

2019

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Justice, Consumer Affairs and Road Safety)

Road Transport Legislation Amendment Bill 2019

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2019

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Justice, Consumer Affairs and Road Safety)

Road Transport Legislation Amendment Bill 2019

A Bill for

An Act to amend legislation about road transport, and for other purposes

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

1 **Part 1 Preliminary**

2 **1 Name of Act**

3 This Act is the *Road Transport Legislation Amendment Act 2019*.

4 **2 Commencement**

5 (1) The following provisions commence 6 weeks after this Act's
6 notification day:

- 7 • part 2
- 8 • part 4 (other than sections 8, 25, 27 and 28)
- 9 • part 5 (other than sections 30 and 31)
- 10 • part 15
- 11 • section 107.

12 *Note* The naming and commencement provisions automatically commence on
13 the notification day (see [Legislation Act](#), s 75 (1)).

14 (2) Part 3 commences on the commencement of the *Motor Accident*
15 *Injuries Act 2019*, section 289.

16 (3) Sections 71 and 72 commence on 10 December 2019.

17 (4) The remaining provisions commence on the 14th day after this Act's
18 notification day.

19 **3 Legislation amended**

20 This Act amends the following legislation:

- 21 • *Magistrates Court Act 1930*
- 22 • *Motor Accident Injuries Act 2019*
- 23 • *Road Transport (Alcohol and Drugs) Act 1977*
- 24 • *Road Transport (Driver Licensing) Act 1999*
- 25 • *Road Transport (Driver Licensing) Regulation 2000*
- 26 • *Road Transport (General) Act 1999*

- 1 • *Road Transport (General) Regulation 2000*
- 2 • *Road Transport (Offences) Regulation 2005*
- 3 • *Road Transport (Public Passenger Services) Act 2001*
- 4 • *Road Transport (Public Passenger Services) Regulation 2002*
- 5 • *Road Transport (Road Rules) Regulation 2017*
- 6 • *Road Transport (Safety and Traffic Management) Act 1999*
- 7 • *Road Transport (Safety and Traffic Management)*
- 8 *Regulation 2017*
- 9 • *Road Transport (Third-Party Insurance) Act 2008*
- 10 • *Road Transport (Vehicle Registration) Act 1999*
- 11 • *Road Transport (Vehicle Registration) Regulation 2000.*

12 **4 Legislation repealed**

13 The *Road Transport (General) Website for Online Declarations*
14 *Approval 2018 (No 1)* (NI2018-521) is repealed.

1 **Part 2 Magistrates Court Act 1930**

2 **5 Meaning of *prescribed offence* for pt 3.7**
3 **Section 116AA (1) (b)**

4 *substitute*

5 (b) it is an offence against the *Heavy Vehicle National Law (ACT)*;
6 or

1 **Part 3** **Motor Accident Injuries Act 2019**

2 **6** **Offence—use uninsured motor vehicle on road or road**
3 **related area**
4 **Section 289 (1) (a) and (2)**

5 *after*

6 uses

7 *insert*

8 , or permits or allows a person to use,

1 **Part 4** **Road Transport (Alcohol and**
2 **Drugs) Act 1977**

3 **7 Offences against Act—application of Criminal Code etc**
4 **Section 4, note 1**

5 *insert*

- 6 • s 23 (1) (Refusing blood test etc)

7 **8 Meaning of *first offender* and *repeat offender***
8 **New section 4F (2) (c)**

9 *insert*

10 (c) in the 5 years immediately before the disqualifying offence was
11 committed, the person has—

- 12 (i) been issued with an infringement notice (however
13 described) in relation to a corresponding offence; and
14 (ii) not disputed the infringement notice within the time
15 allowed for the person to dispute the notice under the law
16 of the jurisdiction where the notice was issued.

