

Road Transport (General) Application of Road Transport Legislation Declaration 2023 (No 6)

Disallowable instrument DI2023–201

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 6)*.

2 Commencement

This instrument commences at 9:00am on 14 July 2023.

3 Motor accident injury insurance declaration

- (1) I declare that the *Motor Accident Injuries Act 2019* does not apply to a:
 - (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.
- (2) On the day the event officials declare a special stage for the event active, I declare that the *Motor Accident Injuries Act 2019* does not apply to a:
 - (a) a **designated vehicle**; or
 - (b) a motor vehicle involved in a motor accident with a **designated vehicle**; while the vehicle is in the **transport stage** for the event.

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 Declaration – other road transport legislation

On the day the event officials declare a **special stage** for the **event** active, I declare that the following road transport legislation does not apply to a **designated vehicle** or the driver of a **designated vehicle**, in the **transport stage** for the event:

(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

6 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 NBMS 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 outlined in white in the map at Schedule 1.

transport stage for the event means a road or road related area outlined in yellow in the map 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.

7 Expiry

This instrument expires on 27 August 2023.

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

11 July 2023

Schedule 1 – Stages for the event
(see section 6)

