendment allowing persons to retroactively affix EPAC compliance labels is unique to Queensland and supports a transitional approach to implementation of the new compliance framework.

### Existing compliant e-bikes that cannot meet EN 15194

The amendments establishing a verification framework for legacy and special purpose EPACs are specific to Queensland. The amendments seek to ensure that in-service EPACs are not arbitrarily impacted by new compliance requirements which are intended to apply to newly manufactured devices.

### Licensing and age exemptions

The licensing and age exemptions are unique to Queensland.

### **Path speed limits**

A default footpath speed limit of 12 km/h, and a requirement for riders to slow to 12 km/h when passing pedestrians on shared paths, are unique to Queensland.

### **Enforcement issues**

The amendments to support efficient, practical and fair enforcement are unique to Queensland as they ensure the Bill works in the context of the existing Queensland legislation.



## Notes on provisions

### Clause 2 (Commencement)

*Amendment 1* replaces the commencement provision to provide for a revised and staged commencement framework for the Act, to correct an error, and to change the commencement date for amendments to the *State Penalties Enforcement Act 1999*.

New clause 2(1) provides that the Act, other than the provisions mentioned in subsections (2) and (3), commences on **1 July 2026**. This reflects the general commencement of the bulk of the e-mobility reforms.

New clause 2(2) provides for the deferred commencement on **31 August 2026** of specified provisions, deferring the start of the new age and driver licensing requirement (principally new section 78B) and associated provisions that operate in connection with, or are consequential on, that requirement. Consistent with this deferral, the omission of the existing age restrictions for PMD riders in section 245A of the Queensland Road Rules, together with the associated penalty, is also delayed to ensure those requirements continue to operate until the new age and licensing framework commences.

New clause 2(3) provides for a later commencement on **1 March 2027** of specified provisions, including those relating to obligations on shared e-mobility providers (principally new section 78C) and associated amendments. These provisions impose a requirement on providers to take reasonable steps to ensure riders comply with age and licensing requirements, supported by an offence for non-compliance.

The staged commencement approach allows sufficient time to develop and settle the exemption framework supporting the new age and driver licensing requirement, including consultation with stakeholders. It also provides time for operational readiness, including system and application changes by shared e-mobility providers, and aligns with the broader transitional arrangements for the reforms.

### Clause 7 (Amendment of s 52 (Prevention of offences—general))

*Amendment 2* removes references to “e-mobility device” in the amendment in clause 7 of the Bill and replaces them with “electrically power-assisted cycle or personal mobility device”. This is because the term e-mobility device is not a defined term for the PPR Act. There is no intent to change the original intent of this clause.

### Clause 8 (Insertion of new ch 4A)

*Amendment 3* streamlines the heading of new Chapter 4A of the PPR Act inserted by the Bill and ensures better alignment of the heading with provisions in that Chapter.

### Clause 8 (Insertion of new ch 4A)

*Amendment 4* makes a minor correction to clause 8 to reflect current drafting practice.

### Clause 8 (Insertion of new ch 4A)

*Amendment 5* inserts the definition of “internal review decision” into section 123A of the PPR Act. The definition is omitted from section 123I by another amendment. The relocation of this definition reflects that the term is used in both parts 4 and 5, so it is better placed in section 123A.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 6* amends the definition of “release notice” in section 123A of the PPR Act to reflect that there are different release notices if a decision to release a vehicle is made, but release is delayed until the commissioner is satisfied a vehicle is no longer required to be kept for evidence.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 7* makes a minor correction to clause 8 to reflect current drafting practice.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 8* inserts a new section 123AB (Ways notice may be given) into the PPR Act to enable notices given under the seizure framework in new Chapter 4A to be given electronically, as well as in person or by post.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 9* amends section 123D (Particular powers for seizing prohibited bike—attended seizure) of the PPR Act by inserting a new subsection (3) to provide that the section does not limit section 60. Section 60 of the PPR Act is about stopping vehicles for prescribed purposes, including for enforcing a transport Act.

The intent of the amendment is to make it clear that the specific powers in section 123D for seizing a prohibited bike do not limit, or otherwise affect, the broader power of a police officer under section 60 to stop a vehicle for enforcement purposes.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 10* inserts a new section 123EA (Particular powers and steps for dealing with personal property—unattended seizure) into the PPR Act, which provides a framework for how personal property found on or with an unattended prohibited bike is to be dealt with when the bike is seized under new Chapter 4A.

Subsection (1) authorises a police officer who seizes an unattended prohibited bike to remove and take possession of any personal property found on or with the bike. This enables police to effectively seize and remove the bike while safeguarding any associated personal property.

Subsection (2) requires the commissioner to take reasonable steps to identify the owner of the personal property and to facilitate the return of the property to the owner. The subsection establishes a clear obligation to return personal property independently of the prohibited bike seizure process.

Subsection (3) provides that if the owner of the personal property is identified, the commissioner must give the owner a notice stating that the property is in the commissioner’s possession and may be collected from a stated place.

Subsection (4) provides that if the identity of the owner of the personal property cannot be identified after reasonable steps are taken, the property is to be dealt with under Chapter 21, Part 3 of the PPR Act (Dealing with things in the possession of police service). This ensures unclaimed personal property is managed under the existing property framework in the PPR Act, rather than the prohibited bike forfeiture regime.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 11* amends section 123F (Steps after seizing prohibited bike) to replace the requirement that a person be “personally served with” a notice with a requirement that the notice be “given” to the person.

The amendment aligns section 123F with new section 123AB by allowing notices to be given in person, by post or electronically, rather than requiring personal service. This supports the practical and timely giving of seizure notices by police.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 12* amends section 123F (Steps after seizing prohibited bike) by replacing the concept of “serving a seizure notice” with “giving a seizure notice”, to align with new section 123AB (Ways notice may be given), which allows notices to be given in person, by post or electronically, rather than requiring personal service.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 13* amends section 123F (Steps after seizing prohibited bike) by replacing the reference to “service” with “giving”, to align with new section 123AB (Ways notice may be given) which allows notices to be given in person, by post or electronically, rather than requiring personal service.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 14* makes a minor correction to clause 8 to reflect current drafting practice.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 15* makes a minor correction to clause 8 to reflect current drafting practice.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 16* ensures alignment of wording with that in section 123F(5) and section 123P.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 17* omits subsection (7)(d) of new section 123F, which requires a seizure notice to state the storage location of the vehicle, on the basis that a police officer is unlikely to know the storage location at the time the notice is given. The information is also unnecessary at that stage, as it is only relevant if a release application is granted.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 18* inserts new section 123FA (Grounds for release of seized vehicle) into the PPR Act to specify the grounds on which a seized vehicle may be released following a release application under Chapter 4A.

