



New South Wales

Road Transport and Other Legislation Amendment (Micromobility Vehicles and Smartcards) Bill 2025

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The objects of this Bill are as follows—

- (a) to amend the *Road Transport Act 2013* to—
 - (i) require operators of micromobility vehicle sharing services to be approved by Transport for NSW and be authorised by the local council or public authority (an **authority**) responsible for each area in which the sharing service operates, and
 - (ii) provide for compliance and enforcement powers in relation to the operation of micromobility vehicle sharing services,
- (b) to clarify that legislation relating to deaths or injuries arising from motor vehicle accidents does not apply to accidents involving micromobility vehicles only,
- (c) to amend the *Passenger Transport Act 1990* and the *Passenger Transport Act 2014* in relation to smartcards, including providing for the forfeiture of funds on dormant smartcards.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Schedule 1 Amendment of Road Transport Act 2013 No 18

Schedule 1[2] inserts proposed Part 5.7, which relates to micromobility vehicle sharing services as follows—

- (a) proposed Division 1—
 - (i) defines certain terms used in the proposed part, including definitions of *area of operations*, *authority*, *micromobility vehicle* and *operates a micromobility vehicle sharing service*, and
 - (ii) creates the following offences, each with a maximum penalty of 500 penalty units—
 - (A) operating a micromobility vehicle sharing service without holding an operator approval,
 - (B) operating a micromobility vehicle sharing service in an authority's area of operations if the holder of an operator approval (an *approved operator*) does not also hold an operating authorisation granted by the authority,
 - (C) making a micromobility vehicle available for hire through a micromobility vehicle sharing service if the vehicle contravenes the requirements of the statutory rules, and
 - (iii) enables the making of statutory rules relating to micromobility vehicle sharing services,
- (b) proposed Division 2—
 - (i) provides for the form of operator approvals, and
 - (ii) provides that operator approvals may be granted or renewed for periods of up to 5 years, and
 - (iii) provides that operator approvals cannot be transferred, and
 - (iv) sets out the processes and requirements for—
 - (A) applying for and granting operator approvals, and
 - (B) renewing operator approvals, including the continuation of approvals that expire before an application for renewal is decided, and
 - (v) enables Transport for NSW to suspend an operator approval on one or more of the following grounds—
 - (A) if Transport for NSW is satisfied the approved operator has contravened a requirement of proposed Part 5.7 or the statutory rules made under the proposed part,
 - (B) the approved operator has been convicted of a second or subsequent offence relating to unattended property under the *Public Spaces (Unattended Property) Act 2021*, Part 6,
 - (C) another ground prescribed by the statutory rules, and
 - (vi) enables Transport for NSW to revoke an operator approval on one or more of the following grounds after a show cause process—
 - (A) the approved operator has been convicted of an offence against proposed Part 5.7,
 - (B) the approved operator has operated a micromobility vehicle sharing service during a period of suspension,
 - (C) the approved operator has not, during a period of suspension, addressed the matters providing grounds for the suspension,
 - (D) the approved operator has given information for proposed Part 5.7 that is false or misleading in a material way,
 - (E) the approved operator has been convicted of a second or subsequent offence relating to unattended property under the *Public Spaces (Unattended Property) Act 2021*, Part 6

- (F) another ground prescribed by the statutory rules, and
- (vii) provides for the automatic suspension or revocation of an operator approval if the holder of the approval is convicted of an offence prescribed by the statutory rules, and
- (viii) enables the holder of an operator approval to surrender the approval, and
- (ix) requires Transport for NSW to keep a public register of operator approvals,
- (c) proposed Division 3—
 - (i) sets out the processes and requirements for applying for and granting operating authorisations, and
 - (ii) enables Transport for NSW to direct an authority to grant an operating authorisation in certain circumstances, and
 - (iii) provides that an authority may impose, vary or revoke conditions on operating authorisations at any time, and
 - (iv) enables the statutory rules to prescribe standard conditions that apply to all operating authorisations, and
 - (v) sets out the effects on an operating authorisation if the approved operator's operator approval is suspended, revoked, surrendered or otherwise ceases to have effect in accordance with proposed Division 2,
- (d) proposed Division 4—
 - (i) enables Transport for NSW and authorities to make orders (**removal orders**) requiring micromobility vehicles to be removed from an area of operations in certain circumstances, and
 - (ii) makes it an offence, with a maximum penalty of 500 penalty units and an additional 50 penalty units for each day the offence continues, to contravene a removal order, and
 - (iii) enables authorities to appoint enforcement officers for proposed Part 5.7, and
 - (iv) enables enforcement officers to take possession of micromobility vehicles in certain circumstances, including if a removal order is not complied with, and
 - (v) enables Transport for NSW or an authority to require persons to give Transport for NSW or the authority specified information in relation to the operation of micromobility vehicle sharing services, and
 - (vi) enables Transport for NSW to require an approved operator to submit micromobility vehicles for inspection and testing.

Schedule 1[1] makes an amendment consequential to the amendment made by Schedule 1[2].

Schedule 1[3] clarifies that a person who is disqualified from holding a driver licence may nonetheless drive a vehicle for which the person is not required to be licensed if the type of vehicle is exempt from registration, for example, an electric scooter.

Schedule 2 Amendment of Motor Accident Injuries Act 2017 No 10

Schedule 2[1] inserts a definition of **micromobility vehicle** for the *Motor Accident Injuries Act 2017* (the *Injuries Act*).

Schedule 2[2] clarifies that the Injuries Act does not apply to a death or injury involving the use or operation of a micromobility vehicle if no motor vehicles other than micromobility vehicles are involved in the accident.

Schedule 2[3] provides that there is no right of action against the Nominal Defendant under the Injuries Act, section 2.29 if the uninsured motor vehicle causing death or injury is a micromobility vehicle.

Schedule 3 Amendment of Motor Accidents (Lifetime Care and Support) Act 2006 No 16

Schedule 3[1] inserts a definition of *micromobility vehicle* for the *Motor Accidents (Lifetime Care and Support) Act 2006*.

