



Australian Capital Territory

Road Transport (General) Regulations 2000 No 13

made under the

Road Transport (General) Act 1999

Republication No 3

Republication date: 3 December 2001

Last amendment made by Act 2001 No 62

Amendments incorporated to 1 December 2001

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Road Transport (General) Regulations 2000*, made under the *Road Transport (General) Act 1999* as in force on 3 December 2001. It includes any amendment, repeal or expiry affecting the republished law to 1 December 2001 and any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes).

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises 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 Act 2001*, s 115 and s 117). 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.

This republication includes amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.

Amendments incorporated to
1 December 2001



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Australian Capital Territory

Road Transport (General) Regulations 2000

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Part 1 Preliminary

1 Name of regulations

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

3 Definitions—the dictionary

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

Note 1 The dictionary at the end of these regulations 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 that dictionary and the definition applies to these regulations.

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 *Legislation Act 2001*, s 155 and s 156 (1)).

4 Notes

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

Note See *Legislation Act 2001*, s 127 (1), (4) and (5) 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 legislation. The notes include the following abbreviations:

- MTA: *Motor Traffic Act 1936*, as in force immediately before the commencement of this Act
- MTR: *Motor Traffic Regulations 1934*, as in force immediately before the commencement of this Act
- 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 the Act, section 15 (1), the authority must—

- (a) include in the database—

- (i) a copy of the complete text of each declaration or order made under the Act, division 2.4 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 the Act, section 15 (3), 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 the Act, section 17 (1) (c), the road transport authority may delegate the authority's functions to issue permits under the *Road Transport (Safety and Traffic Management) Regulations 2000*, regulation 100 (2) (g) (Parking permits) to the Secretary of the Commonwealth Department of Foreign Affairs and Trade.
- (2) For the Act, section 17 (1) (c), the road transport authority may delegate the authority's functions under the *Road Transport (Vehicle Registration) Regulations 2000*, chapter 3 (Registration process) 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 the Act, section 20 (1) (e), 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

Part 2 Administration of road transport legislation

Regulation 9

- the person by the administering authority under the *Road Transport (Offences) Regulations 2001*, regulation 11; 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 the Act, section 90 (1) (b) (Application of pt 7 etc), 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 the Act, section 92 (3) (b) (Who may apply for internal review of decisions), 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 or an accreditation under the *Road Transport (Public Passenger Services) Act 2001* 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;
- (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 the Act, part 9 (Public vehicles) if the application is refused;
- (l) a fee, charge or other amount paid in relation to an application (other than an application for an accreditation under the *Road Transport (Public Passenger Services) Act 2001*) 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 (l) 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 or an accreditation under the *Road Transport (Public Passenger Services) Act 2001* if the accreditation is surrendered;
 - (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;

Regulation 14

- (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 the *Road Transport (Driver Licensing) Regulations 2000*, reg 73, reg 81 and reg 82; for driving instructor's accreditation see the *Road Transport (Driver Licensing) Regulations 2000*, reg 109; for accreditation to operate a public passenger service see the *Road Transport (Public Passenger Services) Regulations 2001*, reg 18; for registration see the *Road Transport (Vehicle Registration) Regulations 2000*, reg 83; for examiner's authorisation see the *Road Transport (Vehicle Registration) Regulations 2000*, reg 123; for approvals for premises see the *Road Transport (Vehicle Registration) Regulations 2000*, reg 133; for trader's plates see the *Road Transport (Vehicle Registration) Regulations 2000*, reg 102; and for parking permits see the *Road Transport (Safety and Traffic Management) Regulations 2000*, reg 100.

- (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 in relation to a driving instructor's accreditation or an accreditation under the *Road Transport (Public Passenger Services) Act 2001*;
 - (c) a fee, charge or other amount payable in relation to the registration or renewal of registration of a vehicle;
 - (d) a fee, charge or other amount payable in relation to the inspection or examination of a vehicle;
 - (e) a fee, charge or other amount payable in relation to the appointment or renewal of the appointment of an authorised examiner;

Regulation 17

- (f) 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;
 - (g) a fee, charge or other amount payable in relation to the issue of trader's plates;
 - (h) a fee, charge or other amount payable in relation to the issue or transfer of a licence under the Act, part 9 (Public vehicles).
- (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 regulation 16 (1) (a)—the driver licence; or
- (b) for a fee, charge or other amount mentioned in regulation 16 (1) (b)—the accreditation; or
- (c) for a fee, charge or other amount mentioned in regulation 16 (1) (c) or (d)—the vehicle registration; or