New section 123FA sets out the circumstances in which a seized vehicle may be released, providing clarity and certainty for applicants and decision-makers. The section provides that a vehicle may be released if:

- (a) the vehicle is registered and may lawfully be used in a public place,
- (b) the vehicle is otherwise not a prohibited bike,

- (c) the applicant was not responsible for, and did not authorise, the suspected riding of the vehicle on a road, road-related area or in a public place, or
- (d) the vehicle was not ridden on a road, road-related area or in a public place.

The section supports the operation of the seizure framework by providing clear and objective grounds for release decisions.

#### **Clause 8 (Insertion of new ch 4A)**

*Amendment 19* amends section 123G (Release application) of the PPR Act to replace a reference to “information” with a reference to “evidence” in relation to material provided to support a release application.

The amendment clarifies that a person applying for the release of a seized prohibited bike must provide evidence, rather than general information, to support the application. This ensures that release decisions under Chapter 4A are made on a proper evidentiary basis and supports the integrity of the seizure framework.

#### **Clause 8 (Insertion of new ch 4A)**

*Amendment 20* amends section 123G(3)(c)(ii) of the PPR Act to replace the existing reference to “the grounds on which the vehicle should be released” with a requirement that “at least 1 ground for release is made out”.

The amendment clarifies that a release application need only establish that at least one of the statutory grounds for release applies. This aligns with new section 123FA (Grounds for release of seized vehicle) and supports a clear and workable release process.

#### **Clause 8 (Insertion of new ch 4A)**

*Amendment 21* amends section 123G (Release application) of the PPR Act to insert an additional example of evidence that may be provided to establish that a ground for release is made out.

The amendment adds the example of documentation showing that a vehicle is not a prohibited bike. This supplements the existing example and illustrates the types of evidence that may be provided in support of a release application under section 123G.

#### **Clause 8 (Insertion of new ch 4A)**

*Amendment 22* amends section 123G (Release application) to insert a new subsection (5) clarifying the evidentiary standard for establishing matters relied on in a release application.

New subsection (5) provides that, for the purposes of section 123G(3)(c)(ii) (which requires a release application to establish that at least 1 ground for release is made out), a statement or statutory declaration by the applicant is not, of itself, sufficient evidence to establish the matter. This makes clear that statements by an applicant must be corroborated by other objective evidence in order to establish that at least one of the statutory grounds for release is made out.

The amendment ensures that release applications are determined on the basis of substantiated and verifiable material, rather than unsupported assertions, and reinforces that the evidentiary burden rests with the applicant. It does not limit the use of statements or statutory declarations provided by other persons as corroborating evidence.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 23* amends section 123H (Deciding application) of the PPR Act to require the commissioner, within 28 days after receiving a release application, to decide whether to grant or refuse the application and to clarify the available outcomes of a decision to grant.

As amended, section 123H(1) provides that the commissioner may:

- (a) grant the application and release the vehicle, or
- (b) grant the application, but retain the vehicle until the commissioner is satisfied it is no longer required for investigative or evidentiary purposes, or
- (c) refuse the application.

The amendment clarifies that a decision to grant a release application does not necessarily require the immediate release of the vehicle and allows a vehicle to be retained where necessary to support investigative or evidentiary requirements. This ensures that the release application process does not compromise ongoing investigations or proceedings, while maintaining a clear and consistent decision-making framework under Chapter 4A.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 24* amends section 123H(2) to replace the reference to “release the vehicle” with a reference to deciding to grant the release application.

This amendment reflects the revised decision-making framework in section 123H(1), under which a granted release application may result in either immediate release of the vehicle or deferred release following completion of investigative or evidentiary processes.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 25* amends section 123H(2) to replace the matters of which the commissioner must be satisfied when deciding a release application.

As amended, section 123H(2) requires the commissioner to be satisfied that the applicant is an owner of the vehicle and that at least 1 statutory ground for release is made out. The amendment aligns with new section 123FA (Grounds for release of seized vehicle), where the grounds for release are now set out.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 26* amends section 123H(3) to replace the reference to “release the vehicle” with a reference to granting the application.

This amendment reflects the revised decision-making framework in section 123H(1), under which a granted release application may result in either immediate release of the vehicle or deferred release following completion of investigative or evidentiary processes.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 27* amends section 123H(3) to revise the requirements for the release notice following the commissioner’s decision to the grant a release application.

As amended, the release notice must state that the release application is granted and must also specify whether:

- (a) the vehicle will be released at a later time, when the commissioner is satisfied it is no longer required for investigative or evidentiary purposes, or

- (b) the applicant may collect the vehicle from a stated place during stated hours and, if the vehicle is not collected within 30 days after the date of the release notice, the vehicle may be forfeited to the State and may be disposed of.

The amendment aligns with the revised decision-making framework in section 123H(1), under which a granted release application may result in either immediate release of the vehicle or deferred release following completion of investigative or evidentiary processes.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 28* amends section 123H to insert a new subsection (3A) requiring the commissioner to give a further release notice where a release application has been granted but the vehicle is retained for investigative or evidentiary purposes.

New subsection (3A) provides that, if a release notice given under section 123H(3)(a) states that the vehicle will be released at a later time, the commissioner must give the applicant a further release notice once the commissioner is satisfied the vehicle is no longer required for investigative or evidentiary purposes. The further release notice must state the matters mentioned in section 123H(3)(b), that is, details about how and when the vehicle may be collected.

The amendment ensures that applicants are notified when a deferred release becomes available and completes the release notice framework flowing from a decision to grant a release application but retain the vehicle temporarily.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 29* amends section 123H(4) to replace the reference to “release the vehicle” with a reference to “the application”.

This amendment reflects the revised decision-making framework in section 123H(1), under which a granted release application may result in either immediate release of the vehicle or deferred release following completion of investigative or evidentiary processes.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 30* amends section 123H(4)(b) to replace the reference to establishing “grounds on which the vehicle should be released” with a reference to establishing “a ground for release of the vehicle”.

The amendment aligns with the revised release application requirements in section 123G(3)(c), which are based on establishing at least one statutory ground for release.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 31* makes a minor correction to clause 8 to reflect current drafting practice.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 32* removes the definition of “internal review decision” from section 123I because it is being relocated, as explained above.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 33* corrects an error in the Bill, replacing a reference in section 123M to “chief executive” with “commissioner”. Functions under section 123M are exercised by the Police Commissioner.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 34* makes a minor correction to clause 8 to reflect current drafting practice. It changes the “each” to “a” and removes the comma after “section”.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 35* amends section 123P(4)(a) of the PPR Act to replace the requirement that a forfeiture notice be “served, either by post or personally” on a person with a requirement that the notice be “given” to the person.

