

2003

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Urban Services)

Road Transport (General) Amendment Bill 2003

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Road Transport (General) Amendment Bill 2003

A Bill for

An Act to amend the *Road Transport (General) Act 1999*

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

1 **1 Name of Act**

2 This Act is the *Road Transport (General) Amendment Act 2003*.

3 **2 Commencement**

4 This Act commences on the day after its notification day.

5 *Note* The naming and commencement provisions automatically commence on
6 the notification day (see Legislation Act, s 75 (1)).

7 **3 Legislation amended**

8 This Act amends the *Road Transport (General) Act 1999*.

9 **4 Revocation of suspension on court order**
10 **Section 48 (2) (b)**

11 *omit*

12 if the offence involved a vehicle—

13 **5 Section 48 (3) (a)**

14 *substitute*

15 (a) that an offence was committed; and

16 **6 New section 48 (4A) and (4B)**

17 *insert*

18 (4A) However, the court may make the declaration only if—

19 (a) the administering authority fails to prove that an offence was
20 committed; or

21 (b) the person establishes one of the grounds mentioned in
22 subsection (4B).

- 1 (4B) For subsection (4A) (b) the grounds are—
- 2 (a) that the vehicle was stolen, or illegally taken or used, at the
3 time of the offence; or
- 4 (b) that the person made and gave to the administering authority a
5 known user declaration in accordance with section 39 (Known
6 user declarations) for the offence and, if the person is an
7 individual, that someone else was the driver of the vehicle at
8 the time of the offence; or
- 9 (c) that the vehicle (or all of the person's interest in the vehicle)
10 had been sold or disposed of by the person before the time of
11 the offence, and that at that time the person did not have an
12 interest in the vehicle; or
- 13 (d) that—
- 14 (i) the person was not the driver of the vehicle at the time of
15 the offence; and
- 16 (ii) the person does not know, and could not with reasonable
17 diligence have found out, the name and address of the
18 driver of the vehicle at that time.

19 **7 Section 48**

20 *renumber subsections when Act next republished under Legislation*
21 *Act*

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 2003.

2 Notification

Notified under the Legislation Act on 2003.

3 Republications of amended laws

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

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