Australian Capital Territory

Road Transport (General) Exclusion of Road Transport Legislation (Summernats) Declaration 2018 (No 1)

**Disallowable instrument DI2018—297**

made under the

Road Transport (General) Act 1999, section 13 (Power to exclude vehicles, persons or animals from road transport legislation)

**1 Name of instrument**

 This instrument is the *Road Transport (General) Exclusion of Road Transport Legislation (Summernats) Declaration 2018 (No 1)*.

**2 Commencement**

(1) This instrument (other than section 3) commences on 2 January 2019.

(2) Section 3 commences on 3 January 2019.

**3 Vehicle use—declaration**

(1) I declare that section 5B (Improper use of motor vehicle) of the *Road Transport (Safety and Traffic Management) Act 1999* does not apply to a designated vehicle while being used in the:

(a) declared drifting area for any period beginning on a drifting official declaring (in whatever manner the drifting official describes) the drifting course active for a testing session, media event or ticketed event and ending on a drifting official declaring the drifting course inactive; and

(b) declared power skid area for any period beginning on a power skid official declaring (in whatever manner the power skid official describes) the power skid course active for a testing session, media event or use by a designated vehicle and ending on a power skid official declaring the power skid course inactive.

**4 Third-party insurance—declaration**

(1) The *Road Transport (Third‑Party Insurance) Act 2008* does not apply to a designated vehicle within the declared area of Exhibition Park in Canberra (EPIC).

(2) However subclause (1) does not apply if the designated vehicle is—

(a) covered under a policy of compulsory third-party insurance of a place other than the ACT or under a law of the Commonwealth; or

(b) subject to coverage under a compulsory motor vehicle or trailer accident compensation scheme of a place other than the ACT or of the Commonwealth.

(3) In this clause:

***designated vehicle*** means any of the following vehicles:

(a) a registered entrant motor vehicle;

(b) a registered promotional vehicle;

(c) an unidentified motor vehicle;

(d) an uninsured motor vehicle.

Note For the application of this clause to trailers, see the definitions of the relevant terms.

***registered*** means registered under the *Road Transport (Vehicle Registration) Act 1999*.

***unidentified motor vehicle***—see the *Road Transport (Third-Party Insurance) Act 2008*, section 62.

***uninsured motor vehicle***—see the *Road Transport (Third-Party Insurance) Act 2008*, section 60.

**5 Vehicle registration and standards—declaration**

(1) The prescribed vehicle registration and standards provisions do not apply to a relevant vehicle within the declared area of Exhibition Park in Canberra (EPIC).

(2) In this clause:

***prescribed vehicle registration and standards provisions*** means—

(a) the following provisions of the *Road Transport (Vehicle Registration) Act 1999*:

(i) section 18 (Prohibition on using unregistered registrable vehicles or vehicles with suspended registration);

(ii) section 26 (Using certain defective vehicles); and

(b) the following provisions of the *Road Transport (Vehicle Registration) Regulation 2000*:

(i) section 108 (Emission control systems to be fitted and properly maintained);

(ii) section 109 (Light motor vehicles not complying with sch 1);

(iii) section 110 (Light trailers not complying with sch 1);

(iv) section 111 (Light combinations not complying with sch 1).

***relevant vehicle*** means—

(a) an entrant motor vehicle; or

(b) a promotional vehicle.

Note For the application of this clause to trailers, see the definitions of the relevant terms.

**6 Driver licences – declaration**

(1) The prescribed conditions applying to high powered vehicle restrictions on a person’s driver licence from another jurisdiction do not apply within the declared area of Exhibition Park in Canberra (EPIC).

(2) In this clause:

***prescribed conditions*** means—

(a) the following provision of the *Road Transport (Driver Licensing) Regulation 2000*:

(i) section 60 (Conditional licence holders to comply with conditions).

**7 Notes**

A reference to an Act in this instrument includes a reference to the statutory instruments made or in force under the Act, including any regulation (see Legislation Act, s104).

**8 Definitions**

In this instrument:

***declared area***, of Exhibition Park in Canberra, means that part of Exhibition Park in Canberra enclosed by the fence outlined in Schedule 1.

***declared drifting area***, of Exhibition Park in Canberra, means that part of Exhibition Park in Canberra highlighted in red in Schedule 2.

***declared power skid area,*** of Exhibition Park in Canberra, means that part of Exhibition Park in Canberra highlighted in blue in Schedule 2.

***drifting official*** means a person who holds an official’s licence from the Confederation of Australian Motor Sport Ltd that authorises the official to declare the drifting course active or inactive.

***drifting course*** means a road or road related area used as a course designed and approved under the ‘CAMS Drifting Standing regulations’.

***designated vehicle*** means any of the following vehicles:

(a) a registered entrant motor vehicle;

(b) a registered promotional vehicle;

(c) an unidentified motor vehicle;

(d) an uninsured motor vehicle.

***entrant motor vehicle*** means a motor vehicle or trailer that is entered in the event.

***event*** means the event known as *Summernats 32 Car Festival* held at Exhibition Park in Canberra on 3 January 2019 to 6 January 2019, and includes preparatory activities for the event occurring within Exhibition Park in Canberra on 2 January 2019.

***power skid course*** means a road or road related area used as a course for participants to use designated vehicles not for their intended use.

***power skid official*** means an area manager for the power skid course.

***promotional vehicle*** means a motor vehicle or trailer that is categorised by Summernats Pty Ltd, ACN 139 042 961, as a promotional vehicle for the event.

***registered*** means registered under the *Road Transport (Vehicle Registration) Act 1999*.

***unidentified motor vehicle***—see the *Road Transport (Third-Party Insurance) Act 2008*, section 62.

***uninsured motor vehicle***—see the *Road Transport (Third-Party Insurance) Act 2008*, section 60.

**9 Expiry**

(1) This instrument (other than section 3) expires at 12:00pm on 7 January 2019

(2) Section 3 expires at 6:00pm on 6 January 2019.

Shane Rattenbury

Minister for Justice, Consumer Affairs and Road Safety

20 December 2018

Schedule 1



Schedule 2

 