

2003

**THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY**

**ROAD TRANSPORT EXEMPTION OF PERSON & VEHICLE FROM
ROAD TRANSPORT LEGISLATION (No 2)**

EXPLANATORY STATEMENT

Circulated by authority of

Bill Wood MLA
Minister for Urban Services

AUSTRALIAN CAPITAL TERRITORY

ROAD TRANSPORT EXEMPTION OF PERSON & VEHICLE FROM ROAD TRANSPORT LEGISLATION (No 2) 2003

DISALLOWABLE INSTRUMENT - DI 2003 - 278

EXPLANATORY STATEMENT

Overview

The *Road Transport (General) Act 1999* permits the Minister to exclude vehicles, persons or animals from the application of the road transport legislation pursuant to sub-section 13(1) of the *Road Transport (General) Act 1999*.

The principal impact of the exemptions will allow interstate hire cars to operate within the ACT during the United States Presidential visit.

Details

A private hire car is defined under section 100 of the *Road Transport (General) Act 1999* as a motor vehicle that does not ply for hire and is used for the transport of passengers under contract giving the hirer the exclusive use of the vehicle.

Pursuant to section 119 it is an offence for a motor vehicle to be used as a private hire car on a road or road related area other than in accordance with a private hire car operator's licence. An operator is required to hold a private hire car operator's licence pursuant to section 120 of the *Road Transport (General) Act 1999* to operate a motor vehicle as a private hire car.

A maximum of twenty-two private hire car licences have been issued pursuant to sub-section 120(3). As no private hire car licences can be issued to interstate hire car operators this precludes vehicles from operating as private hire car.

Dallarooma Pty Ltd is coordinating ground transportation for the US Embassy for the Presidential visit. The exemption is conditional on the requirement that:

- a duplicate copy of the exemption be placed in the vehicle for inspection and if required enforcement purposes; and

- the vehicles listed in the instrument must be exclusively used for the purposes of, or in connection with, the Presidential visit.

As the vehicles will be operating as public passenger services the exemption requires compliance with public vehicle policy insurance requirements pursuant to sections 217 and 218 of the *Road Transport (General) Act 1999*.

Therefore pursuant to sub-section 13(1) of the *Road Transport (General) Act 1999* the vehicles are exempt from the application of section 119 and section 120 for the requirement to hold private hire car operator's licence for the period of 8 October 2003 to 25 October 2003.