



Queensland

Transport and Other Legislation (Road Safety, Technology and Other Matters) Amendment Bill 2020



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2020

A Bill

for

An Act to amend the *Gaming Machine Act 1991*, the *Keno Act 1996*, the *Liquor Act 1992*, the *Photo Identification Card Act 2008*, the *Summary Offences Act 2005*, the *Tobacco and Other Smoking Products Act 1998*, the *Transport Infrastructure Act 1994*, the *Transport Legislation (Road Safety and Other Matters) Amendment Act 2019*, the *Transport Operations (Passenger Transport) Act 1994*, the *Transport Operations (Road Use Management) Act 1995*, the *Transport Planning and Coordination Act 1994* and the *Wine Industry Act 1994* for particular purposes

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1 Short title 3

This Act may be cited as the *Transport and Other Legislation
(Road Safety, Technology and Other Matters) Amendment Act
2020*. 4
5
6

Clause 2 Commencement 7

- (1) The following provisions commence on a day to be fixed by
proclamation— 8
9
- (a) part 10, division 3; 10
 - (b) sections 53 to 60 and section 62, to the extent it inserts
definition *video*. 11
12
- (2) Part 10, division 2, other than section 45(2), commences on
the later of the following— 13
14
- (a) the date of assent of this Act; 15
 - (b) the commencement of the *Road Vehicle Standards Act
2018* (Cwlth), section 15. 16
17
- (3) Schedule 1, part 2 commences on the later of the following— 18
- (a) the date of assent of this Act; 19
 - (b) immediately after the commencement of the
Personalised Transport Ombudsman Act 2019, section
135(2) to the extent it inserts definition *driver
authorisation*. 20
21
22
23

Part 2	Amendment of Gaming Machine Act 1991	1 2
Clause 3	Act amended	3
	This part amends the <i>Gaming Machine Act 1991</i> .	4
Clause 4	Amendment of s 257 (Seizure of document wrongly used as evidence of age)	5 6
	Section 257—	7
	<i>insert—</i>	8
	(3) Subsection (1) does not require a person to seize or confiscate a document stored or displayed on a digital device if—	9 10 11
	(a) the device is used in the contravention of section 255; and	12 13
	(b) in contravening the section a person produced the device to display the following things, or an image or other design purporting to be the thing—	14 15 16 17
	(i) a digital authority;	18
	(ii) a digital evidence of age;	19
	(iii) a digital evidence of identity.	20
Clause 5	Amendment of s 258 (Ascertainment of age)	21
	Section 258(1)—	22
	<i>insert—</i>	23
	<i>Note—</i>	24
	See the <i>Transport Planning and Coordination Act 1994</i> , sections 29AH and 29AI for the use of a digital authority, a digital evidence of age or a digital evidence of identity.	25 26 27 28

Clause 6	Amendment of s 259 (Seizure of material associated with representation of age)	1
		2
	Section 259—	3
	<i>insert—</i>	4
	(2) Nothing in this section authorises an inspector to seize and confiscate a digital device if—	5
		6
	(a) the inspector reasonably believes or suspects the device was used in the commission of the offence mentioned in section 255(2)(a) or (b) or 256(1) or (2); and	7
		8
		9
		10
	(b) in committing the offence the person used the device to display the following things, or an image or other design purporting to be the thing—	11
		12
		13
		14
	(i) a digital authority;	15
	(ii) a digital evidence of age;	16
	(iii) a digital evidence of identity.	17
Clause 7	Amendment of s 329 (General powers of inspectors)	18
	Section 329—	19
	<i>insert—</i>	20
	(13) Nothing in this section authorises an inspector to seize and confiscate a digital device if—	21
		22
	(a) the inspector reasonably believes a person has committed an offence mentioned in section 255 or 256; and	23
		24
		25
	(b) in committing the offence the person used the device to display the following things, or an image or other design purporting to be the thing—	26
		27
		28
		29
	(i) a digital authority;	30
	(ii) a digital evidence of age;	31

	(iii) a digital evidence of identity.	1
Clause 8	Amendment of sch 2 (Dictionary)	2
	Schedule 2—	3
	<i>insert—</i>	4
	<i>digital authority</i> see the <i>Transport Planning and Coordination Act 1994</i> , section 29AC.	5 6
	<i>digital device</i> see the <i>Transport Planning and Coordination Act 1994</i> , section 29AB.	7 8
	<i>digital evidence of age</i> see the <i>Transport Planning and Coordination Act 1994</i> , section 29AD.	9 10 11
	<i>digital evidence of identity</i> see the <i>Transport Planning and Coordination Act 1994</i> , section 29AE.	12 13 14
	Part 3	
	Amendment of Keno Act 1996	15
Clause 9	Act amended	16
	This part amends the <i>Keno Act 1996</i> .	17
Clause 10	Amendment of s 166 (Allowing minors to take part in keno gaming)	18 19
	Section 166(2)—	20
	<i>insert—</i>	21
	<i>Note—</i>	22
	See the <i>Transport Planning and Coordination Act 1994</i> , sections 29AH and 29AI for the use of a digital authority, a digital evidence of age or a digital evidence of identity.	23 24 25 26

Clause 11	Amendment of s 184 (Seizing evidence at keno gaming places)	1
		2
	Section 184—	3
	<i>insert—</i>	4
	(2) Nothing in this section authorises an inspector to seize a digital device if—	5
		6
	(a) the offence is an offence mentioned in section 166(3); and	7
		8
	(b) in committing the offence a person used the device to display the following things, or an image or other design purporting to be the thing—	9
		10
		11
		12
	(i) a digital authority;	13
	(ii) a digital evidence of age;	14
	(iii) a digital evidence of identity.	15
	(3) In this section—	16
	<i>digital authority</i> see the <i>Transport Planning and Coordination Act 1994</i> , section 29AC.	17
		18
	<i>digital device</i> see the <i>Transport Planning and Coordination Act 1994</i> , section 29AB.	19
		20
	<i>digital evidence of age</i> see the <i>Transport Planning and Coordination Act 1994</i> , section 29AD.	21
		22
		23
	<i>digital evidence of identity</i> see the <i>Transport Planning and Coordination Act 1994</i> , section 29AE.	24
		25
		26

Part 4 **Amendment of Liquor Act 1992** 27

Clause 12	Act amended	28
		This part amends the <i>Liquor Act 1992</i> .

