



Australian Capital Territory

Road Transport (General) Regulations 2000

SL2000-13

in force under the

Road Transport (General) Act 1999

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About this republication

The republished law

This is a republication of the *Road Transport (General) Regulations 2000* effective from 1 March 2000 to 31 July 2000.

Kinds of republications

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- authorised republications to which the *Legislation Act 2001* applies
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The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation (Republication) Act 1996*, part 3, division 2 authorised the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation (Republication) Act 1996*, s 14 and s 16). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

As in force on
1 March 2000



Australian Capital Territory
**Road Transport (General)
Regulations 2000**

in force under the
Road Transport (General) Act 1999

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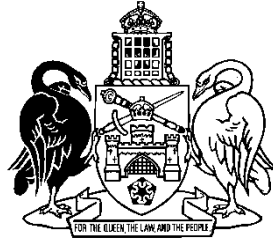
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As in force on
1 March 2000



Australian Capital Territory
**Road Transport (General)
Regulations 2000**

in force under the
Road Transport (General) Act 1999

PART 1—PRELIMINARY

1 Name of regulations

These regulations are the *Road Transport (General) Regulations 2000*.

2 Commencement

These regulations commence on the commencement of the *Road Transport (General) Act 1999*.

3 Definitions—the dictionary

The dictionary at the end of these regulations is part of these regulations.

Note 1 The dictionary defines certain words and expressions used in these regulations, and includes references (*signpost definitions*) to other words and expressions defined elsewhere in these regulations or elsewhere in the road transport legislation.

For example, the signpost definition ‘*driver licence*—see the *Road Transport (Driver Licensing) Act 1999*, dictionary’ means that the expression ‘driver licence’ is defined in the dictionary of the *Road Transport (Driver Licensing) Act 1999* and the definition applies to these regulations.

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Note 2 A definition in the dictionary (including a signpost definition) applies to the entire regulations unless the definition, or another provision of these regulations, provides otherwise or the contrary intention otherwise appears (see *Interpretation Act 1967*, s 11F and s 11G as applied by the *Subordinate Laws Act 1989*, s 9).

4 Notes

(1) A note in these regulations is explanatory and is not part of the regulations.

Note See *Interpretation Act 1967*, s 12 (1), (4) and (5) and *Subordinate Laws Act 1989*, s 9 for the legal status of notes.

(2) In this regulation—

note includes material enclosed in brackets in regulation headings.

Note For comparison, a number of regulations contain bracketed notes in their headings drawing attention to equivalent or comparable (though not necessarily identical) provisions of other regulations. Abbreviations in the notes include the following—

- MTA: *Motor Traffic Act 1936*
- MTR: *Motor Traffic Regulations 1934*
- NSW (DL): *Road Transport (Driver Licensing) Regulation 1999* (NSW)
- NSW (Gen): *Road Transport (General) Regulation 1999* (NSW)
- NSW (SD): *Road Transport (Short Descriptions and Penalty Notice Offences) Regulation 1999* (NSW)
- NSW (VR): *Road Transport (Vehicle Registration) Regulation 1999* (NSW).

**PART 2—ADMINISTRATION OF ROAD TRANSPORT
LEGISLATION**

5 Responsible persons for vehicle

- (1) If 2 or more people are responsible persons for a vehicle—
- (a) any right or liability conferred or imposed on the responsible person for the vehicle under the relevant legislation is taken to be conferred or imposed on each of them; and
 - (b) each of them is taken to have complied with an obligation imposed under the relevant legislation if either of them (whether personally or through an agent) complies with the obligation; and
 - (c) the road transport authority is taken to have complied with an obligation under the relevant legislation to give notice to the responsible person for the vehicle if the authority gives notice to at least 1 of them.

- (2) In this regulation—

relevant legislation means—

- (a) a provision of the road transport legislation; or
- (b) a provision of any other Act (or a provision of a regulation made under any other Act) concerned with the responsible person for a vehicle within the meaning of the *Road Transport (General) Act 1999*.

6 Information to be maintained on databases of declarations and orders (NSW (Gen) cl 16)

For the database mentioned in subsection 15 (1) of the Act, the authority must—

- (a) include in the database—
 - (i) a copy of the complete text of each declaration or order made under Division 2.4 of the Act as soon as reasonably practicable after it is made; and
 - (ii) information about the dates when the declaration or order has effect or ceases to have effect; and
- (b) incorporate any amendment to the declaration or order as soon as reasonably practicable after the amendment has effect.

7 Access to database (NSW (Gen) cl 17)

For subsection 15 (3) of the Act, the road transport authority must give access to information on the database to a member of the public if asked to do so.

8 Delegation of road transport authority's functions

(1) For paragraph 17 (1) (c) of the Act, the road transport authority may delegate the authority's functions to issue permits under paragraph 100 (2) (g) (Parking permits) of the *Road Transport (Safety and Traffic Management) Regulations 2000* to the Secretary of the Commonwealth Department of Foreign Affairs and Trade.

(2) For paragraph 17 (1) (c) of the Act, the road transport authority may delegate the authority's functions under Chapter 3 (Registration process) of the *Road Transport (Vehicle Registration) Regulations 2000* to a licensed dealer under the *Sale of Motor Vehicles Act 1977*.

(3) Subregulation (2) and this subregulation expire on 1 March 2002.

9 Identity cards

For paragraph 20 (1) (e) of the Act, an identity card must show—

- (a) if the authorised person is authorised by the administering authority for an infringement notice offence to serve infringement or reminder notices—the unique number given to the person by the administering authority under regulation 11 (Persons authorised for infringement notices etc to have unique number) of the *Road Transport (Offences) Regulations 2000*; and
- (b) the name and signature of the person who issued the card.

**PART 3—ENFORCEMENT OF ROAD TRANSPORT
LEGISLATION**

10 Certificate evidence about authorised examiners and approved premises (MTA s 26AZG)

In proceedings before a court, a certificate signed by the road transport authority stating that—

- (a) the person named in the certificate was or was not an authorised examiner on a date or dates or during the period mentioned in the certificate; or
- (b) the premises mentioned in the certificate were or were not approved premises on a date or dates or during the period mentioned in the certificate.

