



Australian Capital Territory

# **Road Transport (General) Regulation 2000**

**SL2000-13**

made under the

**Road Transport (General) Act 1999**

**Republication No 40**

**Effective: 1 March 2012 – 4 June 2012**

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Authorised by the ACT Parliamentary Counsel

## About this republication

### The republished law

This is a republication of the *Road Transport (General) Regulation 2000*, made under the *Road Transport (General) Act 1999* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 1 March 2012. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 1 March 2012.

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](http://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, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register ([www.legislation.act.gov.au](http://www.legislation.act.gov.au)). For more information, see the home page for this law on the register.

### 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 the *Legislation Act 2001*, section 95.

### Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$110 for an individual and \$550 for a corporation (see *Legislation Act 2001*, s 133).



Australian Capital Territory

# Road Transport (General) Regulation 2000

made under the

**Road Transport (General) Act 1999**

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Australian Capital Territory

# Road Transport (General) Regulation 2000

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made under the

**Road Transport (General) Act 1999**

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## Part 1 Preliminary

### 1 Name of regulation

This regulation is the *Road Transport (General) Regulation 2000*.

### 3 Dictionary

The dictionary at the end of this regulation is part of this regulation.

*Note 1* The dictionary at the end of this regulation defines certain terms used in this regulation, and includes references (*signpost definitions*) to other terms defined elsewhere in this regulation 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 term 'driver licence' is defined in that dictionary and the definition applies to this regulation.

*Note 2* A definition in the dictionary (including a signpost definition) applies to the entire section unless the definition, or another provision of this regulation, provides otherwise or the contrary intention otherwise appears (see Legislation Act, s 155 and s 156 (1)).

### 4 Notes

A note in this regulation is explanatory and is not part of the section.

*Note* See the Legislation Act, s 127 (1), (4) and (5) for the legal status of notes.



#### 4A Offences against regulation—application of Criminal Code etc

Other legislation applies in relation to offences against this regulation.

*Note 1 Criminal Code*

The Criminal Code, ch 2 applies to an offence against this regulation (see Code, pt 2.1).

The chapter sets out the general principles of criminal responsibility (including burdens of proof and general defences), and defines terms used for offences to which the Code applies (eg *conduct*, *intention*, *recklessness* and *strict liability*).

*Note 2 Penalty units*

The Legislation Act, s 133 deals with the meaning of offence penalties that are expressed in penalty units.

## Part 2 Administration of road transport legislation

### 5 Responsible people for vehicle

- (1) If 2 or more people are responsible people for a vehicle—
  - (a) any right or liability given to or imposed on the responsible person for the vehicle under the relevant legislation is taken to be given to 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 section:

*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 Exemptions for traffic marshals—appointment and identity cards

- (1) The *Road Transport (General) Act 1999*, section 19 (3) (a) and (b) does not apply to the appointment of a traffic marshal as an authorised person.

*Note 1* Section 19 (3) (a) requires an authorised person to be an Australian citizen or permanent resident and s 19 (3) (b) relates to a person's suitability for appointment.

*Note 2* However, a traffic marshal must have satisfactorily completed adequate training before being appointed as an authorised person, see s 19 (3) (c).

- (2) The *Road Transport (General) Act 1999*, section 20 does not apply to a traffic marshal who is appointed as an authorised person.

*Note* Section 20 requires an authorised person to be issued with an identity card.

- (3) The *Road Transport (General) Act 1999*, section 21 does not apply to an authorised traffic marshal while the traffic marshal is giving a direction under the Australian Road Rules, rule 304 for the activity for which the person is appointed an authorised person.

*Note 1* Section 21 requires an authorised person to show the person's identity card before exercising a function under the road transport legislation.

*Note 2* ARR r 304 requires a person to obey any reasonable direction for the safe and efficient regulation of traffic given to the person by a police officer or authorised person.

- (4) In this section:

***authorised***, for a traffic marshal, means appointed as an authorised person for the Australian Road Rules, rule 304.

***traffic marshal*** means a person who carries out traffic control functions for an activity.

## 7 Exemptions etc for protective service officers— appointment and identity cards

- (1) A protective service officer is an authorised person for the Australian Road Rules, rule 304 (Direction by a police officer or authorised person).
- (2) The *Road Transport (General) Act 1999*, section 20 does not apply to an authorised person who is a protective service officer.