Clause 13	Amendment of s 4 (Definitions)	1
	Section 4—	2
	<i>insert—</i>	3
	<i>digital authority</i> see the <i>Transport Planning and Coordination Act 1994</i> , section 29AC.	4
	<i>digital device</i> see the <i>Transport Planning and Coordination Act 1994</i> , section 29AB.	6
	<i>digital evidence of age</i> see the <i>Transport Planning and Coordination Act 1994</i> , section 29AD.	8
	<i>digital evidence of identity</i> see the <i>Transport Planning and Coordination Act 1994</i> , section 29AE.	11
Clause 14	Amendment of s 6 (Acceptable evidence of age)	14
	Section 6—	15
	<i>insert—</i>	16
	(1A) Also, for this Act, acceptable evidence of the age of a person is—	17
	(a) a digital authority that complies with subsection (1)(c) and (d); or	18
	(b) a digital evidence of age; or	19
	(c) a digital evidence of identity.	20
Clause 15	Amendment of s 160 (Seizure of document wrongly used as evidence of age)	23
	Section 160—	24
	<i>insert—</i>	25
	(3) Nothing in this section authorises a person to seize and confiscate a digital device if—	26
		27
		28

	(a) the device is used in the contravention of section 158; and	1 2
	(b) in contravening the section a person used the device to display the following things, or an image or other design purporting to be the thing—	3 4 5 6
	(i) a digital authority;	7
	(ii) a digital evidence of age;	8
	(iii) a digital evidence of identity.	9
Clause 16	Amendment of s 165A (Refusing entry to premises)	10
	Section 165A(1)(d)(i)—	11
	<i>insert—</i>	12
	<i>Note—</i>	13
	See the <i>Transport Planning and Coordination Act 1994</i> , sections 29AH and 29AI for the use of a digital authority, a digital evidence of age or a digital evidence of identity.	14 15 16 17
Clause 17	Amendment of s 167 (Ascertainment of age)	18
	Section 167(1)—	19
	<i>insert—</i>	20
	<i>Note—</i>	21
	See the <i>Transport Planning and Coordination Act 1994</i> , sections 29AH and 29AI for the use of a digital authority, a digital evidence of age or a digital evidence of identity.	22 23 24 25
Clause 18	Amendment of s 173EE (Definitions for pt 6AA)	26
	Section 173EE, definition <i>ID scanner</i> —	27
	<i>omit, insert—</i>	28
	<i>ID scanner</i> means a device capable of	29

	interpreting a photo ID and processing the information—	1 2
	(a) contained in or on the photo ID; or	3
	(b) if the photo ID is displayed on a digital device—accessed by using the digital device to display the photo ID.	4 5 6
Clause 19	Amendment of s 173EH (Scanning obligations of licensees for regulated premises)	7 8
	Section 173EH(6)(a)—	9
	<i>omit, insert—</i>	10
	(a) records the photo and other permitted information—	11 12
	(i) contained in or on the photo ID; or	13
	(ii) if the photo ID is displayed on a digital device—accessed by using the digital device to display the photo ID.	14 15 16
Clause 20	Amendment of s 177 (Entry and search—evidence of offences)	17 18
	(1) Section 177—	19
	<i>insert—</i>	20
	(4A) Nothing in this section authorises an investigator to seize a digital device if—	21 22
	(a) the offence is an offence mentioned in section 158 or 159; and	23 24
	(b) in committing the offence a person used the device to store or display the following things, or an image or other design purporting to be the thing—	25 26 27 28
	(i) a digital authority;	29
	(ii) a digital evidence of age;	30

	(iii) a digital evidence of identity.	1
(2)	Section 177(4A) and (5)—	2
	<i>renumber</i> as section 177(5) and (6).	3
Clause 21	Amendment of s 182 (Requirement to give name, address and age)	4
	Section 182(1)—	5
	<i>insert</i> —	6
	<i>Note</i> —	7
	See the <i>Transport Planning and Coordination Act 1994</i> , sections 29AH and 29AI for the use of a digital authority, a digital evidence of age or a digital evidence of identity.	8
		9
		10
		11
		12
Clause 22	Amendment of s 186 (Seizure of material associated with representation of age)	13
	Section 186—	14
	<i>insert</i> —	15
(2)	Nothing in this section authorises an investigator to seize and confiscate a digital device if—	16
(a)	the investigator reasonably believes the device was used in the commission of the offence; and	17
(b)	that device was used to store or display the following things, or an image or other design purporting to be the thing—	18
(i)	a digital authority;	19
(ii)	a digital evidence of age;	20
(iii)	a digital evidence of identity.	21
		22
		23
		24
		25
		26
		27

Part 5	Amendment of Photo Identification Card Act 2008	1 2
Clause 23	Act amended	3
	This part amends the <i>Photo Identification Card Act 2008</i> .	4
Clause 24	Amendment of s 32 (Chief executive may publish a notice about applications or notifications)	5 6
	Section 32—	7
	<i>insert</i> —	8
	(5) In this section—	9
	<i>department's website</i> means a website, or part of a website—	10 11
	(a) administered by the department; and	12
	(b) with a URL that contains qld.gov.au.	13
Clause 25	Amendment of s 47A (Keeping and using information obtained or kept under this Act or particular transport Acts)	14 15 16
	Section 47A(6)(f)—	17
	<i>omit, insert</i> —	18
	(f) the <i>Transport Planning and Coordination Act 1994</i> ;	19 20
	(g) the <i>Transport Security (Counter-Terrorism) Act 2008</i> .	21 22

Part 6	Amendment of Summary Offences Act 2005	1
		2
Clause 26	Act amended	3
	This part amends the <i>Summary Offences Act 2005</i> .	4
Clause 27	Amendment of s 23B (Sale of spray paint to minors)	5
(1)	Section 23B(5), definition <i>acceptable evidence of age</i> —	6
	<i>omit</i> .	7
(2)	Section 23B(5)—	8
	<i>insert</i> —	9
	<i>acceptable evidence of age</i> , for a person, means—	10
		11
	(a) a document that—	12
	(i) is a driver licence, proof of age card or an Australian or foreign passport; and	13
		14
	(ii) bears a photograph of the person; and	15
	(iii) indicates by reference to the person's date of birth or otherwise that the person has attained a particular age; or	16
		17
		18
	(b) a digital authority that complies with paragraph (a)(ii) and (iii); or	19
		20
	(c) a digital evidence of age; or	21
	(d) a digital evidence of identity.	22
	<i>digital authority</i> see the <i>Transport Planning and Coordination Act 1994</i> , section 29AC.	23
		24
	<i>digital evidence of age</i> see the <i>Transport Planning and Coordination Act 1994</i> , section 29AD.	25
		26
		27
	<i>digital evidence of identity</i> see the <i>Transport</i>	28