17 **9 Restrictions on tests etc under this part**
18 **Section 14 (3) (b)**

19 *omit*

20 detrimental to the person's medical condition

21 *substitute*

22 prejudicial to the proper care and treatment of the person or dangerous
23 to the person's health

1 **10 Taking blood samples from people in custody**
2 **Section 15 (5) (b)**

3 *substitute*

- 4 (b) if the person is unconscious or the doctor or nurse is of the
5 opinion that the person is, because of their medical condition,
6 incapable of giving or refusing permission to take such a
7 sample—if requested to do so by a police officer under this
8 section.

9 **11 Taking blood samples from people in hospital**
10 **Section 15AA (1) and note**

11 *substitute*

- 12 (1) This section applies if a doctor or nurse attending to a person in a
13 hospital believes on reasonable grounds that—

14 (a) the person—

15 (i) was involved in an accident; and

16 (ii) is at least 15 years old; and

17 (iii) was admitted to the hospital for examination or treatment
18 because of the accident; and

19 (b) the accident happened not more than 6 hours before the person
20 arrived at the hospital.

21 (1A) The doctor or nurse must, as soon as practicable but not more than
22 2 hours after the person arrives at the hospital, take a sample of the
23 person's blood for analysis.

24 (1B) A doctor or nurse must not fail to take a sample of blood under
25 subsection (1A) only because—

26 (a) the person is unconscious; or

- 1 (b) the doctor or nurse is of the opinion that the person is, because
2 of their medical condition, incapable of giving or refusing
3 permission to take such a sample.

4 *Note* See section 17 (2) for circumstances when a doctor or nurse is not
5 required to take a sample of blood.

6 **12 New section 15AA (4)**

7 *insert*

8 (4) In this section:

9 ***accident*** means an accident on a road or road related area, whether
10 within or outside the ACT and whether or not it involves a motor
11 vehicle.

12 ***animal*** means a horse, cattle or sheep.

13 ***involved in an accident***—a person was ***involved in an accident*** if the
14 person—

15 (a) was a driver or driver trainer of a motor vehicle involved in an
16 accident; or

17 (b) was in charge of, or driving or attempting to drive, a vehicle
18 other than a motor vehicle involved in an accident; or

19 (c) was riding or driving, or attempting to ride or drive, an animal
20 involved in an accident; or

21 (d) was a pedestrian involved in an accident that involved a motor
22 vehicle or a vehicle other than a motor vehicle.

23 ***vehicle other than a motor vehicle*** means—

24 (a) a bicycle; or

25 (b) a personal mobility device; or

26 (c) an animal-drawn vehicle.

1 **13 Exemptions from requirements to take blood samples or**
2 **carry out examinations**
3 **Section 17 (2) (a)**

4 *substitute*

- 5 (a) the doctor or nurse is of the opinion that to do so would be
6 prejudicial to the proper care and treatment of the person or
7 dangerous to the person's health; or

8 **14 Section 17 (2) (c)**

9 *substitute*

- 10 (c) for a procedure under section 15AA, if—
- 11 (i) the doctor or nurse believes on reasonable grounds that a
12 sample of the person's blood—
- 13 (A) has already been taken under this Act; or
- 14 (B) will be taken under section 15; or
- 15 (ii) the behaviour of the person or another circumstance
16 prevents the doctor or nurse from carrying out the
17 procedure.

18 **15 Section 17 (3)**

19 *omit*

20 , section 15AA (1)

21 **16 Taking blood samples from people involved in accidents**
22 **Section 18A**