Schedule 3[2] clarifies that the *Motor Accidents (Lifetime Care and Support) Act 2006* does not apply to a motor accident injury involving the use or operation of a micromobility vehicle if no motor vehicles other than micromobility vehicles are involved in the accident.

Schedule 4 Amendment of Passenger Transport Act 1990 No 39

Schedule 4 enables the making of regulations to provide for the use of smartcards subject to the terms and conditions published by Transport for NSW under the *Passenger Transport Act 2014*, proposed section 128A, as inserted by Schedule 5[3].

Schedule 5 Amendment of Passenger Transport Act 2014 No 46

Schedule 5[1] and [2] define *smartcard* and *smartcard reader* for the *Passenger Transport Act 2014*. Schedule 5[1] defines both terms by reference to the *Passenger Transport Act 1990* and Schedule 5[2] provides for the continuation of those definitions in the same terms if the latter Act is repealed by the commencement of the *Passenger Transport Act 2014*, section 179.

Schedule 5[3] inserts proposed sections 128A and 128B into the *Passenger Transport Act 2014*. Proposed section 128A provides for Transport for NSW to, by order published in the *Gazette*, determine terms and conditions for the use of smartcards. Proposed section 128B provides that 5 years after a smartcard of a class prescribed by the regulations was last used—

- (a) money held by Transport for NSW for the card is forfeited to the TfNSW Fund established under the *Transport Administration Act 1988*, section 77, and
- (b) the cardholder forfeits the cardholder's entitlements to—
 - (i) travel on public transport using the balance of funds on the card, and
 - (ii) a refund of the cardholder's account balance.

Schedule 5[4] makes an amendment to proposed section 128B to ensure consistency of language if the *Passenger Transport Act 1990* is repealed by the commencement of the *Passenger Transport Act 2014*, section 179.

Schedule 5[5] enables the making of regulations under the *Passenger Transport Act 2014* to provide for the use of a smartcards subject to the terms and conditions published by Transport for NSW under proposed section 128A, as inserted by Schedule 5[3], if the *Passenger Transport Act 1990* is repealed by the commencement of the *Passenger Transport Act 2014*, section 179.

Schedule 5[6] inserts a proposed savings and transitional provision consequent on the commencement of proposed section 128A.

Schedule 6 Amendment of Passenger Transport (General) Regulation 2017

Schedule 6 makes an amendment consequential to the amendments made by Schedules 4 and 5.



New South Wales

Road Transport and Other Legislation Amendment (Micromobility Vehicles and Smartcards) Bill 2025

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This PUBLIC BILL, originated in the LEGISLATIVE ASSEMBLY and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly

Clerk of the Legislative Assembly



New South Wales

Road Transport and Other Legislation Amendment (Micromobility Vehicles and Smartcards) Bill 2025

No , 2025

A Bill for

An Act to amend the *Road Transport Act 2013* to regulate operators of micromobility vehicle sharing services; to make other amendments to support the use of micromobility vehicles; to amend the *Passenger Transport Act 1990* and the *Passenger Transport Act 2014* in relation to smartcards, including the forfeiture of funds on dormant smartcards; and for related purposes.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with/without amendment.

Legislative Council

Clerk of the Parliaments

Tabling copy

The Legislature of New South Wales enacts—	1
1 Name of Act	2
This Act is the <i>Road Transport and Other Legislation Amendment (Micromobility Vehicles and Smartcards) Act 2025</i> .	3 4
2 Commencement	5
This Act commences as follows—	6
(a) for Schedule 1[1], Schedule 1[2] to the extent it inserts Part 5.7 other than section 148ZA, Schedule 4, Schedule 5[1], [3] to the extent it inserts section 128A, [5] and [6] and Schedule 6—on the date of assent to this Act,	7 8 9
(b) otherwise—on a day or days to be appointed by proclamation.	10

Schedule 1 Amendment of Road Transport Act 2013 No 18

[1] Section 4 Definitions

Insert in alphabetical order in section 4(1)—

- applicant*, for Part 5.7—see section 148W.
- approved inspector*, for Part 5.7—see section 148W.
- approved operator*, for Part 5.7—see section 148W.
- area of operations*, for Part 5.7—see section 148W.
- authority*, for Part 5.7—see section 148W.
- convicted*, for Part 5.7—see section 148W.
- enforcement officer*, for Part 5.7—see section 148W.
- micromobility vehicle*, for Part 5.7—see section 148W.
- operates a micromobility vehicle sharing service*, for Part 5.7—see section 148W.
- operating authorisation*, for Part 5.7—see section 148W.
- operator approval*, for Part 5.7—see section 148W.
- operators register*, for Part 5.7—see section 148W.
- relevant authority*, for Part 5.7—see section 148W.
- removal order*, for Part 5.7—see section 148W.
- show cause period*, for Part 5.7—see section 148W.
- unattended property offence*, for Part 5.7—see section 148W.
- vehicle sharing service standards*, for Part 5.7—see section 148W.