	<i>Planning and Coordination Act 1994</i> , section 29AE.	1 2
Part 7	Amendment of Tobacco and Other Smoking Products Act 1998	3 4 5
Clause 28	Act amended	6
	This part amends the <i>Tobacco and Other Smoking Products Act 1998</i> .	7 8
Clause 29	Amendment of s 38 (Power to require name and address)	9
	Section 38(4)—	10
	<i>insert—</i>	11
	<i>Note—</i>	12
	See the <i>Transport Planning and Coordination Act 1994</i> , sections 29AH and 29AI for the use of a digital authority, a digital evidence of age or a digital evidence of identity.	13 14 15 16
Clause 30	Amendment of s 39 (Power to require evidence of age, name and address of person observed being supplied a smoking product)	17 18 19
	Section 39(4)—	20
	<i>insert—</i>	21
	<i>Note—</i>	22
	See the <i>Transport Planning and Coordination Act 1994</i> , sections 29AH and 29AI for the use of a digital authority, a digital evidence of age or a digital evidence of identity.	23 24 25 26

Clause 31	Insertion of new s 40AC	1
	After section 40AB—	2
	<i>insert—</i>	3
	40AC Restriction of seizure powers	4
	(1) Nothing in this division authorises an authorised person to seize a digital device if—	5 6
	(a) the authorised person reasonably believes the device is, or contains, evidence of an offence against this Act; and	7 8 9
	(b) in committing the offence a person used the device to store or display the following things, or an image or other design purporting to be the thing—	10 11 12 13
	(i) a digital authority;	14
	(ii) a digital evidence of age;	15
	(iii) a digital evidence of identity.	16
	(2) In this section—	17
	<i>digital authority</i> see the <i>Transport Planning and Coordination Act 1994</i> , section 29AC.	18 19
	<i>digital device</i> see the <i>Transport Planning and Coordination Act 1994</i> , section 29AB.	20 21
	<i>digital evidence of age</i> see the <i>Transport Planning and Coordination Act 1994</i> , section 29AD.	22 23 24
	<i>digital evidence of identity</i> see the <i>Transport Planning and Coordination Act 1994</i> , section 29AE.	25 26 27

Part 8	Amendment of Transport Infrastructure Act 1994	1 2
Clause 32	Act amended	3
	This part amends the <i>Transport Infrastructure Act 1994</i> .	4
	<i>Note—</i>	5
	See also the amendments in schedule 1, part 1.	6
Clause 33	Amendment of s 35 (Temporary occupation and use of land)	7 8
	(1) Section 35(1), ‘or accommodation works’—	9
	<i>omit, insert—</i>	10
	, accommodation works or land management activities	11 12
	(2) Section 35—	13
	<i>insert—</i>	14
	(4) In this section—	15
	land management activity means an activity, other than accommodation works or road works, relating to road transport infrastructure or proposed road transport infrastructure.	16 17 18 19
	<i>Examples of a land management activity—</i>	20
	surveying flora, managing weeds or other pests, clearing vegetation, monitoring air or water quality or noise levels	21 22 23
Clause 34	Amendment of s 36 (Notice of entry or permission to enter)	24 25
	(1) Section 36(2)(a), ‘and any accommodation works’—	26
	<i>omit, insert—</i>	27
	, accommodation works or land management	28

activities	1
(2) Section 36(2)(e) and (4), after ‘accommodation works’—	2
<i>insert—</i>	3
or land management activities	4
(3) Section 36(5), after ‘road works’—	5
<i>insert—</i>	6
, accommodation works or land management activities	7
	8
(4) Section 36—	9
<i>insert—</i>	10
(7) In this section—	11
<i>land management activity</i> see section 35(4).	12

Clause 35	Amendment of s 240 (Sublease of land to railway managers)	13
		14
(1) Section 240(2)—		15
<i>omit, insert—</i>		16
(2) If the acquired land mentioned in subsection		17
(1)(a) becomes unallocated State land—		18
(a) the Minister administering the <i>Land Act 1994</i> must lease the land to the State under		19
section 17(3) of that Act; and		20
21		21
(b) despite section 372(7)(a) of that Act, any		22
public utility easement over the acquired		23
land continues in the perpetual lease and the		24
sublease mentioned in subsection (4); and		25
(c) despite section 331(2) of that Act, the chief		26
executive may continue a stated registered		27
interest in the acquired land in the perpetual		28
lease and sublease on the same terms as an		29
interest in the acquired land, with the		30
railway manager as sublessee substituted for		31

the owner of the acquired land as a party to the interest.	1 2
(2) Section 240(7C)(b)—	3
<i>omit, insert—</i>	4
(b) despite the <i>Land Act 1994</i> , section 372(5), any public utility easement over the freehold land continues in the rail transport corridor; and	5 6 7 8
(c) despite section 331(2) of that Act, the chief executive may continue a stated registered interest in the freehold land in the perpetual lease and sublease on the same terms as an interest in the freehold land, with the railway manager as sublessee substituted for the owner of the acquired land as a party to the interest.	9 10 11 12 13 14 15 16
(3) Section 240—	17
<i>insert—</i>	18
(7D) The chief executive must give to the holder of an interest in the acquired land extinguished under the <i>Land Act 1994</i> , section 331(2) a written notice stating—	19 20 21 22
(a) that the holder’s interest is extinguished; and	23 24
(b) the date the interest is extinguished; and	25
(c) that the holder has the right to compensation under section 240AAA.	26 27
(4) Section 240(9)—	28
<i>insert—</i>	29
<i>registered interest</i> means—	30
(a) an interest recorded in a register kept under the <i>Land Act 1994</i> , section 276; or	31 32

	(b) a registered interest under the <i>Land Title Act 1994</i> .	1 2
(5)	Section 240(9), definition <i>perpetual lease</i> , ‘subsection (2)’— <i>omit, insert—</i>	3 4
	subsection (3)	5
Clause 36	Insertion of new s 240AAA	6
	After section 240—	7
	<i>insert—</i>	8
	240AAA Compensation for registered interests not continued	9 10
(1)	A person who is given a written notice under section 240(7D) has a right to claim compensation under the <i>Acquisition of Land Act 1967</i> , section 12(5A) and (5B) and part 4 as if the interest were land taken by the State under that Act.	11 12 13 14 15 16
(2)	For applying the <i>Acquisition of Land Act 1967</i> under subsection (1)—	17 18
(a)	the State is the constructing authority; and	19
(b)	for section 24(2A) of that Act, a claimant refers a claim for compensation to the Land Court by filing in the office of the registrar of the court a copy of—	20 21 22 23
(i)	the claim given by the claimant to the State; and	24 25
(ii)	the registration confirmation statement evidencing that the interest is extinguished; and	26 27 28
(c)	the reference in section 24(5) of that Act to the date of the gazette containing the gazette resumption notice taking the land is taken to	29 30 31

	be a reference to the date the interest was extinguished.	1 2
	(3) Other than as stated in this section, a person has no right to compensation for the inclusion of land in the perpetual lease under section 240.	3 4 5
	(4) In this section— <i>registration confirmation statement</i> , for land, means a document issued by the registrar under the <i>Land Title Act 1994</i> showing all registered interests under that Act in the land.	6 7 8 9 10
Clause 37	Amendment of s 302 (Declaration of land as busway land)	11
	Section 302—	12
	<i>insert—</i>	13
	(1A) The Minister may, in a declaration under subsection (1), declare that a stated interest in land declared to be busway land continues in relation to the lease of the land to the State under section 303(4).	14 15 16 17 18
Clause 38	Amendment of s 303 (Effect on land of busway declaration)	19 20
	(1) Section 303—	21
	<i>insert—</i>	22
	(2B) Subsection (2C) applies to the following that is declared under section 302(1) to be busway land—	23 24 25
	(a) unallocated State land;	26
	(b) road or land that becomes unallocated State land under subsection (1), (2) or (2A).	27 28
	(2C) The unallocated State land is free of any interest or obligation other than the interests in the land, if any, continued under section 302(1A).	29 30 31

