

Queensland



Subordinate Legislation 1992 No. 400

Traffic Act 1949

**TRAFFIC AMENDMENT REGULATION (No. 6)
1992**

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Short title

1. This regulation may be cited as the *Traffic Amendment Regulation (No. 6) 1992*.

Commencement

2. This regulation commences on 1 January 1993.

Amended regulation

3. The *Traffic Regulation 1962* is amended as set out in this regulation.

Replacement of s.90 (Hand to be kept on steering gear)

4. Section 90—

omit, insert—

‘Hand to be kept on steering gear

‘90. A driver of a moving vehicle (other than a bicycle or tricycle) on a road must keep at least 1 hand on the steering wheel, handlebar or other steering gear of the vehicle.’.

Amendment of s.108B (Automatic cancellation of a driver’s licence)

5.(1) Section 108B(1)—

omit ‘If’, insert ‘Subject to subsection (1A), if’.

(2) After section 108B(1)—

insert—

‘(1A) This section, so far as it relates to the allocation of demerit points, does not apply to a person who commits an offence while riding a bicycle or tricycle.’.

Amendment of s.140**6.(1)** Section 140(1)—

omit all words from ‘For the purposes of the Act’ to ‘as indicated herein—’,

insert ‘For the purposes of section 45A of the Act, the following offences are traffic offences in relation to which a notice may be given to an offender or affixed to a vehicle advising that the penalty prescribed in relation to the offence may be paid without involving court proceedings—’.

(2) Heading before section 140(1)(b)—

omit.

(3) Section 140(1)(b) and (c)—

omit.

(4) Section 140(1)(e) (after ‘159, 159A 40’)—

insert ‘159C(1) 30’.

(5) After section 140(1)—

insert—

‘(1A) The prescribed penalties for the offences mentioned in subsection (1) are the penalties respectively set out opposite the offences.

‘(1B) Despite subsection (1A), if an offence mentioned in the subsection is committed by a person riding a bicycle or tricycle, the prescribed penalty is—

- (a) in the case of an offence against section 11(1)(a) (in relation to a contravention of a direction specified in section 19(1)(c)(i) or 19(1)(d)(iii)), 20 or 21—\$50; or
- (b) in the case of any other offence (other than an offence against section 38(4), 54, 55(a) to (e), (g) to (j) or (m) to (o), 73(c), 87, 94(2), 100 to 102, 118, 119 or 147(1) or section 12F of the Act)—\$30.

‘(1C) For the purposes of section 45A of the Act, the following offences are traffic offences in relation to which a notice may be given to an offender or affixed to a vehicle advising that the penalty prescribed in relation to the offence may be paid without involving court proceedings—

- (a) an offence against section 68(1)(a), (b) or (c) in relation to Division 1, 2 or 3 of the Schedule to Part 13;
- (b) an offence against section 68(1)(d) in relation to Division 1, 2 or 3 of the Schedule to Part 13;
- (c) an offence against section 68(1) in relation to Division 4 of the Schedule to Part 13;
- (d) an offence against section 68(1) in relation to Division 5 of the Schedule to Part 13.

‘(1D) The prescribed penalties for the offences mentioned in subsection (1C) are—

- (a) for an offence mentioned in subsection (1C)(a)—1 penalty unit; and
- (b) for an offence mentioned in subsection (1C)(b)—2 penalty units; and
- (c) for an offence mentioned in subsection (1C)(c)—\$6; and
- (d) for an offence mentioned in subsection (1C)(d)—\$2.

‘(1E) For the purposes of subsections (1) and (1C), the prescribed penalty is to be paid within 21 days after the notice is given in relation to the offence.’.

Amendment of s.159 (Driving on footway or reservation)

7. After section 159(1)—

insert—

‘(1A) Subsection (1) does not apply to a person riding a bicycle or tricycle if the person—

- (a) takes reasonable precautions to avoid colliding with persons and things on the footway; and
- (b) rides in such a way as not to cause danger or an obstruction to persons and things on the footway.’.

Amendment of s.159C (Safety helmets for users of cycles)

8. Section 159C(1)—

omit, insert—

‘159C.(1) A person who—

- (a) rides a bicycle or tricycle on a road or bicycle path; or
- (b) is a passenger on a bicycle or tricycle being ridden on a road or bicycle path;

must wear a safety helmet.’.

ENDNOTES

1. Made by the Governor in Council on 10 December 1992.
2. Notified in the Gazette on 11 December 1992.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Transport.