*Note* Section 20 requires an authorised person to be issued with an identity card. A protective service officer's AFP-issued identity card is equivalent to an identity card issued for s 20.

- (3) The *Road Transport (General) Act 1999*, section 21 does not apply to an authorised person who is a protective service officer while the person is giving a direction under the Australian Road Rules, rule 304.

*Note 1* Section 21 requires an authorised person to show the person's identity card before exercising a function under the road transport legislation.

*Note 2* ARR r 304 requires a person to obey any reasonable direction for the safe and efficient regulation of traffic given to the person by a police officer or authorised person.

- (4) However, before giving a direction to someone (the ***directed person***) under the Australian Road Rules, rule 304, the authorised person must show the directed person the authorised person's AFP-issued identity card, if it is reasonably practicable in the circumstances to do so.
- (5) In this section:

***AFP-issued identity card***, for a protective service officer, means the identity card issued to the protective service officer for the officer's functions under the *Australian Federal Police Act 1979* (Cwlth).

***protective service officer***—see the *Australian Federal Police Act 1979* (Cwlth), section 4 (1).

**8 Delegation of road transport authority's functions**

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) Regulation 2000*, section 100 (2) (g) (Parking permits) to the Secretary of the Commonwealth Department of Foreign Affairs and Trade.

**9 Content of suspension notice—Act, s 44 (3) (c)**

The following information is prescribed for a suspension notice sent to a person:

- (a) the date of the notice;
- (b) the name and address of the person;
- (c) that the infringement notice penalty to which the notice relates has not been paid, and the notice has not been withdrawn;
- (d) that any suspension action takes effect on the suspension date and continues until the suspension is revoked under the Act, part 3.

**9A Content of fine enforcement notice—Act, s 84 (3) (c)**

The following information is prescribed for a fine enforcement notice sent to a person:

- (a) the date of the notice;
- (b) the name and address of the person;
- (c) that the road transport authority has been notified that the person has defaulted in payment of an outstanding court imposed fine;
- (d) that the outstanding court imposed fine to which the notice relates has not been paid;

- (e) that fine enforcement action takes effect on the enforcement date and continues until the action is revoked under the Act, part 6.

**9B When posted notice taken to be given**

- (1) This section applies to a notice given to a person under the road transport legislation if the notice is sent—
    - (a) by prepaid post; and
    - (b) either—
      - (i) to the person’s residential address; or
      - (ii) if the person has an address for service recorded in a road transport authority record or register—the address for service.
- Note* It is an offence for the holder of a driver licence or the registered operator of a registered vehicle to fail to notify the road transport authority of a change of address (see *Road Transport (Driver Licensing) Regulation 2000*, s 74 and *Road Transport (Vehicle Registration) Regulation 2000*, s 69).
- (2) The notice is taken to be given to the person when it is received at the address.
  - (3) In a proceeding before a court, it is presumed that the notice is—
    - (a) posted 4 working days after the date of the notice, unless evidence sufficient to raise doubt about the presumption is given; and
    - (b) received 4 working days after the notice is posted, unless the contrary is established.
  - (4) The Legislation Act, section 250 (1) does not apply to a notice given under the road transport legislation.

(5) In this section:

***road transport authority record or register*** means—

- (a) the demerit points register or driver licence register kept under the *Road Transport (Driver Licensing) Act 1999*; or
- (b) the registrable vehicles register kept under the *Road Transport (Vehicle Registration) Act 1999*; or
- (c) the CTP insurer licence register kept under the *Road Transport (Third-Party Insurance) Act 2008*; or
- (d) any other record kept by the authority under the road transport legislation.

## **Part 3 Enforcement of road transport legislation**

### **9C Specimen signature—Act, s 59 (2)**

The following are prescribed as ways in which a police officer may require a person to provide a specimen of his or her signature—

- (a) in the police officer's official notebook; or
- (b) on any other paper on which a signature can be reasonably written.

