



New South Wales

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

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I certify that this public bill, which originated in the Legislative Assembly, has finally passed the Legislative Council and the Legislative Assembly of New South Wales.

*Clerk of the Legislative Assembly.
Legislative Assembly,
Sydney,*

, 2025



New South Wales

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

Act No , 2025

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.

I have examined this bill and find it to correspond in all respects with the bill as finally passed by both Houses.

Assistant Speaker of the Legislative Assembly.

The Legislature of New South Wales enacts—

1 Name of Act

This Act is the *Road Transport and Other Legislation Amendment (Micromobility Vehicles and Smartcards) Act 2025*.

2 Commencement

This Act commences as follows—

- (a) for Schedule 1[1], Schedule 1[2] to the extent it inserts Part 5.7 other than section 148ZA, Schedule 1[4], 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,
- (b) otherwise—on a day or days to be appointed by proclamation.

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—

- (a) for an authority—a person appointed under section 148ZZE to exercise the functions of an enforcement officer under this part, or
- (b) for Transport for NSW—an authorised officer appointed under section 166(1).

micromobility vehicle—see section 148X.

operates a micromobility vehicle sharing service—see section 148Y.

operating authorisation means an authorisation granted under section 148ZY(1).

operator approval means an approval granted under section 148ZG(1).

operators register means the register required to be kept by Transport for NSW under section 148ZV.

relevant authority, for an approved operator, means an authority that has granted the operator an operating authorisation.

removal order means an order made under section 148ZZC(1).

show cause period—see section 148ZR(2).

unattended property offence means an offence under the *Public Spaces (Unattended Property) Act 2021*, Part 6, other than an offence under that Act, section 40.

vehicle sharing service standards—see section 148Z(1).

148X Meaning of “micromobility vehicle”

In this part, a **micromobility vehicle** means a kind of vehicle—

- (a) prescribed by the statutory rules to be a micromobility vehicle, or
- (b) approved for this section by Transport for NSW by order published in the Gazette.

148Y Meaning of “operates a micromobility vehicle sharing service”

- (1) In this part, a person **operates a micromobility vehicle sharing service** if—
 - (a) the person makes a micromobility vehicle available for hire by another person (the **hirer**) through a wholly or partly automated electronic system, and
 - (b) at the start of the period of hire, the hirer is to collect the micromobility vehicle from wherever the vehicle is located, and
 - (c) at the end of the period of hire, the hirer is not required to return the micromobility vehicle to—
 - (i) the place or premises from which the vehicle was collected at the start of the period of hire, or
 - (ii) a specific place or premises agreed to at the time the vehicle was hired or collected.
- (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—
 - (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
 - (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.

- (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.

148Z Statutory rules concerning micromobility vehicle sharing services

- (1) The statutory rules may provide for the following—
- (a) standards or requirements relating to operating micromobility vehicle sharing services (*vehicle sharing service standards*), including standards or requirements relating to the following—
 - (i) safety standards for, and the safe use of, micromobility vehicles, including safety equipment requirements,
 - (ii) minimum insurance requirements,
 - (iii) fleet utilisation and management, including the number and type of vehicles that may be operated as part of a micromobility vehicle sharing service,
 - (iv) the ways in which, and times at which, specified information must be given to Transport for NSW by approved operators,
 - (b) for operator approvals—
 - (i) appeal or review procedures for decisions concerning operator approvals, and
 - (ii) fees payable in relation to operator approvals,
 - (c) for operating authorisations—
 - (i) the form and conditions of operating authorisations, and
 - (ii) the grounds, if any, on which operating authorisations may be revoked, and
 - (iii) the circumstances and ways in which operating authorisations may be surrendered, and
 - (iv) appeal or review procedures for decisions concerning operating authorisations, and
 - (v) fees payable in relation to operating authorisations,
 - (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.
- (2) Statutory rules under subsection (1)(b)(ii), (c)(v) and (d) may provide for—
- (a) the methods for calculating fees payable, and
 - (b) the maximum amount of a fee payable.

148ZA Requirements to operate micromobility vehicle sharing services

- (1) A person must not operate a micromobility vehicle sharing service unless the person is an approved operator.
Maximum penalty—500 penalty units.
- (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.
- (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.

Maximum penalty—500 penalty units.

Division 2 Operator approvals

Subdivision 1 Operator approvals generally

148ZB Form of operator approval

An operator approval must state—

- (a) the name of the person to whom the approval is granted, and
- (b) the expiry date of the approval.