The amendment aligns section 123P with new section 123AB (Ways notice may be given) by allowing notices to be given in person, by post or electronically, rather than requiring personal service. This supports the practical and timely giving of forfeiture notices by police.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 36* amends section 123P(4)(b) to replace the requirement that a forfeiture notice be “served, either by post or personally” on a person with a requirement that the notice be “given” to the person.

The amendment aligns section 123P with new section 123AB (Ways notice may be given) by allowing notices to be given in person, by post or electronically, rather than requiring personal service. This supports the practical and timely giving of forfeiture notices by police.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 37* amends section 123P(5)(a) to replace the requirement that a forfeiture notice be “served, either by post or personally” on a person with a requirement that the notice be “given” to the person.

The amendment aligns section 123P with new section 123AB (Ways notice may be given) by allowing notices to be given in person, by post or electronically, rather than requiring personal service. This supports the practical and timely giving of forfeiture notices by police.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 38* amends section 123P(6) to replace the requirement that a forfeiture notice be “served, either by post or personally” on a person with a requirement that the notice be “given” to the person.

The amendment aligns section 123P with new section 123AB (Ways notice may be given) by allowing notices to be given in person, by post or electronically, rather than requiring personal service. This supports the practical and timely giving of forfeiture notices by police.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 39* amends section 123R (Application of proceeds of sale) in the PPR Act to clarify the costs that may be recovered following the seizure of a prohibited bike.

The amendment clarifies that only costs incurred after a vehicle is no longer required for investigative or evidentiary purposes may be applied out of the proceeds of sale. This includes, for example, reasonable costs associated with storing the vehicle after it is no longer required for those purposes.

In practical terms, this means that costs incurred solely for investigative or evidentiary purposes under the PPR Act are not recoverable, including costs associated with seizing, removing or storing a vehicle while it is required to be retained as part of an investigation or as evidence.

The amendment reflects the policy intent that individuals should not bear the cost of police investigative or evidentiary activities, and that cost recovery under Chapter 4A should apply only once the vehicle is being managed within the seizure and disposal framework.

#### **Clause 8 (Insertion of new ch 4A)**

*Amendment 40* amends section 123S (Liability for costs) of the PPR Act to clarify that a person's liability for costs relates only to costs incurred in relation to the vehicle after it was no longer required for investigative or evidentiary purposes. This ensures that costs liability is limited to costs arising once the vehicle has moved from the investigative or evidentiary phase into the seizure and disposal framework under Chapter 4A.

#### **Clause 8 (Insertion of new ch 4A)**

*Amendment 41* makes a minor correction to clause 8 to clarify that the costs referred to are the outstanding costs and so to reflect current drafting practice.

#### **Clause 8 (Insertion of new ch 4A)**

*Amendment 42* makes a minor drafting change for consistency with other provisions in the Bill.

#### **Clause 8 (Insertion of new ch 4A)**

*Amendment 43* inserts the Note from after section 123U(5) into a new location after section 123U(1). It is considered it is more useful for the reader to relocate the Note to sit under subsection (1).

#### **Clause 8 (Insertion of new ch 4A)**

*Amendment 44* amends section 123U (Evidentiary provision) of the PPR Act by inserting new subsections (4A) and (4B), which clarify the evidentiary effect of the release of a seized vehicle following a release application in specified circumstances.

New subsection (4A) sets out the circumstances in which the new evidentiary provision applies. Subsection (4B) applies where:

- a person makes a release application for a seized vehicle on the ground mentioned in section 123FA(c) (that the applicant was not responsible for, and did not authorise, the suspected riding of the vehicle of a road, road-related area or in a public place),
- the vehicle is released under section 123H, and
- a subsequent proceeding for an offence involving the vehicle is commenced, or an infringement notice for an infringement notice offence involving the vehicle is issued.

New subsection (4B) provides that, in those circumstances, the release of the vehicle under section 123H is not evidence in the later proceeding or infringement notice process that the vehicle was, or was not, a prohibited bike at the time of the alleged offence.

The amendment reflects the policy intent that an administrative decision to release a vehicle under section 123H, following an application made on the ground in section 123FA(c), should not be taken to determine or imply the prohibited status of the vehicle, or otherwise compromise subsequent prosecution or enforcement action. The provision makes clear that the release of a



vehicle does not affect the admissibility of evidence about whether the vehicle was a prohibited bike at the time of the alleged offence. This operates alongside the amendments to section 123H (Deciding application) that allow police to retain a vehicle while it is required for investigative or evidentiary purposes.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 45* removes the Note from after section 123U(5) because it is being relocated, as discussed above.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 46* makes a minor correction to clause 8 to reflect current drafting practice.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 47* makes a minor correction to clause 8 to reflect current drafting practice.

**Clause 8 (Insertion of new ch 4A)**

*Amendment 48* inserts new section 123X (Delegation—commissioner) into the PPR Act.

New section 123X allows the Police Commissioner to delegate any of the commissioner’s powers under Chapter 4A to a “senior police officer”. This includes, for example, the power to decide an application for the release of a seized vehicle under Chapter 4A, Part 3 (Application for release of vehicle).

Subsection (2) defines “senior police officer” to mean an officer in charge of a police station or police establishment, or a police officer of at least the rank of sergeant.

The provision supports the efficient administration of the new seizure framework established under Chapter 4A, while ensuring delegated decision-making is exercised only by appropriately senior police officers.

**Clause 10 (Amendment of s 747 (Definitions for chapter))**

*Amendment 49* removes definitions of “electrically power-assisted cycle” and “personal mobility device” as these definitions are relocated to the Schedule 6 Dictionary. It also amends the definition of “stop” to broaden its application to “vehicles”, ensuring it captures EPACs and PMDs, and inserts a new definition of “drive” to include riding (relocated from section 754).

**After clause 10**

*Amendment 50* inserts two new clauses into the Bill—Clause 10A (Amendment of s 748 (Giving a direction for ch 22)) and Clause 10B (Amendment of s 749 (What is a *warning light* for ch 22)).

New Clause 10A amends section 748 of the PPR Act to ensure the provision applies to EPACs and PMDs, in addition to motor vehicles. Subclauses (1)–(4) remove references to “motor” in sections 748(1) and (2), broadening the operation of the section beyond motor vehicles. Subclause (5) inserts a definition of “vehicle” for the purposes of section 748 to expressly limit the section to motor vehicles, EPACs and PMDs.

These amendments ensure police officers can lawfully give directions to stop riders of EPACs and PMDs for the purposes of Chapter 22 (Provisions about type 1 vehicle related offences) of the PPR Act, supporting the expanded evasion offence in Clause 11 of the Bill, while maintaining a targeted and proportionate operation of the power.