PART 4—REVIEW OF DECISIONS

11 Reviewable decisions

For paragraph 90 (1) (b) (Application of pt 7 etc) of the Act, the decisions of the Minister, road transport authority or chief police officer mentioned in Schedule 1 are reviewable decisions.

12 Decisions exempt from internal review

For paragraph 92 (3) (b) (Who may apply for internal review of decisions) of the Act, the decisions mentioned in Schedule 2 are exempt from internal review.

**PART 5—FEES, CHARGES AND OTHER AMOUNTS PAYABLE
UNDER ROAD TRANSPORT LEGISLATION**

13 Remission of fees, charges and other amounts (MTA s 209 (1))

The Minister may remit any fee, charge or other amount, or part of any fee, charge or other amount, payable under the road transport legislation.

14 Refund of fees, charges and other amounts

(NSW (DL) cl 37 (4)-(6), NSW (VR) cl 80, MTA s 209 (2)-(3))

(1) The road transport authority must refund the following fees, charges or other amounts paid to the road transport authority:

- (a) an amount remitted by the Minister under regulation 13;
- (b) an excess payment;
- (c) a fee, charge or other amount paid in relation to an application for the issue, renewal or variation of a driver licence if the application is refused;
- (d) a fee, charge or other amount paid in relation to the issue, renewal or variation of a driver licence if the licence is issued, renewed or varied in error, is then cancelled and the holder of the licence surrenders the licence;
- (e) a fee, charge or other amount paid in relation to an application for a driving instructor's accreditation if the application is refused;
- (f) a fee, charge or other amount paid in relation to a driving instructor's accreditation if the accreditation is issued in error, is then cancelled and the holder of the accreditation surrenders the accreditation;
- (g) a fee, charge or other amount paid in relation to an application for the registration or renewal of registration of a vehicle if the application is refused;
- (h) a fee, charge or other amount paid in relation to the registration or renewal of registration of a vehicle if the vehicle is registered or the registration is renewed in error, is then cancelled and the registered operator surrenders the certificate of registration and numberplates;
- (i) a fee, charge or other amount paid in relation to an application for the approval of premises for the inspection and testing of a class of vehicles if the application is refused;

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- (j) a fee, charge or other amount paid in relation to the approval of premises for the inspection and testing of a class of vehicles if the approval is issued in error, is then cancelled and the proprietor of the premises surrenders the approval;
 - (k) a fee, charge or other amount paid in relation to an application for the issue or transfer of a licence under Part 9 (Public vehicles) of the Act if the application is refused;
 - (l) a fee, charge or other amount paid in relation to an application for an accreditation, approval, authority, certificate, exemption, permit or anything else not mentioned in paragraphs (b) to (h) if the application is refused;
 - (m) a fee, charge or other amount paid by a person in relation to an application mentioned in paragraph (i) if the accreditation, approval, authority, certificate, exemption, permit or other thing is given, issued or done in error, is then cancelled and anything given to the person by the road transport authority because of the authority's decision on the application is surrendered to the authority.
- (2)** However, something mentioned in subregulation (1) need not be surrendered as required by the subregulation if the road transport authority is satisfied that it has been lost, stolen or destroyed or the authority directs that it need not be surrendered.
- (3)** The road transport authority must refund part, calculated in accordance with the refund formula in regulation 15, of the following fees, charges or other amounts (other than non-refundable amounts) paid to the road transport authority:
- (a) a fee, charge or other amount in relation to the issue or renewal of a driver licence if the holder of the licence surrenders the licence;
 - (b) a fee, charge or other amount in relation to a test or assessment of the person's driving ability by an authorised person if the authorised person cancels the test or assessment;
 - (c) a fee, charge or other amount in relation to a test or assessment of the person's driving ability by an authorised person if the person cancels the test or assessment more than 48 hours before the time agreed for test or assessment;
 - (d) a fee, charge or other amount in relation to a driving instructor's accreditation if the driving instructor surrenders the accreditation;

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- (e) a fee, charge or other amount in relation to the registration or renewal of registration of a vehicle if the registered operator surrenders the registration;
- (f) a fee, charge or other amount in relation to the authorisation of an examiner if the examiner surrenders the authorisation;
- (g) a fee, charge or other amount in relation to the approval of premises for the inspection and testing of a class of vehicles if the proprietor of the premises surrenders the approval;
- (h) a fee, charge or other amount in relation to the registration or renewal of registration of a vehicle if the vehicle is changed so that a fee, charge or other amount is payable before it can be used;
- (i) a fee, charge or other amount in relation to the issue of trader's plates if the holder of the plates surrenders the plates;
- (j) a fee, charge or other amount paid in relation to the issue of a parking permit that is a loading zone permit if the holder of the permit surrenders the permit.

Note For the conditions of surrender for driver licences see regulations 73, 81 and 82 of the *Road Transport (Driver Licensing) Regulations 2000*; for driving instructor's accreditation see regulation 109 of the *Road Transport (Driver Licensing) Regulations 2000*; for registration see regulation 83 of the *Road Transport (Vehicle Registration) Regulations 2000*; for examiner's authorisation see regulation 123 of the *Road Transport (Vehicle Registration) Regulations 2000*; for approvals for premises see regulation 133 of the *Road Transport (Vehicle Registration) Regulations 2000*; for trader's plates see regulation 102 of the *Road Transport (Vehicle Registration) Regulations 2000*; and for parking permits see regulation 100 of the *Road Transport (Safety and Traffic Management) Regulations 2000*.

(4) The road transport authority may deduct from the refund any unpaid fees, charges or other amounts payable by the person to the authority in relation to the driver licence, accreditation, registration, permit, trader's plate, licence or other thing in relation to which the refund is payable (the *subject of the refund*).

(5) If the amount of the refund is not a whole number of dollars, the amount must be rounded down to the next whole number of dollars.

