

ROAD TRANSPORT REFORM BILL 1999

EXPLANATORY NOTES

PART 1—PRELIMINARY

Clause 1 states the short title of the Act.

Clause 2 provides for different commencement dates for particular provisions of the amending Act.

Subclause (1) provides that Part 3, Part 4 and the schedule commence on 1 December 1999

Subclause (2) clarifies that the amendments to the provisions of the *Traffic Act 1949* detailed under part 3, division 1 and the schedule, part 1, must be read before the amendments set out in schedule, part 1 that relocate divisions of the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995*.

Subclause (3) provides that the remaining provisions commence on a day to be fixed by proclamation.

PART 2—AMENDMENTS COMMENCING ON A DAY TO BE FIXED BY PROCLAMATION

Division 1—Amendment of the Traffic Act 1949

Clause 3 cites the principal Act that is amended by this division.

Clause 4 amends section 9.

Subclause (1) omits the definitions “driver’s licence” and “off-street regulated parking area”. These definitions have been replaced by new terms as required by these amendments.

Subclause (2) inserts new definitions as required by the amendments for the terms “convicting”, “doctor”, “escort vehicle”, “escort vehicle driver”, “oversize vehicle”, “pilot vehicle” and “pilot vehicle driver”.

Substitutes the existing definition of “off-street regulated parking area” with a signpost definition to direct the reader to the term defined in the section dealing with the scheme of off-street regulated parking.

Inserts the existing definition of “previously convicted” originally located in section 16 that also had a legislative link to section 20. This definition, rewritten to reflect current drafting styles, has been relocated in section 9 for ease of understanding and enforcement. Its relocation to section 9 means that it will now apply to a person convicted of an offence under section 18 (Dangerous driving of a vehicle other than a motor vehicle). However, this type of offence is normally proceeded against under the Criminal Code, section 328A (Dangerous operation of a vehicle), which provides more appropriate penalties against such behaviour. Accordingly, it is considered the relocation of this definition to section 9 will not have any appreciable effect on persons convicted of an offence under section 18.

Subclause (3) amends the existing definition of “arrest” to clarify the different options available to a person, who has been arrested without a warrant other than provided by the Act, for the person’s release from police detention until the person can be dealt with by a court. These options now align with the options provided under the *Police Powers and Responsibilities Act 1997*.

Clause 5 amends section 12B to provide that the chief executive may also install or remove an official traffic sign on an off-street regulated parking area. However, the chief executive may only do so on land that has been specified as an off-street regulated parking area under a regulation under section 44BB of the Act.

Clause 6 omits the existing section 14A and inserts a new section 14A.

Inserts a new section 14A(1) to provide that the chief executive may only release details of a driver’s licence or traffic history to the person to whom the records are about or another person having the written consent of the person. The chief executive may also release similar details to the commissioner of police, and to a person who issues driver’s licences under a corresponding law.

It also allows the chief executive to release the information to another entity that under an agreement between the State and other governments, maintains a database containing information about driver's licenses and traffic histories. This will further assist with the national move towards the 1 person—1 driver's licence concept, as well as the effective conduct of driver's licence business and enforcement of traffic and other laws throughout Queensland and Australia.

Inserts a new section 14A(2) to provide that before releasing the information, the chief executive must be satisfied that the person who issues driver's licences under a corresponding law or the entity mentioned in section 14A(1) will only release a person's driver's licence or traffic history to the person to whom the information is about or to another person who has the written consent of that person. This amendment aligns with the nationally agreed policy on the release of driver licence and traffic history information.

Clause 7 amends section 16.

Subclause (1) amends section 16(1D), (1E), (2F), (2G), (2H) and (2I) to clarify that the penalty provision set out in these individual sections applies also to the new section 16(2J) inserted by the amendments.

Subclause (2) substitutes the existing section 16(2C)(b) with a new section 16(2C)(b) which has been redrafted to remove a reference to a repealed Act with the current instrument of legislation.

Subclause (3) substitutes the existing section 16(2C)(f) with a new section 16(2C)(f) which has been redrafted to remove a reference to a repealed Act with the current instrument of legislation.

Subclause (4) inserts a new section 16(2J) to provide that a person who is the holder of a provisional licence, granted by a court order under section 20A (commonly known as a "work licence") as a result of the person being convicted of a first time drink or drug driving offence, must have a zero BAC level when driving, in charge of, or attempting to put in motion a motor vehicle.

Subclause (5) amends section 16(4) and (4A) to clarify that the evidentiary provisions set out in these sections applies also to a person to whom the new section 16(2J) refers.

Subclause (6) omits the redundant section 16(5). The definition “previously convicted” provided in this section has been relocated section 9 (Definitions). *See clause 4.*

Subclauses (7), (8) and (9) amends section 16(6) to clarify that a person to whom the new section 16(2J) refers may offer a defence to a charge under section 16(1) that the person had displayed an intention not to drive the motor vehicle at the time when the person was detected in the vehicle.

Subclause (9) also amends section 16(9) to clarify that if a person to whom the new section 16(2J) refers fails to attend the court when required then the court may suspend the person’s driver’s licence until the matter has been dealt with by the court.

Subclause (10) amends section 16(10A) by substituting the obsolete term of “medical practitioner” with the new definition of “doctor” mentioned in clause 4.

Subclause (11) amends section 16(11) to clarify that section 16(1) to (2J) apply to a person who drives, is in charge of or attempts to put in motion a motor vehicle tram, train or vessel. This amendment also corrects a minor drafting inconsistency.

Clause 8 amends section 16A.

Subclause (1) omits the obsolete section 16A(5AA). This section made reference to a section omitted from the Act in 1998.

Subclause (2) amends section 16A(6) and 22(a).

Amends section 16A(6) to clarify that if a police officer suspects on reasonable grounds that a person to whom the new section 16(2J) refers has a BAC level more than zero, the police officer may take the person to another place for either a breath or blood test.

Amends section 16A(22) to clarify that if a person to whom the new section 16(2J) refers has a BAC level more than zero, or the person fails to comply with a requirement to complete a breath or blood test, then the person’s driver’s licence is suspended for 24 hours.

Subclause (3) amends section 16A(8B)(d), (8C), (8F), (8K), (9), (9A), (9B), (9C), (15), (15B), (15D), (15G), (16C), (18), (18A), (20), (20A), (22)(e) and (23) by substituting the obsolete expression “medical practitioner” with the new term of “doctor” mentioned in clause 4.

Subclause (4) inserts a new section 16A(14) to prescribe the way in which the concentration of alcohol in a person's blood (as determined by an analysis of the person's breath or blood) may be expressed in a certificate given up to a Court by a doctor or authorised police officer.

Subclause (5) amends section 16A(15), (15B) and (16C) by substituting the obsolete expression "in duplicate" with "2 copies of" to reflect current drafting styles.

Subclause (6) amends section 16A(26)(c) to clarify that the provisions of this section apply to either section 16A(18) or (18A). This amendment corrects a minor drafting inconsistency.

Subclause (7) amends section 16A(26)(c) to clarify the legislative link to section 16A(18) and (18A) about the tendering of certificates dealing with certain drink or drug driving evidentiary matters. This amendment corrects a minor drafting inconsistency.

Subclause (8) amends section 16A(26) by extending the number of days notice that a defendant must give if the defendant intends to challenge any aspect of the evidence relating to the drink, or drug driving charge.

Subclause (9) inserts a new section 16A(27) to clarify that a notice given under section 16A(26) must state the grounds on which the defendant intends to rely to prove that the breath analysing instrument was defective or not operated properly. This will allow sufficient time for the appropriate expert witness to attend the hearing.

Clause 9 amends section 16B.

Subclause (1) amends section 16B(1)(a) to clarify that the scheme for the issue of an infringement notice to certain first time drink driving offenders also applies to a person to whom the new section 16(2J) refers.

Subclause (2) amends section 16B(1) to clarify that only a person with a BAC level less than 0.1% may participate in the scheme for the issue of an infringement notice to certain first time drink driving offenders. A person with a BAC level of 0.1% or more is required to be dealt with by a court.

Clause 10 amends section 20.

Subclause (1) amends section 20(1)(b), (1F), (1G), (2), (2B), (2D), (2F), (3E) and (3F) to clarify that the evidentiary provisions set out in these sections applies also to a person to whom the new section 16(2J) refers.

Subclause (2) omits the redundant section 20(7). The definition of “previously convicted” has now been relocated to section 9 (Definitions). *See clause 4.*

Clause 11 amends section 20A.