148ZC Duration of operator approval

- (1) Transport for NSW may grant or renew an operator approval for—
 - (a) a period of 5 years, or
 - (b) a shorter period specified in the approval.
- (2) An operator approval—
 - (a) takes effect on the day stated in the approval, and
 - (b) remains in effect for the period for which the approval has been granted or renewed, unless sooner revoked or surrendered.

148ZD Operator approvals cannot be transferred

An operator approval cannot be transferred from the approved operator to another person.

Subdivision 2 Applications for operator approvals

148ZE Definition

In this subdivision—

applicant—see section 148ZF(1).

148ZF Applications for operator approvals

- (1) A person (the *applicant*) may apply to Transport for NSW for an operator approval.
- (2) An application must—
 - (a) be in the approved form, 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 evidence demonstrating the applicant will meet vehicle sharing service standards, and
 - (e) include any other information required by Transport for NSW, and
 - (f) be made in accordance with the statutory rules.
- (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.
- (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.

148ZG Deciding applications for operator approvals

- (1) Transport for NSW must decide an application for an operator approval by—
 - (a) granting the approval, or
 - (b) refusing to grant the approval.
- (2) Despite subsection (1), Transport for NSW may refuse to decide the application if the applicant—
 - (a) does not comply with a requirement to give information under section 148ZF(3), or
 - (b) fails to notify Transport for NSW of a change in information under section 148ZF(4).
- (3) Transport for NSW must grant the operator approval if satisfied the applicant will meet the vehicle sharing service standards.
- (4) Despite subsection (3), Transport for NSW may refuse to grant an operator approval on one or more of the following grounds—
 - (a) the applicant has been convicted of—
 - (i) an offence under this part, or
 - (ii) an unattended property offence,
 - (b) an operator approval previously held by the applicant has been suspended or revoked,
 - (c) another ground prescribed by the statutory rules.
- (5) As soon as practicable after deciding the application, Transport for NSW must—
 - (a) if the decision is to grant the approval—issue the applicant with the approval, or
 - (b) if the decision is to refuse the approval—give the applicant written notice of, and the reasons for, the refusal.
- (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—
 - (a) issue the approval, or
 - (b) give the applicant notice of a decision to refuse the approval.

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
 - (c) include details of the operator approval to which the application relates, and
 - (d) include any other information required by Transport for NSW, and
 - (e) be made in accordance with the statutory rules.
- (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.

148ZJ Deciding applications to renew operator approvals

- (1) Transport for NSW must decide an application to renew an operator approval by—
- (a) renewing the approval, or
 - (b) refusing to renew the approval.
- (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).
- (3) Transport for NSW must renew the operator approval if satisfied the applicant continues to meet the vehicle sharing service standards.
- (4) Despite subsection (3), Transport for NSW may refuse to renew the approval on one or more of the following grounds—
- (a) the applicant has been convicted of—
 - (i) an offence under this part, or
 - (ii) an unattended property offence,
 - (b) if—
 - (i) the operator approval to which the application relates has previously been suspended, or
 - (ii) an operator approval previously held by the applicant has been suspended or revoked,
 - (c) another ground prescribed by the statutory rules.
- (5) As soon as practicable after deciding the application, Transport for NSW must—
- (a) if the decision is to renew the approval—issue the applicant with the renewed operator approval, or
 - (b) if the decision is to refuse to renew the approval—give the applicant written notice of, and the reasons for, the refusal.

148ZK Continuation of operator approvals subject to renewal applications

- (1) This section applies if—
- (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
 - (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.
- (2) Despite section 148ZC(2)(b)—

- (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
- (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).

Subdivision 4 Suspension of operator approvals

148ZL Suspending operator approvals

Transport for NSW may suspend an operator approval in accordance with this subdivision.

148ZM Grounds for suspending operator approvals

Transport for NSW may suspend an operator approval on one or more of the following grounds—

- (a) if Transport for NSW is satisfied the approved operator has contravened—
 - (i) the vehicle sharing service standards, or
 - (ii) another requirement of this part or the statutory rules made under this part,
- (b) the approved operator has been convicted of a second or subsequent unattended property offence,
- (c) another ground prescribed by the statutory rules.