23 *omit*

- 1 **17 Refusing blood test etc**
2 **Section 23 (1) and (2)**
- 3 *substitute*
- 4 (1) A person commits an offence if—
- 5 (a) the person is—
- 6 (i) required by a police officer to permit a sample of blood to
7 be taken under section 15; or
- 8 (ii) a person, other than a pedestrian, from whom a doctor or
9 nurse is required to take a sample of blood under
10 section 15AA; and
- 11 (b) the person fails or refuses to permit the sample to be taken.
- 12 **Example—par (b)**
13 the person waving their arm about so the nurse cannot place a tourniquet on it
14 Maximum penalty: 30 penalty units.
- 15 **18 Section 23 (4)**
- 16 *omit*
- 17 subsection (1), (2) or (3)
- 18 *substitute*
- 19 this section
- 20 **19 Evidentiary certificate—alcohol-related tests**
21 **Section 41 (1) (d) (vii)**
- 22 *substitute*
- 23 (vii) if the sample was taken under section 15 or
24 section 15AA—that, when the sample was taken, the
25 relevant person was unconscious or the person was of the
26 opinion that the relevant person was incapable of giving or
27 refusing permission to take a sample of blood; and

20 Section 41 (1) (e) (iv)

substitute

(iv) when told, the doctor or nurse was of the opinion that—

(A) complying with the requirement would be prejudicial to the proper care and treatment of the person or dangerous to the person's health; or

(B) complying with the requirement would not be prejudicial to the proper care and treatment of the person or dangerous to the person's health; and

**21 Evidentiary certificates—drug-related tests
Section 41AA (4) (d)**

omit

detrimental to the relevant person's medical condition

substitute

prejudicial to the proper care and treatment of the relevant person or dangerous to the relevant person's health

22 Section 41AA (5) (i)

substitute

(i) if the sample was taken under section 15—that, when the sample was taken, the relevant person was unconscious or the sample taker was of the opinion that the relevant person was incapable of giving or refusing permission to take a sample of blood.

- 1 **23 Evidentiary certificate—blood sample not taken**
2 **Section 41AC (e) (i)**
- 3 *omit*
- 4 detrimental to the relevant person’s health
- 5 *substitute*
- 6 prejudicial to the proper care and treatment of the relevant person or
7 dangerous to the relevant person’s health
- 8 **24 Evidence for insurance purposes**
9 **Section 41A (1) (g) and (5) (a)**
- 10 *omit*
- 11 section 15AA (1)
- 12 *substitute*
- 13 section 15AA (1A)
- 14 **25 Dictionary, note 3**
- 15 *omit*
- 16
 - personal mobility device
- 17 **26 Dictionary, definition of *driver involved in an accident***
- 18 *omit*
- 19 **27 Dictionary, new definition of *personal mobility device***
- 20 *insert*
- 21 *personal mobility device*—see the [Road Transport \(Road Rules\)](#)
22 [Regulation 2017](#), section 18A.
- 23 **28 Dictionary, definition of *road related area***
- 24 *omit*
-

1 **Part 5** **Road Transport (Driver**
2 **Licensing) Act 1999**

3 **29 Offences committed by disqualified drivers etc**
4 **Section 32 (6) (a) and (b)**

5 *substitute*

6 (a) if the suspension was under the *Road Transport (General)*
7 *Act 1999*, part 3 (Infringement notices for certain offences) or
8 part 6 (Fine defaulters) or a law of another jurisdiction
9 corresponding to part 3 or part 6 (or to part of it)—

10 (i) for a first offender—for 1 month or, if the court orders a
11 longer period, the longer period; or

12 (ii) for a repeat offender—for 2 months or, if the court orders
13 a longer period, the longer period; or

14 (b) if the suspension was under division 2.3 (Demerit points system)
15 or a law of another jurisdiction corresponding to division 2.3 (or
16 to part of it)—

17 (i) for a first offender—for 2 months or, if the court orders a
18 longer period, the longer period; or

19 (ii) for a repeat offender—for 4 months or, if the court orders
20 a longer period, the longer period; or

21 **30 Dictionary, note 3**

22 *insert*

- 23 • road
- 24 • road related area

25 **31 Dictionary, definitions of *road* and *road related area***

26 *omit*

1 **Part 6** **Road Transport (Driver**
2 **Licensing) Regulation 2000**

3 **32** **Mandatory interlock condition**
4 **Section 73T (5)**

5 *substitute*

6 (5) In this section:

7 *habitual offender*, means a person who—

- 8 (a) is convicted or found guilty of an alcohol-related disqualifying
9 offence; and
10 (b) within 5 years before the conviction or finding of guilt, has been
11 subject to relevant action in relation to 2 or more other
12 alcohol-related disqualifying offences.

