

Road Transport (General) (Vehicle Registration) Exemption 2008 (No 1)

Disallowable instrument DI2008—240

made under the

Road Transport (General) Act 1999, s13 (Power to exclude vehicles, persons or animals from road transport legislation)

EXPLANATORY STATEMENT

Subsection 13(1) of the *Road Transport (General) Act 1999* (the Act) empowers the Minister to declare that the road transport legislation does not apply to a vehicle, person or animal in a place or circumstance stated in the declaration.

Section 32B (2) of the *Road Transport (Vehicle Registration) Regulation 2000* provides that the Road Transport Authority must refuse to approve an application for registration of a vehicle as a wheelchair accessible taxi if:

- (a) the vehicle has been used as a taxi for 8 years or more; or
- (b) for an application for the 1st registration of the vehicle as a wheelchair-accessible taxi—the vehicle is as a wheelchair-accessible taxi—the vehicle is 2 years old or older.

A ballot of defined rights for non-transferable leased licences was held in May 2008 and included five conditional non-transferable licences to be issued on the condition that the vehicle to be used is wheelchair accessible and is capable of carrying six (6) or more passengers. A further ballot of defined rights is to be held in October 2008 with successful defined right holders being able to elect to use these types of vehicles.

It can take up to 3-4 months for a vehicle to be modified as a wheelchair accessible taxi (WAT). This exemption will allow taxi operators to use vehicles that have already been modified for wheelchair accessibility, but which would otherwise not be registrable as taxis because they are more than 2 years old. This will help to address the current WAT shortage, increasing the number of WATS available to provide a higher level of service to people with disabilities and the wider community.