15 Refund formula

(1) The refund formula is—

$$\text{refund} = \frac{\text{days remaining}}{\text{days paid for}} \times \text{fee paid}$$

(2) In this regulation—

days paid for means the total number of days the subject of the refund was to be in force.

days remaining means the number of whole days remaining of the days paid for.

fee paid means the relevant amount paid in relation to the subject of the refund, less any non-refundable amount paid in relation to the subject of the refund or payable in relation to the refund.

16 Dishonour notices (MTA s 103 (1)-(2))

(1) This regulation applies to the following amounts payable under the road transport legislation:

- (a) a fee, charge or other amount payable in relation to the issue, variation or renewal of a driver licence;
- (b) a fee, charge or other amount payable in relation to the registration or renewal of registration of a vehicle;
- (c) a fee, charge or other amount payable in relation to the inspection or examination of a vehicle;
- (d) a fee, charge or other amount payable in relation to the appointment or renewal of the appointment of an authorised examiner;
- (e) a fee, charge or other amount payable in relation to the approval or renewal of the approval of premises for the inspection or testing of vehicles;
- (f) a fee, charge or other amount payable in relation to the issue of trader's plates;
- (g) a fee, charge or other amount payable in relation to the issue or transfer of a licence under Part 9 (Public vehicles) of the Act.

(2) If a person pays all or part of an amount to which this regulation applies by cheque and the cheque is not met on presentation, or by credit card and the credit card transaction is not honoured, the road transport authority must give a written dishonour notice to the person.

(3) The dishonour notice must—

- (a) contain a statement to the effect that the cheque was not met on presentation or the credit card transaction was not honoured; and

- (b) indicate the consequences under regulation 17 if the amount of the cheque or credit card transaction is not paid to the road transport authority within 14 days after the dishonour notice is given to the person.

17 Suspension notices (MTA s 103 (3)-(4))

- (1)** In this regulation and regulations 18 and 19—

relevant thing means—

- (a) for a fee, charge or other amount mentioned in paragraph 16 (1) (a)—the driver licence; or
- (b) for a fee, charge or other amount mentioned in paragraph 16 (1) (b) or (c)—the vehicle registration; or
- (c) for a fee, charge or other amount mentioned in paragraph 16 (1) (d)—the appointment; or
- (d) for a fee, charge or other amount mentioned in paragraph 16 (1) (e)—the approval; or
- (e) for a fee, charge or other amount mentioned in paragraph 16 (1) (f)—the trader’s plates; or
- (f) for a fee, charge or other amount mentioned in paragraph 16 (1) (g)—the licence.

- (2)** If the person mentioned in regulation 16 does not pay the amount of the cheque or credit card transaction within 14 days after the dishonour notice is given to the person, the road transport authority must—

- (a) give the person a written suspension notice suspending the relevant thing; and
- (b) take the action (if any) that the authority considers necessary or desirable to give effect to the suspension of the relevant thing.

- (3)** The suspension notice must—

- (a) contain a statement to the effect that payment has not been received in accordance with the dishonour notice; and
- (b) contain a statement to the effect that the relevant thing is suspended by the notice and explaining briefly the effects of the suspension; and
- (c) indicate the consequences under regulation 19 if the amount of the cheque or credit card transaction is not paid within 14 days after the suspension notice is given to the person.

18 Revocation of suspension

If the person mentioned in regulation 16 pays the amount of the cheque or credit card transaction within 14 days after the suspension notice is given to the person, the road transport authority must—

- (a) give the person a written revocation notice revoking the suspension of the relevant thing; and
- (b) take any action necessary to give effect to the revocation of the suspension of the relevant thing.

19 Cancellation notices (MTA s 103 (5)-(6))

(1) If the person mentioned in regulation 16 does not pay the amount of the cheque or credit card transaction within 14 days after the suspension notice is given to the person, the road transport authority must—

- (a) give the person a written cancellation notice cancelling the relevant thing; and
- (b) take the action (if any) that the authority considers necessary or desirable to give effect to the cancellation of the relevant thing.

(2) The cancellation notice must contain a statement to the effect that—

- (a) payment has not been received in accordance with the suspension notice; and
- (b) the relevant thing is cancelled by the notice and explaining briefly the effects of the cancellation.

SCHEDULE 1

(See reg 11)

REVIEWABLE DECISIONS

**PART 1.1—ROAD TRANSPORT (ALCOHOL AND DRUGS)
ACT 1977**

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| 4 | 44 | Minister—vary/revoke condition on approval of therapy or education program |
| 5 | 44 | Minister—refuse to revoke condition on approval of therapy or education program |

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SCHEDULE 1—continued

**PART 1.2—ROAD TRANSPORT (DIMENSIONS AND MASS)
ACT 1990**

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| 2 | 27 (1) | road transport authority—statement of provisions of Part 2 or 3 vehicle/combination not required to comply with |
| 3 | 27 (1) | road transport authority—period/journey permit is in force |
| 4 | 27 (3) | road transport authority—refuse to issue permit for articulated vehicle with trailer |
| 5 | 27 (3) | road transport authority—period/journey permit is in force |
| 6 | 28 (2) | road transport authority—refusal to treat vehicle as eligible for registration under <i>Road Transport (Vehicle Registration) Act 1999</i> |
| 7 | 29 (2) | road transport authority—refuse to allow application for permit to be made within the 28 days mentioned in subsection 29 (1) of the <i>Road Transport (Dimensions and Mass) Act 1990</i> |
| 8 | 30 (1) | road transport authority—impose condition on permit |

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SCHEDULE 1—continued

**PART 1.3—ROAD TRANSPORT (DRIVER LICENSING)
ACT 1999**

| column 1 item | column 2 provision | column 3 decision |
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| 3 | 34 (1) (b) | road transport authority—refuse to accept photograph is suitable for use on driver licence |