13 *relevant action* means the person has been—

- 14 (a) convicted or found guilty; or
15 (b) issued an infringement notice (however described) under a law
16 of another jurisdiction and not disputed the infringement notice
17 within the time allowed for the person to dispute the notice under
18 the law of that jurisdiction.

19 **33** **Dictionary, note 3**

20 *omit*

- 21 • road
22 • road related area

1 **34 Dictionary, note 4**

2 *insert*

- 3 • permanent resident
4 • road
5 • road related area

6 **35 Dictionary, definition of *permanent resident***

7 *omit*

1 **Part 7** **Road Transport (General)**
2 **Act 1999**

3 **36** **Objects of Act**
4 **Section 3 (a)**

5 *omit*

6 in a way that is consistent with the agreements scheduled to the
7 *National Road Transport Commission Act 1991* (Cwlth);

8 **37** **Section 3, note**

9 *omit*

10 **38** **Application orders and emergency orders**
11 **Section 14 (2)**

12 *omit*

13 **39** **Delegation of road transport authority's functions**
14 **Section 17 (2) to (4)**

15 *substitute*

16 (2) A delegate may subdelegate to a suitable person a function delegated
17 under subsection (1) (a) or (b).

18 (3) In this section:

19 *suitable person* means—

20 (a) a public employee; or

21 (b) a person prescribed by regulation; or

22 (c) if the person subdelegating a function is the chief police
23 officer—a police officer.

1 **40 Delegation of chief police officer's functions**
2 **New section 18 (2)**

3 *after the notes, insert*

4 (2) A public employee may subdelegate to another public employee a
5 function delegated under subsection (1).

6 **41 Definitions—pt 3**
7 **Section 21A, definition of *illegal user declaration***

8 *omit*

9 statutory declaration or online declaration

10 *substitute*

11 written statement

12 **42 Section 21A, definition of *infringement notice declaration*,**
13 **note 1**

14 *omit*

15 **43 Section 21A, definition of *known user declaration***

16 *omit*

17 statutory declaration or online declaration

18 *substitute*

19 written statement

20 **44 Section 21A, definition of *online declaration***

21 *omit*

1 **45 Section 21A, definition of *relevant circumstances***

2 *omit*

3 significantly affect

4 *substitute*

5 contributes to

6 **46 Section 21A, definition of *relevant circumstances*,**
7 **paragraphs (a) and (b)**

8 *substitute*

9 (a) mental illness or mental disorder;

10 (b) disability, disease or illness;

11 **47 Section 21A, definition of *relevant circumstances*,**
12 **paragraph (d)**

13 *substitute*

14 (d) family violence;

15 **48 Section 21A, definition of *sold vehicle declaration***

16 *omit*

17 statutory declaration or online declaration

18 *substitute*

19 written statement

1 **49 Section 21A, definition of *unknown user declaration***

2 *omit*

3 statutory declaration

4 *substitute*

5 written statement

6 **50 New section 21A (2)**

7 *insert*

8 (2) In this section:

9 *disability*—see the *Disability Services Act 1991*, dictionary.

10 *mental disorder*—see the *Mental Health Act 2015*, section 9.

11 *mental illness*—see the *Mental Health Act 2015*, section 10.

12 **51 Application for infringement notice management plan or**
13 **addition to plan—decision**
14 **New section 31B (7) (ca)**

15 *insert*

16 (ca) variation or suspension of a person's infringement notice
17 management plan at the person's request;

18 **52 Approval of community work or social development**
19 **program**
20 **Section 31D (2) and note**

21 *substitute*

22 (2) An approval is a notifiable instrument.

