

Road Transport (General) Application of Road Transport Legislation Declaration 2023 (No 2)

Disallowable instrument DI2023–19

made under the

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

1 Name of instrument

This instrument is the *Road Transport (General) Application of Road Transport Legislation Declaration 2023 (No 2)*.

2 Commencement

This instrument commences at 8:00am on 8 March 2023.

3 Motor accident injury insurance declaration

I declare that the *Motor Accident Injuries Act 2019* does not apply to:

- (a) a **designated vehicle**; or
- (b) a motor vehicle involved in a motor accident with a **designated vehicle**; while the **designated vehicle** is being used to participate in a **special stage** in the **event** for any period beginning on an event official declaring (in whatever manner the event official describes) the special stage active for a testing session, media event, corporate event day or rally competition and ending on an event official declaring the special stage inactive.

4 Declaration – other road transport legislation

I declare that the following road transport legislation does not apply to a **designated vehicle** or the driver of a **designated vehicle**, while participating in a special stage of the **event** for any period beginning on an event official declaring (in whatever manner the event official describes) the stage active for a testing session, media event, corporate event day or rally competition and ending on an event official declaring the stage inactive:

(a) *Road Transport (Driver Licensing) Act 1999:*

- Section 31 – Driver must be licensed
- Section 33A – Contravening interlock condition

(b) *Road Transport (Vehicle Registration) Act 1999:*

- Section 18 – Prohibition on using unregistered registerable vehicles or vehicles with suspended registration

(c) *Road Transport (Vehicle Registration) Regulation 1999:*

- Section 59 – Display of numberplates
- Section 60 – Using vehicle without numberplate etc

(d) *Road Transport (Safety and Traffic Management) Act 1999:*

- Section 5A – Races, attempts on speed records, speed trails etc
- Section 5B – Improper use of motor vehicle
- Section 7 – Furious, reckless or dangerous driving
- Section 8 – Menacing driving

(e) *Road Transport (Road Rules) Regulation 2017:*

- Part 3 – Speed Limits
- Part 4 – Making Turns
- Part 5 – Change of direction and stop signals
- Part 7 – Giving way
- Part 8 - Traffic signs and road markings
- Part 11 – Keeping left, overtaking and other driving rules –
 - a. Division 11.1 General
 - b. Division 11.2 Keeping to Left
 - c. Division 11.3 Overtaking
- Part 13 – Lights and warning devices
- Part 18 – Miscellaneous road rules –
 - a. Section 288 – Driving on path.

5 Definitions

In this instrument:

designated vehicle means any of the following vehicles:

- (a) an event registered motor vehicle; or
- (b) a promotional or official vehicle

event registered motor vehicle means a vehicle entered to participate in the event, and may be an unregistered, unidentified or uninsured motor vehicle.

promotional or official vehicle means a registered vehicle being used for promotional or official purposes during the special stages.

event means the IME Test Day 2023.

event official means an official for the event who holds an official's licence from Motorsport Australia that authorises the official to declare event stages active or inactive.

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

special stage for the event, means a road or road related area identified as a special stage or power stage for the event outlined in the maps at Schedule 1.

unidentified motor vehicle—see the *Motor Accident Injuries Act 2019*, section 327.

uninsured motor vehicle—see the *Motor Accident Injuries Act 2019*, section 325.

6 Expiry

This instrument expires on 18 March 2023.

Chris Steel MLA
Minister for Transport and City Services
Special Minister of State

2 March 2023

(see *special stage for the event*, clause 5)