[2] Part 5.7

Insert after Part 5.6—

Part 5.7 Micromobility vehicle sharing services

Division 1 Preliminary

148W Definitions

In this part—

applicant—

- (a) for Division 2, Subdivision 2—see section 148ZE, and
- (b) for Division 2, Subdivision 3—see section 148ZH, and
- (c) for Division 3—see section 148ZW.

approved inspector means a person authorised under section 148ZZH(1)(b) to inspect and test micromobility vehicles.

approved operator means a person who holds an operator approval that is in effect under Division 2.

area of operations, for an authority, means the area prescribed by the statutory rules as the area of operations for the authority.

authority means a local council or public authority prescribed by the statutory rules as an authority for a particular place or class of places.

convicted, in relation to an offence, includes a finding that the charge for the offence is proven, or that a person is guilty of an offence, even if the court does not proceed to a conviction.

	enforcement officer means—	1
	(a) for an authority—a person appointed under section 148ZZE to exercise the functions of an enforcement officer under this part, or	2
	(b) for Transport for NSW—an authorised officer appointed under section 166(1).	3
	micromobility vehicle —see section 148X.	4
	operates a micromobility vehicle sharing service —see section 148Y.	5
	operating authorisation means an authorisation granted under section 148ZY(1).	6
	operator approval means an approval granted under section 148ZG(1).	7
	operators register means the register required to be kept by Transport for NSW under section 148ZV.	8
	relevant authority , for an approved operator, means an authority that has granted the operator an operating authorisation.	9
	removal order means an order made under section 148ZZC(1).	10
	show cause period —see section 148ZR(2).	11
	unattended property offence means an offence under the <i>Public Spaces (Unattended Property) Act 2021</i> , Part 6, other than an offence under that Act, section 40.	12
	vehicle sharing service standards —see section 148Z(1).	13
148X	Meaning of “micromobility vehicle”	14
	In this part, a micromobility vehicle means a kind of vehicle—	15
	(a) prescribed by the statutory rules to be a micromobility vehicle, or	16
	(b) approved for this section by Transport for NSW by order published in the Gazette.	17
148Y	Meaning of “operates a micromobility vehicle sharing service”	18
	(1) In this part, a person operates a micromobility vehicle sharing service if—	19
	(a) the person makes a micromobility vehicle available for hire by another person (the hirer) through a wholly or partly automated electronic system, and	20
	(b) at the start of the period of hire, the hirer is to collect the micromobility vehicle from wherever the vehicle is located, and	21
	(c) at the end of the period of hire, the hirer is not required to return the micromobility vehicle to—	22
	(i) the place or premises from which the vehicle was collected at the start of the period of hire, or	23
	(ii) a specific place or premises agreed to at the time the vehicle was hired or collected.	24
	(2) A person operates a micromobility vehicle sharing service in an authority’s area of operations if a micromobility vehicle that is available for hire in accordance with subsection (1) is—	25
	(a) available to be collected by a hirer from a place within the authority’s area of operations at the start of the period of hire, or	26
	(b) able to be returned by a hirer to a place within the authority’s area of operations at the end of the period of hire.	27

	(3)	A person does not operate a micromobility vehicle sharing service in an authority's area of operations because a hirer of a micromobility vehicle uses the vehicle in the authority's area of operations during the period of hire.	1 2 3
148Z		Statutory rules concerning micromobility vehicle sharing services	4
	(1)	The statutory rules may provide for the following—	5
	(a)	standards or requirements relating to operating micromobility vehicle sharing services (<i>vehicle sharing service standards</i>), including standards or requirements relating to the following—	6 7 8
		(i) safety standards for, and the safe use of, micromobility vehicles, including safety equipment requirements,	9 10
		(ii) minimum insurance requirements,	11
		(iii) fleet utilisation and management, including the number and type of vehicles that may be operated as part of a micromobility vehicle sharing service,	12 13 14
		(iv) the ways in which, and times at which, specified information must be given to Transport for NSW by approved operators,	15 16
	(b)	for operator approvals—	17
		(i) appeal or review procedures for decisions concerning operator approvals, and	18 19
		(ii) fees payable in relation to operator approvals,	20
	(c)	for operating authorisations—	21
		(i) the form and conditions of operating authorisations, and	22
		(ii) the grounds, if any, on which operating authorisations may be revoked, and	23 24
		(iii) the circumstances and ways in which operating authorisations may be surrendered, and	25 26
		(iv) appeal or review procedures for decisions concerning operating authorisations, and	27 28
		(v) fees payable in relation to operating authorisations,	29
	(d)	fees payable by an approved operator to Transport for NSW or an authority in connection with the administration of this part and performance of functions under this part.	30 31 32
	(2)	Statutory rules under subsection (1)(b)(ii), (c)(v) and (d) may provide for—	33
		(a) the methods for calculating fees payable, and	34
		(b) the maximum amount of a fee payable.	35
148ZA		Requirements to operate micromobility vehicle sharing services	36
	(1)	A person must not operate a micromobility vehicle sharing service unless the person is an approved operator. Maximum penalty—500 penalty units.	37 38 39
	(2)	An approved operator must not operate a micromobility vehicle sharing service in an authority's area of operations unless the operator holds an operating authorisation granted by the authority. Maximum penalty—500 penalty units.	40 41 42 43
	(3)	An approved operator must not, in operating a micromobility vehicle sharing service, make a micromobility vehicle available for hire unless the vehicle meets the requirements, if any, prescribed by the statutory rules.	44 45 46

Maximum penalty—500 penalty units.	1
Division 2 Operator approvals	2
Subdivision 1 Operator approvals generally	3
148ZB Form of operator approval	4
An operator approval must state—	5
(a) the name of the person to whom the approval is granted, and	6
(b) the expiry date of the approval.	7
148ZC Duration of operator approval	8
(1) Transport for NSW may grant or renew an operator approval for—	9
(a) a period of 5 years, or	10
(b) a shorter period specified in the approval.	11
(2) An operator approval—	12
(a) takes effect on the day stated in the approval, and	13
(b) remains in effect for the period for which the approval has been granted or renewed, unless sooner revoked or surrendered.	14
148ZD Operator approvals cannot be transferred	16
An operator approval cannot be transferred from the approved operator to another person.	17
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148ZE Definition	20
In this subdivision—	21
<i>applicant</i> —see section 148ZF(1).	22
148ZF Applications for operator approvals	23
(1) A person (the <i>applicant</i>) may apply to Transport for NSW for an operator approval.	24
(2) An application must—	26
(a) be in the approved form, and	27
(b) be accompanied by the prescribed fee, if any, and	28
(c) state the name, address and contact details of the applicant, and	29
(d) include evidence demonstrating the applicant will meet vehicle sharing service standards, and	30
(e) include any other information required by Transport for NSW, and	32
(f) be made in accordance with the statutory rules.	33
(3) Transport for NSW may, at any time before deciding the application, require the applicant to, by a specified date, give Transport for NSW further information in relation to the application.	34
(4) If, before the application is decided by Transport for NSW, a change occurs in the information provided in relation to the application, the applicant must immediately notify Transport for NSW of the details of the change.	37

