Australian Capital Territory

Road Transport (General) Application of Road Transport Legislation (Traffic Offence Detection Device) Declaration 2023 (No 1)

**Disallowable instrument DI2023–4**

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) Application of Road Transport Legislation (Traffic Offence Detection Device) Declaration 2023 (No 1).*

**2 Commencement**

This instrument commences on 1 February 2023.

**3 Declaration**

I declare that the road transport legislation in clause 4 does not apply to a vehicle, or the driver of a vehicle, that is being used for the purpose of, or in connection with, the operation of a ***traffic offence detection device***, if in the circumstances:

1. the driver is taking reasonable care; and
2. it is reasonable that the provision should not apply.

**4 Disapplied road transport legislation**

The following provisions from the *Road Transport (Road Rules) Regulation 2017* are disapplied:

1. Section 137 (Keeping off dividing strip);
2. Section 197 (1) (Stopping on path, dividing strip, nature strip, painted island or traffic island) to the extent only that it relates to stopping on a dividing strip or nature strip;
3. Section 205 (1) (Parking for longer than indicated);
4. Section 207 (2) (Parking where fee payable);
5. Section 213K (1) (Ticket parking—display of ticket);
6. Section 289 (1) (Driving on a nature strip).

**5 Definitions**

***traffic offence detection device*** means a mobile device detection system approved under section 13 of the *Road Transport (Safety and Traffic Management) Regulation 2017*.

***vehicle*** means a motor vehicle or a trailer.

Note Terms used in this instrument have the same meaning that they have in the [*Road Transport (General) Act 1999*](http://www.legislation.act.gov.au/a/1999-77/) (see [Legislation Act](http://www.legislation.act.gov.au/a/2001-14), s 148). For example, the following terms are defined in the [*Road Transport (General) Act 1999*](http://www.legislation.act.gov.au/a/1999-77/), dict:

 motor vehicle

 trailer

Chris Steel MLA

Minister for Transport and City Services

25 January 2023