### **10 Certificate evidence—Act, s 72 (3)**

The following matters are prescribed:

- (a) a stated person was or was not an authorised examiner on a stated date or during a stated period;
- (b) stated premises were or were not approved premises on a stated date or during a stated period;
- (c) for a notice issued by the road transport authority under the road transport legislation—
  - (i) how the notice was electronically generated; or
  - (ii) the contents of the notice.



## Part 4                      Review of decisions

**11                      Internally reviewable decisions—Act, s 90, def *internally reviewable decision***

A decision mentioned in schedule 1, column 3 under a provision mentioned in column 2 in relation to the decision is prescribed.

**12                      Reviewable decisions—Act, s 90A (1), def *reviewable decision, par (b)***

A decision mentioned in schedule 2, column 3 under a provision mentioned in column 2 in relation to the decision is prescribed.

## Part 5 Fees, charges and other amounts payable under road transport legislation

### 13 Remission of fees, charges and other amounts—Minister

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.

### 13AA Remission of fees, charges and other amounts—authority

- (1) The road transport authority may remit a fee, charge or other amount, or part of a fee, charge or other amount, payable under the road transport legislation.
- (2) The Minister may approve guidelines for the road transport authority to exercise its function under subsection (1).
- (3) Without limiting subsection (2), the guidelines may make provision about—
  - (a) the matters in relation to which an application for remission under subsection (1) may be made; and
  - (b) the matters or circumstances that may or must be considered, in deciding whether an application for remission may or must be refused.

**Example—par (b)**

any previous applications a person has made for remission

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (4) A guideline is a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the Legislation Act.

**13A Rounding down of fees**

- (1) This section applies if a determined fee, charge or other amount payable under the road transport legislation is for an amount that is not stated as a whole dollar amount.
- (2) The road transport authority may round the amount down to the nearest 10 cents.

**14 Refund of fees, charges and other amounts**

- (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 section 13;
  - (b) an amount remitted by the road transport authority under section 13AA;
  - (c) an excess payment;
  - (d) 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;
  - (e) 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;
  - (f) a fee, charge or other amount paid in relation to an application for a driving instructor's or heavy vehicle driver assessor's accreditation if the application is refused;

- (g) a fee, charge or other amount paid in relation to a driving instructor's or heavy vehicle driver assessor'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 certificate of accreditation;
- (h) 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;
- (i) 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;
- (j) 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;
- (k) 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 certificate of approval;
- (l) a fee, charge or other amount paid in relation to an application for the issue or transfer of a taxi licence or hire car licence under the *Road Transport (Public Passenger Services) Act 2001* if the application is refused;
- (m) a fee, charge or other amount paid in relation to an application for an accreditation (other than an application for an accreditation under the *Road Transport (Public Passenger Services) Act 2001*), approval, authority, certificate, exemption, permit or anything else not mentioned in paragraphs (d) to (l) if the application is refused;

- (n) a fee, charge or other amount paid by a person in relation to an application to which paragraph (m) applies 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.
  - (o) 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;
  - (p) 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.
- (2) The road transport authority must refund part, worked out in accordance with the refund formula in section 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 driving instructor's accreditation or an accreditation under the *Road Transport (Public Passenger Services) Act 2001* if the certificate of accreditation is surrendered;
  - (c) a fee, charge or other amount paid in relation to the issue of any of the following licences under the *Road Transport (Public Passenger Services) Act 2001* if the licence is surrendered in accordance with that Act:
    - (i) a leased hire car licence;
    - (ii) a transferable leased taxi licence;

- (iii) a non-transferable leased taxi licence;
- (iv) a wheelchair-accessible taxi licence;
- (d) a fee, charge or other amount in relation to the registration or renewal of registration of a vehicle if the registered operator surrenders the certificate of registration and numberplates;
- (e) a fee, charge or other amount in relation to the authorisation of an examiner if the examiner surrenders the certificate of authorisation;
- (f) 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 certificate of approval;
- (g) 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;
- (h) a fee, charge or other amount in relation to the issue of trader's plates if the holder of the plates surrenders the plates;
- (i) a fee, charge or other amount paid in relation to the issue of a parking permit under the *Road Transport (Safety and Traffic Management) Regulation 2000* if the permit-holder surrenders the permit.

