

T. Rattray  
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Tabled  
T Rattray  
Leader for Government  
Business

15.04.2026

# RESPONSE TO PETITION

## Petition No. 47 of 2025 Legislative Council

The petitioners ask the House to:

In February 2023, 14-year old Jocelyn Daguman tragically died on a rural property as a result of a Quad Bike / All-Terrain Vehicle (ATV) accident.

Since 2020, more than 20 people have lost their lives due to quad bikes in Tasmania.

Since 2001, over 270 Australians have died in quad bike related incidents. Quads are now the leading cause of non-intentional injury death on Australian farms. On average, 1400 people are seriously injured in quad bike accidents in Australia each year.

Coroner Simon Cooper investigated seven quad bike deaths in 2017. The 2024 investigation by Coroner Robert Webster into Jocelyn Daguman's death highlighted a number of recommendations that have still not been implemented from the 2017 Coroner's report.

Your petitioners, therefore, request the House to call on the Government to implement the recommendation by introducing legislation that:

- a) requires mandatory training and licensing of all persons using quad bikes;
- b) prohibits children under the age of 16 from operating adult size quad bikes;
- c) prohibits children under the age of 16 from operating "youth size" quad bikes other than in accordance with what is specified by the manufactures to be the appropriate minimum age for such vehicle; and
- d) prohibits children under the age of 6 from operating any quad bike in any circumstances whatsoever.

Further, that such legislative reform, and community education, ensure that quad bike users wear helmets, and only be operated in accordance with the operator's manual, particularly to ensure the wearing of seatbelts and the use of cage nets and/or doors.

## GOVERNMENT POSITION:

- The Tasmanian Government takes quad bike and side-by-side vehicle (SSV) safety very seriously, noting that SSVs includes all-terrain vehicles and utility task vehicles.
- Every death involving a quad bike or SSV is a tragedy, and the Tasmanian Government extends its sincere sympathies to the families affected.
- Since the 2017 coronial inquest by Coroner Cooper, a number of regulatory changes have been introduced in Tasmania to improve quad bike and SSV safety, along with other initiatives such as education campaigns and rebates aimed at promoting safer use.
- These are summarised below.

### Tasmanian Road Rules

- Tasmania's *Road Rules 2019* introduce additional requirements for quad bikes beyond those contained in the Australian Road Rules. Key provisions relating to quad bike use include:
  - **Helmet use (Rule 270):** Riders and passengers on a quad bike must wear an approved motorcycle helmet.
  - **Passenger requirements (Rule 271):**
    - Passengers must be at least 6 years old to ride on a quad bike.
    - Passengers aged 6 and over must keep both feet on the passenger footrests and at least one hand on the handrail, if fitted.
    - Riders must not carry more than one passenger unless the quad bike is specifically designed to carry more.
- The Road Rules apply in areas defined as roads or road related area.

### Conditional registration requirements placed on quad bikes and SSVs on public streets

- Quad bike and SSVs used on public streets must hold conditional (Restricted Use) registration, which carries a range of conditions depending on the registration class. Standard conditions applying to quad bikes and SSVs when accessing public streets for agricultural or recreational use are:
  - operators to wear an approved motorcycle helmet
  - manufacturer installed rollover and operator protection devices (including those required under consumer law) to remain functional

- the registered operator to ensure anyone permitted to operate the vehicle has been properly instructed and trained in its safe operation.
- operators to hold a current provisional or full driver licence of the appropriate class (for these vehicles, a motor vehicle licence).
- Additional conditions that apply to quad bikes used for agricultural purposes include:
  - vehicles must not tow, and
  - vehicles must not carry passengers.
- Additional conditions that apply to quad bikes and SSVs used for recreational purposes include:
  - the vehicles must be transported to recreational area, not driven there
  - use is restricted within recreational areas - the driver/rider must have prior approval from the relevant land authorities/owner and comply with any directions and conditions of approval, and
  - speed not to exceed the lesser of 40km/h or the manufacturers maximum recommended speed rating when on a public street.

### **Workplace health and safety laws**

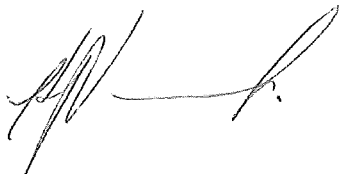
- When quad bikes are used for work purposes, Tasmania's *Work Health and Safety Regulations 2022* provides specific protections.
- Regulation 216A requires the person conducting a business or undertaking with management or control of a quad bike to ensure that:
  - an approved helmet is available for use with the quad bike
  - any person using the quad bike has been provided with appropriate training in the use of the quad bike, and
  - the quad bike is not used to carry a passenger unless designed for that purpose.
- This regulation also requires a user of a quad bike at a workplace to:
  - have undertaken appropriate training in the use of the quad bike; and
  - use the quad bike consistently with that training; and
  - wear an approved helmet.

**Other initiatives**

- The Tasmanian government has implemented numerous initiatives to increase quad bike and SSV safety, including:
  - Past rebate schemes for operator protection devices for quad bikes and other relevant purchases aimed at reducing rollover incidents.
  - Public awareness campaigns and the Safe Farming Program, which promoted quad bike safety in workplaces, emphasising helmet use, safe riding practices and effective risk management.
  - Current quad bike safety information and resources, which remain available on the WorkSafe Tasmania website to support compliance with workplace health and safety requirements and promote best practice.

**RESPONSE:**

- The Department of State Growth is undertaking a targeted review to identify regulatory gaps and explore opportunities to strengthen safety outcomes for quad bike and SSV users.
- The targeted review will focus on matters within the transport regulatory environment and the responsibilities of the Minister for Transport, including age and licensing restrictions.
- The review will provide an opportunity to consider the coronial recommendations referenced in the petition, within the scope of the transport regulatory framework.



Hon Kerry Vincent MLC

**Minister for Infrastructure and Transport**

Date:        \_ 2 APR 2026