



AUSTRALIAN CAPITAL TERRITORY

Motor Traffic (Amendment) Act (No. 8) 1990

No. 51 of 1990

An Act to amend the *Motor Traffic Act 1936*

[Notified in ACT Gazette S89: 11 December 1990]

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Short title

1. This Act may be cited as the *Motor Traffic (Amendment) Act (No. 8) 1990*.

Commencement

2. This Act commences on 1 January 1991.

Principal Act

3. In this Act, “Principal Act” means the *Motor Traffic Act 1936*.¹

Design rules**4.** Section 7A of the *Motor Traffic Act 1936* is amended—

- (a) by omitting from paragraph (a) of the definition of “applicable design rule” in subsection (1) “and” (last occurring); and
- (b) by adding at the end of the definition of “applicable design rule” in subsection (1) the following word and paragraph:
 - “; and (c) in the case of a heavy motor vehicle manufactured during 1988, 1989 or 1990— Australian Design Rule 65/00 as applied by this section;”;
- (c) by inserting in subsection (1) the following definitions:
 - “ ‘heavy motor vehicle’ means—
 - (a) a motor vehicle—
 - (i) fitted, equipped or constructed so as to seat more than 9 adult persons; and
 - (ii) having a manufacturer’s gross vehicle mass of more than 14.5 tonnes; or
 - (b) a motor lorry, an equipment motor lorry or an articulated vehicle having a manufacturer’s gross vehicle mass of more than 15 tonnes;
 - ‘manufacturer’s gross vehicle mass’ has the same meaning as in the *Motor Vehicles (Dimensions and Mass) Act 1990*.”;
- (d) by inserting after subsection (1) the following subsection:
 - “(1A) The provisions of Australian Design Rule 65/00 apply, by virtue of, and in accordance with, this section, to a heavy motor vehicle manufactured during 1988, 1989 or 1990.”;
- (e) by omitting from subsection (2) “For” and substituting “Subject to subsection (1A), for”; and
- (f) by inserting after subsection (5) the following subsection:
 - “(5A) Subsection (5) does not apply in respect of Australian Design Rule 65/00 in its application by virtue of, and in accordance with, subsection (1A).”.

Transitional

5. During 1991, the Principal Act as amended by this Act shall have effect as if, for the reference to 15 tonnes in paragraph (b) of the definition of “heavy motor vehicle” in subsection 7A (1) of the Principal Act as so amended, there were substituted a reference to 20 tonnes.

NOTE

1. Ordinance No. 45, 1936 as amended to date. For previous amendments see Note 1 to Act No. 4, 1990 and see also Acts Nos. 4, 14, 37, 38, 40, 41 and 42, 1990.

[Presentation speech made in Assembly on 22 November 1990.]

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