

Transport Operations (Road Use Management – Vehicle Registration) Amendment Regulation (No. 2) 2013

Explanatory notes for SL 2013 No. 296

made under the

Transport Operations (Road Use Management) Act 1995

General Outline

Short title

*Transport Operations (Road Use Management – Vehicle Registration) Amendment
Regulation (No. 2) 2013*

Authorising law

Section 171 of the *Transport Operations (Road Use Management) Act 1995*

Policy objectives and the reasons for them

From 1 August 2013, the *Queensland Road Rules* allowed personal mobility devices (PMDs) to be used on road-related areas such as footpaths and bicycle paths. PMDs are currently defined in the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010* and the ‘Segway Personal Transporter’ is currently the only approved PMD listed in schedule 7 of that regulation.

This amendment regulation will allow other makes and models of PMDs to be used in Queensland, which will provide more competition and choice for tourism operators and the public. The amendments will also allow the Segway Personal Transporter to continue to be used.

Achievement of policy objectives

The amendments in this regulation will insert a new definition of “personal mobility device” in the Vehicle Registration regulation which provides that it is a vehicle for 1 person that:

- is designed to be self-balancing while the person is using the vehicle;
- has 2 wheels that operate on a single axis;
- is propelled by an electric motor;
- has a maximum speed of 20km/h;
- has a control that can limit the vehicle’s speed to 12km/h or less;
- has a maximum width of 850mm;
- has a maximum weight of 60kg when not carrying a person or load.

As long as a device meets the definition, it can be used in Queensland without any approval needed from the department. The amendments will also remove the need for the legislation to be amended each time a new device is identified.

All existing safety conditions and restrictions for using PMDs in the *Queensland Road Rules* will continue to apply (for example, wearing an approved helmet, not using a mobile phone and not travelling faster than 12km/h).

Consistency with policy objectives of authorising law

The amendments are consistent with the policy objectives in section 3 of the *Transport Operations (Road Use Management) Act 1995* which include providing for the effective and efficient management of road use in the State and the environmental impact of road use and providing for the effective and efficient management of vehicle use in a public place.

Inconsistency with policy objectives of other legislation

The regulation is consistent with the policy objectives of other legislation.

Benefits and costs of implementation

The amendments will reduce barriers to entry to the Queensland market for tourism operators, importers, distributors and manufacturers of PMDs. This will increase competition in the market, lowering prices and increasing choice for Queensland consumers. The amendments will also remove the need to amend legislation for each new type of device.

There are no costs associated with the amendments.

Consistency with fundamental legislative principles

It is considered that the amendments are consistent with fundamental legislative principles.

Consultation

Consultation on the proposed amendments was undertaken with the Department of the Premier and Cabinet, Queensland Treasury and Trade, the Department of Justice and Attorney-General and the Queensland Police Service. All agencies agree with the proposed changes.

Consultation was also undertaken with commercial operators and distributors of PMDs interested in having other types of PMDs approved for use in Queensland. These parties were generally supportive of the revised approach which will streamline the process of making new devices available in Queensland by removing the need for legislation to be amended for each new type of device.

The Office of Best Practice Regulation was also consulted and advised that the proposal is not likely to have significant adverse impacts and therefore, a Regulatory Impact Statement is not required.