

1990

THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY
MOTOR TRAFFIC (AMENDMENT) BILL (NO.1) 1990
EXPLANATORY MEMORANDUM

PARLIAMENTARY COUNSEL'S OFFICE

Circulated by authority of the Minister for Finance and Urban Services
Craig Duby

10959/90 Cat. No. 90 4185 6

Motor Traffic (Amendment) Bill (No.1) 1990

The Motor Traffic (Amendment) Bill (No.1) 1990 (the Bill) provides amendments to the Motor Traffic Act 1936 consequential upon the Motor Vehicles (Dimensions and Mass) Bill 1990. This Bill empowers the Registrar of Motor Vehicles to register vehicles which comply with the Motor Vehicles (Dimensions and Mass) Bill.

The Bill will not affect revenue.

Details of the Bill are as follows:

Clause 1 cites the Bill, when enacted, as the Motor Traffic (Amendment) Act (No.1) 1990.

Clause 2 deals with commencement. Subclause (1) provides that clauses 1 and 3 commence on the day on which the Bill is notified in the Gazette.

Subclause (2) provides that the remaining provisions commence on the same day as the provisions of the Motor Vehicles (Dimensions and Mass) Act 1990 commence.

Clause 3 cites the Motor Traffic Act 1936 as the Principal Act.

Clause 4 amends section 7 of the Principal Act by omitting subsection (2) and substituting a new subsection. New subsection (2) requires the Registrar to refuse to register or renew registration of a motor vehicle unless he or she is satisfied that the motor vehicle, its parts or equipment comply with the requirements of Part I of the Second Schedule applicable to the motor vehicle nor are capable of complying with such of the requirements of Part XII that would be applicable to the motor vehicle if it were on a public street.

Further, the Registrar shall refuse to register or renew the registration of a motor vehicle its parts or equipment to which the Motor Vehicles (Dimensions and Mass) Act 1990 applies, if they do not comply with such of the provisions of Part II of that Act as are applicable to them.

Clause 5 amends section 8 of the Principal Act by omitting subsection (2) and substituting a new subsection. New subsection (2) provides that the Registrar shall not register or renew the registration of a trailer unless he or she is satisfied that the trailer, its parts or equipment comply with any requirement of the Principal Act and the regulations and, in the case of a trailer to which the Motor Vehicles (Dimensions and Mass) Act applies, the trailer, its parts or equipment comply with the provisions of Part II of that Act as are applicable to them.

Clause 6 amends section 189 of the Principal Act by adding new subsection (1A) which provides that paragraph 189(1)(c) does not apply to person who drives a motor vehicle with more than one trailer attached to it where the motor vehicle is being driven in accordance with a permit granted under section 27 of the Motor Vehicles (Dimensions and Mass) Act 1990.

Bill)
onsequential
1990. This
yister
isions and

Clause 7 amends section 190 of the Principal Act which applies general limits on the width of vehicles in the Territory. New subsection (3) is inserted so that a reference in subsection (1) to a motor vehicle does not include a reference to a motor vehicle to which the Motor Vehicles (Dimensions and Mass) Act 1990 applies, a motor vehicle that is part of an articulated vehicle to which that Act applies or a motor vehicle that is part of a combination of vehicles to which that Act applies.

Traffic

vides that
.1 is notified

; commence on
; (Dimensions

ncipal Act.

itting
ew subsection
renew
satisfied
y with the
able to the
of the
the motor

enew the
nt to which
plies, if
rt II of that

itting
ew subsection
r renew the
ied that the
irement of
se of a
Mass) Act
with the
to them.

adding new
(c) does not
than one
ing driven in
the Motor