*Note* For the conditions of surrender for driver licences, see the *Road Transport (Driver Licensing) Regulation 2000*, s 73, s 81 and s 82; for driving instructor's and heavy vehicle driver assessor's accreditation, see the *Road Transport (Driver Licensing) Regulation 2000*, s 109; for accreditation to operate a public passenger service, see the *Road Transport (Public Passenger Services) Regulation 2002*, s 18; for registration, see the *Road Transport (Vehicle Registration) Regulation 2000*, s 83; for examiner's authorisation, see the *Road Transport (Vehicle Registration) Regulation 2000*, s 123; for approvals for premises, see the *Road Transport (Vehicle Registration) Regulation 2000*, s 133; for trader's plates, see the *Road Transport (Vehicle*

*Registration) Regulation 2000, s 102; and for parking permits, see the Road Transport (Safety and Traffic Management) Regulation 2000, s 100.*

- (3) However, something mentioned in subsection (1) or (2) need not be surrendered as required by the subsection 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.
- (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 section:

*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**

- (1) This section 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 or heavy vehicle driver assessor'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 issue of a compulsory third-party policy under the *Road Transport (Third-Party Insurance) Act 2008*;
  - (e) a fee, charge or other amount payable in relation to the inspection or examination of a vehicle;
  - (f) a fee, charge or other amount payable in relation to the appointment or renewal of the appointment of an authorised examiner;
  - (g) 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;
  - (h) a fee, charge or other amount payable in relation to the issue of trader's plates;
  - (i) a fee, charge or other amount paid in relation to the issue or transfer of a taxi licence or hire car licence under the *Road Transport (Public Passenger Services) Act 2001*.



- (2) If a person pays all or part of an amount to which this section 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 section 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

- (1) In this section, section 18 and section 19:

*relevant thing* means—

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

- (g) for a fee, charge or other amount mentioned in section 16 (1) (i)—the licence.
- (2) If the person mentioned in section 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 section 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 section 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 or desirable to give effect to the revocation of the suspension of the relevant thing.

**19 Cancellation notices**

- (1) If the person mentioned in section 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.

## Part 6 Written-off vehicles register

### 20 Definitions for pt 6

In this part:

**approved corresponding WOVR** means a register approved under section 31 (1).

**dealer**—see the *Sale of Motor Vehicles Act 1977*, section 6A.

**designated person**, for a notifiable vehicle—see section 23 (1).

**insurer** means a person who carries on the business of insuring vehicles.

**motor wrecker** means a person who carries on the business of—

- (a) demolishing or dismantling vehicles or parts of, or accessories for, vehicles; or
- (b) buying vehicles (including substantially demolished or dismantled vehicles) and selling substantially demolished or dismantled vehicles, whether or not the person also sells parts of, or accessories for, vehicles.

**notifiable vehicle**—see section 21.

**relevant identification information**, for a vehicle, means the following information:

- (a) the registration number (if any) of the vehicle;
- (b) the vehicle identifier for the vehicle;
- (c) the make, model and body type of the vehicle;
- (d) whether the vehicle is—
  - (i) a motor vehicle (other than a motorbike) with a GVM of 4.5t or less; or
  - (ii) a motorbike; or

- (iii) a trailer with a GVM of 4.5t or less.

*Note* A trailer includes a vehicle built to be towed by a motor vehicle and includes a caravan (see the Act, dict, def **trailer**).

**repairable write-off** means a vehicle that is a total loss but is not a statutory write-off.

**statutory write-off**—see section 22.

**statutory write-off notice** means a notice approved under section 31 (2).

**total loss**—see the Act, section 83C.

**vehicle identifier**—see the Act, section 83B.

**written-off vehicle**—see the Act, section 83B.

**written-off vehicles register**—see the Act, section 83B.

## 21 What is a **notifiable vehicle**

For this part, a vehicle is a **notifiable vehicle** if—

- (a) the vehicle is written off; and

*Note* For when a vehicle is written off, see s 23 (1).

- (b) the vehicle was manufactured less than 15 years before the date the vehicle was written off; and

- (c) the vehicle is—

(i) a motor vehicle (other than a motorbike) with a GVM of 4.5t or less; or

(ii) a motorbike; or

- (iii) a trailer with a GVM of 4.5t or less.