23 *Note* A notifiable instrument must be notified under the [Legislation Act](#).

- 1 **53 Application for waiver of penalty—decision**
2 **New section 31G (3) (e)**
- 3 *in division 3.2B, insert*
- 4 (e) allowing the application is consistent with any guidelines made
5 under section 31I.
- 6 **54 New section 31I**
- 7 *insert*
- 8 **31I Guidelines for waiver of penalty**
- 9 (1) The Minister may make guidelines for the waiver of infringement
10 notice penalties.
- 11 (2) The administering authority for an infringement notice offence must
12 comply with the guidelines.
- 13 (3) A guideline is a disallowable instrument.
- 14 *Note* A disallowable instrument must be notified, and presented to the
15 Legislative Assembly, under the [Legislation Act](#).
- 16 **55 Application for withdrawal—decision**
17 **Section 35 (2)**
- 18 *omit*
- 19 statutory declaration
- 20 *substitute*
- 21 written statement
- 22 **56 Section 35 (2), note 1**
- 23 *omit*

1 **57 Section 40**

2 *substitute*

3 **40 Definitions—div 3.3A**

4 In this division:

5 *corporation's motor vehicle* means a motor vehicle for which the
6 corporation is the registered operator.

7 **58 Meaning of *all reasonable steps*—div 3.3A**
8 **Section 41 (1)**

9 *before*

10 vehicle

11 *insert*

12 motor

13 **59 Section 41 (1), note 3**

14 *omit*

15 **60 Sections 42 to 43A**

16 *before*

17 vehicle

18 *insert*

19 motor

1 **61 Offence—driving interstate corporate vehicle**
2 **Section 43B**

3 *before*
4 vehicle
5 *insert*
6 motor

7 **62 Section 43B (3)**

8 *substitute*
9 (3) In this section:
10 *interstate corporate motor vehicle* means a corporation's motor
11 vehicle that is registered in another jurisdiction.

12 **63 Effect of suspension**
13 **Section 45 (2)**

14 *substitute*
15 (2) The period for which a person's driver licence is suspended under this
16 division is concurrent with any uncompleted period of driver licence
17 suspension or disqualification applying to the person under—
18 (a) another part; or
19 (b) any other territory law, other than the *Road Transport (Driver*
20 *Licensing) Act 1999*, division 2.3 (Demerit points system).
21 (2A) Subsection (2) is subject to any order by a court in relation to the other
22 suspension or disqualification.

1 **64 Section 55**

2 *substitute*

3 **55 Written statements by corporations**

4 A written statement is made by a corporation for this part only if the
5 statement is made by an executive officer of the corporation.

6 *Note* It is an offence to make a false or misleading statement, give false or
7 misleading information or produce a false or misleading document (see
8 [Criminal Code](#), pt 3.4).

9 **65 Evidentiary certificates**
10 **Section 56 (3) (p) and (q)**

11 *omit*

12 statutory

13 **66 Approval of website for online declarations**
14 **Section 57**

15 *omit*

16 **67 Police officer or authorised person may require name,**
17 **date of birth, address and driver licence—driver or rider**
18 **New section 58 (1) (aa)**

19 *insert*

20 (aa) for the rider of an animal—require the person to produce an
21 identification document if the person is carrying an
22 identification document;

68 Section 58 (2)

2 *omit*

3 subsection (1)

4 *substitute*

5 subsection (1) (a), (b), (c) or (d)

69 Section 58 (5), new definition of *identification document*

7 *insert*

8 *identification document*, includes the following:

- 9 (a) an Australian driver licence or foreign driver licence;
- 10 (b) a proof of identity card issued under the *Liquor Act 2010*,
11 section 210 (Proof of identity cards), or a corresponding
12 document issued under the law of a State;
- 13 (c) a passport;
- 14 (d) a student card;
- 15 (e) a document that contains a photograph that could reasonably be
16 taken to be the person and states the person's name and date of
17 birth.