SCHEDULE 1—continued

PART 1.4—ROAD TRANSPORT (DRIVER LICENSING)
REGULATIONS 2000

| column 1 item | column 2 provision | column 3 decision |
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| 2 | 26 (2) | road transport authority—refuse to approve multi-combination vehicle licence driver training course |
| 3 | 55 (1) | road transport authority—issue/renew, or refuse to issue/renew on application, driver licence subject to conditions imposed by authority |
| 4 | 55 (2) | road transport authority—vary/revoke, or refuse to vary/revoke on application, condition imposed on driver licence by authority |
| 5 | 55 (2) | road transport authority—vary driver licence to impose conditions to which the licence is subject (other than a condition mentioned in regulation 50 (Conditions of restricted licences) or 54 (Conditions of probationary licences)) |
| 6 | 65 | road transport authority—refuse to approve course for training people to hold public vehicle licences and for public vehicle licensees (<i>a public vehicle training course</i>) |
| 7 | 67 (1) | road transport authority—refuse exemption from driver licence eligibility requirement |
| 8 | 67 (2) | road transport authority—imposition of condition on driver licence issued because of exemption from eligibility requirement |

SCHEDULE, PART 1.4—ROAD TRANSPORT (DRIVER LICENSING) REGULATIONS 2000—continued

| column 1 item | column 2 provision | column 3 decision |
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| 11 | 69 (3) | road transport authority—refuse to dispense with requirement for completed application form for issue and certain variations of driver licences |
| 12 | 69 (5) | road transport authority—require applicant for issue and certain variations of driver licences to provide evidence, information or documents or undergo tests, assessments or examinations in accordance with notice |
| 13 | 69 (6) | road transport authority—refuse to accept test, assessment or evidence obtained in another jurisdiction by applicant for issue and certain variations of driver licences |
| 14 | 69 (7) | road transport authority—require applicant for issue and certain variations of driver licences to comply with requirements equivalent to paragraph 69 (5) (h) (which is about treatment of alcohol or drug offenders in another jurisdiction) |
| 15 | 70 (1) | road transport authority—refuse application for issue of driver licence of the class or kind applied for |
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SCHEDULE, PART 1.4—ROAD TRANSPORT (DRIVER LICENSING) REGULATIONS 2000—continued

| column 1 item | column 2 provision | column 3 decision |
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| 19 | 73 (2) | road transport authority—refuse permission to keep current external driver licence |
| 20 | 78 (2) | road transport authority—require person to provide evidence, information or documents or undergo tests, assessments or examinations in accordance with notice |
| 21 | 78 (3) | road transport authority—refuse to accept certificate of medical examination conducted in another jurisdiction |
| 22 | 78 (4) | road transport authority—refuse to accept test, assessment or evidence obtained in another jurisdiction |
| 23 | 78 (5) | road transport authority—require compliance with requirements equivalent to paragraph 69 (5) (h) (which is about treatment of alcohol or drug offenders in another jurisdiction) |
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SCHEDULE, PART 1.4—ROAD TRANSPORT (DRIVER LICENSING) REGULATIONS 2000—continued

| column 1 item | column 2 provision | column 3 decision |
|------------------|-----------------------|---|
| 26 | 85 (4) | road transport authority—require applicant for renewal of driver licence to provide evidence, information or documents or undergo tests, assessments or examinations in accordance with notice |
| 27 | 85 (5) | road transport authority—refuse to accept evidence, test or assessment obtained by applicant for renewal of driver licence in another jurisdiction |
| 28 | 85 (5) | road transport authority—require applicant for renewal of driver licence to comply with requirements equivalent to paragraph 69 (5) (h) (which is about treatment of alcohol or drug offenders in another jurisdiction) |
| 29 | 85 (7) | road transport authority—refuse to renew driver licence |
| 30 | 88 (1) | road transport authority—vary/suspend/cancel driver licence |
| 31 | 93 (1) | road transport authority—refuse exemption from requirement to hold driver licence/particular class or kind of licence |
| 32 | 93 (2) | road transport authority—impose conditions on exemption from requirement to hold driver licence/particular class or kind of licence |
| 33 | 103 (1) | road transport authority—disqualify holder of Australian driver licence issued by another jurisdiction or of an external driver licence licensee from driving motor vehicle on road or road related area |

SCHEDULE, PART 1.4—ROAD TRANSPORT (DRIVER LICENSING) REGULATIONS 2000—continued

| column 1 item | column 2 provision | column 3 decision |
|------------------|-----------------------|--|
| 34 | 104 (3) | road transport authority—refuse exemption from requirement to successfully complete approved driving instructors training course |
| 35 | 104 (4) | road transport authority—impose conditions on exemption from requirement to successfully complete approved driving instructors training course |
| 36 | 106 (1) | road transport authority—refuse application for accreditation |
| 37 | 112 (1) | road transport authority—suspend/cancel accreditation/disqualify from applying for accreditation (including suspending or disqualifying for additional period) |
| 38 | 120 (1) | road transport authority—require person to provide evidence, information or documents or undergo tests, assessments or examinations in accordance with notice |
| 39 | 120 (2) | road transport authority—refuse to accept certificate of medical examination of person conducted in another jurisdiction |
| 40 | 120 (3) | road transport authority—refuse to accept test, assessment or evidence obtained by person in another jurisdiction |
| 41 | 121 (a) | road transport authority—require driving instructor to undertake training |
| 42 | 122 | road transport authority—refuse to approve course for training people to become driving instructors and for driving instructors |

SCHEDULE 1—continued

PART 1.5—ROAD TRANSPORT (GENERAL) ACT 1999

| column 1 item | column 2 provision | column 3 decision |
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| 1 | 103 (3) | road transport authority—refuse to allow longer period of effect for defined right |
| 2 | 106 (1) | road transport authority—refuse to issue taxi operator’s licence |
| 3 | 106 (5) | road transport authority—maximum number of passengers taxi may carry |
| 4 | 106 (6) | road transport authority—refuse to renew taxi operator’s licence |
| 5 | 108 (1) | road transport authority—refuse to issue restricted taxi operator’s licence |
| 6 | 108 (3) | road transport authority—impose condition on restricted taxi operator’s licence |
| 7 | 108 (4) | road transport authority—maximum number of passengers restricted taxi may carry |
| 8 | 108 (5) | road transport authority—refuse to renew restricted taxi operator’s licence |
| 9 | 109 (2) | road transport authority—refuse to transfer taxi operator’s licence |
| 10 | 110 (2) (b) | road transport authority—refuse to vary/revoke/ impose condition on restricted taxi operator’s licence |
| 11 | 111 (3) | road transport authority—vary/revoke condition on restricted taxi operator’s licence |
| 12 | 111 (3) | road transport authority—impose condition on restricted taxi operator’s licence |

