



Queensland

Transport Operations (Road Use Management—Road Rules) Amendment Regulation (No. 1) 2010

Subordinate Legislation 2010 No. 65

made under the

Transport Operations (Road Use Management) Act 1995

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1 Short title

This regulation may be cited as the *Transport Operations (Road Use Management—Road Rules) Amendment Regulation (No. 1) 2010*.

2 Regulation amended

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

3 Amendment of s 257 (Riding with a person on a bicycle trailer)

(1) Section 257(1)—

insert—

‘Maximum penalty—20 penalty units.’

(2) Section 257(1A), penalty—

omit.

4 Amendment of s 266 (Wearing of seatbelts by passengers under 16 years old)

(1) Section 266, after subsection (4A)—

insert—

‘(4AA) It is a defence to a prosecution of a driver of a motor vehicle for an offence against subsection (1) for noncompliance with subsection (4) if the driver proves that the offence happened in circumstances that made compliance with subsection (4) unreasonable or impractical.

‘(4AB) However, the defence is available only if at the time of the offence—

(a) the passenger was occupying a seating position that is not fitted with a seatbelt; and

(b) there is no requirement for that seating position to be fitted with a seatbelt; and

- (c) all passengers in the vehicle who are exempt from wearing a seatbelt are complying with section 267(8).’.
- (2) Section 266(6A)(a), at the end—
insert—
‘or’.

5 Amendment of s 267 (Exemptions from wearing seatbelts)

Section 267(1B), ‘7’—
omit, insert—
‘16’.

ENDNOTES

- 1 Made by the Governor in Council on 15 April 2010.
- 2 Notified in the gazette on 16 April 2010.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Transport and Main Roads.

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