148ZG	Deciding applications for operator approvals	1
(1)	Transport for NSW must decide an application for an operator approval by—	2
(a)	granting the approval, or	3
(b)	refusing to grant the approval.	4
(2)	Despite subsection (1), Transport for NSW may refuse to decide the application if the applicant—	5
(a)	does not comply with a requirement to give information under section 148ZF(3), or	7
(b)	fails to notify Transport for NSW of a change in information under section 148ZF(4).	8
(3)	Transport for NSW must grant the operator approval if satisfied the applicant will meet the vehicle sharing service standards.	9
(4)	Despite subsection (3), Transport for NSW may refuse to grant an operator approval on one or more of the following grounds—	10
(a)	the applicant has been convicted of—	11
(i)	an offence under this part, or	12
(ii)	an unattended property offence,	13
(b)	an operator approval previously held by the applicant has been suspended or revoked,	14
(c)	another ground prescribed by the statutory rules.	15
(5)	As soon as practicable after deciding the application, Transport for NSW must—	16
(a)	if the decision is to grant the approval—issue the applicant with the approval, or	17
(b)	if the decision is to refuse the approval—give the applicant written notice of, and the reasons for, the refusal.	18
(6)	Transport for NSW is taken to have refused to grant the operator approval if Transport for NSW fails to, within 60 days after the application is made—	19
(a)	issue the approval, or	20
(b)	give the applicant notice of a decision to refuse the approval.	21
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Subdivision 3 Applications to renew operator approvals

148ZH Definition

In this subdivision—
applicant—see section 148ZI(1).

148ZI Applications to renew operator approvals

- (1) An approved operator (the *applicant*) may, within 6 months before the expiry of an operator approval held by the applicant, apply to Transport for NSW to renew the approval.
- (2) Transport for NSW may accept an application to renew an operator approval made within 30 days after the expiry of the approval if Transport for NSW is satisfied it is reasonable to accept the application in the circumstances.
- (3) The application must—
 - (a) be in the approved form, and

	(b) be accompanied by the prescribed fee, if any, and	1
	(c) include details of the operator approval to which the application relates, and	2
		3
	(d) include any other information required by Transport for NSW, and	4
	(e) be made in accordance with the statutory rules.	5
(4)	Transport for NSW may, at any time before deciding the application, require the applicant to, by a specified date, give Transport for NSW further information in relation to the application.	6
		7
		8
148ZJ	Deciding applications to renew operator approvals	9
(1)	Transport for NSW must decide an application to renew an operator approval by—	10
		11
	(a) renewing the approval, or	12
	(b) refusing to renew the approval.	13
(2)	Despite subsection (1), Transport for NSW may refuse to decide the application if the applicant does not comply with a requirement to give information under section 148ZI(4).	14
		15
		16
(3)	Transport for NSW must renew the operator approval if satisfied the applicant continues to meet the vehicle sharing service standards.	17
		18
(4)	Despite subsection (3), Transport for NSW may refuse to renew the approval on one or more of the following grounds—	19
		20
	(a) the applicant has been convicted of—	21
	(i) an offence under this part, or	22
	(ii) an unattended property offence,	23
	(b) if—	24
	(i) the operator approval to which the application relates has previously been suspended, or	25
		26
	(ii) an operator approval previously held by the applicant has been suspended or revoked,	27
		28
	(c) another ground prescribed by the statutory rules.	29
(5)	As soon as practicable after deciding the application, Transport for NSW must—	30
		31
	(a) if the decision is to renew the approval—issue the applicant with the renewed operator approval, or	32
		33
	(b) if the decision is to refuse to renew the approval—give the applicant written notice of, and the reasons for, the refusal.	34
		35
148ZK	Continuation of operator approvals subject to renewal applications	36
(1)	This section applies if—	37
	(a) an applicant has applied for the renewal of an operator approval under section 148ZI(1) and Transport for NSW has not decided the application before the expiry of the approval, or	38
		39
		40
	(b) Transport for NSW accepts, under section 148ZI(2), an application for the renewal of an operator approval from an applicant after the expiry of the approval.	41
		42
		43
(2)	Despite section 148ZC(2)(b)—	44

(a)	for an operator approval referred to in subsection (1)(a)—the approval continues in effect from the date of the expiry of the approval until Transport for NSW gives the applicant notice of Transport for NSW’s decision on the application for renewal under section 148ZJ(5), or	1 2 3 4
(b)	for an operator approval referred to in subsection (1)(b)—the approval is taken to have continued in effect from the date of the expiry of the approval and continues in effect until Transport for NSW gives the applicant notice of Transport for NSW’s decision on the application for renewal under section 148ZJ(5).	5 6 7 8 9
Subdivision 4 Suspension of operator approvals		10
148ZL	Suspending operator approvals	11
	Transport for NSW may suspend an operator approval in accordance with this subdivision.	12 13
148ZM	Grounds for suspending operator approvals	14
	Transport for NSW may suspend an operator approval on one or more of the following grounds—	15 16
(a)	if Transport for NSW is satisfied the approved operator has contravened—	17 18
(i)	the vehicle sharing service standards, or	19
(ii)	another requirement of this part or the statutory rules made under this part,	20 21
(b)	the approved operator has been convicted of a second or subsequent unattended property offence,	22 23
(c)	another ground prescribed by the statutory rules.	24
148ZN	Decisions to suspend operator approvals	25
(1)	If Transport for NSW decides to suspend an operator approval, Transport for NSW must—	26 27
(a)	give the approved operator written notice (a <i>suspension notice</i>) stating the following—	28 29
(i)	the date on which the suspension takes effect,	30
(ii)	the period for which the suspension is in effect,	31
(iii)	the reasons for the suspension,	32
(iv)	the measures the operator must take to address the grounds for suspension,	33 34
(v)	any other information prescribed by the statutory rules, and	35
(b)	notify relevant authorities of the suspension, and	36
(c)	publish notice of the suspension on the operators register.	37
(2)	For subsection (1)(a)(i), Transport for NSW may specify a suspension takes effect on the date a suspension notice is given to the operator if satisfied there is, or will be, an imminent or serious risk to public safety if the operator approval is not suspended immediately.	38 39 40 41
(3)	An operator approval is not in effect during the period of a suspension.	42
(4)	The approved operator to whom a suspension notice is issued may, within the period specified in the notice, make written submissions to Transport for NSW—	43 44 45