- (d) for a fee, charge or other amount mentioned in regulation 16 (1) (e)—the appointment; or
 - (e) for a fee, charge or other amount mentioned in regulation 16 (1) (f)—the approval; or
 - (f) for a fee, charge or other amount mentioned in regulation 16 (1) (g)—the trader's plates; or
 - (g) for a fee, charge or other amount mentioned in regulation 16 (1) (h)—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 Reviewable decisions

(see reg 11)

Part 1.1 Road Transport (Alcohol and Drugs) Act 1977

column 1 item	column 2 provision	column 3 decision
1	44	Minister—refuse to approve therapy or education program
2	44	Minister—impose condition on approval of therapy or education program
3	44	Minister—vary/revoke approval of therapy or education program
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

Part 1.2 Road Transport (Dimensions and Mass) Act 1990

column 1 item	column 2 provision	column 3 decision
1	27 (1)	road transport authority—refuse to issue permit for vehicle/combination
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 the <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 the <i>Road Transport (Dimensions and Mass) Act 1990</i> , section 29 (1)
8	30 (1)	road transport authority—impose condition on permit

Part 1.3 **Road Transport (Driver Licensing) Act 1999**

column 1 item	column 2 provision	column 3 decision
1	10 (2)	road transport authority—refuse to issue driver licence because not satisfied that person's Australian driver licence or external driver licence has been stolen, lost or destroyed
2	34 (1) (b)	road transport authority—refuse issue/renew driver licence because it is practical for applicant to have suitable photograph taken at designated place
3	34 (1) (b)	road transport authority—refuse to accept photograph is suitable for use on driver licence

Part 1.4 Road Transport (Driver Licensing) Regulations 2000

column 1 item	column 2 provision	column 3 decision
1	26 (1) (a)	road transport authority—refuse to approve road ready training course
1A	26 (1) (b)	road transport authority—refuse to approve approved pre-learner rider training course
2	26 (1) (c)	road transport authority—refuse to approve multi-combination vehicle licence driver training course
2A	38A	road transport authority—refuse to approve provisional 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 regulation 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 (a <i>public vehicle training course</i>)
7	67 (1)	road transport authority—refuse exemption from driver licence eligibility requirement

column 1 item	column 2 provision	column 3 decision
8	67 (2)	road transport authority—imposition of condition on driver licence issued because of exemption from eligibility requirement
9	67 (4)	road transport authority—refuse exemption from requirement to successfully complete public vehicle training course
10	67 (5)	road transport authority—imposition of condition on exemption from the requirement to successfully complete public vehicle training course
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 regulation 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

Schedule 1
Part 1.4

Reviewable decisions
Road Transport (Driver Licensing) Regulations 2000

column 1 item	column 2 provision	column 3 decision
16	70 (1)	road transport authority—refuse application for certain variations of driver licences
17	71 (a)	road transport authority—refuse to accept application for issue/certain variations of driver licence and issue licence when applicant is eligible
18	71 (b)	road transport authority—refuse to deal with application for issue/certain variations of driver licence as application for class or kind of driver licence for which person is eligible
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 regulation 69 (5) (h) (which is about treatment of alcohol or drug offenders in another jurisdiction)
24	79 (a)	road transport authority—require public vehicle licensee to undertake training

column 1 item	column 2 provision	column 3 decision
25	85 (2)	road transport authority—refuse to dispense with requirement for completed application form for driver licence renewal
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 regulation 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

Schedule 1
Part 1.4

Reviewable decisions
Road Transport (Driver Licensing) Regulations 2000

column 1 item	column 2 provision	column 3 decision
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
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 to approve application for accreditation as a driving instructor or renewal of accreditation
37	107A	road transport authority—refuse to issue replacement for certificate of accreditation as a driving instructor that has been lost, stolen or destroyed
38	112 (1)	road transport authority—cancel/suspend accreditation as a driving instructor/disqualify from applying for accreditation (including suspending or disqualifying for additional period)
39	120 (1)	road transport authority—require person to provide evidence, information or documents or undergo tests, assessments or examinations in accordance with notice
40	120 (2)	road transport authority—refuse to accept certificate of medical examination of person conducted in another jurisdiction

column 1 item	column 2 provision	column 3 decision
41	120 (3)	road transport authority—refuse to accept test, assessment or evidence obtained by person in another jurisdiction
42	121 (a)	road transport authority—require driving instructor to undertake training
43	122	road transport authority—refuse to approve course for training people to become driving instructors and for driving instructors