Subclause (1) relocates section 20A(5)(b) as section 20A(5)(f) for ease of understanding and enforcement.

Subclause (2) inserts a new section 20A(5)(b) to clarify that a person is ineligible to apply for a ‘work licence’ if the person has had a driver licence suspended or cancelled, or has been disqualified from holding or obtaining a driver licence within 5 years before the application for a ‘work licence’ is made.

Subclause (3) amends section 20A(5)(d)(i) to allow for the insertion of the new section 20A(5)(d)ii) mentioned in subclause (5).

Subclause (4) inserts a new section 20A(5)(d)(ii) to clarify that a person may not apply for a ‘work licence’ for another class of vehicle if the person was driving a vehicle for which the person was not licensed at the time of the drink driving offence was committed.

Subclause (5) inserts a new section 20A(5)(d)(iv) to clarify that a person who is convicted of a drink driving offence under section 16(2A) or (2B) is ineligible to apply for a ‘work’ licence.

Subclause (6) inserts a new section 20A(5)(g) to clarify that a person is not eligible to apply for a ‘work licence’ if the person is convicted of a drink driving offence and the person’s BAC level was 0.15% or greater.

Subclause (7) inserts new sections 20A(5A) and 20A(5B).

Inserts a new section 20A(5A) to clarify that if the person applying for a ‘work licence’ is not self-employed, the person must produce an affidavit from the person’s employer confirming that the person would be deprived of the means of earning a living if the application is refused.

Inserts a new section 20A(5B) to clarify for the purposes of section 20A(5)(b) the meaning of the terms suspension, cancellation or disqualification.

Clause 12 amends section 44A.

Subclause (1) amends the heading to section 44A to reflect the correct application of the section as required by the amendments.

Subclause (2) inserts a new section 44A(1A) to provide that the chief executive may regulate parking on an off-street regulated parking area under this part.

Subclause (3) amends section 44A(2) to clarify the matters that may be included in the control of the parking of vehicles on an off-street regulated parking area, as required by the amendments.

Clause 13 amends section 44B.

Subclause (1) amends section 44B(1) to clarify who may install official traffic signs to indicate how the parking of vehicles is controlled in an area.

Subclause (2) omits the redundant footnote to this subsection.

Subclauses (3) and (4) amends section 44B(2) to clarify where an official traffic sign applies that has been installed by both the local government and the chief executive to control the parking of vehicles, as required by the amendments.

Subclause (5) omits the redundant section 44B(8). These evidentiary matters are already addressed in section 49(1) of the Act.

Clause 14 amends section 44BA.

Subclause (1) amends section 44BA(1) to clarify the application of the section.

Subclause (2) omits the redundant section 44BA(5) and (5A). The matters addressed by these sections have now been included in the amendments to section 44A and 44B mentioned in clauses 13 and 14.

Subclause (3) amends section 44BA(6) to clarify what an official traffic sign about the parking of vehicles may define or indicate, as required by the amendments.

Subclause (4) renumbers the existing section 44BA(2) to (4) as section 44BA(3) to (5) as required by the amendments.

Subclause (5) renumbers the existing section 44BA(6) as section 44BA(2) and then relocates the section towards the beginning of the section for ease of understanding and compliance.

Clause 15 amends section 44BB.

Subclause (1) substitutes the heading to section 44BB to clarify its application as required by the amendments.

Subclause (2) renumbers the existing section 44BB(2) as section 44BB(3) as required by the amendments.

Subclause (3) omits the existing section 44BB(1) and inserts new sections 44BB(1) and 44BB(2).

Inserts a new section 44BB(1) to provide a definition of “off-street regulated parking” as required by the amendments.

Inserts a new section 44BB(2) to clarify how the chief executive or the local government may exercise the control of parking of vehicles on land that is under the control of the chief executive or local government.

Clause 16 amends section 44E.

Subclause (1) amends section 44E(1) by substituting the expression ‘regulated parking’ with the expression ‘parking, stopping or standing’ as required by the amendments.

Subclause (2) omits the redundant section 44E(2). These evidentiary provisions are already addressed in section 49 of the Act.

Clause 17 replaces section 44F.

Inserts a new section 44F(1) to clarify that a local government may set its own level of penalties for different parking, stopping or standing offences under its local law.

Inserts a new section 44F(2) to clarify what is meant by a minor traffic offence, the infringement notice penalty, and the administering authority for the infringement notice for the purposes of the *Justices Act 1886*, part 4A.

Inserts a new section 44F(3) to clarify that once a local law controlling the parking, stopping or standing of vehicles commences in the local government area, the penalties for parking, stopping or standing offences set under a regulation no longer apply in its area.

Inserts a new section 44F(4) to define the term “minor traffic offence” for the purposes of this section.

Clause 18 omits sections 44G to 44I.

Omits sections 44G and 44H which addressed the mechanism for the service of a notice of alleged offence on a vehicle or person. These provisions are now obsolete as the *Justices Act 1886*, part 4A now controls all matters dealing with the issue of infringement notices under all Acts.

Omits section 44I which duplicates the provisions under the Justices Act 1886 that provide the necessary offence provisions dealing with the wilful removal, defacement or interference with an infringement notice affixed to a vehicle.

Clause 19 amends section 44O to clarify that a police officer must comply with Australian Standard 2898.2 when using a radar speed detection device. This amendment corrects a minor drafting inconsistency.

Clause 20 omits section 45A which provided the necessary regulation making power for which a notice of alleged offence under the Act could be issued. These provisions are now obsolete as the *Justices Act 1886* now controls all matters dealing with the issue of infringement notices under all Acts.

Clause 21 amends section 49.

Subclause (1) amends section 49(1)(pa)(i) to provide that a certificate signed by the commissioner stating that a specified radar speed detection device has been tested in accordance with Australian Standard 2898.1 and found to be producing accurate results is evidence in any court proceedings that the device continued to give accurate results for 1 year after the time. This amendment corrects a minor drafting inconsistency.

Subclause (2) amends section 49(1)(pb)(ii) to provide that a certificate signed by a police officer stating that the specified radar speed detection device was used by the officer in accordance with Australian Standard 2898.2 is evidence in any court proceedings. This amendment corrects a minor drafting inconsistency.

Subclause (3) amends section 49(5) to clarify that a defendant who intends to challenge evidence about a radar speed detection device must give the written notice of the challenge at least 14 days before the hearing day.

Clause 22 amends section 60 by inserting a new section 60(1A) to clarify that a person commits an offence against this section if the person does not have the express consent of the owner to detain the owner's vehicle by the use of an immobilising device. It is anticipated that this amendment will eliminate the opportunity for a person to rely on a sign, displayed on land setting out the conditions under which a vehicle may be parked on the land, to obtain the owner's consent to detain the vehicle if the conditions of parking on the land are not complied with.

Clause 23 replaces section 63.

Inserts a new section 63(1) to clarify that the chief executive may authorise a scheme to help children safely cross a road.

Inserts a new section 63(2) to provide that person who wishes to be, or is already a crossing supervisor must give the chief executive details by written notice about his or her criminal history.

Inserts a new section 63(3) to clarify that a person who is a crossing supervisor does not commit an offence of failing to give the chief executive details about his or her criminal history if the person immediately stops acting as a crossing supervisor.

Inserts a new section 63(4) to clarify when a person who is applying to be a crossing supervisor, or a person who is already acting as crossing supervisor, must give the notice about his or her criminal history to the chief executive.

Inserts a new section 63(5) to clarify that the chief executive may only obtain a written report about a person's criminal history from the commissioner of police after the person has given a notice required under section 63(2).

Inserts a new section 63(6) to clarify what information the commissioner of police must give the chief executive when requested to do so.

Inserts a new section 63(7) to clarify when the scheme commences

Inserts a new section 63(8) to define for the purposes of this section, the terms "criminal history", "crossing supervisor", "details" and "disqualifying offence".

Clause 24 inserts new sections 67A and 67B.

Inserts a new section 67A(1) to clarify that a health professional is not liable either civilly or under an administrative process if he or she gives the chief executive information in good faith about the medical fitness of a person who is already licensed, or intends to become licensed to drive a motor vehicle.

Inserts a new section 67A(2) to clarify that in a civil proceedings for defamation, the health professional has a defence of absolute privilege for publishing the information, and where the health professional is required to maintain confidentiality about the information under an Act, oath, rule of law or practice he or she does not contravene the obligation, or liable for disciplinary action by disclosing the information.