	(a) including evidence the grounds for suspension have been addressed, and	1 2
	(b) requesting the revocation of the suspension.	3
	(5) Transport for NSW must revoke the suspension if, after considering submissions made under subsection (4), Transport for NSW is satisfied the operator has addressed the grounds for suspension.	4 5 6
148ZO	Automatic suspension of operator approvals	7
	(1) This section applies if an approved operator is convicted of an offence under a law of this State or another jurisdiction prescribed by the statutory rules for this section (an <i>automatic suspension offence</i>).	8 9 10
	(2) The operator approval held by the approved operator is automatically suspended for the period prescribed by the statutory rules for the automatic suspension offence.	11 12 13
	(3) As soon as reasonably practicable after becoming aware of the automatic suspension of an operator approval, Transport for NSW must—	14 15
	(a) give the operator written notice of the suspension, and	16
	(b) notify relevant authorities of the suspension, and	17
	(c) publish notice of the suspension on the operators register.	18
	(4) The statutory rules may prescribe—	19
	(a) different automatic suspension offences for different categories of approved operators, and	20 21
	(b) circumstances in which an offence is or is not an automatic suspension offence.	22 23
	Subdivision 5 Revocation of operator approvals	24
148ZP	Revoking operator approvals	25
	Transport for NSW may revoke an operator approval in accordance with this subdivision.	26 27
148ZQ	Grounds for revoking operator approvals	28
	Transport for NSW may revoke an operator approval on one or more of the following grounds—	29 30
	(a) the approved operator has been convicted of an offence against this part,	31
	(b) the approved operator has operated a micromobility vehicle sharing service during a period of suspension under Subdivision 4,	32 33
	(c) if—	34
	(i) the operator approval has been suspended under Subdivision 4, and	35 36
	(ii) the operator has not, during the suspension period, addressed the grounds for suspension,	37 38
	(d) any information given by the approved operator for this part is false or misleading in a material way,	39 40
	(e) the approved operator has been convicted of a second or subsequent unattended property offence,	41 42
	(f) another ground prescribed by the statutory rules.	43

148ZR	Show cause notice for proposed revocations	1
(1)	If Transport for NSW proposes to revoke an operator approval, Transport for NSW must, before deciding whether to revoke the approval, give the approved operator written notice (a <i>show cause notice</i>) setting out the following—	2
		3
		4
	(a) the details of the proposed revocation,	5
	(b) the grounds for the proposed revocation,	6
	(c) an outline of the facts and circumstances forming the basis for the grounds for the proposed revocation,	7
		8
	(d) any other information prescribed by the statutory rules.	9
(2)	The show cause notice must include a statement that the approved operator may make written submissions to Transport for NSW regarding why the approval should not be revoked within a period stated in the notice, being not less than 14 days after the date the show cause notice is given to the approved operator (the <i>show cause period</i>).	10
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148ZS	Decisions to revoke operator approvals	15
(1)	If, after considering any written submissions made by the approved operator within the show cause period, Transport for NSW is satisfied a ground for revoking the operator approval has been established, Transport for NSW may decide to—	16
		17
		18
		19
	(a) revoke the approval, or	20
	(b) take no further action.	21
(2)	If Transport for NSW decides to revoke the approval, Transport for NSW must—	22
		23
	(a) give the approved operator written notice stating the following—	24
	(i) the date on which the revocation takes effect,	25
	(ii) the reasons for the revocation, and	26
	(b) notify relevant authorities of the revocation, and	27
	(c) publish notice of the revocation on the operators register.	28
148ZT	Automatic revocation of operator approvals	29
(1)	An operator approval is automatically revoked if the approved operator is convicted of an offence under a law of this State or another jurisdiction prescribed by the statutory rules for this section (an <i>automatic revocation offence</i>).	30
		31
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		33
(2)	As soon as reasonably practicable after becoming aware of the automatic revocation of an operator approval, Transport for NSW must—	34
		35
	(a) give the operator written notice of the revocation, and	36
	(b) notify relevant authorities of the revocation, and	37
	(c) publish notice of the revocation on the operators register.	38
(3)	The statutory rules may prescribe—	39
	(a) different automatic revocation offences for different categories of approved operators, and	40
		41
	(b) circumstances in which an offence is or is not an automatic revocation offence.	42
		43

Subdivision 6 Surrender of operator approvals

148ZU Approved operator may surrender operator approval

- (1) An approved operator may, by written notice to Transport for NSW in accordance with the statutory rules, surrender an operator approval to Transport for NSW.
- (2) The surrender of the approval takes effect on—
 - (a) the day the approved operator gives Transport for NSW notice under subsection (1), or
 - (b) if a later day is specified in the notice—the later day.
- (3) As soon as reasonably practicable after the surrender of an approval takes effect, Transport for NSW must—
 - (a) notify relevant authorities of the surrender of the approval, and
 - (b) publish notice of the surrender of the approval on the operators register.

Subdivision 7 Register of operator approvals

148ZV Register of operator approvals

- (1) Transport for NSW must keep a register of operator approvals granted, renewed, revoked or surrendered under this division.
- (2) The register must be made available on a NSW Government website.