**SCHEDULE 1, PART 1.5—ROAD TRANSPORT
(GENERAL) ACT 1999—continued**

| column 1 item | column 2 provision | column 3 decision |
|------------------|-----------------------|--|
| 13 | 112 | road transport authority—suspend/cancel taxi operator’s licence/restricted taxi operator’s licence |
| 14 | 120 (1) | road transport authority—refuse to issue private hire car operator’s licence |
| 15 | 120 (4) | road transport authority—maximum number of passengers private hire car may carry |
| 16 | 120 (5) | road transport authority—refuse to renew private hire car operator’s licence |
| 17 | 121 (2) | road transport authority—refuse to transfer private hire car operator’s licence to approved person |
| 18 | 121 (2) | road transport authority—refuse to approve person for the transfer of hire car operator’s licence |
| 19 | 122 | road transport authority—suspend/cancel private hire car operator’s licence |
| 20 | 126 (1) | road transport authority—refuse to issue restricted hire vehicle operator’s licence |
| 21 | 126 (2) | road transport authority—impose condition on restricted hire vehicle operator’s licence |
| 22 | 126 (3) | road transport authority—maximum number of passengers restricted hire vehicle may carry |
| 23 | 126 (4) | road transport authority—refuse to renew restricted hire vehicle operator’s licence |
| 24 | 128 (4) (b) | road transport authority—refuse vary/revoke/impose condition on restricted hire vehicle operator’s licence |

**SCHEDULE 1, PART 1.5—ROAD TRANSPORT
(GENERAL) ACT 1999—continued**

| column 1 item | column 2 provision | column 3 decision |
|------------------|-----------------------|--|
| 25 | 129 (3) | road transport authority—vary/revoke condition on restricted hire vehicle operator’s licence |
| 26 | 129 (3) | road transport authority—impose condition on restricted hire vehicle operator’s licence |
| 27 | 130 (1) | road transport authority—refuse to publish notice stating that restricted hire vehicles may be operated as private hire cars |
| 28 | 130 (1) | road transport authority—the period that restricted hire vehicles may be operated as private hire cars |
| 29 | 132 | road transport authority—suspend/cancel restricted hire vehicle operator’s licence |
| 30 | 135 (1) | road transport authority—refuse to issue sightseeing vehicle operator’s licence |
| 31 | 135 (2) | Minister—impose condition on sightseeing vehicle operator’s licence |
| 32 | 135 (3) | road transport authority—refuse to renew sightseeing vehicle operator’s licence |
| 33 | 138 (1) | road transport authority—refuse to issue bus operator’s licence |
| 34 | 138 (2) | road transport authority—maximum number of passengers bus may carry |
| 35 | 138 (3) | road transport authority—refuse to renew bus operator’s licence |
| 36 | 139 (2) | road transport authority—refuse to transfer bus operator’s licence |

**SCHEDULE 1, PART 1.5—ROAD TRANSPORT
(GENERAL) ACT 1999—continued**

| column 1 item | column 2 provision | column 3 decision |
|------------------|-----------------------|---|
| 37 | 142 (3) | road transport authority—refuse to issue bus service licence |
| 38 | 142 (4) | road transport authority—impose conditions on bus service licence |
| 39 | 142 (5) | road transport authority—refuse to renew bus service licence |
| 40 | 144 | road transport authority—refuse to transfer bus service licence |
| 41 | 149 (1) | road transport authority—refuse to issue visiting bus operator’s licence |
| 42 | 149 (2) | road transport authority—maximum number of passengers visiting bus may carry |
| 43 | 149 (3) | road transport authority—impose condition on visiting bus operator’s licence |
| 44 | 149 (4) | road transport authority—refuse to renew visiting bus operator’s licence |
| 45 | 152 (1) | road transport authority—cancel/suspend taxi, restricted taxi, private hire car or restricted hire vehicle operator’s licence because prescribed person does not have use, control and management of vehicle |
| 46 | 152 (2) | road transport authority—refuse to issue/renew taxi, restricted taxi, private hire car or restricted hire vehicle operator’s licence because prescribed person does not have use, control and management of vehicle |

**SCHEDULE 1, PART 1.5—ROAD TRANSPORT
(GENERAL) ACT 1999—continued**

| column 1 item | column 2 provision | column 3 decision |
|------------------|-----------------------|--|
| 47 | 156 (1) | road transport authority—cancel/suspend taxi, restricted taxi, bus or restricted hire vehicle operator’s licence for contravention of licence condition |
| 48 | 156 (1) | road transport authority—period of suspension of taxi, restricted taxi, bus or restricted hire vehicle operator’s licence for contravention of licence condition |
| 49 | 156 (2) | road transport authority—cancel/suspend taxi, restricted taxi, bus, private hire car or restricted hire vehicle operator’s licence because vehicle is not being used as, or is not in fit condition to be used as, public vehicle |
| 50 | 156 (2) | road transport authority—period of suspension of taxi, restricted taxi, bus, private hire car or restricted hire vehicle operator’s licence because vehicle is not being used as, or is not in fit condition to be used as, public vehicle |
| 51 | 165 (5) | Minister—refuse to approve authorised insurer as an approved authorised insurer for section 165 |
| 52 | 207 (1) (a) | Minister—impose conditions on approval of corporation as authorised insurer |
| 53 | 207 (1) (b) | Minister—refuse to approve corporation as authorised insurer |
| 54 | 209 (1) | Minister—cancel insurer’s approval as authorised insurer |