Inserts a new section 67A(3) to define for the purposes of this section, the terms “health professional” and “information”

Inserts a new section 67B(1) to provide that a person who discloses, records or uses information that he or she gained when involved in, or because of an opportunity provided by the involvement is guilty of an offence. The monetary penalty for such an offence is 200 penalty units.

Inserts a new section 67B(2) to clarify the circumstances when a person may lawfully disclose, record or use the information mentioned in section 67B(1).

Inserts a new section 67B(3) to define the term “disclose” for the purposes of this section.

Clause 25 inserts a new schedule 2 listing the offences under the Criminal Code to be disqualifying offences for the purposes of the crossing supervisor scheme mentioned in clause 24.

Division 2—Amendment of Transport Operations (Road Use Management) Act 1995

Clause 26 cites the principal Act that is amended by this division.

Clause 27 amends section 17A to clarify that the term “approval” includes ‘registration’ to allow for the implementation of the National Speeding Heavy Vehicle policy and the Managing Heavy Vehicle policy.

Clause 28 amends section 18.

Subclause (1) renumbers section 18(d) as section 18(e) for ease of understanding and enforcement.

Subclause (2) inserts a new section 18(d) to prescribe that the commission of an offence under this Act or a corresponding law is a ground for the amendment, suspension or cancellation of the registration of a motor vehicle with GVM of more than 4.5 t.

Clause 29 amends section 37.

Subclause (1) amends section 37(1) to clarify that an authorised officer who believes a vehicle is unsafe may give a notice to the owner or the person in control of the vehicle requiring that the person not use or permit

the vehicle to be used on a road until the unsafe matter has been rectified. Previously the notice could only be given to the owner of the vehicle.

Subclause (2) inserts a new subsection 37(3) to prescribe that the person in control of the vehicle (not being the owner of the vehicle) who is given a notice under section 37(1) commits an offence if the person does not tell the owner of the vehicle about the notice as soon as practicable.

Clause 30 amends section 38.

Subclause (1) amends section 38(1) to clarify that this section applies to a person in control of a motor vehicle.

Subclause (2) amends section 38(2) to clarify that an authorised officer who reasonably believes that a the person in control of a vehicle would contravene the Act by driving the vehicle, the authorised officer may give the person a notice requiring that the person not drive the vehicle in the circumstances. Previously the notice could only be given to the driver of the vehicle which limited the application of this section.

Clause 31 replaces section 52(2) with a new section 52(2) to clarify that a person who states any information to an official for a transport Act the person knows to be false or misleading commits an offence under the Act. This section was rewritten to reflect current drafting styles.

Clause 32 amends section 53.

Subclause (1) amends the heading to section 53 to reflect the correct application of the section as required by the amendments.

Subclause (2) amends section 53(2), 53(3)(a) and 53(4).

Amends section 53(2) to clarify that a person must not give a document to an official that contains information that the person knows to be false or misleading. This amendment reflects current drafting styles.

Amends section 53(3)(a) to clarify the circumstances in which a person does not commit an offence under section 53(2) when giving a document to the official that contains false or misleading information. This amendment reflects current drafting styles.

Amends section 53(4) to clarify the extent of the evidence as to the giving of false or misleading information to prove an offence under section 53(2). This amendment reflects current drafting styles.

Clause 33 amends section 75.

Subclause (1) substitutes the existing section 75(g) with a new section 75(g) which has been rewritten to correct a minor drafting inconsistency.

Subclause (2) inserts new subsections 75(2), 75(3) and 75(4).

Section 75(2) provides for the necessary head of power to make a regulation prohibiting the registration of a vehicle with a GVM of more than 4.5 t, or prohibiting the transfer or cancellation of a vehicle's registration in special circumstances. This allows for the implementation of the National Speeding Heavy Vehicle policy and the Managing Heavy Vehicle policy.

Section 75(3) provides for the necessary head of power to make a regulation to prescribe, for the purposes of section 75(2), what is an irresponsible use of a motor vehicle.

Section 75(4) defines for the purposes of this section, the term "visiting heavy vehicle".

Clause 34 amends section 77A to clarify the minimum age of a person who may be nominated as a responsible operator for the purposes of the section must be at least 17 years. This will allow the person to be dealt with as an adult for the commission of a camera detected offence instead of as a juvenile.

Clause 35 amends section 78.

Subclause (1) renumbers subsection 78(2) as 78(3) for ease of understanding and compliance.

Subclause (2) inserts a new section 78(2) to provide the necessary head of power to make a regulation about the maximum fee payable for approved courses for pre-licence motorcycle driver training.

Clause 36 amends section 79M by replacing the existing section 79M(3) and inserting a new section 79M(4).

Inserts a new section 79M(3) to clarify that a local government may make a local law to control the access of vehicles, required to be registered under this Act, in a public place, as well as to declare a place to be, or not to be, a public place for a specified period. This amendment reflects current drafting styles.

Inserts a new section 79M(4) to clarify that the chief executive may declare a place not to be a public place for this section for an indefinite period or a period stated in the notice.

Clause 37 inserts a new Chapter 5B.

Section 79N(1) clarifies that the provisions of this section apply when a person is convicted of an extreme overloading offence when driving a vehicle over 4.5 t.

Section 79N(2) prescribes that a court may order a vehicle, used to commit an extreme overloading offence, to be forfeited to the State.

Section 79N(3) clarifies those matters that a court may have regard to when deciding whether to make a forfeiture order against a vehicle.

Section 79N(4) clarifies that a court may make any order to provide for the enforcement of a forfeiture order.

Section 79N(5) clarifies that the provisions of the *Penalties and Sanctions Act 1992* are not limited by the application of this section.

Section 79N(6) that on the forfeiture of the vehicle, it becomes the property of the State and may be dealt with as the chief executive considers appropriate.

Section 79N(7) clarifies that the chief executive must not do anything with the vehicle until such time as any appeal against the imposition of the forfeiture order has been decided by a court.

Section 79N(8) defines for the purposes of this section, the terms “extreme overloading offence” and “vehicle”.

Clause 38 inserts a new section 93A to extend the life of the *Transport Operations (Road Use Management—Motor Vehicles Safety) Transitional Regulation 1994* and the *Transport Infrastructure (Roads) Regulation 1991* beyond 1 July 1999 until no later than 30 September 1999. The relevant replacement regulations are presently being drafted but will not be settled by the repeal date.

Clause 39 amends schedule 1 by inserting 2 additional offences to be disqualifying offences for the purposes of chapter 3, part 1A of the Act. The chief executive may refuse to grant, or renew an approval under that part to a person who has been convicted of a disqualifying offence, or charged with a disqualifying offence that has not been dealt with by a court.

Clause 40 amends schedule 3 by inserting new definitions for the terms “B-double”, “combination”, “prime mover”, “road train” and “semitrailer” as required by the amendments.

Division 3—Transport Legislation Amendment Act 1997

Clause 41 cites the principal Act that is amended by this division.

Clause 42 omits section 28 and section 29.

Section 28 provides for the omission of the redundant sections 44F, 44G, 44H and 44I from the *Traffic Act 1949*. The commencement of this section was deferred until 30 November 1999, however the omission of these sections is now required to coincide with the amendment to section 44F of the Traffic Act mentioned in clause 18.

Section 29 provides for the omission of the redundant section 45A from the *Traffic Act 1949*. The commencement of this section was deferred until 30 November 1999, however the omission of these sections is now required to coincide with the amendment to section 44F of the Traffic Act mentioned in clause 18.

Division 4—Transport Operations (Passenger Transport) Act 1994

Clause 43 cites the principal Act amended by this division.

Clause 44 amends section 147 to clarify that the Minister may authorise a local government to carry out, under a local law, demand management measures to encourage the use of public passenger transport. This amendment corrects a drafting inconsistency.

**PART 3—AMENDMENTS COMMENCING ON 1
DECEMBER 1999*****Division 1—Amendment of the Traffic Act 1949***

Clause 45 cites the principal Act that is amended by this Division.

Clause 46 amends section 5.

Inserts a new section 5(3)(e) to prescribe the subject matter of the regulation of lights, notices and signs for which a local government may control by a local law. This matter was previously addressed in the schedule, section 8A, but has now been relocated in section 5 for ease of reading.

Inserts a new section 5(3)(f) to prescribe the subject matter of the regulation of the amplification or reproduction of sound by anything for which a local government may control by a local law. This matter was previously addressed in the schedule, section 11(1), but has now been relocated in section 5 for ease of reading.

Inserts a new section 5(3)(g) to prescribe the subject matter about the seizure and disposal of anything used to make a sound mentioned in section 5(3)(f) for which a local government may control by a local law. This matter was previously addressed in the schedule, section 11(2), but has now been relocated in section 5 for ease of reading.