- (2D) The chief executive must give to the holder of an interest in the unallocated State land not continued under section 302(1A) a written notice stating—
- (a) that the holder’s interest is extinguished; and
 - (b) the date the interest is extinguished; and
 - (c) that the holder has the right to compensation under section 303AAA.
- (2) Section 303(4) and (5)—
- omit, insert—*
- (4) When land is declared to be busway land under section 302(1), the Minister of the department administering the *Land Act 1994*—
- (a) is taken to have leased, under section 17(3) of that Act, the busway land to the State; and
 - (b) must lodge a document evidencing the lease in the leasehold land register.
- (5) The lease is—
- (a) in perpetuity; and
 - (b) if demanded, for a rent of \$1 a year; and
 - (c) subject to the interests in the busway land, if any, continued under section 302(1A) in relation to the lease.
- (3) Section 303—
- insert—*
- (7) If a registered interest is continued under section 302(1A) in relation to the lease, the registrar of titles must record the interest in the leasehold land register against the lease.
- (8) In this section—
- registered interest*** means—

- (a) an interest recorded in a register kept under the *Land Act 1994*, section 276; or
- (b) a registered interest under the *Land Title Act 1994*.

Clause 39 Insertion of new s 303AAA

After section 303—
insert—

303AAA Compensation for registered interests not continued

- (1) A person who is given a written notice under section 303(2D) has a right to claim compensation under the *Acquisition of Land Act 1967*, section 12(5A) and (5B) and part 4 as if the interest were land taken by the State under that Act.
- (2) For applying the *Acquisition of Land Act 1967* under subsection (1)—
 - (a) the State is the constructing authority; and
 - (b) for section 24(2A) of that Act, a claimant refers a claim for compensation to the Land Court by filing in the office of the registrar of the court a copy of—
 - (i) the claim given by the claimant to the State; and
 - (ii) the gazette notice for the declaration; and
 - (c) the reference in section 24(5) of that Act to the date of the gazette containing the gazette resumption notice taking the land is taken to be a reference to the date of the gazette containing the gazette notice for the declaration.
- (3) Other than as stated in this section, a person has

	no right to compensation for the declaration of land as busway land under section 302(1).	1 2
(4)	In this section— <i>registered interest</i> see section 303(8).	3 4
Part 9	Amendment of Transport Legislation (Road Safety and Other Matters) Amendment Act 2019	5 6 7 8
Clause 40	Act amended	9
	This part amends the <i>Transport Legislation (Road Safety and Other Matters) Amendment Act 2019</i> .	10 11
	<i>Editor's note—</i>	12
	Legislation ultimately amended—	13
	• <i>Transport Operations (Road Use Management) Act 1995</i>	14
Clause 41	Amendment of s 94 (Replacement of s 91M (Interlock period))	15 16
(1)	Section 94, inserted section 91M(4)(a), 'a person's'— <i>omit, insert—</i>	17 18
	the person's	19
(2)	Section 94, inserted section 91M(4)(a) and (b)— <i>renumber</i> as section 91M(4)(b) and (c).	20 21
(3)	Section 94, inserted section 91M(4)— <i>insert—</i>	22 23
	(a) section 91F applies to a person mentioned in section 91J(1) or (3); and	24 25

Clause 42	Replacement of s 96 (Amendment of s 91P (Applying for interlock exemption))	1 2
	Section 96—	3
	<i>omit, insert—</i>	4
	96 Amendment of s 91P (Applying for interlock exemption)	5 6
	(1) Section 91P(2), from ‘sooner’—	7
	<i>omit, insert—</i>	8
	sooner than—	9
	(a) 6 weeks before the end of the person’s disqualification period; or	10 11
	(b) if the person is the subject of an order under section 87 in relation to the disqualification—the day the order is made.	12 13 14 15
	(2) Section 91P(3), ‘section 91J(2)’—	16
	<i>omit, insert—</i>	17
	section 91J(3)	18
Part 10	Amendment of Transport Operations (Passenger Transport) Act 1994	19 20 21
Division 1	Preliminary	22
Clause 43	Act amended	23
	This part amends the <i>Transport Operations (Passenger Transport) Act 1994</i> .	24 25
	<i>Note—</i>	26
	See also the amendments in schedule 1, part 2.	27

Division 2	Amendments commencing other than by proclamation	1 2
Clause 44	Amendment of s 153B (Facilitation of proof—general)	3
	(1) Section 153B(1)(b)(viii), after ‘, on’—	4
	<i>insert—</i>	5
	or fitted to	6
	(2) Section 153B(1)(f), after ‘on a compliance plate’—	7
	<i>insert—</i>	8
	, or in the RAV,	9
	(3) Section 153B(3)—	10
	<i>insert—</i>	11
	<i>compliance plate</i> means a plate—	12
	(a) authorised to be placed on a motor vehicle, or taken to have been placed on a motor vehicle, under—	13 14 15
	(i) the repealed <i>Motor Vehicle Standards Act 1989</i> (Cwlth); or	16 17
	(ii) the <i>Road Vehicle Standards (Consequential and Transitional Provisions) Act 2018</i> (Cwlth), schedule 3, part 3, division 1; or	18 19 20 21
	(b) fitted to a motor vehicle under a standard determined under the <i>Road Vehicle Standards Act 2018</i> (Cwlth), section 12.	22 23 24
	RAV means the Register of Approved Vehicles under the <i>Road Vehicle Standards Act 2018</i> (Cwlth).	25 26 27
Clause 45	Amendment of sch 3 (Dictionary)	28
	(1) Schedule 3, definition <i>compliance plate</i> —	29

omit. 1

(2) Schedule 3— 2

insert— 3

department's website means a website, or part of
a website, administered by the department. 4
5

Division 3 **Amendments commencing by** 6
 proclamation 7

Clause 46 **Amendment of s 153B (Facilitation of proof—general)** 8

(1) Section 153B(1)(b)(xi)— 9

omit, insert— 10

(xi) at a particular time, a stated public
passenger vehicle was an approved vehicle
in relation to the use or hire of the vehicle; 11
12
13

