

AUSTRALIAN CAPITAL TERRITORY

Motor Traffic (Amendment) Ordinance (No. 3) 1985

No. 31 of 1985

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated 30 July 1985.

N. M. STEPHEN
Governor-General

By His Excellency's Command,

G. SCHOLES
Minister of State for Territories

An Ordinance to amend the *Motor Traffic Ordinance 1936*

Short title

1. This Ordinance may be cited as the *Motor Traffic (Amendment) Ordinance (No. 3) 1985*.¹

Commencement

2. This Ordinance shall come into operation on such date as is fixed by the Minister of State for Territories by notice in the *Gazette*.

Principal Ordinance

3. In this Ordinance, "Principal Ordinance" means the *Motor Traffic Ordinance 1936*.²

4. After section 17 of the Principal Ordinance the following section is inserted:

Issue of number-plates

“17A. Upon registering a motor vehicle or trailer, the Registrar shall—

- (a) in respect of a motor vehicle other than a motor cycle—issue to the owner 2 number-plates; or
- (b) in respect of a motor cycle or trailer—issue to the owner a number-plate,

of a type and material determined by the Minister by instrument in writing for such a motor vehicle or trailer.”.

Affixing of number-plates

5. Section 18 of the principal Ordinance is amended—

- (a) by omitting from sub-section (1) “shall, upon the issue to him of two number-plates of a type and material determined by instrument in writing by the Minister for such a motor vehicle,” and substituting “(other than a motor cycle) shall, upon the issue to him of 2 number-plates in pursuance of section 17A,”;
- (b) by inserting after sub-section (1) the following sub-section:
“(1A) The owner of a registered motor cycle shall, upon the issue to him of a number-plate in pursuance of section 17A, cause it to be affixed to the rear of the motor cycle in accordance with the requirements of the Second Schedule.”;
- (c) by omitting from sub-section (2) “of a type determined by the Minister,” and substituting “in pursuance of section 17A,”; and
- (d) by omitting sub-section (3).

Defaced or damaged number-plates

6. Section 19 of the Principal Ordinance is amended—

- (a) by omitting paragraphs (1) (a) (b) and substituting the following paragraphs:
 - “(a) where the owner so requests—issue to the owner—
 - (i) in respect of a motor vehicle other than a motor cycle—duplicate number-plates; or

- (ii) in respect of a motor cycle or trailer—a duplicate number-plate,
to replace the number-plates or number-plates previously issued;
or
- (b) in any other case—issue to the owner—
 - (i) in respect of a motor vehicle other than a motor cycle—2 other number plates; or
 - (ii) in respect of a motor cycle or trailer—another number-plate.”; and
- (b) by omitting from sub-section (2) “number-plates under sub-paragraph (1) (a) (i) or (ii) or paragraph (1) (b)” and substituting “number-plates or a number-plate under sub-section (1)”.

Loss or destruction of number-plates

7. Section 20 of the Principal Ordinance is amended by omitting from sub-section (2) all the words after “determined fee,” and substituting the following:

“issue to the owner—

- (a) in respect of a motor vehicle other than a motor cycle—2 other number-plates; or
- (b) in respect of a motor cycle or trailer—another number-plate.”.

8. After section 20 of the Principal Ordinance the following section is inserted:

Return of surplus number-plate for motor cycle

“20A. Where, before the commencement of this section, 2 number-plates had been issued in respect of a motor cycle upon its registration, the person who was at that commencement, the owner of the motor cycle shall not, without reasonable excuse, fail to return one of those number-plates to the Registrar.

Penalty: \$500.”.

Transferring of number-plates to vehicle of the same class

9. Section 23 of the Principal Ordinance is amended—

- (a) by inserting in sub-section (1) “or number-plate” after “number-plates”; and

- (b) by inserting in sub-section (2) “or number-plate” after “number-plates” (wherever occurring).

Sale of motor vehicle on behalf of other persons

10. Section 24 of the Principal Ordinance is amended by inserting in paragraph (1) (d) “or number-plate” after “number-plates”.

Refusal, cancellation or suspension of licences or registrations

11. Section 104 of the Principal Ordinance is amended—

- (a) by omitting from paragraph 2 (e) “or” (last occurring); and
- (b) by adding at the end of sub-section (2) the following word and paragraph:
 - “; or (g) refuse to renew the registration of a motor cycle where the Registrar has reasonable grounds for believing that the owner is in possession of 2 number-plates issued in respect of the motor cycle.”.

Carriage of lamps and lights

12. Section 182 of the Principal Ordinance is amended by omitting paragraph (2) (a) and substituting the following paragraph:

- “(a) a lighted headlamp is carried in front of the motor cycle not less than 600 millimetres from the ground;”.

Second Schedule

13. The Second Schedule to the Principal Ordinance is amended by omitting clause 11 of Part I and substituting the following clause:

“11. (1) A suitable attachment of an approved size shall be fastened securely in an approved position for the purpose of affixing each required number-plate.

“(2) The lamp bracket shall be so affixed as not to obscure any portion of the rear number-plate.”.

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 6 August 1985.
2. No. 45, 1936 as amended to date. For previous amendment *see* Note 2 to No. 2, 1985 and *see* also No. 2, 1985.