Inserts a new section 5(3)(h) to prescribe the subject matter of the regulation of the driving of vehicles and animals of a foreshore for which a local government may control by a local law. This matter was previously addressed in the schedule, section 11A, but has now been relocated in section 5 for ease of reading.

Clause 47 amends section 9.

Omits the obsolete terms “agricultural implement”, “appropriately qualified”, “articulated motor omnibus”, “articulated vehicle”, “caravan trailer”, “carriageway”, “gross weight”, “mechanical power”, “moped”, “multi-wheeled vehicle”, “propellant”, “specially constructed vehicle”, “tractor” and “vehicle stand”.

Omits the redundant terms “approved form”, “authorised officer”, “B-double”, “bicycle”, “bus”, “certificate”, “commissioner”, “corresponding law”, “disabled person”, “disabled person parking permit”, “footway”, “incapacitated person”, “left” or “nearside”, “licence”, “loading zone”, “Manual of Uniform Traffic Control Devices”, “motorcycle”, “motor omnibus”, “motor truck”, “motor vehicle”, “MUTCD”, “official traffic sign”, “owner”, “parking”, “pedestrian”, “prime mover”, “right” or “offside”, “road”, “road train”, “semitrailer”, “sidecar”, “superintendent”, “toy vehicle”, “trailer”, “vehicle” and “wheelchair”. The provisions of the Act when relocated to the *Transport Operations (Road Use Management) Act 1995* will be able to rely on the defined terms already provided in that Act.

Clause 48 amends section 31 by omitting the redundant section 31(1)(b) and (d) to (h). The Nationally agreed road rules to be adopted by Queensland on 1 December 1999 will deal specifically with the matters addressed in these sections.

Division 2—Amendment of the Transport Operations (Road Use Management) Act 1995

Clause 49 cites the principal Act that is amended by this Division.

Clause 50 amends section 17A to clarify that an approval under part 1A of the Act does not include an approval for an official traffic sign or a Queensland driver licence. This amendment corrects a section reference effected by the relocation of the *Traffic Act 1949* as well as the adoption of the Nationally agreed driver licence scheme.

Clause 51 amends section 61.

Subclause (1) amends section 61(1), definition ‘instrument’ by omitting paragraph (b). The evidentiary matters addressed in this paragraph are addressed in section 80.

Subclause (2) amends section 61(5) by extending the number of days notice that a defendant must give if the defendant intends to challenge any aspect of the manner by which an of an instrument was used to gather evidence of a contravention under the Act.

Clause 52 inserts a new section 62A to clarify that the effect of a word that is shown in the Act either in colour or in black and white is not altered if the word is later printed in black and white.

Clause 53 amends section 65(1) and (4) to correct a section reference effected by the relocation of the *Traffic Act 1949*.

Clause 54 inserts a new part 3 in chapter 7 and new sections 186 to 192.

Inserts a new section 186 to define the term “relocated provision”, “Road Transport Reform Act” and “Traffic Act” for the purposes of this section.

Inserts a new section 187(1) to clarify that the relocated provisions of the *Traffic Act 1949* have not been re-enacted by the *Road Transport Reform Act 1999* but simply moved to the *Transport Operations (Road Use Management) Act 1995*.

Inserts a new section 187(2) to clarify that the relocation of the provisions of the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* has not effected the operation of those provisions in any way whatsoever.

Inserts a new section 187(3) to clarify that the definitions in the *Transport Operations (Road Use Management) Act 1995* apply equally to each provision relocated from the *Traffic Act 1949*.

Inserts a new section 187(4) to clarify that anything made or done under a provision of the *Traffic Act 1949* before its relocation is taken to have been made or done under the provision after its relocation to the *Transport Operations (Road Use Management) Act 1995*.

Inserts a new section 187(5) to clarify that a reference to a provision of the *Traffic Act 1949* in any Act or document that is relocated to the *Transport Operations (Road Use Management) Act 1995* by the *Road Transport Reform Act 1999* is to be taken to be a reference to the relocated provision in the *Transport Operations (Road Use Management) Act 1995*.

Inserts a new section 188(1) to clarify that a person's traffic history is not affected in any way by the relocation and renumbering of the provisions of the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995*. It further clarifies that anything done or not done, including a conviction recorded under a relocated provision before it was actually relocated is to be taken to have done or not done under the provision as relocated.

Inserts a new section 188(2) to clarify that, after the relocation, a reference in the *Transport Operations (Road Use Management) Act 1995* to any type of licence authorising a person to drive a motor vehicle is to be taken to be a reference to the corresponding type of licence to drive previously mentioned in the *Traffic Act 1949*.

Inserts a new section 189 to clarify that the *Traffic Regulation 1962* continues in force after the repeal of the *Traffic Act 1949* as a regulation under the *Transport Operations (Road Use Management) Act 1995*.

Inserts a new section 190(1) to clarify the application of the section.

Inserts a new section 190(2) to clarify that any act or authority granted, issued or made under the *Traffic Act 1949* and in force immediately before 1 December 1999 will continue in force until the act or authority would have expired under the *Traffic Act*.

Inserts a new section 191 to clarify that all fees prescribed under the *Traffic Act 1949* to be paid are to be taken, as from 1 December 1999, to have been prescribed under the *Transport Operations (Road Use Management) Act 1995* and continue to be payable as prescribed.

Inserts a new section 192 to clarify that the *Acts Interpretation Act 1954*, section 20 applies to the amendment of the *Traffic Act 1949* by its relocation to the *Transport Operations (Road Use Management) Act 1995* and the subsequent repeal of the *Traffic Act 1949*. Section 20 of the *Acts Interpretation Act* deals with the saving of the operation of repealed Acts.

Clause 55 amends schedule 3 by inserting new definitions, as required by the amendments, for the terms “Australian court”, “Australian driver licence”, “bicycle”, “breath analysing instrument”, “bus”, “current driver licence receipt”, “driver licence”, “footpath”, “foreign driver licence”, “learner licence”, “left”, “loading zone”, “motorbike”, “open licence”, “park”, “parking bay”, “parking permit for people with disabilities”, “pedestrian”, “people with disabilities symbol”, “probationary licence”, “provisional licence”, “Queensland driver licence”, “restricted licence”, “right”, “road”, “superintendent”, “superintendent of traffic”, “truck” and “wheelchair”.

PART 4—OTHER AMENDMENTS COMMENCING 1 DECEMBER 1999

Clause 56 identifies the Acts amended by the schedule.

Subclause (1) clarifies the schedule, part 1 amends the *Traffic Act 1949* and by the relocation provisions of the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* amends the *Transport Operations (Road Use Management) Act 1995* as well.

Subclause (2) clarifies that the schedule, part 2 amends the *Transport Operations (Road Use Management) Act 1995*.

Subclause (3) clarifies that the schedule, part 3 amends the Acts mentioned in it.

PART 5—REPEAL

Clause 59 clarifies that the *Traffic Act 1949* is repealed as from 1 December 1999.

SCHEDULE**OTHER AMENDMENTS COMMENCING ON 1
DECEMBER 1999****PART 1—AMENDMENT OF THE TRAFFIC ACT 1949**

Amendment 1 amends section 5(1) and (2) by replacing the words “this Act” with the words “this chapter” as the provisions of the *Traffic Act 1949* will become chapter 5 in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 2 substitutes the term “footway” in section 5(3)(a)(i) and (aa) with the new term “footpath” as required by the amendments. This amendment does not change the intent of the section.

Amendment 3 substitutes the term “standing” in section 5(3)(a)(i) with the new term “stopping” as required by the amendments. This amendment does not change the intent of the section.

Amendment 4 clarifies the application of section 5(7) by substituting the reference to subsection (3) with subsection (3)(a) to (d) to reflect a pre-existing restriction on a local government.

Amendment 5 omits section 5(9) as it is now addressed by amendment 4.

Amendment 6 relocates section 5 of the *Traffic Act 1949* to chapter 5, part 1 of the *Transport Operations (Road Use Management) Act 1995* and renumbers the section as section 66.

Amendment 7 substitutes the term “standing” within the definition of the term “commercial vehicle” contained in section 9, with the new term “stopping” as required by the amendments. This amendment does not change the meaning of the defined term.

Amendment 8 substitutes the term “motor car or motorcycle” within paragraph (b) of the definition of the term “commercial vehicle” in section 9, with the new term “car or motorbike” as required by the amendments. This amendment does not change the meaning of the defined term.