Road Transport (General) Regulations 2000

SCHEDULE 1—continued

**PART 1.6—ROAD TRANSPORT (BUS SERVICES)
REGULATIONS 2000**

| column 1 item | column 2 provision | column 3 decision |
|------------------|-----------------------|--|
| 1 | 46 (2) | road transport authority—refuse to approve appointment of a bus stop |
| 2 | 48 (1) | police officer, authorised person or person inspecting vehicle—attaching noncompliance notice to vehicle |
| 3 | 48 (3) | police officer or authorised person—refuse to remove noncompliance notice |
| 4 | 48 (3) | police officer or authorised person—refuse to direct that noncompliance notice be taken to have been removed |

Road Transport (General) Regulations 2000

SCHEDULE 1—continued

**PART 1.7—ROAD TRANSPORT (HIRE VEHICLE SERVICES)
REGULATIONS 2000**

| column 1 item | column 2 provision | column 3 decision |
|------------------|-----------------------|--|
| 1 | 32 (1) | police officer, authorised person or person inspecting vehicle—attaching noncompliance notice to vehicle |
| 2 | 32 (3) | police officer or authorised person—refuse to remove noncompliance notice |
| 3 | 32 (3) | police officer or authorised person—refuse to direct that noncompliance notice be taken to have been removed |

Road Transport (General) Regulations 2000

SCHEDULE 1—continued

**PART 1.8—ROAD TRANSPORT (TAXI SERVICES)
REGULATIONS 2000**

| column 1 item | column 2 provision | column 3 decision |
|------------------|-----------------------|---|
| 1 | 5 (2) | road transport authority—refuse exemption from taxi being fitted with taximeter complying with standards for taximeters |
| 2 | 57 (2) | road transport authority—refuse to issue taxi network authority |
| 3 | 57 (6) | road transport authority—cancel/suspend taxi network authority |
| 4 | 58 (1) | police officer, authorised person or person inspecting vehicle—attaching noncompliance notice to vehicle |
| 5 | 58 (3) | police officer or authorised person—refuse to remove noncompliance notice |
| 6 | 58 (3) | police officer or authorised person—refuse to direct that noncompliance notice be taken to have been removed |

SCHEDULE 1—continued

PART 1.9—ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) REGULATIONS 2000

| column 1 item | column 2 provision | column 3 decision |
|------------------|-----------------------|--|
| 1 | 11 | road transport authority—refuse to approve an event (which would permit a motorbike or bicycle rider to ride alongside more than 1 rider) |
| 2 | 42 (3) | road transport authority—refuse to exempt vehicle or person from towing weights mentioned in subregulation (1) |
| 3 | 56 (2) | road transport authority—revoke mobility parking scheme authority |
| 4 | 67 | road transport authority—refuse to exempt person from subrule 271 (2) of the Australian Road Rules to the extent that it requires a person to face forward while being carried as a passenger on a motorbike |
| 5 | 92 (1) | road transport authority—refuse to give exemption to holder of existing operator’s certificate (in relation to the parking of heavy vehicles) |
| 6 | 92 (1) | road transport authority—exempt/exempt subject to conditions holder of existing operator’s certificate |
| 7 | 92 (1) | road transport authority—period of exemption given to holder of existing operator’s certificate |
| 8 | 94 (2) (b) | road transport authority—refuse to vary exemption given to holder of existing operator’s certificate |

Road Transport (General) Regulations 2000

SCHEDULE 1, PART 1.9—ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) REGULATIONS 2000—continued

| column 1 item | column 2 provision | column 3 decision |
|------------------|-----------------------|--|
| 9 | 97 (3) | road transport authority—cancel existing operator’s certificate |
| 10 | 97 (3) | road transport authority—revoke exemption/variation of exemption given to holder of an existing operator’s certificate |
| 11 | 100 (1) | road transport authority—refuse to issue parking permit |
| 12 | 100 (3) | road transport authority—impose condition on parking permit |
| 13 | 100 (3) | road transport authority—refuse to vary/revoke condition on parking permit |
| 14 | 101 (1) | road transport authority—refuse to issue mobility parking scheme authority |
| 15 | 101 (2) | road transport authority—impose conditions on mobility parking scheme authority |
| 16 | 101 (2) | road transport authority—refuse to vary/revoke conditions on mobility parking scheme authority |
| 17 | 112 (5) | chief police officer—refuse to pay balance of proceeds of sale of impounded vehicle |

Road Transport (General) Regulations 2000

SCHEDULE 1—continued

**PART 1.10—ROAD TRANSPORT (VEHICLE REGISTRATION)
ACT 1999**

| column 1 item | column 2 provision | column 3 decision |
|------------------|-----------------------|--|
| 1 | 25 (4) (a) | police officer or authorised officer—issue defect notice |
| 2 | 25 (4) (b) | police officer or authorised officer—impose conditions on use of defective vehicle |
| 3 | 25 (4) (c) | police officer or authorised officer—prohibit use of defective vehicle |
| 4 | 25 (5) | police officer or authorised officer—refuse to withdraw or clear defect notice |

SCHEDULE 1—continued

**PART 1.11—ROAD TRANSPORT (VEHICLE REGISTRATION)
REGULATIONS 2000**

Note An exemption of a person or vehicle under the regulations from the Act or a particular provision of the Act may be conditional (see s 17 (1)-(2) of the Act).

| column 1 item | column 2 provision | column 3 decision |
|------------------|-----------------------|---|
| 1 | 7 (1) | road transport authority—suspend operation of regulation 14 (Vehicles temporarily in the ACT) or 16 (Trailers exempt from registration in another jurisdiction) |
| 2 | 7 (2) | road transport authority—period of suspension of operation of regulation 14 or 16 |
| 3 | 25 (2) | road transport authority—refuse to record person under required age as registered operator |
| 4 | 26 (1) | road transport authority—impose condition on registration of vehicle |
| 5 | 26 (2) | road transport authority—refuse to register registrable vehicle |
| 6 | 31 (3) | road transport authority—refuse to approve different period of registration for vehicle |
| 7 | 32 (1) | road transport authority—refuse to approve application for registration of registrable vehicle |
| 8 | 33 (1) | road transport authority—impose condition on registration of registrable vehicle |
| 9 | 33 (2) | road transport authority—refuse to conditionally register registrable vehicle |
| 10 | 33 (4) | road transport authority—vary/cancel condition imposed on registration of registrable vehicle |
| 11 | 36 (2) (a) | road transport authority—refuse to approve dealing in relation to registrable vehicle |