**70 Suspension to be concurrent
Section 89 (1)**

20 *substitute*

21 (1) The period for which a person's driver licence is suspended under this
22 part is concurrent with any uncompleted period of driver licence
23 suspension applying to the person under another part or any other
24 territory law (the *other suspension*)—

- 25 (a) subject to any order by a court in relation to the other
26 suspension; and

- 1 (b) only if the other suspension is not a suspension under the *Road*
2 *Transport (Driver Licensing) Act 1999*, division 2.3 (Demerit
3 points system).

4 **71 Dictionary, definition of *bicycle*, paragraph (b)**

5 *substitute*

- 6 (b) includes a power-assisted pedal cycle within the meaning of the
7 national road vehicle standards determined under the *Road*
8 *Vehicle Standards Act 2018* (Cwlth), section 12; but

9 **72 Dictionary, definition of *bicycle*, note**

10 *omit*

11 **73 Dictionary, definition of *online declaration***

12 *omit*

13 **74 Dictionary, new definition of *permanent resident***

14 *insert*

15 *permanent resident* means—

- 16 (a) a person who holds a permanent visa for the *Migration Act 1958*
17 (Cwlth), section 30; or
18 (b) a New Zealand citizen who holds a special category visa under
19 the *Migration Act 1958* (Cwlth), section 32.

20 **75 Dictionary, definition of *personal mobility device***

21 *substitute*

22 *personal mobility device*—see the *Road Transport (Road Rules)*
23 *Regulation 2017*, section 18A.

76 Dictionary, definitions of road and road related area

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substitute

road, for the road transport legislation or a provision of the road transport legislation (the *relevant legislation*)—

- (a) means an area that is open to or used by the public and is developed for, or has as 1 of its main uses, the driving or riding of motor vehicles; but
- (b) does not include an area that would otherwise be a road so far as a declaration under section 12 (Power to include or exclude areas in road transport legislation) declares that the relevant legislation does not apply to the area.

road related area, for the road transport legislation or a provision of the road transport legislation (the *relevant legislation*)—

- (a) means—
 - (i) an area that divides a road; or
 - (ii) a footpath or nature strip adjacent to a road; or
 - (iii) an area that is open to the public and is designated for use by cyclists or animals; or
 - (iv) an area that is not a road and that is open to or used by the public for driving, riding or parking vehicles; or
 - (v) a shoulder of a road; or
 - (vi) any other area that is open to or used by the public so far as a declaration under section 12 (Power to include or exclude areas in road transport legislation) declares that the relevant legislation applies to the area; but
- (b) does not include an area that would otherwise be a road related area so far as a declaration under that section declares that the relevant legislation does not apply to the area.

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Part 8 **Road Transport (General)
Regulation 2000**

77 **Internally reviewable decisions
Schedule 1, part 1.5, new item 2A**

insert

2A	31B (5)	administering authority—amount of instalments
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1 **Part 9** **Road Transport (Offences)**
2 **Regulation 2005**

3 **78 Sections 14F to 14I**

4 *omit*

5 *Note 1* The *Statutory Declarations Act 1959* (Cwlth) applies to the making of
6 statutory declarations under ACT laws.

7 **79 New section 16BA**

8 *insert*

9 **16BA Variation or suspension of plan—Act, s 31B (7) (ca)**

10 The authority may, at the request of the person subject to the plan—

11 (a) vary the plan; or

12 (b) suspend the plan for a stated amount of time.

13 **80 Kinds of community work or social development**
14 **programs that may be approved**
15 **Section 16D (2) (a) and (b)**

16 *substitute*

17 (a) mental illness or mental disorder;

18 (b) disability, disease or illness;

19 **81 Section 16D (3), new definitions**

20 *insert*

21 *disability*—see the *Disability Services Act 1991*, dictionary.