148ZN Decisions to suspend operator approvals

- (1) If Transport for NSW decides to suspend an operator approval, Transport for NSW must—
 - (a) give the approved operator written notice (a *suspension notice*) stating the following—
 - (i) the date on which the suspension takes effect,
 - (ii) the period for which the suspension is in effect,
 - (iii) the reasons for the suspension,
 - (iv) the measures the operator must take to address the grounds for suspension,
 - (v) any other information prescribed by the statutory rules, and
 - (b) notify relevant authorities of the suspension, and
 - (c) publish notice of the suspension on the operators register.
- (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.
- (3) An operator approval is not in effect during the period of a suspension.
- (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—

- (a) including evidence the grounds for suspension have been addressed, and
 - (b) requesting the revocation of the suspension.
- (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.

148ZO Automatic suspension of operator approvals

- (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 *automatic suspension offence*).
- (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.
- (3) As soon as reasonably practicable after becoming aware of the automatic suspension of an operator approval, Transport for NSW must—
 - (a) give the operator written notice of the suspension, and
 - (b) notify relevant authorities of the suspension, and
 - (c) publish notice of the suspension on the operators register.
- (4) The statutory rules may prescribe—
 - (a) different automatic suspension offences for different categories of approved operators, and
 - (b) circumstances in which an offence is or is not an automatic suspension offence.

Subdivision 5 Revocation of operator approvals

148ZP Revoking operator approvals

Transport for NSW may revoke an operator approval in accordance with this subdivision.

148ZQ Grounds for revoking operator approvals

Transport for NSW may revoke an operator approval on one or more of the following grounds—

- (a) the approved operator has been convicted of an offence against this part,
- (b) the approved operator has operated a micromobility vehicle sharing service during a period of suspension under Subdivision 4,
- (c) if—
 - (i) the operator approval has been suspended under Subdivision 4, and
 - (ii) the operator has not, during the suspension period, addressed the grounds for suspension,
- (d) any information given by the approved operator for this part is false or misleading in a material way,
- (e) the approved operator has been convicted of a second or subsequent unattended property offence,
- (f) another ground prescribed by the statutory rules.

148ZR Show cause notice for proposed revocations

- (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 *show cause notice*) setting out the following—
 - (a) the details of the proposed revocation,
 - (b) the grounds for the proposed revocation,
 - (c) an outline of the facts and circumstances forming the basis for the grounds for the proposed revocation,
 - (d) any other information prescribed by the statutory rules.
- (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 *show cause period*).

148ZS Decisions to revoke operator approvals

- (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—
 - (a) revoke the approval, or
 - (b) take no further action.
- (2) If Transport for NSW decides to revoke the approval, Transport for NSW must—
 - (a) give the approved operator written notice stating the following—
 - (i) the date on which the revocation takes effect,
 - (ii) the reasons for the revocation, and
 - (b) notify relevant authorities of the revocation, and
 - (c) publish notice of the revocation on the operators register.

148ZT Automatic revocation of operator approvals

- (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 *automatic revocation offence*).
- (2) As soon as reasonably practicable after becoming aware of the automatic revocation of an operator approval, Transport for NSW must—
 - (a) give the operator written notice of the revocation, and
 - (b) notify relevant authorities of the revocation, and
 - (c) publish notice of the revocation on the operators register.
- (3) The statutory rules may prescribe—
 - (a) different automatic revocation offences for different categories of approved operators, and
 - (b) circumstances in which an offence is or is not an automatic revocation offence.

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
 - (b) refusing to grant the authorisation.
- (2) Despite subsection (1), an authority may refuse to decide the application if the applicant—
 - (a) does not comply with a requirement to give information under section 148ZX(3), or
 - (b) fails to notify the authority of a change in information under section 148ZX(4).
- (3) An authority may refuse to grant an operating authorisation on one or more of the following grounds—
 - (a) if the authority—
 - (i) has granted one or more authorisations under this division, and
 - (ii) is satisfied that, in the authority's area of operations, micromobility vehicles are adequately available to the public,
 - (b) information given by the applicant for this Act or the statutory rules is false or misleading in a material way,
 - (c) another ground determined by the authority.
- (4) As soon as practicable after deciding the application, the authority must—
 - (a) if the decision is to grant the authorisation—issue the applicant with the authorisation, or
 - (b) if the decision is to refuse the authorisation—give the applicant written notice of, and the reasons for, the refusal.
- (5) An operating authorisation may be issued subject to conditions or unconditionally.
- (6) An operating authorisation—
 - (a) is, subject to this part, in effect for the period specified in the authorisation, and
 - (b) cannot be transferred from the holder of the authorisation to another person.
- (7) For subsection (6)(a), the period specified must not extend beyond the expiry date stated in the applicant's operator approval.
- (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—
 - (a) issue the authorisation, or
 - (b) give the applicant notice of a decision to refuse the authorisation.

