

Road Transport (General) Application of Road Transport Legislation Declaration 2011 (No 8)

Disallowable instrument DI2011—291

made under the

Road Transport (General) Act 1999, section 13 (Power to exclude vehicles, persons or animals from road transport legislation)

EXPLANATORY STATEMENT

Subsection 13(1) of the *Road Transport (General) Act 1999* 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.

The purpose of this instrument is to allow an accredited hire car operator to provide hire car services using vehicles that are not hire cars, and drivers who are not licensed to drive hire cars, to provide ground transportation logistics when President Obama visits the ACT on 16 and 17 November 2011.

The entourage that will accompany the President's visit requires transportation services for the lead up to, as well as during the President's visit. An exemption from the legislative requirements for hire car and bus services is therefore, required from 6 November until 18 November 2011.

This instrument exempts the accredited operator of a hire car service, designated vehicles and drivers of those vehicles from the following legislative requirements that apply to hire cars and buses:

- *Road Transport (Vehicle Registration) Act 1999* – section 32C requires that the wheel base measurement of a hire car must be at least 2800mm.
- *Road Transport (Public Passenger Services) Regulation 2002* – section 26 requires that an accredited operator of a bus service must ensure that the driver of a bus is the holder of a public vehicle licence authorising the person to drive the bus.
- *Road Transport (Public Passenger Services) Regulation 2002* – section 181 requires that the accredited operator of a hire car service must ensure that the driver of a hire car is the holder of a public vehicle licence authorising the person to drive the hire car.

- *Road Transport (Driver Licensing) Regulation 2000* – section 9 requires that the driver of a public vehicle must hold a public vehicle licence authorising the person to drive a public vehicle of that kind.
- *Road Transport (Third Party Insurance) 2008* – section 17 requires that a public passenger vehicle must have the appropriate CTP insurance.