22 *mental disorder*—see the *Mental Health Act 2015*, section 9.

23 *mental illness*—see the *Mental Health Act 2015*, section 10.

1 **82 Short descriptions, penalties and demerit points**
2 **Schedule 1, part 1.3, item 15**

3 *omit*

4 **83 Schedule 1, part 1.7, item 2, column 3**

5 *before*

6 vehicle

7 *insert*

8 motor

1 **Part 10** **Road Transport (Public**
2 **Passenger Services) Act 2001**

3 **84** **Bus operators—purposes of accreditation**
4 **Section 15 (a)**

5 *omit*

6 **85** **Taxi service operators—purposes of accreditation**
7 **Section 49 (a)**

8 *omit*

9 **86** **Demand responsive service authorisations**
10 **Section 82 (1)**

11 *omit*

12 The Minister

13 *substitute*

14 The road transport authority

15 **87** **Demand responsive service operators—purposes of**
16 **accreditation**
17 **Section 87 (a)**

18 *omit*

1 **88 Police officer or authorised person—power to require**
2 **name and address etc**
3 **Section 121 (1), except note**

4 *substitute*

- 5 (1) A police officer or authorised person may, if the police officer or
6 authorised person believes on reasonable grounds that a person is
7 committing or has committed an offence against this Act, require the
8 person to state 1 or more of the following:
- 9 (a) the person's name;
 - 10 (b) the person's date of birth;
 - 11 (c) the person's home address.

12 **89 New section 121 (6) and (7)**

13 *insert*

- 14 (6) If a police officer or authorised officer suspects on reasonable
15 grounds that information stated in response to a requirement under
16 subsection (1) is false, the police officer or authorised officer may
17 require the person to produce an identification document if the person
18 is carrying an identification document.
- 19 (7) In this section:
- 20 *identification document* includes the following:
- 21 (a) an Australian driver licence or foreign driver licence;
 - 22 (b) a proof of identity card issued under the *Liquor Act 2010*,
23 section 210 (Proof of identity cards), or a corresponding
24 document issued under the law of a State;
 - 25 (c) a passport;
 - 26 (d) a student card;

- 1 (e) a document that contains a photograph that could reasonably be
2 taken to be the person and states the person's name and date of
3 birth.

4 **90 Dictionary, note 3**

5 *insert*

- 6 • road
7 • road related area

8 **91 Dictionary, definitions of *road* and *road related area***

9 *omit*

1 **Part 11** **Road Transport (Public**
2 **Passenger Services)**
3 **Regulation 2002**

4 **92 Dictionary, note 3**

5 *omit*

- 6
 - road

7 **93 Dictionary, note 4**

8 *insert*

- 9
 - permanent resident

10
 - road

1 **Part 12** **Road Transport (Road Rules)**
2 **Regulation 2017**

3 **94** **Meaning of *road***
4 **Section 12, note 1**

5 *substitute*

6 *Note 1* *Road*—see the *Road Transport (General) Act 1999*, dictionary.

7 **95** **Meaning of *vehicle***
8 **Section 15**

9 *before*

10 or a wheeled recreational device

11 *insert*

12 a personal mobility device,

13 **96** **New section 18A**

14 *insert*

15 **18A** **Meaning of *personal mobility device***

16 In this regulation:

17 *personal mobility device* means a vehicle that—

18 (a) is designed to be self-balancing while a person travels in or on
19 the vehicle; and

20 (b) is propelled by an electric motor; and

21 (c) has 2 wheels that operate on a single axis; and

22 (d) has a platform anywhere between the 2 wheels for the person's feet;
23 and

24 (e) has handles mounted on an upright post.

97 Dictionary, note 3

1
2 *omit*

- 3 • road
4 • road related area

98 Dictionary, note 4

5
6 *omit*

- 7 • personal mobility device

99 Dictionary, note 4

8
9 *insert*

- 10 • road
11 • road related area

100 Dictionary, new definition of *personal mobility device*

12
13 *insert*

14 *personal mobility device*—see section 18A.