Division 3 Operating authorisations

148ZW Definition

In this division—
applicant—see section 148ZX(1).

148ZX Applications for operating authorisations

- (1) An approved operator (the *applicant*) may apply to an authority for an authorisation to operate a micromobility vehicle sharing service in the authority's area of operations.
- (2) The application must—
 - (a) be in the form required by the authority, if any, and
 - (b) be accompanied by the prescribed fee, if any, and
 - (c) state the name, address and contact details of the applicant, and
 - (d) include any other information required by the authority, and
 - (e) be made in accordance with the statutory rules.
- (3) An authority may, at any time before deciding the application, require the applicant to, by a specified date, give the authority further information in relation to the application.
- (4) If, before the application is decided by the authority, a change occurs in the information provided in relation to the application, the applicant must immediately notify the authority of the details of the change.

148ZY Deciding applications for operating authorisations

- (1) An authority must decide an application for an operating authorisation by—

(a)	granting the authorisation, or	1
(b)	refusing to grant the authorisation.	2
(2)	Despite subsection (1), an authority may refuse to decide the application if the applicant—	3
(a)	does not comply with a requirement to give information under section 148ZX(3), or	4
(b)	fails to notify the authority of a change in information under section 148ZX(4).	5
(3)	An authority may refuse to grant an operating authorisation on one or more of the following grounds—	6
(a)	if the authority—	7
(i)	has granted one or more authorisations under this division, and	8
(ii)	is satisfied that, in the authority's area of operations, micromobility vehicles are adequately available to the public,	9
(b)	information given by the applicant for this Act or the statutory rules is false or misleading in a material way,	10
(c)	another ground determined by the authority.	11
(4)	As soon as practicable after deciding the application, the authority must—	12
(a)	if the decision is to grant the authorisation—issue the applicant with the authorisation, or	13
(b)	if the decision is to refuse the authorisation—give the applicant written notice of, and the reasons for, the refusal.	14
(5)	An operating authorisation may be issued subject to conditions or unconditionally.	15
(6)	An operating authorisation—	16
(a)	is, subject to this part, in effect for the period specified in the authorisation, and	17
(b)	cannot be transferred from the holder of the authorisation to another person.	18
(7)	For subsection (6)(a), the period specified must not extend beyond the expiry date stated in the applicant's operator approval.	19
(8)	An authority is taken to have refused to grant the operating authorisation if the authority fails to, within 60 days after the application is made—	20
(a)	issue the authorisation, or	21
(b)	give the applicant notice of a decision to refuse the authorisation.	22
148ZZ	TfNSW may direct authority to grant operating authorisation	23
(1)	This section applies if—	24
(a)	an applicant has applied to an authority for an operating authorisation, and	25
(b)	the authority has refused, or is taken to have refused, to grant the operating authorisation under section 148ZY(1)(b) or (8).	26
(2)	The applicant may apply to Transport for NSW, in an approved form, for a review of the authority's refusal to grant the operating authorisation.	27
(3)	Transport for NSW may decide the application by—	28

	(a) affirming the authority's decision, or	1
	(b) directing the authority to grant an operating authorisation to the applicant.	2 3
(4)	In deciding an application under this section, Transport for NSW must consider the following—	4 5
	(a) the impact of the authority's refusal on continuity of service for users of the micromobility vehicle sharing service operated by the applicant,	6 7
	(b) demand for shared micromobility vehicles within the authority's area of operations,	8 9
	(c) whether, and how many, approved operators operate a micromobility vehicle sharing service within the authority's area of operations,	10 11
	(d) the authority's reasons for refusing to grant an operating authorisation.	12
(5)	As soon as practicable after deciding the application, Transport for NSW must—	13 14
	(a) if the decision is to affirm the authority's decision—give the applicant written notice of, and the reasons for, the decision, or	15 16
	(b) if the decision is to direct the authority to grant an authorisation—	17
	(i) issue the direction to the authority, and	18
	(ii) give the applicant written notice of the decision.	19
(6)	An authority to whom a direction is given under subsection (3)(b) must, as soon as practicable, comply with the direction.	20 21
148ZZA	Operating authorisation conditions	22
(1)	The statutory rules may impose conditions on operating authorisations (<i>standard conditions</i>).	23 24
(2)	An authority may, at any time, by written notice to the holder of an operating authorisation issued by the authority—	25 26
	(a) impose a condition on the authorisation (an <i>operator condition</i>), or	27
	(b) vary or revoke an operator condition.	28
(3)	Without limiting subsection (2), operator conditions may be imposed in relation to the following—	29 30
	(a) places within the authority's area of operations where micromobility vehicles must not be—	31 32
	(i) used, or	33
	(ii) available to be collected, or	34
	(iii) able to be returned,	35
	(b) the number of micromobility vehicles an approved operator may make available for hire within the authority's area of operations,	36 37
	(c) places within the authority's area of operations where micromobility vehicle speeds must be limited.	38 39
(4)	To the extent of any inconsistency, a standard condition prevails over an operator condition.	40 41
148ZZB	Effect of suspension or revocation of operator approval on operating authorisation	42 43
(1)	This section applies if an approved operator's operator approval is suspended, revoked, surrendered or otherwise ceases to have effect under Division 2.	44 45

- (2) Each operating authorisation held by the approved operator is—
 - (a) if the operator approval is suspended—suspended for the duration of the suspension of the approval, and
 - (b) if the operator approval is revoked, surrendered or otherwise ceases to have effect—taken to be revoked by the authority that granted the authorisation on and from the date the approval is revoked, surrendered or otherwise ceases to have effect.