SCHEDULE 1, PART 1.11—ROAD TRANSPORT (VEHICLE REGISTRATION) REGULATIONS 2000—continued

| column 1 item | column 2 provision | column 3 decision |
|------------------|-----------------------|--|
| 12 | 36 (2) (b) | road transport authority—refuse to record details of dealing in register |
| 13 | 36 (2) (c) | road transport authority—refuse to exercise any other function in relation to dealing |
| 14 | 41 (2) | road transport authority—refuse to issue replacement for damaged registration certificate |
| 15 | 42 (4) | road transport authority—refuse to issue replacement for registration certificate that has been lost, stolen or destroyed |
| 16 | 44 (5) | road transport authority—refuse to give replacement for lost, stolen, damaged or destroyed registration label |
| 17 | 50 (2) | road transport authority—refuse to issue bicycle rack numberplate |
| 18 | 52 (1) | road transport authority—change registration number given to registered vehicle |
| 19 | 57 | road transport authority—cancel prescribed right to non-standard registration number |
| 20 | 59 (5) | road transport authority—refuse to exempt vehicle or person from regulation 59 (which is about how numberplates are to be displayed) |
| 21 | 59 (5) | road transport authority—impose condition on exemption from regulation 59 |
| 22 | 59 (5) | road transport authority—revoke exemption from regulation 59 |
| 23 | 61 | road transport authority—refuse to approve swap of numberplates between registrable vehicles |

SCHEDULE 1, PART 1.11—ROAD TRANSPORT (VEHICLE REGISTRATION) REGULATIONS 2000—continued

| column 1 item | column 2 provision | column 3 decision |
|------------------|-----------------------|---|
| 24 | 62 | road transport authority—refuse to transfer numberplates between registrable vehicles |
| 25 | 63 | road transport authority—refuse to issue different registration number for registrable vehicle |
| 26 | 64 (2) | road transport authority—refuse to issue replacement numberplate with same number of numberplate as damaged |
| 27 | 65 (5) | road transport authority—refuse to issue replacement numberplate with same or different number of lost, stolen or destroyed numberplate |
| 28 | 65 (6) | road transport authority—refuse to issue replacement numberplate for lost, stolen or destroyed bicycle rack numberplate |
| 29 | 68 (5) | road transport authority—refuse to renew registration for period nominated by registered operator |
| 30 | 68 (9) | road transport authority—refuse to renew registration of vehicle |
| 31 | 77 (2) | road transport authority—refuse to transfer registration of registrable vehicle if registered operator has died |
| 32 | 77 (3) | road transport authority—refuse to transfer registration of registrable vehicle to second transferee |
| 33 | 78 (1) | road transport authority—refuse application to transfer registration of registrable vehicle |
| 34 | 78 (2) | road transport authority—refuse to transfer registration of registrable vehicle if 1 of the |

SCHEDULE 1, PART 1.11—ROAD TRANSPORT (VEHICLE REGISTRATION) REGULATIONS 2000—continued

| column 1 item | column 2 provision | column 3 decision |
|------------------|-----------------------|---|
| | | parties to the registration has not complied with regulations in relation to transfer |
| 35 | 80 (1) | road transport authority—refuse to exempt person from provision of Part 4.2 (Transfer of registration) |
| 36 | 80 (1) | road transport authority—impose condition on exemption from provision of Part 4.2 |
| 37 | 80 (1) | road transport authority—revoke exemption from provision of Part 4.2 |
| 38 | 85 | road transport authority—suspend/cancel registration of registered vehicle |
| 39 | 86 (1) | road transport authority—refuse to issue unregistered vehicle permit |
| 40 | 86 (1) | road transport authority—condition imposed on unregistered vehicle permit |
| 41 | 86 (5) | road transport authority—vary/cancel unregistered vehicle permit |
| 42 | 88 (1) | road transport authority—refuse to issue trader’s plate |
| 43 | 89 (3) | road transport authority—refuse to issue replacement plate for recalled trader’s plate |
| 44 | 92 (1) | road transport authority—refuse to issue replacement identification label for trader’s plate |
| 45 | 104 (1) | road transport authority—refuse to exempt vehicle, combination or person from provision of regulation 108 (which is about vehicle emission control systems) or Schedule 1 |

SCHEDULE 1, PART 1.11—ROAD TRANSPORT (VEHICLE REGISTRATION) REGULATIONS 2000—continued

| column 1 item | column 2 provision | column 3 decision |
|------------------|-----------------------|---|
| 46 | 104 (1) | road transport authority—condition imposed on exemption from provision of regulation 108 or Schedule 1 |
| 47 | 104 (1) | road transport authority—revoke exemption from provision of regulation 108 or Schedule 1 |
| 48 | 113 | road transport authority—refuse to conditionally register vehicle not complying with applicable vehicle standards |
| 49 | 114 (1) | road transport authority—refuse to authorise person to install operations plate on, or issue or accept certificate of approved operations for, registrable vehicle not complying with applicable vehicle standards |
| 50 | 118 | road transport authority—refuse to approve application for authorisation (including renewal) (as authorised examiner) for class of vehicles |
| 51 | 125 (1) | road transport authority—suspend/cancel authorisation or authorisation for class of vehicles/disqualify from applying for authorisation/authorisation for class of vehicles (including suspending or disqualifying for additional period) |
| 52 | 130 | road transport authority—refuse to approve application for approval of premises (including renewal) for class of vehicles (for vehicle inspections) |
| 53 | 136 (1) | road transport authority—suspend/cancel approval of premises or approval of premises for class of vehicles/disqualify from applying for |