*Note* A trailer includes a vehicle built to be towed by a motor vehicle and includes a caravan (see the Act, dict, def **trailer**).

**22 When vehicle is a *statutory write-off***

A vehicle is a *statutory write-off* if the vehicle is a total loss and—

- (a) for a motor vehicle (other than a motorbike)—at least 3 of the following impact damage indicators apply to the vehicle:
  - (i) the vehicle has damage to an area of the roof of at least 300mm by 300mm;
  - (ii) the vehicle has damage to an area of the cabin floor pan of at least 300mm by 300mm;
  - (iii) the vehicle has damage to an area of the firewall of at least 300mm by 300mm;
  - (iv) the vehicle has damaged suspension;
  - (v) a major mechanical component of the vehicle (for example, the engine block or transmission casings) is cracked or broken; or
- (b) for a motorbike or trailer—the vehicle has impact damage (excluding scratching) to the suspension and at least 2 areas of structural frame damage; or
- (c) for a motor vehicle (other than a motorbike)—the vehicle has been—
  - (i) immersed in salt water above the doorsill level for any period; or
  - (ii) immersed in fresh water up to the dashboard or steering wheel for more than 48 hours; or
- (d) for a motorbike—the vehicle has been—
  - (i) fully immersed in salt water for any period; or
  - (ii) fully immersed in fresh water for more than 48 hours; or

- (e) the vehicle has been burnt to such an extent that it is fit only for wrecking or scrap; or
- (f) the vehicle has been stripped of all, or a combination of most, interior and exterior body parts, panels and components (including, for example, for a motor vehicle, its engine, wheels, bonnet, guards, doors and boot lid).

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

## 23 Who must give written-off vehicle information to road transport authority

- (1) Each of the following entities (a *designated person*) must comply with section 24 in relation to a notifiable vehicle:
  - (a) an insurer that assesses the vehicle to be a total loss and writes off the vehicle (anywhere in Australia) in the course of the business carried on by the insurer;
  - (b) a motor wrecker who begins to demolish or dismantle the vehicle (anywhere in Australia) in the course of the business carried on by the motor wrecker;
  - (c) a dealer who assesses the vehicle to be a total loss and write off the vehicle (anywhere in Australia) in the course of the business carried on by the dealer;
  - (d) any other responsible person for the vehicle who assesses the vehicle to be a total loss and writes off the vehicle (anywhere in Australia).

### Examples of writing off of vehicles

- 1 An insurer who allows a claim for a vehicle for its full insured value.
- 2 An insurer who disposes of a vehicle to a person other than the vehicle's registered operator.

3 A dealer hands over a vehicle to the vehicle's insurer.

4 A person who sells an uninsured vehicle to a motor wrecker.

*Note 1* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

*Note 2* An entity includes a person, see the Legislation Act, dict, pt 1, def *entity*.

(2) However, a designated person for a vehicle is not required, or ceases to be required, to comply with section 24 in relation to the vehicle if—

(a) another designated person for the vehicle complies with section 24 in relation to the vehicle; or

(b) information about the write-off of the vehicle is, in accordance with the law of the jurisdiction—

(i) entered by an authorised designated person in an approved corresponding WOVN for the jurisdiction; or

(ii) given by an authorised designated person to the entity in another jurisdiction that corresponds to the road transport authority for entry in the approved corresponding WOVN for the jurisdiction.

(3) In this section:

*authorised designated person* means—

(a) an insurer; or

(b) any other designated person that is authorised in writing by the road transport authority for this definition.

## **24 Information about notifiable vehicles to be given to road transport authority**

(1) A designated person for a notifiable vehicle commits an offence if the person fails to give the road transport authority, in accordance



with subsection (3), the information mentioned in subsection (4) for the vehicle.

Maximum penalty: 20 penalty units.

*Note* See s 23 (2) for when this requirement does not apply.