148ZZ TfNSW may direct authority to grant operating authorisation

- (1) This section applies if—
 - (a) an applicant has applied to an authority for an operating authorisation, and
 - (b) the authority has refused, or is taken to have refused, to grant the operating authorisation under section 148ZY(1)(b) or (8).
- (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.
- (3) Transport for NSW may decide the application by—

- (a) affirming the authority's decision, or
 - (b) directing the authority to grant an operating authorisation to the applicant.
- (4) In deciding an application under this section, Transport for NSW must consider the following—
 - (a) the impact of the authority's refusal on continuity of service for users of the micromobility vehicle sharing service operated by the applicant,
 - (b) demand for shared micromobility vehicles within the authority's area of operations,
 - (c) whether, and how many, approved operators operate a micromobility vehicle sharing service within the authority's area of operations,
 - (d) the authority's reasons for refusing to grant an operating authorisation.
- (5) As soon as practicable after deciding the application, Transport for NSW must—
 - (a) if the decision is to affirm the authority's decision—give the applicant written notice of, and the reasons for, the decision, or
 - (b) if the decision is to direct the authority to grant an authorisation—
 - (i) issue the direction to the authority, and
 - (ii) give the applicant written notice of the decision.
- (6) An authority to whom a direction is given under subsection (3)(b) must, as soon as practicable, comply with the direction.

148ZZA Operating authorisation conditions

- (1) The statutory rules may impose conditions on operating authorisations (*standard conditions*).
- (2) An authority may, at any time, by written notice to the holder of an operating authorisation issued by the authority—
 - (a) impose a condition on the authorisation (an *operator condition*), or
 - (b) vary or revoke an operator condition.
- (3) Without limiting subsection (2), operator conditions may be imposed in relation to the following—
 - (a) places within the authority's area of operations where micromobility vehicles must not be—
 - (i) used, or
 - (ii) available to be collected, or
 - (iii) able to be returned,
 - (b) the number of micromobility vehicles an approved operator may make available for hire within the authority's area of operations,
 - (c) places within the authority's area of operations where micromobility vehicle speeds must be limited.
- (4) To the extent of any inconsistency, a standard condition prevails over an operator condition.

148ZZB Effect of suspension or revocation of operator approval on operating authorisation

- (1) This section applies if an approved operator's operator approval is suspended, revoked, surrendered or otherwise ceases to have effect under Division 2.

- (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.
Note— See the *Electronic Transactions Act 2000*, sections 8 and 13A, which provide for the giving of written notice by electronic communication and when electronic communications are received.
- (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.
- (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.

148ZZE Enforcement officers

An authority may appoint persons to exercise the functions of an enforcement officer under this part in the authority's area of operations.

148ZZF Enforcement officers may take possession of certain micromobility vehicles

- (1) An enforcement officer may take possession of a micromobility vehicle if—
 - (a) a removal order has been made in relation to the vehicle, and
 - (b) the date specified under section 148ZZC(5)(d) has passed, and
 - (c) the order has not been complied with.
- (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—
 - (a) the person responsible for the vehicle cannot be identified, and
 - (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.
- (3) An enforcement officer may take possession of a micromobility vehicle if directed to do so under subsection (2).
- (4) The *Public Spaces (Unattended Property) Act 2021*, 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.
- (5) For subsection (4), a reference in the *Public Spaces (Unattended Property) Act 2021*—
 - (a) to an authorised officer is taken to be a reference to an enforcement officer, and
 - (b) to an authority is taken to be a reference to Transport for NSW or an authority within the meaning of this part.

148ZZG Powers to require information

- (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.
- (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.

- (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.
- (4) A notice must specify—
 - (a) the way in which the information must be given, and
 - (b) a reasonable time within which the information must be given.
- (5) A person to whom information is given under this section may take copies of the information.
- (6) A person must not, without reasonable excuse, contravene a notice given to the person under this section.
Maximum penalty—
 - (a) for an individual—500 penalty units, or
 - (b) otherwise—1,000 penalty units.
- (7) In this section—
information includes documents.