Division 4 Compliance and enforcement

148ZZC Removal orders

- (1) Transport for NSW or an authority may make an order (a **removal order**) requiring a person to remove one or more micromobility vehicles from an authority's area of operations.
- (2) Transport for NSW must not make a removal order against a person unless satisfied—
 - (a) if the person is an approved operator—the person has contravened section 148ZA(2) or (3), or
 - (b) otherwise—the person has contravened section 148ZA(1).
- (3) An authority must not make a removal order against a person unless—
 - (a) the order relates to the authority's area of operations, and
 - (b) the authority is satisfied—
 - (i) if the person is an approved operator—the person has contravened section 148ZA(2) or (3), or
 - (ii) otherwise—the person has contravened section 148ZA(1).
- (4) A removal order takes effect when written notice of the order is given to the person against whom the order is made.
- (5) The removal order must include the following—
 - (a) the name of the person against whom the order is made,
 - (b) the area of operations to which the order relates,
 - (c) a description of the micromobility vehicles the person must remove,
 - (d) the date by which the person must remove the micromobility vehicles,
 - (e) any other details prescribed by the statutory rules.

148ZZD Offence of failing to comply with removal order

- (1) A person must not, without reasonable excuse, contravene a removal order made against the person.
Maximum penalty—
 - (a) 500 penalty units, and
 - (b) for a continuing offence—a further 50 penalty units for each day the offence continues.
- (2) A person who is guilty of an offence against subsection (1)—
 - (a) continues, until the requirement is complied with and despite the fact a specified period has expired or time has passed, to be liable to comply with the requirement, and

	(b) is guilty of a continuing offence for each day the contravention continues.	1 2
	(3) If an enforcement officer takes possession of a micromobility vehicle to which a removal order relates, the person is not guilty of a continuing offence in relation to the micromobility vehicle for each day after the enforcement officer takes possession of the vehicle.	3 4 5 6
148ZZE	Enforcement officers	7
	An authority may appoint persons to exercise the functions of an enforcement officer under this part in the authority's area of operations.	8 9
148ZZF	Enforcement officers may take possession of certain micromobility vehicles	10
	(1) An enforcement officer may take possession of a micromobility vehicle if—	11
	(a) a removal order has been made in relation to the vehicle, and	12
	(b) the date specified under section 148ZZC(5)(d) has passed, and	13
	(c) the order has not been complied with.	14
	(2) Transport for NSW or an authority may direct an enforcement officer to take possession of a micromobility vehicle if Transport for NSW or the authority is satisfied—	15 16 17
	(a) the person responsible for the vehicle cannot be identified, and	18
	(b) a removal order could be made in relation to the vehicle under section 148ZZC(2)(b) or (3)(b)(ii) if the person responsible for the vehicle were identified.	19 20 21
	(3) An enforcement officer may take possession of a micromobility vehicle if directed to do so under subsection (2).	22 23
	(4) The <i>Public Spaces (Unattended Property) Act 2021</i> , section 26 and Part 4 apply to a micromobility vehicle of which an enforcement officer takes possession under this section in the same way as those provisions apply to a class 2 item within the meaning of that Act.	24 25 26 27
	(5) For subsection (4), a reference in the <i>Public Spaces (Unattended Property) Act 2021</i> —	28 29
	(a) to an authorised officer is taken to be a reference to an enforcement officer, and	30 31
	(b) to an authority is taken to be a reference to Transport for NSW or an authority within the meaning of this part.	32 33
148ZZG	Powers to require information	34
	(1) Transport for NSW may, by written notice to a person, require the person to give Transport for NSW specified information relating to the operation of micromobility vehicle sharing services.	35 36 37
	(2) An authority may, by written notice to a person, require the person to give the authority specified information relating to the operation of micromobility vehicle sharing services in the authority's area of operations.	38 39 40
	(3) A notice may only require information to be given if the information is reasonably required to assist Transport for NSW or an authority in the exercise of a function under this part.	41 42 43
	(4) A notice must specify—	44
	(a) the way in which the information must be given, and	45

	(b) a reasonable time within which the information must be given.	1
(5)	A person to whom information is given under this section may take copies of the information.	2 3
(6)	A person must not, without reasonable excuse, contravene a notice given to the person under this section.	4 5
	Maximum penalty—	6
	(a) for an individual—500 penalty units, or	7
	(b) otherwise—1,000 penalty units.	8
(7)	In this section—	9
	information includes documents.	10
148ZZH	Power to inspect and test micromobility vehicles	11
(1)	Transport for NSW may, by written notice to an approved operator, require the operator to submit one or more micromobility vehicles for inspection and testing to—	12 13 14
	(a) Transport for NSW, or	15
	(b) persons authorised by Transport for NSW to carry out inspections (approved inspectors).	16 17
(2)	A notice may be imposed in relation to—	18
	(a) a vehicle the operator has made available for hire, or	19
	(b) a vehicle the operator, by written notice to Transport for NSW, proposes to make available for hire.	20 21
(3)	The notice must specify the following—	22
	(a) a description of the vehicles that must be submitted,	23
	(b) by when and to whom the vehicles must be submitted.	24
(4)	The statutory rules may provide for the following—	25
	(a) the qualifications and appointment of approved inspectors,	26
	(b) the certification of vehicles inspected and tested under this section.	27
(5)	A person must not, without reasonable excuse, contravene a notice given to the person under this section.	28 29
	Maximum penalty— 20 penalty units.	30
[3]	Section 207 Effect of disqualification	31
	Insert after section 207(4)—	32
(4A)	To avoid doubt, a person who is disqualified from holding a driver licence is exempt from section 54(1)(a) in relation to driving a motor vehicle if—	33 34
	(a) the person is not required to be licensed for driving a motor vehicle of that kind, and	35 36
	(b) the motor vehicle is exempt from registration.	37
	Example— riding an electric scooter within the meaning of the <i>Road Rules 2014</i>	38