Amendment 9 clarifies the legislative link in paragraph (c)(i) of the definition of the term “commercial vehicle” contained in section 9, to the renumbered provision which has been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 10 amends paragraph (b) of the definition of the term “escort vehicle” to show the correct legislative link to the provisions dealing with escort vehicles.

Amendment 11 amends the definition of the term “escort vehicle driver” to show the correct legislative link to the provisions dealing with escort vehicle drivers.

Amendment 12 substitutes the term “motor car” within the definition of the term “motor car” contained in section 9, with the new term “car” as required by the amendments. This amendment does not change the meaning of the defined term.

Amendment 13 substitutes the term “motorcycle” within the definition of the term “motor car” contained in section 9, with the new term “motorbike” as required by the amendments. This amendment does not change the meaning of the defined term.

Amendment 14 clarifies the legislative link in the definition of the term “off-street regulated parking area” contained in section 9, to the renumbered provision which has been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 15 amends the definition of the term “oversize vehicle” to show the correct legislative link to the provisions dealing with oversize vehicles.

Amendment 16 amends paragraph (b) of the definition of the term “pilot vehicle” to show the correct legislative link to the provisions dealing with pilot vehicle.

Amendment 17 amends the definition of the term “pilot vehicle driver” to show the correct legislative link to the provisions dealing with pilot vehicle drivers.

Amendment 18 removes the reference in the definition of the term “railway” to the repealed *Transport Infrastructure (Railways) Act 1991* and clarifies the legislative link for this term to be within the meaning of the *Transport Infrastructure Act 1994*.

Amendment 19 clarifies the legislative link in the definition of the term “regulated parking” to the renumbered part in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 20 relocates section 9 to Schedule 3 of the *Transport Operations (Road Use Management) Act 1995*.

Amendment 21 clarifies the legislative link in section 12A, to the renumbered part which has been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 22 clarifies the legislative link in section 12D(2), to the renumbered provision which has been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 23 clarifies the legislative link in section 12DA(1A), to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 24 clarifies the legislative link in sections 12E(1)(a) and (b), to the renumbered part which has been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 25 clarifies the legislative link in section 12E(1)(b), to the renumbered provision which has been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 26 clarifies the legislative link in section 12F(2A), to the renumbered provision which has been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 27 removes the reference in section 12F(2A) to schedule 2 of the Traffic Regulation 1962, and inserts wording which clarifies the application of the subsection to the demerit point system to be defined by regulation as part of the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 28 relocates sections 12A to 12H of the *Traffic Act 1949* to chapter 5, part 2 of the *Transport Operations (Road Use Management) Act 1995* and renumbers the sections as sections 67 to 76.

Amendment 29 omits section 14. This section provides the head of power for a superintendent to issue or renew a driver's licence. This head of power is to be inserted in a regulation under the *Transport Operations (Road Use Management) Act 1995*, section 78. This regulation is still being drafted and is anticipated to commence on 1 December 1999.

Amendment 30 substitutes the term "driver's licence" in the heading of section 14A to reflect its application to a "Queensland driver licence". This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 31 substitutes the first mention of the term "driver's licence" in section 14A(1) to reflect its application to a "Queensland driver licence". This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 32 substitutes the term "driver's licence" in sections 14A(1)(c) and (d) with the term "driver licence". This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 33 substitutes the term "driver's licence" in sections 15(1) to (4) and in the heading with the term "driver licence". This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 34 substitutes the first mention of the term "driver's licence" in section 15(5) with the term "driver licence, the justices". This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 35 substitutes the second mention of the term "driver's licence" in section 15(5) to reflect its application to a "Queensland driver licence". This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 36 substitutes the terms "provisional licence or a learner's permit" in section 16(2A) to reflect its application to a "learner, probationary or provisional licence". This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 37 substitutes the term “driver’s licence” in section 16(2A) with the term “driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 38 amends the opening statement to section 16(2C) for ease of understanding.

Amendment 39 substitutes the term “motor truck, a motor omnibus” within section 16(2C)(a), with the new term “truck, a bus” as required by the amendments. This amendment does not change the intent of the section.

Amendment 40 removes an unnecessary reference to the *Transport Operations (Road Use Management) Act 1995* in section 16(2C)(b).

Amendment 41 removes an unnecessary reference to the *Transport Operations (Road Use Management) Act 1995* in section 16(2C)(d).

Amendment 42 removes an unnecessary reference to the *Transport Operations (Road Use Management) Act 1995* in section 16(2C)(f).

Amendment 43 substitutes the term “provisional licence issued to give effect to a court order made under section 20A” in section 16(2J) to reflect its application to a “restricted licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 44 substitutes the term “driver’s licence” in section 16(9) to reflect its application to a “Queensland driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 45 clarifies the legislative link in sections 16A(6)(aa) and (22)(a) and (c)(i) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 46 clarifies the legislative link in section 16A(8) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 47 substitutes the term “driver’s licence” in section 16A(11) to reflect its application to a “Queensland driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 48 clarifies the legislative link in sections 16A(11), (16L) and (22)(ba) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 49 omits section 16A(21A). A power already exists within the *Transport Operations (Road Use Management) Act 1995* with respect to the maintenance or use of breath analysing instruments and the methods to be employed for ensuring that such instruments give accurate results, and these matters are addressed in the appropriate Australian Standard or the manufacturers specifications and authenticated under the *National Measurements Act 1980* (Cwlth).

Amendment 50 substitutes the term “driver’s licence” in sections 16A(22)(e), (22AA), (22A), (22C) and (22D) to reflect its application to a “Queensland driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 51 clarifies the legislative link in section 16B(1)(a) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 52 clarifies the legislative link in sections 16B(2) and (4)(c) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 53 substitutes the term “driver’s licence” in sections 16B(3)(i), (4)(b), (5) to (7) to reflect its application to a “Queensland driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 54 substitutes the term “provisional licence” in sections 16B(4)(b)(ii), (7) and (11) to reflect its application to a “restricted licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 55 clarifies the legislative link in section 16B(6) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 56 clarifies the legislative link in section 16B(11) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 57 clarifies the legislative link in section 16B(11) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 58 clarifies the legislative link in section 16C(1) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 59 substitutes the term “driver’s licence” in section 16C(2) to reflect its application to a “Queensland driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 60 substitutes the term “driver’s licence” in sections 20(1) to (1G), (2)(f), (2B) and (2D) to (5C) to reflect its application to a “Queensland driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 61 clarifies the legislative link in sections 20(1), (1A), (1B), (1E), (2)(b), (2E), (2F)(a), (3A)(b), (3C) and (3D) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 62 clarifies the legislative link in sections 20(1)(b), (1F), (1G), (2), (2B), (2D), (2F), (3E) and (3F) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 63 substitutes the first mention of the term “driver’s licence” in section 20(2)(e) with the term “driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 64 substitutes the terms “provisional licence or a learner’s permit” in section 20(2)(e) to reflect its application to a “learner, probationary or provisional licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 65 substitutes the second mention of the term “driver’s licence” in section 20(2)(e) to reflect its application to a “Queensland driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 66 clarifies the legislative link in section 20(4) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 67 clarifies the legislative link in section 20(5A) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 68 substitutes the term “provisional licence” in sections 20A(1), (3A), (4), (5)(a)(i) and (d)(iii), (6)(a), (8), (8A), (9), (10), (10A)(a) and the heading to reflect its application to a “restricted licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 69 substitutes the term “driver’s licence” in sections 20A(1), (2), (3), (3A)(a), (6)(a) and (6A) and (10A)(b) to reflect its application to a “Queensland driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 70 clarifies the legislative link in section 20A(1) and (5)(c) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 71 substitutes the words “driver’s licence that is of the same class as one” in section 20A(4A) with the words “restricted licence that is of the same class as the probationary, provisional or open licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 72 substitutes the first mention of the term “driver’s licence” in section 20A(5)(b) to reflect its application to a “provisional or open licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 73 substitutes the second mention of the term “driver’s licence” in section 20A(5)(b) to reflect its application to a “Queensland driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 74 substitutes the words “an open or provisional licence” in sections 20A(5)(d)(ii), (e) and (f) with the words “a provisional or open licence” to correct a minor drafting inconsistency.