Part 1.5 Road Transport (General) Act 1999

column 1 item	column 2 provision	column 3 decision
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

column 1 item	column 2 provision	column 3 decision
12	111 (3)	road transport authority—impose condition on restricted taxi operator's licence
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

Schedule 1
Part 1.5

Reviewable decisions
Road Transport (General) Act 1999

column 1 item	column 2 provision	column 3 decision
24	128 (4) (b)	road transport authority—refuse vary/revoke/ impose condition on restricted hire vehicle operator's licence
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	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

column 1 item	column 2 provision	column 3 decision
34	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
35	156 (1)	road transport authority—cancel/suspend taxi, restricted taxi or restricted hire vehicle operator’s licence for contravention of licence condition
36	156 (1)	road transport authority—period of suspension of taxi, restricted taxi or restricted hire vehicle operator’s licence for contravention of licence condition
37	156 (2)	road transport authority—cancel/suspend taxi, restricted taxi, 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
38	156 (2)	road transport authority—period of suspension of taxi, restricted taxi, 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
39	165 (5)	Minister—refuse to approve authorised insurer as an approved authorised insurer for section 165
40	207 (1) (a)	Minister—impose conditions on approval of corporation as authorised insurer
41	207 (1) (b)	Minister—refuse to approve corporation as authorised insurer

Schedule 1 Reviewable decisions
Part 1.5 Road Transport (General) Act 1999

column 1 item	column 2 provision	column 3 decision
42	209 (1)	Minister—cancel insurer’s approval as authorised insurer

Part 1.6 **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

Part 1.7 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

Part 1.8 **Road Transport (Public
Passenger Services) Act 2001**

column 1 item	column 2 provision	column 3 decision
1	31	Minister—refuse exemption for vehicle or person from Act or provision of Act

Part 1.9 Road Transport (Public Passenger Services) Regulations 2001

column 1 item	column 2 provision	column 3 decision
1	9	road transport authority—refuse to accredit/renew accreditation to operate public passenger service
2	10 (1)	road transport authority—issue/renew accreditation to operate public passenger service subject to conditions imposed by authority
3	10 (2)	road transport authority—amend/revoke condition imposed on accreditation to operate public passenger service by authority
4	10 (2)	road transport authority—amend/revoke, or refuse to amend/revoke, condition imposed on accreditation to operate public passenger service on application by holder of accreditation
5	12 (3)	road transport authority—period of issue/renewal of accreditation to operate public passenger service
6	13 (2)	road transport authority—refuse to amend accepted service standard for public passenger service
7	16 (1)	road transport authority—refuse to issue replacement for certificate of accreditation to operate public passenger service that has been lost, stolen or destroyed
8	34 (3) (a)	road transport authority—number of seated/standing passengers bus permitted to carry

column 1 item	column 2 provision	column 3 decision
9	64 (2)	road transport authority—refuse to approve appointment of a bus stop
10	67 (4)	road transport authority—suspend/cancel accreditation to operate public passenger service/disqualify from applying for accreditation (including suspending or disqualifying for additional period)/impose/vary condition on accreditation/impose financial penalty/reprimand
11	68 (3)	road transport authority—immediately suspend accreditation to operate public passenger service
12	76 (1)	police officer, authorised person or person inspecting vehicle—attach noncompliance notice to vehicle
13	76 (3)	police officer or authorised person—refuse to remove noncompliance notice
14	76 (3)	police officer or authorised person—refuse to direct that noncompliance notice be taken to have been removed

Part 1.10 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 regulation 42 (1)
3	56 (2)	road transport authority—revoke mobility parking scheme authority
4	67	road transport authority—refuse to exempt person from the Australian Road Rules, rule 271 (2) 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

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

Part 1.11 **Road Transport (Vehicle Registration) ACT 1999**

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

Part 1.12 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 the Act, s 17 (1) and (2)).