148ZZH Power to inspect and test micromobility vehicles

- (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—
 - (a) Transport for NSW, or
 - (b) persons authorised by Transport for NSW to carry out inspections (*approved inspectors*).
- (2) A notice may be imposed in relation to—
 - (a) a vehicle the operator has made available for hire, or
 - (b) a vehicle the operator, by written notice to Transport for NSW, proposes to make available for hire.
- (3) The notice must specify the following—
 - (a) a description of the vehicles that must be submitted,
 - (b) by when and to whom the vehicles must be submitted.
- (4) The statutory rules may provide for the following—
 - (a) the qualifications and appointment of approved inspectors,
 - (b) the certification of vehicles inspected and tested under this section.
- (5) A person must not, without reasonable excuse, contravene a notice given to the person under this section.
Maximum penalty— 20 penalty units.

[3] Section 207 Effect of disqualification

Insert after section 207(4)—

- (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—
 - (a) the person is not required to be licensed for driving a motor vehicle of that kind, and
 - (b) the motor vehicle is exempt from registration.

Example— riding an electric scooter within the meaning of the *Road Rules 2014*

[4] Section 279B

Insert after section 279A—

279B Review of Part 5.7

- (1) The Minister must review the operation of Part 5.7 to determine whether—
 - (a) the policy objectives of the part remain valid, and
 - (b) the terms of the part remain appropriate for securing the policy objectives.
- (2) The review must be undertaken as soon as practicable after the period of 18 months after the commencement of section 148ZA.
- (3) A report on the outcome of the review must be tabled in each House of Parliament as soon as practicable after the review is undertaken.

Schedule 2 Amendment of Motor Accident Injuries Act 2017 No 10

[1] Section 1.4 Definitions

Insert in alphabetical order in section 1.4(1)—

micromobility vehicle means—

- (a) an electric scooter within the meaning of the *Road Rules 2014* that is exempt from registration, or
- (b) another kind of vehicle prescribed by the regulations.

[2] Section 1.10 Restrictions on application of Act—accident must be insured or work accident

Insert after section 1.10(1)—

- (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—
 - (a) there are no other motor vehicles involved in the accident or incident, or
 - (b) there are other motor vehicles involved in the accident or incident and all the vehicles are micromobility vehicles.

[3] Section 2.29 Claim against Nominal Defendant where vehicle not insured

Insert after section 2.29(5)(a)—

- (a1) if the motor vehicle is a micromobility vehicle, or

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

[1] Section 3 Definitions

Insert in alphabetical order in section 3(1)—

micromobility vehicle means—

- (a) an electric scooter within the meaning of the *Road Rules 2014* that is exempt from registration, or
- (b) another kind of vehicle prescribed by the regulations.

[2] Section 4 Application of Act

Insert after section 4(3)—

- (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—
 - (a) there are no other motor vehicles involved in the accident, or
 - (b) there are other motor vehicles involved in the accident and all the vehicles are micromobility vehicles.

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).

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—
 - (a) whether the smartcard was last used before or after the commencement of this section, and
 - (b) despite any provision of the terms and conditions applicable to the smartcard, when the smartcard was last used, in or under—
 - (i) regulations under the *Passenger Transport Act 1990*, or
 - (ii) an order published under section 128A.
- (4) The Minister must, on or before 1 August in each year—
 - (a) prepare a report on the ways in which money forfeited under this section to the TfNSW Fund in the previous financial year has been used, and
 - (b) provide a copy of the report to the Presiding Officer of each House of Parliament for tabling in each House.
- (5) In this section—
 - dormant smartcard** means an unregistered smartcard—
 - (a) issued by or on behalf of TfNSW, whether before or after the commencement of this section, and
 - (b) that has not been used within the previous 5 years.
 - unregistered**, in relation to a smartcard, means a smartcard that has not been registered with TfNSW under the provisions of the terms and conditions applicable to the smartcard.
 - used**, in relation to a smartcard, means scanned at a smartcard reader.

[4] Section 128B Unclaimed balances on smartcards issued by TfNSW

Omit “public passenger vehicles or trains” from section 128B(2)(b)(i).

Insert instead “public passenger services”.

[5] Schedule 2 Regulation-making powers

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).

[6] Schedule 3 Savings, transitional and other provisions

Insert at the end of the schedule, with appropriate part and clause numbering—

Part Provision consequent on enactment of Road Transport and Other Legislation Amendment (Micromobility Vehicles and Smartcards) Act 2025

Existing terms and conditions for smartcards

The document titled *Publication of terms and conditions*, 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).

Schedule 6 Amendment of Passenger Transport (General) Regulation 2017

Clause 76 Valid smartcards

Omit “in the Gazette” from clause 76(1)(b).

Insert instead “under the *Passenger Transport Act 2014*, section 128A”.