(xii) at a particular time, a stated vehicle was a
relevant public passenger vehicle; 14
15

(xiii) at a particular time, a stated amount was the
fare payable for the use or hire of a relevant
public passenger vehicle for a stated
journey; and 16
17
18
19

(2) Section 153B(3), definition *relevant public passenger*
service— 20
21

omit. 22

(3) Section 153B(3)— 23

insert— 24

approved vehicle means an approved vehicle
under— 25
26

(a) a regulation made under section 143AB; or 27

- (b) a regulation made under section 155 about matters relating to fares charged for the use of particular public passenger vehicles. 1
2
3
- relevant public passenger vehicle* means a public passenger vehicle being used to provide a public passenger service under an agreement that— 4
5
6
- (a) is entered into by, or for, the State, the department or the chief executive; and 7
8
- (b) requires the operator of the service to charge fares set or decided by the chief executive. 9
10

Part 11 **Amendment of Transport Operations (Road Use Management) Act 1995** 11
12
13

Clause 47 **Act amended** 14

This part amends the *Transport Operations (Road Use Management) Act 1995*. 15
16

Note— 17

See also the amendments in schedule 1, part 1. 18

Clause 48 **Amendment of s 40 (Power to seize evidence)** 19

Section 40— 20

insert— 21

- (5) Subject to subsection (2), nothing in this section authorises an authorised officer to seize a digital device if— 22
23
24
- (a) the officer reasonably believes a person has committed an offence under section 53(2) or 126(1); and 25
26
27
- (b) in committing the offence a person used the device to store or display the following 28
29

	things, or an image or other design	1
	purporting to be the thing—	2
	(i) a digital authority;	3
	(ii) a digital evidence of age;	4
	(iii) a digital evidence of identity.	5
Clause 49	Amendment of s 40A (Further powers to seize evidence in relation to particular vehicles)	6
	Section 40A—	7
	<i>insert—</i>	8
	(3A) Nothing in this section authorises an authorised officer to seize a digital device if—	9
	(a) the officer reasonably believes a person has committed an offence under section 53(2) or 126(1); and	10
	(b) in committing the offence a person used the device to store or display the following things, or an image or other design purporting to be the thing—	11
	(i) a digital authority;	12
	(ii) a digital evidence of age;	13
	(iii) a digital evidence of identity.	14
Clause 50	Amendment of s 48 (Power to require name and address)	15
	Section 48(4)—	16
	<i>insert—</i>	17
	<i>Note—</i>	18
	See the <i>Transport Planning and Coordination Act 1994</i> , sections 29AH and 29AI for the use of a digital authority, a digital evidence of age or a digital evidence of identity.	19
		20
		21
		22
		23
		24
		25
		26
		27
		28
		29

Clause 51	Amendment of s 48A (Further power to require personal details for exercising power in relation to transport of dangerous goods)	1
	Section 48A(4)—	2
	<i>insert—</i>	3
	Section 48A(4)—	4
	<i>insert—</i>	5
	<i>Note—</i>	6
	See the <i>Transport Planning and Coordination Act 1994</i> , sections 29AH and 29AI for the use of a digital authority, a digital evidence of age or a digital evidence of identity.	7
		8
		9
		10
Clause 52	Amendment of s 80 (Breath and saliva tests, and analysis and laboratory tests)	11
	(1) Section 80(10EA)(c)—	12
	<i>omit, insert—</i>	13
	(c) a notice about the analysis is retained by, or given to, the police officer as mentioned in subsection (15AB)(b)(i) and (ii).	14
		15
		16
		17
	(2) Section 80(15AB)(a) and (b)—	18
	<i>omit, insert—</i>	19
	(a) enter details in a notice, in the approved form, about the analysis; and	20
		21
	(b) either—	22
	(i) if the specimen was analysed by the police officer who made the requisition—retain 1 copy of the notice; or	23
		24
		25
		26
	(ii) otherwise—give 1 copy of the notice to the police officer who made the requisition; and	27
		28
		29
	(c) give a copy of the notice to the person whose saliva has been analysed (or, at the person's request, to another person on the person's behalf).	30
		31
		32
		33

- (3) Section 80(15AC), ‘subsection (15AB)(b)(ii)’— 1
omit, insert— 2
 subsection (15AB)(c) 3
- (4) Section 80(16)(b), from ‘a notice’ to ‘(15AB)(b)(i)’— 4
omit, insert— 5
 a notice is retained by, or given to a police officer 6
 as mentioned in subsection (15AB)(b)(i) and (ii) 7

Clause 53 Amendment of s 84A (Driving of motor vehicles carrying placard loads in tunnels) 8
 9

- (1) Section 84A(3)(c) and (5), ‘image taken’— 10
omit, insert— 11
 image or video made 12
- (2) Section 84A(4), after ‘image’— 13
insert— 14
 or video 15

Clause 54 Amendment of s 113A (Photographic detection device defined) 16
 17

- (1) Section 113A(1), ‘captures an image’— 18
omit, insert— 19
 makes an image or video 20
- (2) Section 113A— 21
insert— 22
- (4) A regulation approving a type of device or system 23
 for subsection (1) may provide information 24
 about— 25
- (a) how an image or video made by the device 26
 or system is accepted as having detected a 27
 prescribed offence; or 28

	(b) how the device or system provides for the deletion of—	1 2
	(i) an image or video that does not detect a prescribed offence; and	3 4
	(ii) any data or information related to that image or video or to the making of that image or video.	5 6 7
Clause 55	Amendment of s 116 (Notice accompanying summons)	8
	Section 116(1)(c)—	9
	<i>omit, insert—</i>	10
	(c) the right to examine an image or video related to the offence under section 118, and the right to challenge or raise particular matters about the offence as mentioned in section 120(7) or (7A).	11 12 13 14 15
Clause 56	Amendment of s 118 (Photographic evidence—inspection)	16 17
	(1) Section 118, heading, after ‘Photographic’—	18
	<i>insert—</i>	19
	or video	20
	(2) Section 118(1) and (2), ‘image from’—	21
	<i>omit, insert—</i>	22
	image or video made by	23
Clause 57	Amendment of s 120 (Evidentiary provisions)	24
	(1) Section 120(2)—	25
	<i>omit, insert—</i>	26
	(2) An image or video produced by the prosecution, complying with subsection (2AA), purporting to	27 28

be an image or video that was properly made by a	1
photographic detection device of a matter	2
happening at a specified location and time is	3
evidence of the following matters—	4
(a) the image or video was made of a matter	5
happening at the specified location and	6
time;	7
(b) the accuracy of the image or video;	8
(c) the things depicted in the image or video;	9
(d) any requirements prescribed by regulation	10
about the operation and testing of a	11
photographic detection device were	12
complied with for the specified device at all	13
material times.	14
(2AA) An image or video mentioned in subsection (2)	15
must include a certification, or be accompanied	16
by a certificate, signed by an official stating that	17
the image or video was properly made by a	18
photographic detection device of a matter	19
happening at a specified location and time.	20
(2) Section 120(3) and (4), after ‘image’—	21
<i>insert—</i>	22
or video	23
(3) Section 120(3), after ‘images’—	24
<i>insert—</i>	25
or videos	26
(4) Section 120(3)(b), ‘taken’—	27
<i>omit, insert—</i>	28
made	29
(5) Section 120(4), ‘on’—	30
<i>omit, insert—</i>	31
associated with	32

