

AUSTRALIAN CAPITAL TERRITORY

MOTOR TRAFFIC ORDINANCE (No. 4) 1974

EXPLANATORY MEMORANDUM

No. 37 of 1974

The proposed Motor Traffic Ordinance (No.4) 1974 will introduce a scheme of defect notices for motor vehicles in the A.C.T.

Under the proposed Ordinance an officer who has reasonable grounds for believing that a vehicle or any of its parts or equipment does not comply with the requirements of the Motor Traffic Ordinance or Regulations may serve upon the owner a defect notice requiring the vehicle to be produced to the Registrar for inspection within a specified period.

Where the officer has reasonable grounds for believing that injury or damage may result if the vehicle is not repaired, he may prohibit the driving or use of the vehicle except for the purpose of producing the vehicle for inspection or having it repaired.

After inspection an inspector will revoke the defect notice where the vehicle complies with the requirements of the Ordinance and Regulations. If it does not comply he may issue a further defect notice requiring the vehicle to be produced for a subsequent inspection. The inspector may also prohibit the driving or use of the vehicle where injury or damage is likely to occur from the driving or use of the vehicle.

The proposed Ordinance provides for a defect label to be affixed to a vehicle in respect of which a defect notice is issued.

It will be an offence if –

- a person drives or uses a vehicle in contravention of a defect notice. It will be a defence if the person did not know and had no reasonable means of knowing of the issue of the defect notice or where the vehicle was driven or used in connection with producing it for inspection or for the repair of the vehicle; and
- a defect label is removed, altered or defaced while a defect notice remains in force in respect of the vehicle.

.....
Minister's Initials