

1993

THE LEGISLATIVE ASSEMBLY OF THE AUSTRALIAN CAPITAL TERRITORY

TRAFFIC (AMENDMENT) BILL 1993

EXPLANATORY MEMORANDUM

**Circulated by the authority of the Minister for Urban Services
Terry Connolly MLA**

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Explanatory Memorandum

The Traffic Act 1937 (the Act) primarily provides for traffic rules and general conduct requirements in relation to pedestrians and cyclists.

The Traffic (Amendment) Bill 1993 amends the Act to -

- . remove the isolated traffic infringement penalty contained in section 6D of the Act to facilitate its transfer into regulations under the *Motor Traffic Act 1936*; and
- . remove sexist language from the Act.

Financial Considerations

There are no direct costs associated with the Bill.

Details

Traffic Infringement Notices

Under section 6D of the Act a police officer may issue a traffic infringement notice, carrying a penalty of \$35, to a person over the age of 18 who has committed an offence relating to the compulsory wearing of a bicycle helmet.

The Bill removes the penalty for traffic infringement notices from section 6D of the Act so it can be transferred to the Motor Traffic Regulations. The inclusion of the penalty in the Regulations will facilitate variations to the penalty whilst maintaining Legislative Assembly scrutiny and also enables all traffic infringement penalties to be located together.

This Bill is consequential upon the Motor Traffic (Amendment) Bill 1993 which amends the Motor Traffic Act 1936 to enable regulations to be made under the Act in respect of penalties under the Traffic Act 1937.

Clauses 1 to 3 provide for formal matters.

Clause 4 amends section 6D of the Act which specifies a \$35 penalty and provides that the penalty is as prescribed by the Motor Traffic Regulations.

Clause 5 and the Schedule make amendments to the Act to remove sexist language.