New Clause 10B amends section 749 of the PPR Act to ensure the provision operates consistently with the expanded application of Chapter 22 to EPACs and PMDs. Section 749 defines what constitutes a warning light for the purposes of a police officer giving a direction to stop under Chapter 22. Prior to this amendment, the section operated by reference to motor vehicles only.

Clause 10B extends the application of section 749 so that a warning light may be used when giving a direction to stop to the rider of an EPAC or PMD. This amendment works in conjunction with the amendments to sections 748 and 754 of the PPR Act to ensure that the statutory framework supporting the evasion offence applies coherently and lawfully to those devices.

**Clause 11 (Amendment of s 754 (Evasion offence))**

*Amendment 51* makes a minor correction to clause 11 to reflect current drafting practice.

**Clause 11 (Amendment of s 754 (Evasion offence))**

*Amendment 52* omits the definition of “drive” as it has been relocated to section 747, as explained above.

**Clause 13 (Amendment of sch 6 (Dictionary))**

*Amendment 53* makes a minor correction to clause 13 to reflect current drafting practice.

**Clause 13 (Amendment of sch 6 (Dictionary))**

*Amendment 54* amends the definition of “electrically power-assisted cycle” in the PPR Act so that the term is defined by reference to the meaning of that term in Schedule 4 of the TORUM Act.

**Clause 13 (Amendment of sch 6 (Dictionary))**

*Amendment 55* makes a minor correction to clause 13 to reflect current drafting practice. The main definition of “forfeiture notice” is in section 123P(3). The definition in section 123A just refers to section 123P(3).

**Clause 13 (Amendment of sch 6 (Dictionary))**

*Amendment 56* makes a minor correction to clause 13 to reflect current drafting practice. The main definition of “information notice” is in section 123H(4). The definition in section 123A just refers to section 123H(4).

**Clause 13 (Amendment of sch 6 (Dictionary))**

*Amendment 57* makes a minor correction to clause 13 to reflect current drafting practice. The main definition of “internal review” is in section 123K(1). The definition in section 123A just refers to section 123K(1).

**Clause 13 (Amendment of sch 6 (Dictionary))**

*Amendment 58* makes a consequential amendment to reflect that the definition of “internal review decision” is relocated by other amendments, as stated above.

**Clause 13 (Amendment of sch 6 (Dictionary))**

*Amendment 59* amends the definition of “personal mobility device” in the PPR Act so that the term is defined by reference to the meaning of that term in Schedule 4 of the TORUM Act.

**Clause 13 (Amendment of sch 6 (Dictionary))**

*Amendment 60* makes a minor correction to clause 13 to reflect current drafting practice. The main definition of “release notice” is in section 123H(3). The definition in section 123A just refers to section 123H(3).

**Clause 13 (Amendment of sch 6 (Dictionary))**

*Amendment 61* makes a minor correction to clause 13 to reflect current drafting practice. The main definition of “seizure notice” is in section 123F(7). The definition in section 123A just refers to section 123F(7).

**Clause 15 (Amendment of s 5 (Act has limited application to children))**

*Amendment 62* corrects an error in clause 15, clarifying that a “prescribed transport offence” is an offence against *any* of the provisions listed in paragraph (b) of the definition of “prescribed transport offence”.

**Clause 15 (Amendment of s 5 (Act has limited application to children))**

*Amendment 63* amends clause 15(2) by omitting the reference to section 78B from the definition of “prescribed transport offence”.

Section 78B provides for the new age and driver licensing requirement for riders of EPACs and PMDs.

The effect of the amendment is that an offence against section 78B is not included as a “prescribed transport offence” on the commencement of clause 15 on 1 July 2026, and therefore is not subject to the State penalties enforcement framework at that time.

Section 78B is intended to commence on 31 August 2026. The omission thus ensures the definition operates consistently with the staged commencement framework by avoiding the premature application of the enforcement regime to that provision.

**Clause 15 (Amendment of s 5 (Act has limited application to children))**

*Amendment 64* corrects an error in clause 15, clarifying that a “prescribed transport offence” is an offence against *either of* the specified provisions listed in paragraph (c) of the definition of “prescribed transport offence”.

**Clause 15 (Amendment of s 5 (Act has limited application to children))**

*Amendment 65* amends clause 15 by inserting new subsection (4) to reinstate the reference to section 78B within the definition of “prescribed transport offence” at the appropriate time.

The amendment ensures that an offence against section 78B is included as a “prescribed transport offence” when section 78B commences on 31 August 2026, so that it is subject to the State penalties enforcement framework from that time.

This amendment complements Amendment 63 and supports the staged commencement framework by ensuring section 78B is excluded from the definition from 1 July 2026, but included once the provision commences.

**Clause 18 (Amendment of sch 1 (Infringement notice offences and fines for nominated laws))**

*Amendment 66* amends clause 18(3) to align with the staged commencement of the Act by omitting the infringement notice entries for sections 78B(1) and 78C(1) of the TORUM Act that would otherwise commence on 1 July 2026.

These provisions are not intended to commence at that time. As a result, clause 18(3) contains only those infringement notice entries that correspond to provisions commencing on 1 July 2026, including the new drink riding offences and careless riding offences under the TORUM Act.

**Clause 18 (Amendment of sch 1 (Infringement notice offences and fines for nominated laws))**

*Amendment 67* amends clause 18(3) by inserting infringement notice entries for new sections 122T(1) and 122T(2) of the TORUM Act.

These provisions relate to offences for non-compliance with the EPAC verification rules and are intended to commence on 1 July 2026. The amendment ensures these new offences are prescribed as infringement notice offences from commencement.

**Clause 18 (Amendment of sch 1 (Infringement notice offences and fines for nominated laws))**

*Amendment 68* inserts new clause 18(3A) to provide for the infringement notice entry for section 78B(1) of the TORUM Act to commence on 31 August 2026, consistent with the commencement of section 78B.

**Clause 18 (Amendment of sch 1 (Infringement notice offences and fines for nominated laws))**

*Amendment 69* inserts new clause 18(3B) to provide for the infringement notice entry for section 78C(1) of the TORUM Act to commence on 1 March 2027, consistent with the deferred commencement of section 78C.

**Clause 18 (Amendment of sch 1 (Infringement notice offences and fines for nominated laws))**

*Amendment 70* amends clause 18(6) to omit the entry for section 253A of the Queensland Road Rules (relating to the new offence for unreasonably obstructing paths by parking e-mobility devices). The entry is relocated below to align with current drafting practice.

**Clause 18 (Amendment of sch 1 (Infringement notice offences and fines for nominated laws))**

*Amendment 71* inserts new clause 18(8A) to prescribe the offence under new section 250A(2) of the Queensland Road Rules as an infringement notice offence.