1 **Part 13** **Road Transport (Safety and**
2 **Traffic Management) Act 1999**

3 **101 Dictionary, note 3**

4 *insert*

- 5 • road
6 • road related area

7 **102 Dictionary, definitions of *road* and *road related area***

8 *omit*

1 **Part 14** **Road Transport (Safety and**
2 **Traffic Management)**
3 **Regulation 2017**

4 **103** **Meaning of *road***
5 **Section 7, note 1**

6 *substitute*

7 *Note 1* **Road**—see the [Road Transport \(General\) Act 1999](#), dictionary.

8 **104** **Dictionary, note 3**

9 *omit*

- 10 • road
11 • road related area

12 **105** **Dictionary, note 4**

13 *insert*

- 14 • road
15 • road related area

1 **Part 15** **Road Transport (Third-Party**
2 **Insurance) Act 2008**

3 **106 Offence—using uninsured motor vehicle on road or road**
4 **related area**
5 **Section 17 (1) (a)**

6 *after*
7 uses
8 *insert*
9 , or permits or allows a person to use,

1 **Part 16** **Road Transport (Vehicle**
2 **Registration) Act 1999**

3 **107 Prohibition on using unregistered registrable vehicles or**
4 **vehicles with suspended registration**
5 **Section 18 (1)**

6 *after*

7 use

8 *insert*

9 , or permit or allow a person to use,

10 **108 Dictionary, definitions of *gross combination mass* and**
11 ***gross vehicle mass***

12 *substitute*

13 ***gross combination mass*** (or ***GCM***), of a motor vehicle, means the
14 greatest possible sum of the maximum loaded mass of the motor
15 vehicle and any vehicle that may be towed by the motor vehicle at the
16 same time—

17 (a) stated on the RAV for the motor vehicle; or

18 (b) if the GCM is not stated on the RAV for the motor vehicle—

19 (i) stated by the motor vehicle's manufacturer on the
20 identification plate on the vehicle; or

21 (ii) if there is no GCM stated on the identification plate or the
22 GCM stated on the plate is not appropriate because the
23 motor vehicle has been modified—certified by the road
24 transport authority.

25 ***gross vehicle mass*** (or ***GVM***), of a vehicle, means the maximum
26 loaded mass of the vehicle—

27 (a) stated on the RAV for the vehicle; or

- 1 (b) if the GVM is not stated on the RAV for the vehicle—
- 2 (i) stated by the vehicle’s manufacturer on the identification
- 3 plate on the vehicle; or
- 4 (ii) if there is no GVM stated on the identification plate or the
- 5 GVM stated on the plate is not appropriate because the
- 6 vehicle has been modified—certified by the road transport
- 7 authority.

8 **109 Dictionary, new definitions**

9 *insert*

10 *identification plate* means a plate approved to be placed on a vehicle,

11 or taken to have been placed on a vehicle, under the *Motor Vehicle*

12 *Standards Act 1989* (Cwlth), section 10 (1) as in force immediately

13 before the repeal of that Act.

14 *RAV* means the Register of Approved Vehicles kept under the *Road*

15 *Vehicle Standards Act 2018* (Cwlth), section 14.

16 **110 Dictionary, note 3**

17 *insert*

- 18 • road
- 19 • road related area

20 **111 Dictionary, definitions of *road* and *road related area***

21 *omit*

1 **Part 17** **Road Transport (Vehicle**
2 **Registration) Regulation 2000**

3 **112 Dictionary, note 4**

4 *insert*

- 5 • road
6 • road related area
-

Endnotes

1 **Presentation speech**

Presentation speech made in the Legislative Assembly on 6 June 2019.

2 **Notification**

Notified under the [Legislation Act](#) on 2019.

3 **Republications of amended laws**

For the latest republication of amended laws, see www.legislation.act.gov.au.