Amendment 75 clarifies the legislative link in section 20A(5)(f) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 76 clarifies the legislative link in section 20A(6A) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 77 substitutes the first mention of the term “driver’s licence” in section 20A(7) to reflect its application to a “restricted licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 78 substitutes the term “driver’s licence in the form of a provisional licence under section 14” in section 20A(7) to reflect its application to a “restricted licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 79 clarifies the legislative link in section 20A(8)(b) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 80 clarifies the legislative link in sections 20A(8)(b) and (10) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 81 substitutes the term “provisional licence” in section 20B(1) and (5) to (7) to reflect its application to a “restricted licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 82 clarifies the legislative link in sections 20B(1), (5) and (6) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 83 clarifies the legislative link in section 20B(5) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 84 substitutes the term “driver’s licence” in section 21(1) and the heading to reflect its application to a “Queensland driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 85 substitutes the term “driver’s licence” in section 22(1) and the heading to reflect its application to a “Queensland driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 86 clarifies the legislative link in section 22(1) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 87 substitutes the term “driver’s licence” in the heading of section 23 to reflect its application to a “Queensland driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 88 substitutes the term “driver’s licence” in section 23 to reflect its application to a “Queensland driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 89 relocates sections 14A to 23 of the *Traffic Act 1949* to chapter 5, part 3 of the *Transport Operations (Road Use Management) Act 1995* and renumbers the sections as sections 77 to 91.

Amendment 90 substitutes the term “driver’s licence” in section 31(8) to reflect its application to a “Queensland driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 91 relocates sections 31 to 34 of the *Traffic Act 1949* to chapter 5, part 4 of the *Transport Operations (Road Use Management) Act 1995* and renumbers the sections as sections 92 to 94.

Amendment 92 omits the words ‘a superintendent (other than a police officer)’ within section 37(5) to remove a minor drafting inconsistency.

Amendment 93 substitutes the term ‘person’ with ‘chief executive’ in section 37(5) to correct a minor drafting inconsistency.

Amendment 94 clarifies a reference to the Act in sections 39(1)(a), (b), (d) and (f) and (2)(c) by replacing the word “Act” with the word “chapter” as the provisions of the *Traffic Act 1949* will become chapter 5 in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 95 clarifies the legislative link in section 39(1A) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 96 substitutes the words “any driver’s licence issued to the person under this Act” in section 39(2)(b) to reflect the application to “the person’s Queensland driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 97 substitutes the term “driver’s licence” in section 39(2)(c) to reflect its application to a “Queensland driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 98 clarifies a section reference in section 39(3)(a) by substituting the reference to “section 14” with the words “this Act” following the transfer of the provisions of the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995*.

Amendment 99 clarifies the legislative link in section 44(6A) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 100 relocates sections 35 and 37 to 44 of the *Traffic Act 1949* to chapter 5, part 5 of the *Transport Operations (Road Use Management) Act 1995* and renumbers the sections as sections 95 to 100.

Amendment 101 clarifies the legislative link in section 44BA(1) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 102 replaces section 44BA(3)(a)(i). This section has been rewritten to reflect current drafting styles and to adopt the national term for a person with disabilities.

Amendment 103 clarifies the legislative link in section 44D(2) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 104 removes reference to the term “standing” in section 44E(1) as this term has not been adopted by the nationally agreed road rules to be adopted by Queensland on 1 December 1999. This amendment does not change the intent of the section.

Amendment 105 removes reference to the term “standing” in the definition of the term “minor traffic offence” in section 44F(4) as this term has not been adopted by the nationally agreed road rules to be adopted by Queensland on 1 December 1999. This amendment does not change the meaning of the defined term.

Amendment 106 clarifies the legislative link in section 44M(2) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 107 replaces the heading for section 44N to reflect current drafting styles and to adopt the national term for a person with disabilities.

Amendment 108 replaces section 44N(1)(a). This section has been rewritten to reflect current drafting styles and to adopt the national term for a person with disabilities.

Amendment 109 replaces section 44N(1)(b). This section has been rewritten to reflect current drafting styles and to adopt the national term for a person with disabilities.

Amendment 110 relocates sections 44A to 44N of the *Traffic Act 1949* to chapter 5, part 6 of the *Transport Operations (Road Use Management) Act 1995* and renumbers the sections as sections 101 to 111.

Amendment 111 relocates section 44O of the *Traffic Act 1949* to chapter 5, part 7, division 1 of the *Transport Operations (Road Use Management) Act 1995* and renumbers the sections as sections 112.

Amendment 112 substitutes the heading for section 44P with—‘Definitions for div 2’.

Amendment 113 removes the reference in the definition of “responsible operator” in section 44P to the repealed *Transport Infrastructure (Roads) Act 1991*.

Amendment 114 clarifies the legislative link in section 44S(1)(a) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 115 clarifies the legislative link in section 44S(1)(a) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 116 clarifies the legislative link in section 44S(1)(c) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 117 clarifies the legislative link in section 44X(3)(c) and (d) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 118 clarifies the legislative link in section 44X(3)(d) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 119 relocates sections 44P to 44X of the *Traffic Act 1949* to chapter 5, part 7, division 2 of the *Transport Operations (Road Use Management) Act 1995* and renumbers the sections as sections 113 to 121.

Amendment 120 substitutes the term “driver’s licence” in section 48(2) to reflect its application to a “Queensland driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 121 substitutes the term “driver’s licences” in section 49(1)(b) and (g) to reflect its application to a “Queensland driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 122 substitutes the term “driver’s licence” in section 49(1)(g) to reflect its application to a “Queensland driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 123 substitutes the term “driver’s licence” in section 49(1)(j) and (r)(i)(D) to reflect its application to a “Queensland driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 124 removes the reference in section 49(1)(l) to the repealed *Motor Vehicles Safety Act 1980*.

Amendment 125 removes the reference in section 49(1)(n)(i) to the repealed *Transport Infrastructure (Roads) Act 1991*.

Amendment 126 clarifies the legislative link in section 49(1)(pf)(i) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 127 clarifies the legislative link in section 49(1)(u) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 128 substitutes the heading for section 51 with the terminology ‘When offences not to be dealt with summarily’.

Amendment 129 omits the redundant section 51(1).

Amendment 130 relocates sections 47 to 51 of the *Traffic Act 1949* to chapter 5, part 8 of the *Transport Operations (Road Use Management) Act 1995* and renumbers the sections as sections 122 to 125.

Amendment 131 omits the redundant section 53(1)(a) to (c).

Amendment 132 substitutes the term “driver’s licence” in sections 55(1) to (3), (5), (8)(a), (10) and (11) to reflect its application to a “Queensland driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 133 substitutes the first mention of the term “driver’s licence” in section 55(6) to reflect its application to a “Queensland driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 134 substitutes the second mention of the term “driver’s licence” in section 55(6) with the term “driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 135 substitutes the term “provisional licence” in section 55(7) and (13) to reflect its application to a “restricted licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 136 clarifies the legislative link in section 55(7) and (13) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 137 substitutes the first mention of the term “driver’s licence” in section 55(12) to reflect its application to a “Queensland driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 138 substitutes the second mention of the term “driver’s licence” in section 55(12) with the term “driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 139 substitutes the term “driver’s licence” in the heading for section 55A to reflect its application to a “Queensland driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 140 substitutes the first mention of the term “driver’s licence” in section 55A to reflect its application to a “Queensland driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 141 clarifies the legislative link in section 55A to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 142 substitutes the second mention of the term “driver’s licence” in section 55A to reflect its application to a “Queensland driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 143 substitutes the words “a learner’s permit referred to in section 14(1) or a driver’s licence applied” in section 55A with the words “a learner licence or a restricted licence applied”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 144 clarifies the legislative link in section 55A to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 145 substitutes the term “any driver’s licence” in section 55A with the term “issue a probationary licence to the person”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 146 substitutes the term “driver’s licence” in section 55B, 56(5) and (6) to reflect its application to a “Queensland driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 147 includes the chief executive in section 56(1)(b)(iii).

Amendment 148 substitutes the term “driver’s licence” in section 57(1C)(a), (2) and (3A) and 57B to reflect its application to a “Queensland driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 149 removes the reference in section 59(b)(i) to the repealed *Transport Infrastructure (Roads) Act 1991*.

Amendment 150 substitutes the term “standing” in section 60(1)(c) and in the example with the new term “stopped” as required by the amendments. This amendment does not change the intent of the section.

Amendment 151 substitutes the term “left standing” in section 60(6) with the new term “stopped” as required by the amendments. This amendment does not change the intent of the section.

Amendment 152 relocates sections 53 to 60 of the *Traffic Act 1949* to chapter 5, part 9 of the *Transport Operations (Road Use Management) Act 1995* and renumbers the sections as sections 126 to 135.