This enables the offence relating to riding a PMD or EPAC past a pedestrian on a shared path at a speed exceeding 12km/h to be dealt with by way of an infringement notice, supporting efficient and proportionate enforcement. This entry commences on 1 July 2026.

**Clause 18 (Amendment of sch 1 (Infringement notice offences and fines for nominated laws))**

*Amendment 72* inserts new clause 18(9A) to relocate the infringement notice entry for section 253A discussed above, to align with current drafting practice. This entry commences on 1 July 2026.

**Clause 21 (Amendment of s 19B (Meaning of racing, burn out or other hooning offence))**

*Amendment 73* makes a minor correction to clause 21 to reflect current drafting practice.

**Clause 25 (Insertion of new pt 2, div 4C)**

*Amendment 74* makes a minor correction to clause 25 to reflect current drafting practice and provide consistency with the drafting in new section 19Q(3)(b).

**Clause 32 (Insertion of new s 34A)**

*Amendment 75* corrects a minor error.

**Clause 34 (Insertion of new ss 78B–78D)**

*Amendment 76* inserts additional provisions into new section 78B of the TORUM Act, inserted by the Bill. Section 78B (Riding electrically power-assisted cycle or personal mobility device without valid licence prohibited) provides that a person must not ride an EPAC or PMD on a road, road-related area or in a public place unless the person is at least 16 years of age and holds a valid driver licence.

The amendment provides that section 78B(1) does not apply to a person if an exemption prescribed by regulation applies to the person and the person complies with any requirements, including any conditions, prescribed for the exemption. Requirements may include, for example, that a rider carry documentation certifying that they have completed an assessment required by the exemption.

The amendment provides that a regulation may prescribe exemptions in the following circumstances—

- (a) where a child who is at least 12 years is under adult supervision,
- (b) where a person who does not hold a valid Queensland driver licence or non-Queensland driver licence is able to safely operate the device,
- (c) where a person is riding at a prescribed place, for example, an area containing mountain bike trails or designed for the riding of vehicles other than motor vehicles, and
- (d) in another prescribed circumstance.

The amendment also provides that a regulation made for these exemptions may prescribe further requirements, including conditions, that must be complied with for the exemption to apply.

While section 171(3)(i) of the TORUM Act already allows a regulation to exempt a person from a provision of the Act, the amendment ensures there is a regulation-making power of sufficient scope to enable exemptions that cover circumstances such as a person riding with a parent or other responsible adult.

The intent is that any exemptions prescribed by regulation will be appropriately limited, having regard to the safety risks associated with the use of e-mobility devices in public spaces.

**Clause 34 (Insertion of new ss 78B–78D)**

*Amendment 77* inserts a definition of “adult supervision” which is a term inserted by the previous amendment into section 78B. The definition, together with the previous amendment, means that a regulation can prescribe an exemption for children aged at least 12 and not over 18 in circumstances where they are riding with their parent, grandparent, legal guardian or other person responsible for the child as prescribed under regulation.

**Clause 34 (Insertion of new ss 78B–78D)**

*Amendment 78* makes a minor correction to the heading of new section 78C of the TORUM Act so it better reflects the content of this section.

**Clause 34 (Insertion of new ss 78B–78D)**

*Amendment 79* makes an amendment to section 78C of the TORUM Act to reflect the amendments that enable exemptions to be prescribed by regulation. As inserted by the Bill, section 78C requires e-mobility providers to ensure riders are over 16 years and hold a valid licence.

Given that the exemptions will allow particular persons to ride e-mobility devices despite not being over 16 years and/or not holding a valid licence, section 78C needs to be amended so that e-mobility providers need to take reasonable steps to ensure riders are *either* over 16 years and hold a valid licence *or* are the subject of an exemption.

**Clause 34 (Insertion of new ss 78B–78D)**

*Amendment 80* is a consequential amendment to section 78C, reflecting the abovementioned amendment that recognises exemptions.

**Clause 34 (Insertion of new ss 78B–78D)**

*Amendment 81* inserts a definition of “valid” which was erroneously missing from new section 78C. The term has the same meaning as it does for section 78B.

**Clause 34 (Insertion of new ss 78B–78D)**

*Amendment 82* replaces section 78D (Liability of parent—particular offences committed by child under 16) inserted by clause 34 of the Bill.

In the Bill as introduced, section 78D imposed parental liability where a child under 16 committed an offence against section 78B (age and licensing requirement) or section 84B (prohibited bike offence).

The amendment restructures section 78D so that parental liability applies only if a child commits an offence against a defined “parent liability provision”, initially limited to section 84B.

This change reflects the revised staged commencement, under which section 84B commences on 1 July 2026, while section 78B does not commence until 31 August 2026. The amendment ensures parental liability does not apply to offences that have not yet commenced.

**After clause 34**

*Amendment 83* inserts new section 34A (Amendment of s 78D (Liability of parent—offence committed by child against parent liability provision), which will amend section 78D on 31 August 2026.

The amendment expands the definition of “parent liability provision” to include section 78B and updates section 78D(6) so that it applies to children riding an EPAC or PMD, as well as a prohibited bike.

The effect is that parental liability will apply to both the prohibited bike offence and the age and licensing offence from 31 August 2026. Under the Bill as introduced, parental liability would have applied to both offences from commencement.

**Clause 35 (Amendment of s 79 (Vehicle offences involving liquor or other drugs))**

*Amendment 84* makes a minor amendment to the heading of new section 79(7A) for consistency with section 79(7).

**Clause 36 (Amendment of s 80 (Breath and saliva tests, and analysis and laboratory tests))**

*Amendment 85* corrects a minor error in the amendment of section 80(22A) in clause 36 of the Bill to ensure it is clear that the person being referred to is the “affected person”.

**Clause 36 (Amendment of s 80 (Breath and saliva tests, and analysis and laboratory tests))**

*Amendment 86* corrects a minor error in the insertion of section 80(22AE) in clause 36 of the Bill to ensure it is clear that the person being referred to is the “affected person”.

**Clause 36 (Amendment of s 80 (Breath and saliva tests, and analysis and laboratory tests))**

*Amendment 87* makes a minor correction to clause 36 to reflect current drafting practice.

**Clause 38 (Insertion of new ss 84B and 84C)**

*Amendment 88* amends proposed section 84B of the TORUM Act (Riding prohibited bikes in public) to clarify the interaction between the offence of riding a prohibited bike and existing offences relating to vehicle registration, insurance and vehicle defects.

The amendment gives effect to the policy intent that the prohibited bike offence operates in substitution for, and not in addition to, certain vehicle-related offences where those offences arise from the same conduct. This ensures that substantially the same vehicle-related conduct is not subject to multiple penalties.

