

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

Submission No: 2464

Submission By: Legal Aid Queensland

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Secretariat
State Development, Infrastructure and Works Committee
Queensland Parliamentary Service

By Email: SDIWC@parliament.qld.gov.au

Dear Committee,

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

Thank you for your invitation for Legal Aid Queensland (LAQ) to provide feedback on the [Transport and Other Legislation \(Managing E-mobility Use and Protecting Our Communities\) Amendment Bill 2026](#).

Legal Aid Queensland (LAQ) provides the following feedback after consultation with lawyers in LAQ's First Advice Contact Team:

Proposed amendments to the Police Powers and Responsibilities Act 2000

- a) LAQ notes that the proposed section 123E will enable the Police to seize an unattended vehicle, and that in accordance with section 123F(2) if the vehicle is unattended, and not reasonably suspected to belong to an e-mobility device provider, the only duty of Police to notify the owner of the seizure is to publish a seizure notice on the Police Service website.

LAQ submits that in these instances, in addition to the posting on the Police Service website, where reasonably practicable, Police could post a notice at the scene advising of the seizure to increase the likelihood of the seizure coming to the rider/driver's attention.

It is noted that some riders may be of limited means and knowledge of legislation and may not know to check the Police Service website. The notice provisions also ought to be considered in the light of the proposed provisions regarding release applications, and the impact on vehicle owners, if the owner and the driver are not the same person.

LAQ notes that seizures have the potential to disproportionately affect young people and may also impact those with mobility issues and vulnerabilities who cannot drive a motor vehicle.

- b) LAQ notes the proposed section 123G provides for release applications for seized vehicles, which amongst other things must be in the approved form and made within 28 days. Whilst an extension of up to 30 days can be granted, an application for an extension must be made before the end of the standard release application period. Presumably this extension will not

be granted unless requested by the owner of the vehicle. It is noted that to make such a request, the owner would need to be aware of the seizure.

- c) LAQ suggests that proposed section S123H(3) include provision to extend the 30 day period to collect the vehicle, after the decision has been made to release the vehicle, if there are circumstances of incapacity or hardship which prevent the vehicle being collected within that period.
- d) LAQ notes that proposed section 123U, which relates to evidentiary provisions in a proceeding, provides that the prosecuting officer must give the defence notice that an evidentiary certificate is being relied on at least 20 days before the hearing and the defence must at least 15 days before the hearing give notice of matters to be challenged. This means that in case of last-minute service by the prosecuting authority, the defendant has 5 days to give a notice of challenge. It is submitted that this timeframe is inadequate given that many defendants are likely to be unrepresented and some may have vulnerabilities. It is unlikely that 5 days is sufficient time to enable defendants to secure an appointment for legal advice and then act on the advice.

Proposed amendments to the Transport Operations (Road Use Management) Act 1995

- e) LAQ notes the proposed insertion of new sections 78B – 78D which are provisions requiring the riders of electrically power assisted cycles or personal mobility devices to hold a valid driver's licence.

It is submitted that this requirement may have detrimental consequences for people who have had their motor vehicle licence suspended on medical grounds. Whilst that person may not be medically fit to drive a motor vehicle, that does not necessarily mean the person is not fit enough to operate a personal mobility device or electrically powered assisted cycle, given the lower speed of these vehicles and the less complex skills that are required to operate them.

It is noted that it is intended that these provisions will also apply to people who have had their licence disqualified or suspended in circumstances where it was not due to their own unsafe driving. For example, SPER suspended, persons who are demerit point suspended through failure to nominate the driver for offences in a vehicle they own, and court disqualified for unlicensed driving offences. Inability to use an electrically power assisted cycle or personal mobility device will further reduce the ability of these people to commute to work and carry out other daily tasks, even though their skills whilst in the operation of a vehicle may not be the problem.

LAQ hopes these comments are of assistance. If you have any queries, please do not hesitate to contact LAQ via email at laq@legalaid.qld.gov.au

Yours sincerely



Nicky Davies
A/Chief Executive Officer
Legal Aid Queensland