Amendment 153 omits the redundant heading from section 61(4).

Amendment 154 substitutes the words ‘Except as provided by the schedule, clauses 8A, 9 and 11A, the provisions of this Act’ with the words ‘The provisions of this chapter’ following the transfer of provisions into the *Transport Operations (Road Use Management) Act 1995*.

Amendment 155 omits the redundant sections 64(2) and 64(4).

Amendment 156 omits the reference in section 64(3) to subsection (2) owing to the subsection being omitted in amendment 154.

Amendment 157 clarifies the legislative link in section 65(4) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 158 omits the redundant section 67 as it duplicates section 83 of the *Transport Operations (Road Use Management) Act 1995*.

Amendment 159 substitutes the term “driver’s licence” in section 67A(1) to reflect its application to a “Queensland driver licence”. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 160 clarifies the legislative link in section 68 to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 161 relocates sections 61, 63, 64 to 66, 67A, 67B and 68 of the *Traffic Act 1949* to chapter 5, part 9 of the *Transport Operations (Road Use Management) Act 1995* and renumbers the sections as sections 137 to 144.

Amendment 162 inserts the correct commencement date within section 72 in line with current drafting styles.

Amendment 163 clarifies the legislative link in section 72(1)(a) and (b) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 164 relocates section 72 of the *Traffic Act 1949* to chapter 5, part 9 of the *Transport Operations (Road Use Management) Act 1995* and renumbers the sections as section 136.

Amendment 165 clarifies the legislative link in Schedule 2 to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 166 relocates Schedule 2 to Schedule 2 of the *Transport Operations (Road Use Management) Act 1995*.

PART 2—AMENDMENT OF TRANSPORT OPERATIONS (ROAD USE MANAGEMENT) ACT 1995

Amendment 167 amends section 5(1) by substituting the reference to schedule 3 to the renumbered schedule 4.

Amendment 168 clarifies the legislative link in the definition of ‘information offence’ in section 50(1) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 169 omits the heading for Chapter 5, part 1 and inserts new headings for Chapter 5.

Amendment 170 omits the heading for Chapter 5, part 2.

Amendment 171 inserts new heading for section 75—‘Regulating vehicle operations and road rules’.

Amendment 172 omits the heading for Chapter 5, part 3.

Amendment 173 inserts new heading for section 76—‘Regulating vehicle standards’.

Amendment 174 inserts new heading for section 77—‘Regulating identification of vehicles’.

Amendment 175 relocates section 77A and renumbers as section 170.

Amendment 176 omits the heading for Chapter 5, part 4.

Amendment 177 inserts new heading for section 78—‘Regulating driver management’.

Amendment 178 relocates sections 74, 75, and 76 to 78 in chapter 5, part 10 and renumbers as sections 145, 146, and 148 to 150.

Amendment 179 omits the redundant section 79. These matters are addressed in section 77 of the *Transport Operations (Road Use Management) Act 1995*.

Amendment 180 inserts a new heading for chapter 5, part 5—‘CHAPTER 5A—TRANSPORTING DANGEROUS GOODS’.

Amendment 181 clarifies the legislative link in section 79I(4)(a) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 182 clarifies the legislative link in section 79L(1) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 183 renumbers sections 79A to 79L as sections 151 to 162.

Amendment 184 omits the heading for Chapter 5A (as inserted by Act No.66 of 1997).

Amendment 185 relocates section 79M in chapter 5, part 10 and renumbers as section 147.

Amendment 186 renumbers section 79N as section 163.

Amendment 187 renumbers sections 80 to 85 as sections 164 to 171.

Amendment 188 clarifies the legislative link in section 85A to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 189 clarifies the legislative link in section 93A to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 190 renumbers section 85A to 93A as sections 172 to 181.

Amendment 191 clarifies the legislative link in section 97(2) and (3) to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 192 renumbers section 94 to 97 as sections 182 to 185.

Amendment 193 omits the heading for Schedule 1 and inserts a new heading—‘SCHEDULE 1, DISQUALIFYING OFFENCES—APPROVALS’.

Amendment 194 omits Schedule 2 (as in force immediately before the commencement of this amendment).

Amendment 195 omits obsolete definitions from Schedule 3.

Amendment 196 inserts definitions for the terms ‘corresponding law’, ‘MUTCD’ and ‘official traffic sign’ in Schedule 3.

Amendment 197 clarifies the legislative link in the definition of the term ‘approved form’ in Schedule 3 to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 198 clarifies the legislative link in the definition of the term ‘disqualifying offence’ in Schedule 3 to the renumbered provisions which have been relocated in the *Transport Operations (Road Use Management) Act 1995*.

Amendment 199 renumbers paragraphs (a) to (d) in the definition of the term ‘disqualifying offence’ contained in Schedule 3 to paragraphs (a)(i) to (iv).

Amendment 200 establishes a legislative link in paragraph (b) of the definition of the term ‘disqualifying offence’ contained in Schedule 3.

Amendment 201 renumbers Schedules 2A and 3 as Schedules 3 and 4.

PART 3—AMENDMENT OF OTHER ACTS

AGRICULTURAL COLLEGES ACT 1994

Amendment 1 clarifies the legislative link in section 38 to the provisions relating to drivers licences which will be transferred from the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

Amendment 2 replaces the definition and the term ‘driver’s licence’ within section 38(1) with the term ‘driver licence’ and clarifies the definition to be within the meaning of the *Transport Operations (Road Use Management) Act 1995*. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 3 replaces the term ‘driver’s licence’ within section 38(2) with the new term ‘driver licence’. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

AMBULANCE SERVICE ACT 1991

Amendment 1 clarifies the legislative link in section 42(1) to the provisions relating to road rules which will be transferred from the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

BAIL ACT 1980

Amendment 1 clarifies the legislative link in the Schedule following the transfer of functions previously in the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

CENTRAL QUEENSLAND UNIVERSITY ACT 1998

Amendment 1 clarifies the legislative link for the defined terms ‘official traffic sign’ and ‘vehicle’ contained in Schedule 2, to be within the meaning of the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

COLLECTIONS ACT 1966

Amendment 1 clarifies the legislative link for the defined term ‘street’ contained in section 14, to be within the meaning of the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

CORONERS ACT 1958

Amendment 1 clarifies the reference in section 4(1)(e) following the transfer of functions previously in the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

CRIMINAL CODE ACT 1899

Amendment 1 clarifies the legislative link within the definition of the term ‘prescribed offence’ contained in section 328A(5) to the provisions relating to driving etc. whilst under the influence of liquor or drugs or with prescribed concentration of alcohol in blood, which will be transferred from the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* on 1 December 1999.

Amendment 2 replaces the term ‘driver’s licence’ within section 450H with the new term ‘driver licence’. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 3 clarifies the legislative link within section 450H(2) to the provisions relating to drivers licences which will be transferred from the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

DOMESTIC VIOLENCE (FAMILY PROTECTION) ACT 1989

Amendment 1 clarifies the legislative link to the meaning of road in section 6(a) which will be transferred from the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

FIRE AND RESCUE AUTHORITY ACT 1990

Amendment 1 clarifies the legislative link for the defined terms of ‘vehicle’ and ‘vessel’ contained in section 6, to be within meaning of the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

FORESTRY ACT 1959

Amendment 1 clarifies the legislative link for the defined terms of ‘motor vehicle’ and ‘official traffic sign’ contained in section 5, to be within meaning of the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

GRIFFITH UNIVERSITY ACT 1998

Amendment 1 clarifies the legislative link for the defined terms of ‘official traffic sign’ and ‘vehicle’ contained in Schedule 2, to be within meaning of the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

Amendment 2 clarifies the legislative link to replace the reference within the definition of the term ‘owner’ contained in Schedule 2, to the repealed *Transport Infrastructure (Roads) Act 1991* with the *Transport Operations (Road Use Management) Act 1995*.

HEALTH SERVICES ACT 1991

Amendment 1 clarifies the legislative link for the defined terms of ‘official traffic sign’ and ‘vehicle’ contained in section 2, to be within meaning of the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

Amendment 2 removes the reference within the definition of the term ‘owner’ contained in section 2 to the repealed *Transport Infrastructure (Roads) Act 1991* and clarifies the legislative link for this term to be within the meaning of the *Transport Operations (Road Use Management) Act 1995*.