The amendment does not affect the enforcement of offences relating to rider behaviour, including licensing, speeding, helmet use, alcohol or drug use, dangerous operation of a vehicle, or compliance with other road rules.

**Clause 38 (Insertion of new ss 84B and 84C)**

*Amendment 89* inserts a definition of “related offence provision” for new section 84B.

The amendment specifies that the related offence provisions are:

- section 20 of the *Motor Accident Insurance Act 1994* (uninsured vehicles),
- section 10 of the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021* (unregistered vehicles), and
- section 8 of the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2021* (defective vehicles).

The amendment clarifies which offences are excluded from being applied concurrently with the prohibited bike offence.

**Clause 38 (Insertion of new ss 84B and 84C)**

*Amendment 90* replaces proposed section 84C (False or misleading labelling related to electrically power-assisted cycles) to refine the compliance labelling framework for EPACs.

The amendment:

- removes the requirement that a compliance label be attached only by the manufacturer of the vehicle,
- clarifies the offences relating to attaching a compliance label to a vehicle, or riding a vehicle bearing a compliance label, where the vehicle is not an EPAC, and
- inserts statutory defences to protect purchasers, retailers and retail employees in specified circumstances, including where:

- the person purchased the vehicle from a retailer in the ordinary course of business with a compliance label already attached,
- a purchaser attaches a compliance label in accordance with instructions provided by the retailer or manufacturer of the vehicle, or
- a retailer or an employee of a retailer attaches a compliance label based on information provided by the manufacturer of the vehicle.

The statutory defences are intended to confine liability under section 84C to circumstances involving false or misleading representations that a vehicle is an EPAC, while ensuring that purchasers and retailers acting reasonably and in good faith are not exposed to inappropriate criminal liability. This includes circumstances where a compliance label is attached to a vehicle that is verified as a legacy EPAC or special purpose EPAC as provided for under the EPAC verification rules, ensuring the offences also apply to those labelled vehicles under the expanded definition of EPAC.

#### **Clause 39 (Amendment of ch 5, pt 7, hdg)**

*Amendment 91* amends the heading of Chapter 5, Part 7 of the TORUM Act to read “Detection and testing devices”. The amendment reflects the inclusion of a new division dealing with approved testing devices.

#### **Clause 40 (Insertion of new ch 5, pt 7, div 3)**

*Amendment 92* corrects the capitalisation of the word “government” to “Government”. The amendment is minor and technical.

#### **After clause 40**

*Amendment 93* inserts new clause 40A into the Bill, which in turn inserts a new Part 7B (Legacy EPAC and special purpose EPAC verification) into Chapter 5 of the TORUM Act.

New Part 7B establishes a framework to support the verification of particular categories of EPACs, being “legacy EPACs” and “special purpose EPACs”. The Part provides a statutory basis for the chief executive to make and publish EPAC verification rules, supported by a regulation-making power to facilitate the operation and enforcement of the framework. The intent is to allow detailed technical and operational requirements to be set out in a flexible, non-regulatory instrument, while maintaining appropriate legislative authority and oversight.

New section 122Q (Definitions for part) inserts definitions of “legacy EPAC” and “special purpose EPAC”, which are the categories of vehicles to which the verification framework applies.

A “legacy EPAC” is a vehicle that:

- has 2 or more wheels,
- is built to be propelled by human power,
- has one or more auxiliary electric motors,
- was manufactured before 1 July 2026, and
- complies with the characteristics or limitations prescribed by regulation.

A “special purpose EPAC” is a vehicle that:

- has 2 or more wheels,
- is built to be propelled by human power,
- has one or more auxiliary electric motors,



- is designed or modified to enable a person with a disability or medical condition to ride the vehicle, and
- complies with the characteristics or limitations prescribed by regulation.

These definitions ensure that the framework captures both existing devices manufactured before the commencement of the reforms and vehicles designed or modified for accessibility purposes.

New section 122R (Verification includes assessment and testing) clarifies that verifying a vehicle includes assessing and testing the vehicle for the purpose of determining whether it is a legacy EPAC or special purpose EPAC. This ensures the framework supports both evaluative and technical verification processes.

New section 122S (EPAC verification rules) provides that the chief executive may make rules (EPAC verification rules) about verifying that a vehicle is a legacy EPAC or special purpose EPAC. The section includes a non-exhaustive list of matters that may be addressed in the rules, including—

- the methods or standards used for testing vehicles,
- presumptions that may be relied on in verification,
- modifications that may be ignored or accommodated in determining whether a vehicle is a legacy EPAC or special purpose EPAC,
- who may carry out verification,
- requirements relating to compliance labelling, including how and by whom labels are attached,
- record-keeping requirements, and
- the circumstances in which verification ends.

The rules may also provide for administrative tools to support efficient verification, including, for example, identifying a list of makes and models of vehicles that are, or are not, legacy EPACs or special purpose EPACs.

The chief executive must publish the EPAC verification rules on the department's website, ensuring the rules are transparent, accessible and able to be readily updated.

New section 122T (Failure to comply with EPAC verification rules) provides that a person must comply with the EPAC verification rules when verifying that a vehicle is a legacy EPAC or special purpose EPAC, and creates an offence for failing to do so. The section also makes it an offence for a person to purport to verify a vehicle as a legacy EPAC or special purpose EPAC unless the person is authorised to do so under the rules.

These offence provisions ensure the integrity and enforceability of the verification framework, and that verification is undertaken only by appropriately authorised persons in accordance with prescribed requirements.

New section 122U (Prescribing particular matters for legacy EPACs and special purpose EPACs) provides a regulation-making power to support the operation of the verification framework. In particular, a regulation may prescribe:

- the maximum fees payable for verifying a vehicle as a legacy EPAC or special purpose EPAC, and
- the limitations or conditions applying to the use of such vehicles.

The section also allows for offences to be prescribed for charging more than the maximum fee or for using a vehicle in contravention of a prescribed limitation or condition. This ensures that key aspects of the operation and use of verified vehicles can be regulated and enforced through subordinate legislation.

The intent of new Part 7B is to support an effective and flexible framework for verifying legacy EPACs and special purpose EPACs by—

- enabling detailed technical and operational requirements to be set out in EPAC verification rules made by the chief executive,
- ensuring those requirements are enforceable through offence provisions, and
- providing a regulation-making power to prescribe key matters such as fees, usage limitations and compliance obligations.

This approach supports regulatory certainty while allowing the framework to adapt to evolving technology, industry practice and safety considerations, and ensures that vehicles verified under the framework are appropriately recognised and regulated under the TORUM Act.