(6) Section 120(7)(b), ‘image from’—	1
<i>omit, insert</i> —	2
image or video made by	3
(7) Section 120(7)(c), ‘on an image’—	4
<i>omit, insert</i> —	5
associated with an image or video	6
(8) Section 120(7)—	7
<i>insert</i> —	8
(e) a matter mentioned in section 120D(2)(a), (b) or (c); or	9 10
(f) a matter mentioned in section 120E(2); or	11
(g) the accuracy of a matter stated in a report produced by the prosecution under section 120F;	12 13 14
(9) Section 120—	15
<i>insert</i> —	16
(7A) Also, a defendant who intends, at the hearing of a charge against the defendant under this Act, to raise a matter, prescribed by regulation, relating to an exception, exemption or defence under this Act for a camera-detected offence must give written notice of the matter to the prosecution.	17 18 19 20 21 22
(10) Section 120(8), ‘The notice’—	23
<i>omit, insert</i> —	24
A notice under subsection (7) or (7A)	25
(11) Section 120(8)(b), from ‘subsection (7)(a)’ to ‘subsection (7)(d)’—	26 27
<i>omit, insert</i> —	28
subsection (7) or raise a matter mentioned in subsection (7A)	29 30
(12) Section 120(9), definition <i>on</i> —	31

	<i>omit.</i>	1
(13)	Section 120(9)—	2
	<i>insert—</i>	3
	<i>associated with</i> , in relation to a marking or writing, means—	4 5
	(a) for an image—on, adjacent to, or otherwise associated with the image; or	6 7
	(b) for a video—in or otherwise associated with the video.	8 9
Clause 58	Amendment of s 120C (Application of maximum speed limit if variable speed limit)	10 11
(1)	Section 120C(1)(a), ‘image taken’—	12
	<i>omit, insert—</i>	13
	image or video made	14
(2)	Section 120C(3)(b), example, ‘when the image was taken’—	15
	<i>omit, insert—</i>	16
	depicted in the image or video made	17
Clause 59	Insertion of new ss 120D–120F	18
	After section 120C—	19
	<i>insert—</i>	20
	120D Photographic or video evidence about use of approved seatbelt	21 22
(1)	This section applies to a proceeding for a prescribed offence in which the driver of, or passenger in, a vehicle not wearing an approved seatbelt is relevant if, under section 120, the prosecution intends to rely on an image or video made by a photographic detection device as evidence of the driver or passenger not wearing an approved seatbelt.	23 24 25 26 27 28 29 30

- (2) In the absence of proof to the contrary— 1
- (a) the vehicle depicted in the image or video is 2
taken to be moving but not reversing, or 3
stationary but not parked; and 4
- (b) the vehicle depicted in the image or video is 5
taken to be fitted with an approved seatbelt 6
in the seating position occupied by the 7
driver or passenger; and 8
- (c) if the image or video depicts the driver or 9
passenger not wearing a seatbelt, the driver 10
or passenger is taken not to be wearing an 11
approved seatbelt. 12
- (3) In this section— 13
- approved seatbelt*, in relation to a prescribed 14
offence, has the meaning it has for the prescribed 15
offence. 16

**120E Photographic or video evidence of mobile 17
phone use 18**

- (1) This section applies to a proceeding for a 19
prescribed offence in which the use of a mobile 20
phone by the driver of a vehicle is relevant if, 21
under section 120, the prosecution intends to rely 22
on an image or video made by a photographic 23
detection device as evidence of the driver's use of 24
a mobile phone. 25
- (2) In the absence of proof to the contrary, the vehicle 26
depicted in the image or video is taken to be 27
moving, or stationary but not parked. 28
- (3) In this section— 29
- mobile phone*, for a prescribed offence, has the 30
meaning it has for the prescribed offence. 31
- use*, in relation to a mobile phone, in relation to a 32
prescribed offence, has the meaning it has for the 33
prescribed offence. 34

120F Report about offence detected by photographic detection device	1 2
(1) This section applies to a proceeding for a prescribed offence if, under section 120, the prosecution intends to rely on an image or a series of images, or a video or a series of videos, made by a photographic detection device as evidence of particular elements of the offence.	3 4 5 6 7 8
(2) The prosecution may produce a report complying with this section in the proceeding.	9 10
(3) The report must—	11
(a) be made in the way prescribed by regulation for the photographic detection device; and	12 13
(b) contain only 1 or more of the following—	14
(i) a copy of the image or some or all of the images in the series, or a still image or images taken from the video or some or all of the videos in the series;	15 16 17 18
(ii) a summary of the things depicted in the image or images, or the still image or images from the video or videos;	19 20 21
(iii) for a copy of images in a series or still images of videos in a series—the numbers of the images or videos and the times they were taken, as identified under section 120(3);	22 23 24 25 26
(iv) a matter mentioned in section 120A(4)(a), (b) or (c) or 120B(5)(a), (b), (c), (d) or (e);	27 28 29
(v) a matter prescribed under subsection (4)(b); and	30 31
(c) include a certification, or be accompanied by a certificate, signed by the commissioner stating that the report—	32 33 34

	(i) was properly made in the way prescribed under paragraph (a) for the photographic detection device; and	1 2 3
	(ii) contains only matters mentioned in paragraph (b).	4 5
(4)	If the way prescribed under subsection (3)(a) for a photographic detection device requires or otherwise involves analysis or a determination being made by a person, the regulation must state—	6 7 8 9 10
	(a) the class of appropriately qualified persons who may conduct the analysis or make the determination; and	11 12 13
	(b) the matters about the proper conduct of the analysis or making of the determination that must be stated in a report under this section.	14 15 16
(5)	A report produced under this section is evidence of the following—	17 18
	(a) the things depicted in a copy of an image, or a still image from a video, contained in the report;	19 20 21
	(b) if a copy of an image or still image from a video contained in the report has a marking or writing associated with the image or video—each thing in relation to the image or video that the marking or writing is prescribed to mean under a regulation;	22 23 24 25 26 27
	(c) a matter stated in a summary mentioned in subsection (3)(b)(ii) contained in the report;	28 29
	(d) a matter mentioned in subsection (3)(b)(iii), (iv) or (v) contained in the report.	30 31
Clause 60	Insertion of new ch 7, pt 25	32
	Chapter 7—	33

insert—

**Part 25 Transitional provisions
 for Transport and Other
 Legislation (Road
 Safety, Technology and
 Other Matters)
 Amendment Act 2020**

243 Photographic detection devices

- (1) Chapter 5, part 7, division 2 applies to a video made by a photographic detection device only in relation to an offence committed after the commencement.
- (2) Sections 120D, 120E and 120F apply only in relation to an offence committed after the commencement.