INDY CAR GRAND PRIX ACT 199

Amendment 1 clarifies the legislative link within section 6(5) to the provisions which will be transferred from the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

Amendment 2 removes the reference in section 12(2) to the repealed *Transport Infrastructure (Roads) Act 1991* and clarifies the legislative link to the provisions which will be transferred from the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

Amendment 3 removes the reference in section 12(3) to the repealed *Motor Vehicles Control Act 1975* and clarifies the legislative link to the provisions contained within the *Transport Operations (Road Use Management) Act 1995*.

INTEGRATED RESORT DEVELOPMENT ACT 1987

Amendment 1 clarifies the legislative link within section 97(2) to the provisions which will be transferred from the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

JAMES COOK UNIVERSITY ACT 1997

Amendment 1 clarifies the legislative link for the defined terms of ‘official traffic sign’ and ‘vehicle’ contained in Schedule 2, to be within meaning of the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

Amendment 2 clarifies the legislative link to replace the reference within the definition of the term ‘owner’ contained in Schedule 2, to the repealed *Transport Infrastructure (Roads) Act 1991* with the *Transport Operations (Road Use Management) Act 1995*.

JUSTICES ACT 1886

Amendment 1 clarifies the legislative link for the defined term ‘motor vehicle’ contained in section 23A, to be within meaning of the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999, and clarifies the legislative link contained in section 266(2)(c) to the provisions which will be transferred from the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

Amendment 2 replaces the term ‘driver’s licence’ in section 56(2)(a) with the new term ‘driver licence’. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

JUVENILE JUSTICE ACT 1992

Amendment 1 replaces the definition and the term ‘driver’s licence’ within section 5 with the term ‘driver licence’ and clarifies the definition to be within the meaning of the *Transport Operations (Road Use Management) Act 1995*. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 2 clarifies the legislative reference in the heading of Part 5, division 9, the heading of, and section 193, and sections 194(2) and 194(3)(a) to the provisions which will be transferred from the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

Amendment 3 clarifies the legislative link in section 194(4) to the provisions relating to drivers licences which will be transferred from the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

Amendment 4 clarifies the legislative link in section 194(5) to the provisions relating to drivers licences which will be transferred from the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

LIQUOR ACT 1992

Amendment 1 replaces the term ‘driver’s licence’ within the example for section 231A(1) with the new term ‘driver licence’. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

LOCAL GOVERNMENT (ABORIGINAL LANDS) ACT 1978

Amendment 1 removes the reference in section 39(4)(a) to the repealed *Transport Infrastructure (Roads) Act 1991*.

Amendment 2 clarifies the legislative link in section 39(4)(b) to the provisions being transferred from the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* on 1 December 1999.

LOCAL GOVERNMENT ACT 1993

Amendment 1 clarifies the legislative link in section 901(3) for the purposes of section 901(2)(d) to the provisions which will be transferred from the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

LOCAL GOVERNMENT (CHINATOWN AND THE VALLEY MALLS) ACT 1984

Amendment 1 clarifies the legislative link in section 18(2) to the provisions being transferred from the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* on 1 December 1999.

MENTAL HEALTH ACT 1974

Amendment 1 clarifies the reference in the heading of section 64 to substitute the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

Amendment 2 clarifies the legislative link for the defined term ‘vehicle’ contained in section 64(1), to be within meaning of the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999, and clarifies the legislative link in section 64(2) to the meaning of road which will be transferred from the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

MIXED USE DEVELOPMENT ACT 1993

Amendment 1 clarifies the legislative link in section 153(2) to the provisions being transferred from the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* on 1 December 1999.

PEACEFUL ASSEMBLY ACT 1992

Amendment 1 clarifies the legislative link for the defined term ‘road’ contained in section 4, to be within meaning of the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999

Amendment 2 clarifies the legislative link in section 17 to the provisions being transferred from the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* on 1 December 1999.

PENALTIES AND SENTENCES ACT 1992

Amendment 1 replaces the term ‘driver’s licence’ within the heading for section 187 with the new term ‘driver licence’. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 2 replaces the term ‘driver’s licence’ within section 187(1) with the new term ‘driver licence’. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 3 clarifies the legislative link in section 187(2) to the provisions being transferred from the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* on 1 December 1999.

Amendment 4 replaces the definition and the term ‘driver’s licence’ within section 187(3) with the term ‘driver licence’ and clarifies the definition to be within the meaning of the *Transport Operations (Road Use Management) Act 1995*. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

PLACE NAMES ACT 1994

Amendment 1 clarifies the legislative link in section 4(2) to the meaning of road which will be transferred from the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

QUEENSLAND UNIVERSITY OF TECHNOLOGY ACT 1998

Amendment 1 clarifies the legislative link for the defined terms of ‘official traffic sign’ and ‘vehicle’ contained in Schedule 2, to be within meaning of the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

SECOND-HAND DEALERS AND COLLECTORS ACT 1984

Amendment 1 substitutes paragraph (e) of the defined term ‘second-hand goods’ contained in section 6, with new terminology of ‘car, motorbike and trailer’, and establishes a legislative link to these terms within the meaning of the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999. This amendment is consistent with the nationally agreed road rules and the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

SUPREME COURT OF QUEENSLAND ACT 1991

Amendment 1 clarifies the legislative link in Schedule 2, part 2 to the provisions being transferred from the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* on 1 December 1999.

TOBACCO PRODUCTS (PREVENTION OF SUPPLY TO CHILDREN) ACT 1998

Amendment 1 replaces the term ‘driver’s licence’ within section 6(a) with the new term ‘driver licence’. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

Amendment 2 replaces the term ‘driver’s licence’ within the Schedule with the new term ‘driver licence’. This amendment is consistent with the nationally agreed driver licence scheme to be adopted by Queensland on 1 December 1999.

TOW TRUCK ACT 1973

Amendment 1 removes the reference within the defined term ‘authorised officer’ contained in section 4, to the repealed *Motor Vehicles Safety Act 1980* and the term inspector, and substitutes this reference with the *Transport Operations (Road Use Management) Act 1995* and the new terminology of authorised officer.

Amendment 2 clarifies the legislative link for the defined term ‘road’ in section 4, and in sections 4A and 18(1) to the provisions being transferred from the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* on 1 December 1999.

Amendment 3 clarifies the legislative link for the defined term ‘seized’ in section 4, to the provisions relating to the removal of things from a road which will be transferred from the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

Amendment 4 clarifies the application of section 4A by establishing a legislative link to section 4.

Amendment 5 clarifies the reference in the heading of section 18 to substitute the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

Amendment 6 clarifies the legislative link in section 23(1)(a)(ii)(B) to the provisions relating to agreements between a local government and an occupier of land to be controlled as an off-street regulated parking area, which will be transferred from the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

TRANSPORT INFRASTRUCTURE ACT 1994

Amendment 1 clarifies the legislative link in section 47(6) and the defined term ‘vehicle’ contained in Schedule 3 to the provisions being transferred from the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* on 1 December 1999.

UNIVERSITY OF QUEENSLAND ACT 1998

Amendment 1 clarifies the legislative link for the defined terms of ‘official traffic sign’ and ‘vehicle’ contained in Schedule 2, to be within meaning of the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

Amendment 2 clarifies the legislative link to replace the reference within paragraph (a) of the definition of the term ‘owner’ contained in Schedule 2, to the repealed *Transport Infrastructure (Roads) Act 1991* with the *Transport Operations (Road Use Management) Act 1995*.

UNIVERSITY OF SOUTHERN QUEENSLAND ACT 1998

Amendment 1 clarifies the legislative link for the defined terms of ‘official traffic sign’ and ‘vehicle’ contained in Schedule 2, to be within meaning of the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

Amendment 2 clarifies the legislative link to replace the reference within the definition of the term ‘owner’ contained in Schedule 2, to the repealed *Transport Infrastructure (Roads) Act 1991* with the *Transport Operations (Road Use Management) Act 1995*.

UNIVERSITY OF SUNSHINE COAST ACT 1998

Amendment 1 clarifies the legislative link for the defined terms of ‘official traffic sign’ and ‘vehicle’ contained in Schedule 2, to be within meaning of the *Transport Operations (Road Use Management) Act 1995* from 1 December 1999.

WORKCOVER QUEENSLAND ACT 1996

Amendment 1 clarifies the legislative link within section 38(2)(a) to the provisions relating to driving etc. whilst under the influence of liquor or drugs or with prescribed concentration of alcohol in blood, which will be transferred from the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* on 1 December 1999.

WORKPLACE HEALTH AND SAFETY ACT 1995

Amendment 1 clarifies the legislative link in section 3(2) to the provisions being transferred from the *Traffic Act 1949* to the *Transport Operations (Road Use Management) Act 1995* on 1 December 1999.