The new Part operates in conjunction with the amendments expanding the definition of “electrically power-assisted cycle” in Schedule 4 of the TORUM Act to include vehicles verified as legacy EPACs or special purpose EPACs, and amendments refining the compliance labelling and offence framework, to ensure that vehicles verified under the EPAC verification rules are consistently recognised and enforceable under the Act.

#### **Clause 45 (Insertion of new part 27)**

*Amendment 94* makes an amendment to the numbering of the new transitional provisions by replacing the reference to “part 27” with “ch 7, pt 27”. The amendment reflects current drafting practice.

#### **Clause 45 (Insertion of new part 27)**

*Amendment 95* will ensure that new Part 27 is inserted into Chapter 7 relying on section 22A of the *Acts Interpretation Act 1954*, consistent with current drafting practice.

#### **Clause 45 (Insertion of new part 27)**

*Amendment 96* replaces the proposed transitional provision in new section 245 (Transitional period for formerly compliant power-assisted bicycles and personal mobility devices) to clarify the transitional arrangements applying to EPACs and PMDs.

The replacement transitional provision establishes a transitional period beginning on 1 July 2026 and ending on a day prescribed by regulation. This replaces the original approach of fixing the duration of the transitional period in the Bill and allows the length of the transitional arrangements to be adjusted by regulation having regard to the implementation and operation of the new regulatory framework.

The replacement provision also introduces a distinction based on the date of manufacture of a vehicle. Under the transitional arrangements, only vehicles manufactured before 1 July 2026 may be dealt with under the transitional arrangements and may continue to be lawfully used during the transitional period. Vehicles manufactured on or after that date are required to comply with the new regulatory framework from commencement.

During the transitional period, references in an Act or regulation to a PMD or EPAC are taken to include vehicles that were manufactured before 1 July 2026 and that met the relevant definitions applying immediately before the commencement of the e-mobility reforms. The Explanatory Notes to the Bill set out in full the definitions that were in force immediately before the commencement for this purpose.

The replacement transitional period provides continuity for vehicle owners, retailers and enforcement agencies, while allowing owners of existing vehicles time to seek verification or otherwise comply with the new regulatory framework before the transitional period ends.

**Clause 45 (Insertion of new part 27)**

*Amendment 97* inserts new section 245A (EPAC standard may apply retrospectively) to clarify the application of the EPAC standard to vehicles manufactured before commencement.

New section 245A is a transitional and interpretive provision dealing with the application of the EPAC standard to vehicles manufactured before or after commencement. The provision recognises that, without an express interpretive rule, the application of the e-mobility reforms to pre-commencement vehicles could give rise to uncertainty or arguments that the reforms operate retrospectively.

Section 245A provides that references to the EPAC standard apply to the relevant version of the standard, regardless of whether that version has been replaced, superseded or has otherwise ceased to be in force, and applies in relation to any vehicle manufactured before or after commencement. This allows vehicles to be assessed against the version of the EPAC standard that applied at the time of manufacture, rather than requiring compliance with a later version of the standard.

The example clarifies that the provision is intended to ensure that the application of the EPAC standard to pre-commencement vehicles does not operate retrospectively or impose compliance requirements that could not reasonably be met.

While some previously lawful vehicles may not meet the new legislative requirements once the transitional period ends, section 245A ensures that the reforms do not operate retrospectively by requiring historical compliance in a way that would be impracticable or unfair.

**Clause 45 (Insertion of new part 27)**

*Amendment 98* makes a minor correction to the definition of “former” in clause 45 to reflect current drafting practice.

**Clause 45 (Insertion of new part 27)**

*Amendment 99* makes a minor correction to the definition of “new” in clause 45 to reflect current drafting practice.

**Clause 45 (Insertion of new part 27)**

*Amendment 100* inserts a new transitional provision to support implementation of the new requirement that persons must hold a valid driver licence to ride an EPAC or PMD.

The transitional provision operates for a limited period from commencement of the provision on 31 August 2026 to 29 November 2026. During this period, if a person has a reasonable excuse for riding despite not holding a licence, that person will not commit an offence under section 78B.

This transitional measure is intended to allow affected persons time to take necessary steps to comply with the new licensing requirement, particularly where compliance depends on processes outside their immediate control. Whether a person has a “reasonable excuse” will depend on the circumstances of the individual case. In general, a reasonable excuse is intended to cover temporary or unavoidable barriers to compliance arising during the transition to the new requirement, particularly where the person has taken genuine steps to comply but is prevented from doing so by factors outside their control. For example, this may include delays in obtaining

required assessments, documentation or appointments associated with licensing or exemptions. Conversely, a reasonable excuse is unlikely to exist where a person has not taken reasonable steps to comply, or where a person has lost their licence due to misconduct.

**Clause 47 (Amendment of sch 4 (Dictionary))**

*Amendment 101* amends the definition of “electrically power-assisted cycle” in Schedule 4 (Dictionary) of the TORUM Act to clarify the pathways by which a vehicle may be treated as an EPAC for the purposes of the Act.

Under the amended definition, a vehicle is an EPAC if it:

- complies with the EPAC standard that applied at the time the vehicle was manufactured and has a label attached to it indicating compliance with the EPAC standard, or
- is subject to a special circumstances permit, or
- is verified as a legacy EPAC or special purpose EPAC under the EPAC verification rules.

By recognising compliance with the EPAC standard as it applied at the time of manufacture, together with the presence of a compliance label, the amendment ensures continuity for vehicles that were lawfully manufactured and supplied in accordance with earlier versions of the standard. This avoids unintended retrospective effects arising from subsequent updates to the EPAC standard.

The inclusion of vehicles verified as legacy EPACs or special purpose EPACs operates in conjunction with new Part 7B (Legacy EPAC and special purpose EPAC verification) of Chapter 5 of the TORUM Act, which provides a statutory basis for the chief executive to make and publish EPAC verification rules, supported by a regulation-making power to facilitate the operation and enforcement of the framework. By expressly including verified legacy EPACs and special purpose EPACs within the dictionary definition, the amendment ensures that vehicles verified under the EPAC verification rules are treated as EPACs for all relevant purposes of the Act.

**Clause 47 (Amendment of sch 4 (Dictionary))**

*Amendment 102* inserts definitions of “EPAC verification rules” and “legacy EPAC” into Schedule 4 of the TORUM Act.

The amendment defines “EPAC verification rules” by reference to section 122S(1), being rules made by the chief executive for the purposes of verifying whether a vehicle is a legacy EPAC or special purpose EPAC.

The amendment also defines “legacy EPAC” by reference to new section 122Q, being a vehicle that meets the characteristics of a legacy EPAC under that section and complies with any characteristics or limitations prescribed by regulation.