Clause 61 Amendment of sch 1 (Evidence by certificate)

Schedule 1—

insert—

38	a specified digital authority was or was not a specified relevant authority	• the chief executive
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Clause 62 Amendment of sch 4 (Dictionary)

Schedule 4—

insert—

digital authority see the *Transport Planning and Coordination Act 1994*, section 29AC.

<i>digital device</i> see the <i>Transport Planning and Coordination Act 1994</i> , section 29AB.	1 2
<i>digital evidence of age</i> see the <i>Transport Planning and Coordination Act 1994</i> , section 29AD.	3 4
<i>digital evidence of identity</i> see the <i>Transport Planning and Coordination Act 1994</i> , section 29AE.	5 6
<i>made</i> , in relation to a photographic detection device, includes captured.	7 8
<i>relevant authority</i> see the <i>Transport Planning and Coordination Act 1994</i> , section 29AB.	9 10
<i>video</i> means a recording consisting of (or mainly of) sounds, images or data, or any combination of sounds, images or data, made by a device or system.	11 12 13

Part 12	Amendment of Transport Planning and Coordination Act 1994	14 15 16
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Clause 63	Act amended	17
	This part amends the <i>Transport Planning and Coordination Act 1994</i> .	18 19
Clause 64	Amendment of s 28EC (Using a digital photo and digitised signature)	20 21
	Section 28EC(1)(b)—	22
	<i>omit, insert—</i>	23
	(b) to reproduce the person’s digital photo and digitised signature on—	24 25
	(i) a prescribed authorisation document;	26
	or	27
	(ii) a digital authority; or	28

	(iii) a digital evidence of age; or	1
	(iv) a digital evidence of identity.	2
Clause 65	Insertion of new pt 4E	3
	After part 4D—	4
	<i>insert—</i>	5
	Part 4E	6
	Digital authorities,	7
	digital evidence of age	8
	and digital evidence of	9
	identity	
	Division 1	10
	Preliminary	
	29AA Main purposes of part	11
	The main purposes of this part are to—	12
	(a) enable a person to use a digital authority	13
	as—	14
	(i) evidence that the person holds a	15
	particular authority; or	16
	(ii) evidence of the person’s age or	17
	identity; and	18
	(b) enable a person to use a digital evidence of	19
	age as evidence of the person’s age; and	20
	(c) enable a person to use a digital evidence of	21
	identity as evidence of the person’s identity.	22
	29AB Definitions for part	23
	In this part—	24
	<i>authority</i> includes an approval, authorisation,	25
	card, certificate, licence, permit, receipt and	26

qualification.	1
<i>corresponding authority</i> means an authority issued under a corresponding law prescribed by regulation to be a corresponding authority.	2 3 4
<i>corresponding law</i> means a law, of another State or the Commonwealth, that provides for the same, or substantially the same, matters as a relevant Act.	5 6 7 8
<i>digital authority</i> see section 29AC.	9
<i>digital device</i> means a device that can be used to display or store information electronically.	10 11
<i>Examples—</i>	12
computer, smart phone, tablet computer	13
<i>digital evidence of age</i> see section 29AD.	14
<i>digital evidence of identity</i> see section 29AE.	15
<i>issue</i> includes approve, extend, grant and renew.	16
<i>relevant Act</i> means a law of Queensland prescribed by regulation to be a relevant Act.	17 18
<i>relevant authority</i> means—	19
(a) an authority issued under a relevant Act prescribed by a regulation as a relevant authority; and	20 21 22
(b) a corresponding authority prescribed by regulation to be a relevant authority.	23 24

29AC Meaning of *digital authority* 25

A <i>digital authority</i> means—	26
(a) a relevant authority, other than a corresponding authority, that is—	27 28
(i) encoded in a digital form; and	29
(ii) able to be displayed on a digital device using the approved app; or	30 31

- (b) a relevant authority that is a corresponding authority that is—
 - (i) encoded in a digital form; and
 - (ii) able to be displayed on a digital device.

29AD Meaning of *digital evidence of age* 5

- A digital evidence of age*, for a person, means the following information contained in the person's digital authority that can be displayed on a digital device using the approved app other than as a digital authority—
- (a) the person's digital photo;
 - (b) information, by reference to the person's date of birth or otherwise, that indicates the person has attained a particular age.

29AE Meaning of *digital evidence of identity* 15

- A digital evidence of identity*, for a person, means the following information contained in the person's digital authority that can be displayed on a digital device using the approved app other than as a digital authority—
- (a) the person's name;
 - (b) the person's digital photo;
 - (c) the person's date of birth.

29AF Chief executive may approve app 24

- (1) For the purposes of this part, the chief executive may, by notice published on the department's website, approve an app to store and display any of the following things—
 - (a) a digital authority;

(b)	a digital evidence of age;	1
(c)	a digital evidence of identity.	2
(2)	A notice published under subsection (1) must state the following information—	3 4
(a)	the name of the approved app;	5
(b)	a description of the approved app;	6
(c)	the date the approved app was approved for use.	7 8
Division 2	Use of digital authority, digital evidence of age or digital evidence of identity	9 10 11
29AG	Definitions for division	12
	In this division—	13
	<i>access</i> includes—	14
(a)	read; and	15
(b)	copy; and	16
(c)	download; and	17
(d)	photograph; and	18
(e)	scan; and	19
(f)	use an electronic system, or other technology that provides connectivity between digital devices, to do anything mentioned in paragraphs (a) to (e).	20 21 22 23
	<i>authorised officer</i> means—	24
(a)	for a relevant Act, a person authorised under the Act to perform a function or exercise a power in relation to the relevant authority; or	25 26 27 28

(b) a police officer; or	1
(c) another person prescribed by regulation.	2
<i>produce</i> , a relevant authority to an authorised officer or another person, includes—	3 4
(a) give the authority to the officer or other person; and	5 6
(b) display the authority to the officer or other person; and	7 8
(c) make the authority available for inspection by the officer or other person.	9 10
29AH Use of digital authority	11
(1) This section applies if an Act requires or permits a person to produce a relevant authority to another person to evidence—	12 13 14
(a) the person holds the relevant authority; or	15
(b) the information stated in the authority.	16
(2) For the Act, the person is taken to produce the relevant authority if the person displays the digital authority for the relevant authority.	17 18 19
(3) Subsection (2) does not apply if—	20
(a) when the person displays the digital authority, the other person is not able to access the digital authority in a way, or to an extent, that the other person is authorised to access the relevant authority under the Act; or	21 22 23 24 25 26
(b) after being requested by the other person to do so the person does not refresh the digital authority.	27 28 29