SCHEDULE 1, PART 1.11—ROAD TRANSPORT (VEHICLE REGISTRATION) REGULATIONS 2000—continued

| column 1 item | column 2 provision | column 3 decision |
|------------------|-----------------------|--|
| | | approval of premises or approval of premises for class of vehicle (including suspending or disqualifying for additional period) |
| 54 | 152 (1) | road transport authority—refuse to issue replacement for examiner’s certificate of appointment that has been lost, stolen or destroyed |
| 55 | 152 (2) | road transport authority—refuse to issue replacement for certificate of approval that has been lost, stolen or destroyed |
| 56 | 158 | road transport authority—refuse to authorise person to change, deface, remove or otherwise interfere with a component identification number stamped on or attached to a vehicle part |
| 57 | 158 | road transport authority—revoke an authorisation |
| 58 | 160 (3) | road transport authority, police officer or authorised person—refuse to clear defect notice |
| 59 | 161 | road transport authority—refuse to authorise use of vehicle with suspended registration on a road or road related area |
| 60 | 161 | road transport authority—the place and time of an authorisation for use of vehicle with suspended registration |
| 61 | 161 | road transport authority—conditions imposed on an authorisation for use of vehicle with suspended registration |
| 62 | 161 | road transport authority—revocation of an authorisation for use of vehicle with suspended registration |

Road Transport (General) Regulations 2000

**SCHEDULE 1, PART 1.11—ROAD TRANSPORT (VEHICLE
REGISTRATION) REGULATIONS 2000—continued**

SCHEDULE 2

(See reg 12)

DECISIONS EXEMPT FROM INTERNAL REVIEW

**PART 2.1—ROAD TRANSPORT (SAFETY AND TRAFFIC
MANAGEMENT) REGULATIONS 2000**

| column 1 item | column 2 provision | column 3 decision |
|------------------|-----------------------|---|
| 1 | 100 (1) | Secretary of the Commonwealth Department of Foreign Affairs and Trade (as delegate of the road transport authority)—refuse to issue parking permit |
| 2 | 100 (1) | Secretary of the Commonwealth Department of Foreign Affairs and Trade (as delegate of the road transport authority)—impose condition on parking permit |
| 3 | 100 (1) | Secretary of the Commonwealth Department of Foreign Affairs and Trade (as delegate of the road transport authority)—refuse to vary/revoke condition on parking permit |

Note Under subregulation 8 (1), the road transport authority delegates to the Secretary of the Commonwealth Department of Foreign Affairs and Trade its functions to issue certain parking permits.

DICTIONARY

(See reg 3)

- administering authority***, for an infringement notice offence—see the Act, dictionary.
- authorised examiner***—see the *Road Transport (Vehicle Registration) Regulations 2000*, dictionary.
- authorised person***—see the Act, dictionary.
- credit card***—see the Act, dictionary.
- driver licence***—see the *Road Transport (Driver Licensing) Act 1999*, dictionary.
- infringement notice***—see the Act, dictionary.
- infringement notice offence***—see the Act, dictionary.
- non-refundable amount*** means a fee, charge or other amount, or part of a fee, charge or other amount, declared by a determination under section 96 of the Act to be a non-refundable amount.
- parking permit***—see the *Road Transport (Safety and Traffic Management) Regulations 2000*, dictionary.
- registration***, of a vehicle, means the registration of the vehicle under the *Road Transport (Vehicle Registration) Act 1999*.
- relevant thing***—see subregulation 17 (1).
- reminder notice***—see the Act, dictionary.
- reviewable decision***—see the Act, subsection 90 (1) and also regulation 11.
- road transport authority***—see the Act, dictionary.
- road transport legislation***—see the Act, section 6 (What is the road transport legislation?).
- subject of the refund***—see subregulation 14 (4).
- the Act*** means the *Road Transport (General) Act 1999*.
- trader's plate***—see the *Road Transport (Vehicle Registration) Act 1999*, dictionary.

Road Transport (General) No , 1998

Road Transport (General) Regulations 2000

ENDNOTES

1 About this republication

This is a republication of the *Road Transport (General) Regulations 2000* as in force under the *Road Transport (General) Act 1999* on 1 March 2000. The regulations had not been amended up to that date.

Amending laws are annotated in the table of legislation and table of amendments.

The Parliamentary Counsel's Office currently prepares 2 kinds of republications of ACT laws: authorised printed republications to which the *Legislation (Republication) Act 1996* applies and unauthorised electronic republications. The status of this republication appears on the cover.

Section 13 of the *Legislation (Republication) Act 1996* authorises the Parliamentary Counsel, in preparing a law for republication, to make textual amendments of a formal nature which the Parliamentary Counsel considers desirable in accordance with current legislative drafting practice. The amendments do not effect a substantive change in the law.

In preparing this republication, amendments have not been made under section 13.

Not all amendments made under section 13 are annotated in the table of amendments. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

2 Abbreviation key

Key to abbreviations in tables

| | |
|---|--|
| am = amended | pres = present |
| amdt = amendment | prev = previous |
| ch = chapter | (prev...) = previously |
| cl = clause | prov = provision |
| def = definition | pt = part |
| div = division | r = rule/subrule |
| exp = expires/expired | reg = regulation/subregulation |
| Gaz = Gazette | renum = renumbered |
| hdg = heading | reloc = relocated |
| ins = inserted/added | R[X] = Republication No |
| LR = Legislation (Republication) Act 1996 | s = section/subsection |
| mod = modified | sch = schedule |
| No = number | sdiv = subdivision |
| notfd = notified | sub = substituted |
| o = order | SL = Subordinate Law |
| om = omitted/repealed | sp = spent |
| orig = original | * = SL unless otherwise stated |
| p = page | † = Act or Ordinance unless otherwise stated |
| par = paragraph | |

Road Transport (General) Regulations 2000

3 Table of legislation

| Subordinate law* | Year and number† | Gazette notification | Commencement | Transitional provisions |
|--|------------------|----------------------|---|-------------------------|
| <i>Road Transport (General) Regulations 2000</i> | 2000 No 13 | 29 Feb 2000 | 1 Mar 2000 (see reg 2 and Gaz 2000 No S5) | |

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