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 regulation 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
12	36 (2) (b)	road transport authority—refuse to record details of dealing in register

column 1 item	column 2 provision	column 3 decision
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
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

column 1 item	column 2 provision	column 3 decision
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 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

column 1 item	column 2 provision	column 3 decision
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
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

column 1 item	column 2 provision	column 3 decision
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 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

Schedule 2
Part 1.12

Decisions exempt from internal review
Road Transport (Vehicle Registration) Regulations 2000

column 1 item	column 2 provision	column 3 decision
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

Schedule 2 **Decisions exempt from internal review**

(see reg 12)

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 reg 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.

bus service—see the *Road Transport (Public Passenger Services) Act 2001*, 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 the Act, section 96 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 regulation 17 (1).

reminder notice—see the Act, dictionary.

reviewable decision—see the Act, section 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 regulation 14 (4).

trader's plate—see the *Road Transport (Vehicle Registration) Act 1999*, dictionary.

Endnotes

1 About the endnotes

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnotes.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

If the republished law includes penalties, current information about penalty unit values appears on the republication inside front cover.

2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	p = page
cl = clause	par = paragraph
def = definition	prev = previous
dict = dictionary	(prev...) = previously
disallowed = disallowed by the Legislative Assembly	prov = provision
div = division	pt = part
exp = expires/expired	r = rule/subrule
Gaz = Gazette	reg = regulation/subregulation
hdg = heading	renum = renumbered
ins = inserted/added	reloc = relocated
LA = Legislation Act 2001	R[X] = Republication No
LRA = Legislation (Republication) Act 1996	s = section/subsection
mod = modified / modification	sch = schedule
No = number	sdiv = subdivision
o = order	sub = substituted
om = omitted/repealed	SL = Subordinate Law
	<u>underlining</u> = whole or part not commenced

3 Legislation history

Road Transport (General) Regulations SL 2000 No 13

notified 29 February 2000 (Gaz 2000 No S6)
reg 1, reg 2 commenced 29 February 2000 (IA s 10B)
remainder (regs 3-19) commenced 1 March 2000 (reg 2 and Gaz 2000 No S5)

as amended by

Road Transport Legislation Regulations Amendment SL 2000 No 32 sch 2

notified 1 August 2000 (Gaz 2000 No S40)
commenced 1 August 2000 (reg 1)

Road Transport Legislation Amendment Act 2001 No 27 sch 4

notified 24 May 2001 (Gaz 2001 No 21)
s 1, s 2 commenced 24 May 2001 (IA s 10B)
sch 4 commenced 24 May 2001 (s 2)

Legislation (Consequential Amendments) Act 2001 No 44 pt 342

notified 26 July 2001 (Gaz 2001 No 30)
s 1, s 2 commenced 26 July 2001 (IA s 10B)
pt 342 commenced 12 September 2001 (s 2 and Gaz 2001 No S65)

Road Transport (Public Passenger Services) Act 2001 No 62 pt 1.11

notified 10 September 2001 (Gaz 2001 No S66)
s 1, s 2 commenced 10 September 2001 (IA s 10B)
commenced 1 December 2001 (s 2 and CN 2001 No 2)

Road Transport Amendment Regulations 2001 SL 2001 No 46 pt 2

notified LR 18 October 2001
reg 1, reg 2 commenced 18 October 2001 (LA s 75)
pt 2 commenced 1 December 2001 immediately after Act 2001 No 62 commenced (reg 2)

4 Amendment history

Commencement

reg 2 om Act 2001 No 27 amdt 4.9

Definitions—the dictionary

reg 3 am Act 2001 No 44 amdt 1.3767

Endnotes

5 Earlier republications

Notes

reg 4 am Act 2001 No 27 amdt 4.10; Act 2001 No 44 amdt 1.3768

Delegation of road transport authority's functions

reg 8 (2), (3) exp 1 March 2002

Refund of fees, charges and other amounts

reg 14 am Act 2001 No 62 amdt 1.34, amdt 1.35; 2001 No 46 regs 4-7

Dishonour notices

reg 16 am Act 2001 No 27 amdt 4.11, amdt 4.12; Act 2001 No 62 amdt 1.36; 2001 No 46 reg 8

Suspension notices

reg 17 def *relevant thing* sub Act 2001 No 27 amdt 4.13

Reviewable decisions

sch 1 am 2000 No 32 sch 2; 2001 No 46 regs 4-18

Dictionary

dict def *bus service* ins Act 2001 No 62 amdt 1.37

def *the Act* om Act 2001 No 44 amdt 1.3769

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Republication No	Amendments to	Republication date
1	not amended	1 March 2000
2	Act 2001 No 44	12 September 2001

Authorised when accessed at www.legislation.act.gov.au or in authorised printed form

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