



Queensland

Transport and Other Legislation Amendment Regulation (No. 2) 2022

Subordinate Legislation 2022 No. 41

made under the

Rail Safety National Law (Queensland) Act 2017

State Penalties Enforcement Act 1999

Transport Operations (Road Use Management) Act 1995

Contents

		Page
Part 1	Preliminary	
1	Short title	3
2	Commencement	3
Part 2	Amendment of Rail Safety National Law (Queensland) Regulation 2017	
3	Regulation amended	3
4	Amendment of s 5 (Preliminary breath test—Act, s 15)	3
Part 3	Amendment of State Penalties Enforcement Regulation 2014	
5	Regulation amended	4
6	Amendment of sch 1 (Infringement notice offences and fines for nominated laws)	4
Part 4	Amendment of Transport Legislation (COVID-19 Emergency Response) Regulation 2020	
7	Regulation amended	6
8	Amendment of s 3 (Definitions)	6
9	Omission of pt 4, div 1, hdg (Extension notices)	6
10	Amendment of s 11 (Application of division)	6
11	Amendment of s 12 (References to particular periods for doing things)	6

Contents

12	Omission of pt 4, div 2 (Specific provision)	7
Part 5	Amendment of Transport Operations (Road Use Management— Driver Licensing) Regulation 2021	
13	Regulation amended	7
14	Amendment of s 258 (Additional demerit points for multiple driver seatbelt offences)	7
15	Insertion of new sch 5, ss 7A and 7B	7
	7A Failing to wear seatbelts and comply with seating requirements	7
	7B Drivers failing to ensure passengers comply with seatbelt requirements	8
16	Amendment of sch 5, s 18 (Speeding—13–20km/h over speed limit)	8
17	Replacement of sch 5, s 33 (Failing to wear helmets and seatbelts and comply with seating requirements)	8
18	Omission of sch 5, s 34 (Drivers failing to ensure passengers comply with seatbelt requirements)	8
19	Amendment of sch 5, s 58 (Speeding—less than 13km/h over speed limit)	9

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Transport and Other Legislation Amendment Regulation (No. 2) 2022*.

2 Commencement

- (1) Parts 3 and 5 commence on 1 July 2022.
- (2) Part 4 commences on 1 August 2022.

Part 2 Amendment of Rail Safety National Law (Queensland) Regulation 2017

3 Regulation amended

This part amends the *Rail Safety National Law (Queensland) Regulation 2017*.

4 Amendment of s 5 (Preliminary breath test—Act, s 15)

- (1) Section 5, ‘AS 3547–1997’—
omit, insert—

AS 3547

- (2) Section 5—
insert—

- (2) In this section—

AS 3547 means the Australian Standard as in force from time to time under that designation (regardless of the edition or year of publication of the standard).

[s 5]

Part 3 **Amendment of State Penalties Enforcement Regulation 2014**

5 **Regulation amended**

This part amends the *State Penalties Enforcement Regulation 2014*.

6 **Amendment of sch 1 (Infringement notice offences and fines for nominated laws)**

(1) Schedule 1, entry for *Transport Operations (Road Use Management—Road Rules) Regulation 2009*, entries for sections 20, 56(1), 56(2), 264 and 264A—

omit.

(2) Schedule 1, entry for *Transport Operations (Road Use Management—Road Rules) Regulation 2009*—

insert—

s 20

For a contravention that involves driving over the speed limit by—

(a)	less than 11km/h	Individual	2
		Corporation	10
(b)	at least 11km/h but not more than 20km/h	Individual	3
		Corporation	15
(c)	more than 20km/h but not more than 30km/h	Individual	4½
		Corporation	22½
(d)	more than 30km/h but not more than 40km/h	Individual	7½
		Corporation	37½

	(e) more than 40km/h	Individual	11½
		Corporation	57½
s 56(1)		Individual	4
		Corporation	20
s 56(2)		Individual	4
		Corporation	20
s 264(1)		Individual	7½
		Corporation	37½
s 264A(1)		Individual	7½
		Corporation	37½

- (3) Schedule 1, entry for *Transport Operations (Road Use Management—Road Rules) Regulation 2009*, entries for sections 57(1), 57(2), 59(1), 60, 60A(1), 60A(2), 61(2), 66(1), 66(4), 274, 275, 277, 279(2), 281, 282, 284 and 286(2), column 2, ‘3’—

omit, insert—

4

- (4) Schedule 1, entry for *Transport Operations (Road Use Management—Road Rules) Regulation 2009*, entry for section 265(1), column 2, ‘3’—

omit, insert—

7½

12 Omission of pt 4, div 2 (Specific provision)

Part 4, division 2—

omit.

**Part 5 Amendment of Transport
Operations (Road Use
Management—Driver
Licensing) Regulation 2021**

13 Regulation amended

This part amends the *Transport Operations (Road Use Management—Driver Licensing) Regulation 2021*.

14 Amendment of s 258 (Additional demerit points for multiple driver seatbelt offences)

Section 258(2), ‘Three’—

omit, insert—

Four

15 Insertion of new sch 5, ss 7A and 7B

Schedule 5, after section 7—

insert—

7A Failing to wear seatbelts and comply with seating requirements

The number of demerit points for an offence against the following provisions of the Queensland Road Rules is 4—

(a) section 264(1);

(b) section 265(1).

7B Drivers failing to ensure passengers comply with seatbelt requirements

The number of demerit points for an offence against the Queensland Road Rules, section 264A(1) is 4.

16 Amendment of sch 5, s 18 (Speeding—13–20km/h over speed limit)

(1) Schedule 5, section 18, heading, ‘13–20km/h’—

omit, insert—

11–20km/h

(2) Schedule 5, section 18, ‘13km/h’—

omit, insert—

11km/h

17 Replacement of sch 5, s 33 (Failing to wear helmets and seatbelts and comply with seating requirements)

Schedule 5, section 33—

omit, insert—

33 Failing to wear motorbike helmets

The number of demerit points for an offence against the Queensland Road Rules, section 270(1) or (2) is 3.

18 Omission of sch 5, s 34 (Drivers failing to ensure passengers comply with seatbelt requirements)

Schedule 5, section 34—

omit.

19 Amendment of sch 5, s 58 (Speeding—less than 13km/h over speed limit)

Schedule 5, section 58, ‘13km/h’—

omit, insert—

11km/h

Endnotes

ENDNOTES

- 1 Made by the Governor in Council on 28 April 2022.
- 2 Notified on the Queensland legislation website on 29 April 2022.
- 3 The administering agency is the Department of Transport and Main Roads.

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