Schedule 2	Amendment of Motor Accident Injuries Act 2017	1
	No 10	2
[1] Section 1.4 Definitions		3
Insert in alphabetical order in section 1.4(1)—		4
<i>micromobility vehicle</i> means—		5
(a) an electric scooter within the meaning of the <i>Road Rules 2014</i> that is exempt from registration, or		6
(b) another kind of vehicle prescribed by the regulations.		7
[2] Section 1.10 Restrictions on application of Act—accident must be insured or work accident		8
Insert after section 1.10(1)—		9
(1A) To avoid doubt, this Act does not apply in respect of the death of or injury to a person involving the use or operation of a micromobility vehicle if—		10
(a) there are no other motor vehicles involved in the accident or incident, or		11
(b) there are other motor vehicles involved in the accident or incident and all the vehicles are micromobility vehicles.		12
[3] Section 2.29 Claim against Nominal Defendant where vehicle not insured		13
Insert after section 2.29(5)(a)—		14
(a1) if the motor vehicle is a micromobility vehicle, or		15

Schedule 3	Amendment of Motor Accidents (Lifetime Care and Support) Act 2006 No 16	1
		2
[1] Section 3 Definitions		3
Insert in alphabetical order in section 3(1)—		4
<i>micromobility vehicle</i> means—		5
(a) an electric scooter within the meaning of the <i>Road Rules 2014</i> that is exempt from registration, or		6
(b) another kind of vehicle prescribed by the regulations.		7
[2] Section 4 Application of Act		8
Insert after section 4(3)—		9
(3A) To avoid doubt, this Act does not apply in respect of a motor accident injury involving the use or operation of a micromobility vehicle if—		10
(a) there are no other motor vehicles involved in the accident, or		11
(b) there are other motor vehicles involved in the accident and all the vehicles are micromobility vehicles.		12
		13
		14
		15

Schedule 4 Amendment of Passenger Transport Act 1990 No 39

Section 63 Regulations

Insert “including providing that the use of a smartcard is subject to the terms and conditions for smartcards published under the *Passenger Transport Act 2014*, section 128A,” after “subject,” in section 63(2)(jj).

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Schedule 5 Amendment of Passenger Transport Act 2014 No 46

[1] Section 4 Definitions

Insert in alphabetical order in section 4(1)—

smartcard has the same meaning as in the *Passenger Transport Act 1990*.

smartcard reader has the same meaning as in the *Passenger Transport Act 1990*.

[2] Section 4(1)

Omit the definitions of *smartcard* and *smartcard reader*. Insert in alphabetical order—

smartcard means an authority to travel on a public passenger service of a type prescribed by the regulations.

smartcard reader means a device of a type prescribed by the regulations that is designed to enable the reading of information recorded on a smartcard.

[3] Sections 128A and 128B

Insert after section 128—

128A Smartcard terms and conditions

- (1) TfNSW may, by order published in the Gazette, determine terms and conditions for the use of smartcards.
- (2) Without limiting subsection (1), an order published under subsection (1) may make provision for terms and conditions relating to the following—
 - (a) payments for, and the use of, smartcards as an authority to travel,
 - (b) the validity, cancellation, registration and expiry of smartcards,
 - (c) the transfer, refund and forfeiture of smartcard balances,
 - (d) requiring proof of use of, and proof of entitlement to use, smartcards,
 - (e) exculpating TfNSW from liability, or otherwise limiting the liability of TfNSW, in connection with the use of smartcards.
- (3) An order published under subsection (1) may—
 - (a) apply generally or be limited in its application by reference to specified exceptions or factors, and
 - (b) apply differently according to different factors of a specified kind.

128B Unclaimed balances on smartcards issued by TfNSW

- (1) This section applies to an amount of money held by TfNSW for which a corresponding amount (an *account balance*) is recorded electronically on a dormant smartcard belonging to a class prescribed by the regulations.
- (2) On the day that is 5 years after a prescribed dormant smartcard was last used—
 - (a) the amount of money is forfeited to the TfNSW Fund established under the *Transport Administration Act 1988*, section 77, and
 - (b) the cardholder forfeits—
 - (i) the account balance, including the cardholder's entitlement to travel on public passenger vehicles or trains using the account balance, and
 - (ii) the cardholder's entitlement to a refund of the account balance.

(3)	To avoid doubt, this section applies to a prescribed dormant smartcard—	1
(a)	whether the smartcard was last used before or after the commencement of this section, and	2
		3
(b)	despite any provision of the terms and conditions applicable to the smartcard, when the smartcard was last used, in or under—	4
	(i) regulations under the <i>Passenger Transport Act 1990</i> , or	5
	(ii) an order published under section 128A.	6
		7
(4)	In this section—	8
	<i>dormant smartcard</i> means a smartcard—	9
(a)	issued by or on behalf of TfNSW, whether before or after the commencement of this section, and	10
		11
(b)	that has not been used within the previous 5 years.	12
	<i>used</i> , in relation to a smartcard, means scanned at a smartcard reader.	13
[4]	Section 128B Unclaimed balances on smartcards issued by TfNSW	14
	Omit “public passenger vehicles or trains” from section 128B(2)(b)(i).	15
	Insert instead “public passenger services”.	16
[5]	Schedule 2 Regulation-making powers	17
	Insert “including providing that the use of a smartcard is subject to the terms and conditions for smartcards published under section 128A,” after “public passenger service,” in clause 4(2)(g).	18
		19
		20
[6]	Schedule 3 Savings, transitional and other provisions	21
	Insert at the end of the schedule, with appropriate part and clause numbering—	22
Part	Provision consequent on enactment of Road Transport and Other Legislation Amendment (Micromobility Vehicles and Smartcards) Act 2025	23
		24
		25
	Existing terms and conditions for smartcards	26
	The document titled <i>Publication of terms and conditions</i> , published in Government Gazette No 370 of 23 September 2024, is taken, on the commencement of section 128A, to be an order published under section 128A(1).	27
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		30

Schedule 6	Amendment of Passenger Transport (General)	1
	Regulation 2017	2
	Clause 76 Valid smartcards	3
	Omit “in the Gazette” from clause 76(1)(b).	4
	Insert instead “under the <i>Passenger Transport Act 2014</i> , section 128A”.	5