**Clause 47 (Amendment of sch 4 (Dictionary))**

*Amendment 103* inserts a definition of “special purpose EPAC” into Schedule 4 of the TORUM Act.

The amendment defines “special purpose EPAC” by reference to new section 122Q, being a vehicle that meets the characteristics of a special purpose EPAC under that section and complies with any characteristics or limitations prescribed by regulation.

**Clause 49 (Amendment of s 128 (Application for, and issue of, permit))**

*Amendment 104* makes a minor correction to clause 49 to reflect current drafting practice.

**Clause 49 (Amendment of s 128 (Application for, and issue of, permit))**

*Amendment 105* makes a minor correction to clause 49 to correct a minor error.

**After clause 50**

*Amendment 106* inserts new clause 50A into the Bill. New clause 50A inserts a new Division 4 into Part 8 of the *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015*.

The new division is titled “Transitional provision for Transport and Other Legislation (Managing E-mobility Use and Protecting Our Communities) Amendment Act 2026”, and inserts new section 177, which prescribes the end of the transitional period for the purposes of section 245 of the TORUM Act.

New section 177 provides that the transitional period ends on 28 February 2027, giving effect to the transitional arrangements established under the Act.

**Clause 54 (Replacement of s 24B (Speed limit for personal mobility devices))**

*Amendment 107* amends new section 24C of the *Transport Operations (Road Use Management—Road Rules) Regulation 2009* (Queensland Road Rules), inserted by clause 54 of the Bill, to increase the speed limit from 10 km/h to 12 km/h for a PMD being ridden across a road at a crossing. This aligns the crossing speed limit with the revised speed limit applying to footpaths.

**Clause 54 (Replacement of s 24B (Speed limit for personal mobility devices))**

*Amendment 108* inserts a Note after paragraph (1)(b) of new section 24C of the Queensland Road Rules to direct riders on shared paths to section 250A.

**Clause 54 (Replacement of s 24B (Speed limit for personal mobility devices))**

*Amendment 109* amends new section 24C of the Queensland Road Rules to clarify that the default speed limit for PMDs on footpaths does not apply to separated footpaths. This reflects that separated footpaths are designed to physically separate pedestrians from bicycle and other active transport use, reducing potential conflict between users.

**Clause 54 (Replacement of s 24B (Speed limit for personal mobility devices))**

*Amendment 110* amends new section 24C of the Queensland Road Rules to increase the default speed limit for PMDs on footpaths from 10 km/h to 12 km/h.

**Clause 54 (Replacement of s 24B (Speed limit for personal mobility devices))**

*Amendment 111* replaces the words “section of this part” with “provision of this regulation” in new section 24C of the Queensland Road Rules to clarify that the section operates subject to speed limits imposed elsewhere in the regulation.

**Clause 54 (Replacement of s 24B (Speed limit for personal mobility devices))**

*Amendment 112* amends new section 24D of the Queensland Road Rules, inserted by clause 54 of the Bill, to increase the speed limit from 10 km/h to 12 km/h for an EPAC being ridden across a road at a crossing. This aligns the crossing speed limit with the revised speed limit applying to footpaths.

**Clause 54 (Replacement of s 24B (Speed limit for personal mobility devices))**

*Amendment 113* inserts a Note after paragraph (1)(b) of new section 24D of the Queensland Road Rules to direct riders on shared paths to section 250A.

**Clause 54 (Replacement of s 24B (Speed limit for personal mobility devices))**

*Amendment 114* amends new section 24D of the Queensland Road Rules to clarify that the default speed limit for EPACs on footpaths does not apply to separated footpaths. This reflects that separated footpaths are designed to physically separate pedestrians from bicycle and other active transport use, reducing potential conflict between users.

**Clause 54 (Replacement of s 24B (Speed limit for personal mobility devices))**

*Amendment 115* amends new section 24D of the Queensland Road Rules to increase the default speed limit for EPACs on footpaths from 10 km/h to 12 km/h.

**After clause 56**

*Amendment 116* inserts new section 250A into the Queensland Road Rules. The amendment creates an offence for riding a PMD or EPAC past a pedestrian on a shared path at a speed exceeding 12km/h.

The provision applies only when a rider is passing a pedestrian on a shared path. The offence does not apply to bicycles. The maximum penalty for the offence is 40 penalty units.

**After clause 62**

*Amendment 117* inserts a new amendment to section 291 of the Queensland Road Rules. This is a consequential amendment that was erroneously not included in the Bill. It ensures that section 291 cross-references the new section 19B(b)(v) of the *Summary Offences Act 2005*, for consistency with the existing cross-reference to section 69A(1)(a)(iv) of the PPR Act.

**Clause 63 ((Replacement of s 353B (Power-assisted bicycles—Act, sch 4, definition power-assisted bicycle))**

*Amendment 118* replaces section 353B of the Queensland Road Rules to prescribe the EPAC standard for the purposes of the definition of “electrically power-assisted cycle” in Schedule 4 of the TORUM Act.

The amendment provides that the EPAC standard is the standard titled ‘*EN 15194 – Cycles – Electrically power assisted cycles – EPAC Bicycles*’, published by the European Committee for Standardization, as in force from time to time.

By prescribing the EPAC standard as in force from time to time, the amendment ensures that newly manufactured EPACs are required to meet contemporary technical and safety requirements as the standard is updated, without the need for further legislative amendment.

The amendment gives effect to the policy intent of maintaining a robust and future-proofed safety framework for EPACs, while supporting national and international consistency in product standards and regulatory expectations.

The operation of section 353B is complemented by transitional and definitional provisions in the Act, including the transitional scheme in new Chapter 7, Part 27 of the TORUM Act and the amended definition of “electrically power-assisted cycle”, which together accommodate EPACs manufactured in compliance with earlier versions of the EPAC standard.

**Clause 66 (Amendment of sch 5 (Dictionary))**

*Amendment 119* amends the dictionary definition for “path speed limit sign” by inserting the words “for part 3” to clarify that the definition applies only for the purposes of Part 3 of the regulation.

**Clause 66 (Amendment of sch 5 (Dictionary))**

*Amendment 120* amends the dictionary definition for “speed limit path marking” by inserting the words “for part 3” to clarify that the definition applies only for the purposes of Part 3 of the regulation.

**Amendment of sch 1 (Other amendments)**

*Amendment 121* makes a minor correction to Schedule 1 of the Bill to reflect current drafting practice.

**Amendment of sch 1 (Other amendments)**

*Amendment 122* makes a minor correction to Schedule 62, section 3 of the *Rural and Regional Adjustment Regulation 2011* to omit the Note to the definition of “e-bicycle”. The note is no longer required as a consequence of amendments made under the e-mobility reforms and does not affect the operation of the definition. The amendment is minor and technical in nature.