29AI Use of digital evidence of age and digital evidence of identity 1
2

(1) This section applies if an Act requires or permits a person to produce a document to another person to evidence— 3
4
5

(a) the person has attained a particular age; or 6

(b) the person’s identity. 7

(2) For the Act, the person is taken to produce the document if the person displays a digital evidence of age or digital evidence of identity that evidences the information stated in the document. 8
9
10
11

Example— 12

A person may use a digital evidence of identity to evidence that the person has attained a particular age. 13
14

(3) Subsection (2) does not apply if— 15

(a) when the person displays the digital evidence of age or digital evidence of identity, the other person is not able to access the digital evidence of age or digital evidence of identity in a way, or to an extent, that the other person is authorised to access the document under the Act; or 16
17
18
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22

(b) after being requested by the other person to do so the person does not refresh the displayed digital evidence of age or displayed digital evidence of identity. 23
24
25
26

Clause 66 Amendment of s 38 (Regulation-making power) 27

Section 38(2)— 28

insert— 29

(d) the administration and use of an approved app, digital authority, digital evidence of age or digital evidence of identity. 30
31
32

Clause 67	Insertion of new pt 7, div 5	1
	Part 7—	2
	<i>insert—</i>	3
	Division 5	4
	Provisions for Transport	5
	and Other Legislation	6
	(Road Safety, Technology	7
	and Other Matters)	8
	Amendment Act 2020	
	47 Transitional regulation-making power	9
	(1) A regulation (a <i>transitional regulation</i>) may	10
	make provision about a matter for which—	11
	(a) it is necessary to make provision to allow or	12
	facilitate the doing of anything to achieve	13
	the transition from the operation of this Act	14
	as it was in force immediately before the	15
	commencement to the operation of this Act	16
	as amended by the <i>Transport and Other</i>	17
	<i>Legislation (Road Safety, Technology and</i>	18
	<i>Other Matters) Amendment Act 2020</i> ; and	19
	(b) this Act does not make provision or	20
	sufficient provision.	21
	(2) A transitional regulation may have retrospective	22
	operation to a day not earlier than the day of	23
	commencement.	24
	(3) A transitional regulation must declare it is a	25
	transitional regulation.	26
	(4) A transitional regulation may only be made within	27
	2 years after the commencement.	28
	(5) This division and any transitional regulation	29
	expire 3 years after the day of commencement.	30

Clause 68	Amendment of sch 1 (Dictionary)	1
(1)	Schedule 1—	2
	<i>insert—</i>	3
	<i>approved app</i> means an app approved under section 29AF.	4
	<i>authority</i> , for part 4E, see section 29AB.	5
	<i>corresponding authority</i> see section 29AB.	6
	<i>corresponding law</i> see section 29AB.	7
	<i>department’s website</i> means a website, or part of a website—	8
	(a) administered by the department; and	9
	(b) with a URL that contains qld.gov.au.	10
	<i>digital authority</i> see section 29AC.	11
	<i>digital device</i> see section 29AB.	12
	<i>digital evidence of age</i> see section 29AD.	13
	<i>digital evidence of identity</i> see section 29AE.	14
	<i>relevant Act</i> see section 29AB.	15
	<i>relevant authority</i> see section 29AB.	16
(2)	Schedule 1, definition <i>prescribed authority</i> , after ‘licence’—	17
	<i>insert—</i>	18
	, digital authority, digital evidence of age, digital	19
	evidence of identity,	20

Part 13	Amendment of Wine Industry Act 1994	21
		22

Clause 69	Act amended	23
	This part amends the <i>Wine Industry Act 1994</i> .	24

Clause 70	Amendment of s 40 (Seizure of document wrongly used as evidence of age)	1
		2
	Section 40—	3
	<i>insert—</i>	4
	(3) Nothing in this section authorises a person to seize a digital device if—	5
		6
	(a) the device is used in the contravention of section 38(2) or (3); and	7
		8
	(b) in contravening the section a person used the device to store or display the following things, or an image or other design purporting to be the thing—	9
		10
		11
		12
	(i) a digital authority;	13
	(ii) a digital evidence of age;	14
	(iii) a digital evidence of identity.	15
	(4) In this section—	16
	<i>digital authority</i> see the <i>Transport Planning and Coordination Act 1994</i> , section 29AC.	17
		18
	<i>digital device</i> see the <i>Transport Planning and Coordination Act 1994</i> , section 29AB.	19
		20
	<i>digital evidence of age</i> see the <i>Transport Planning and Coordination Act 1994</i> , section 29AD.	21
		22
		23
	<i>digital evidence of identity</i> see the <i>Transport Planning and Coordination Act 1994</i> , section 29AE.	24
		25
		26
Clause 71	Amendment of s 41 (Finding out age)	27
	Section 41(1)—	28
	<i>insert—</i>	29

<i>Note—</i>	1
See the <i>Transport Planning and Coordination Act 1994</i> ,	2
sections 29AH and 29AI for the use of a digital	3
authority, a digital evidence of age or a digital evidence	4
of identity.	5

Part 14	Other amendments	6
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Clause 72	Acts amended	7
	Schedule 1 amends the Acts it mentions.	8

Schedule 1	Other amendments	1
	section 72	2
Part 1	Amendments commencing on assent	3 4
	Transport Infrastructure Act 1994	5
1	Section 84C(4)(a), ‘section 17(2)’— <i>omit, insert—</i> section 17(3)	6 7 8
2	Section 105J(4)(a), ‘section 17(2)’— <i>omit, insert—</i> section 17(3)	9 10 11
3	Section 354(5)(a), ‘section 17(2)’— <i>omit, insert—</i> section 17(3)	12 13 14
4	Schedule 6— <i>insert—</i> registered interest— (a) for chapter 7, part 7—see section 239AH; or (b) for chapter 8, part 3C—see section 283I.	15 16 17 18 19

Transport Operations (Road Use Management) Act 1995	1 2
1 Section 171(3)(f), ‘section 61’—	3
<i>omit, insert—</i>	4
section 123S	5
Part 2 Amendments subject to other commencement	6 7
Transport Operations (Passenger Transport) Act 1994	8
1 Schedule 3, definition <i>driver authorisation</i>, second occurrence—	9 10
<i>omit.</i>	11
2 Schedule 3, definition <i>operator accreditation</i>, second occurrence—	12 13
<i>omit.</i>	14