- (2) An offence against this section is a strict liability offence.
- (3) The information for the vehicle must be given to the road transport authority in accordance with any requirements approved by the authority under subsection (5) and—
  - (a) if the designated person is a motor wrecker—before the motor wrecker disposes of the part or parts of the vehicle on which the vehicle identifier is located but, in any event, within 7 days after the day the motor wrecker begins to demolish or dismantle the vehicle (or any later period approved by the authority); and
  - (b) in any other case—before the designated person disposes of the vehicle but, in any event, within 7 days after the day the person makes the decision to write-off the vehicle (or any later period approved by the authority).
- (4) For subsection (1), the designated person must give the following information to the road transport authority:
  - (a) the relevant identification information for the vehicle;
  - (b) the date the vehicle was written-off;
  - (c) if the person is an insurer or dealer—whether the vehicle is a repairable write-off or a statutory write-off;
  - (d) the event that resulted in the vehicle being a write-off;
  - (e) the location and severity of the damage to the vehicle;
  - (f) the person's name and postal address, telephone and fax numbers and email address (unless the information is given electronically to the authority by the person);

(g) if a person is providing the information on behalf of the designated person—the name and address of the person.

- (5) The road transport authority may approve, in writing, requirements for the giving of information to the authority under subsection (3).

**Examples of requirements that may be approved**

codes and terms for describing whether a vehicle is a repairable or statutory write-off and the location and severity of damage to the vehicle

*Note 1* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

*Note 2* If a form is approved under the Act, s 225 for the giving of the information to the authority, the form must be used.

- (6) An approval under subsection (5) is a notifiable instrument.

*Note* A notifiable instrument must be notified under the Legislation Act.

## 25 **Statutory write-offs—duty to attach notice**

- (1) A designated person for a notifiable vehicle commits an offence if—
- (a) the vehicle is a statutory write-off; and
  - (b) the vehicle does not have a complying statutory write-off notice; and
  - (c) the person fails to attach a complying statutory write-off notice to the vehicle within the compliance period.

Maximum penalty: 20 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) In this section:

***compliance period*** means—

- (a) for a motor wrecker—before the motor wrecker disposes of the part or parts of the vehicle on which the vehicle identifier is

located but, in any event, within 7 days after the day the motor wrecker begins to demolish or dismantle the vehicle; or

- (b) in any other case—before the designated person disposes of the vehicle but, in any event, within 7 days after the day the person makes the decision to write off the vehicle.

*complying statutory write-off notice* means a statutory write-off notice that is—

- (a) for a motor vehicle (other than a motorbike)—attached securely to the vehicle in a conspicuous position as close as practicable to the vehicle identifier for the vehicle; or
- (b) for a motorbike—attached securely to the motorbike’s frame in a conspicuous position as close as practicable to the vehicle identifier for the motorbike; or
- (c) for a trailer—attached securely to the trailer’s frame in a conspicuous position and, if the trailer has a vehicle identifier, as close as practicable to the identifier.

## **26 Unauthorised interference with statutory write-off notices**

- (1) A person commits an offence if the person damages, destroys or removes a statutory write-off notice attached to a vehicle.

Maximum penalty: 20 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) This section does not apply to a person who has a reasonable excuse for damaging, destroying or removing the notice.

### **Example of reasonable excuse**

removing a notice from a vehicle to sell the part to which it is attached

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

**27 Statutory write-off notice to remain with vehicle**

- (1) This section applies if—
  - (a) a vehicle is a statutory write-off; and
  - (b) the vehicle has not been substantially demolished or dismantled since being written off; and
  - (c) a statutory write-off notice is attached to a part of the vehicle; and
  - (d) the part is removed from the vehicle.
- (2) The designated person for the vehicle commits an offence if a complying statutory write-off notice is not attached (or reattached) to the vehicle within 1 day after the day the part is removed from the vehicle.

Maximum penalty: 20 penalty units.

- (3) An offence against this section is a strict liability offence.
- (4) In this section:  
*complying statutory write-off notice*—see section 25 (3).

**28 Written-off vehicles—duty to deface vehicle identifier**

- (1) A designated person for a notifiable vehicle commits an offence if—
  - (a) the vehicle is a statutory write-off; and
  - (b) the vehicle identifier for the vehicle is not defaced in accordance with an approved defacement method; and
  - (c) the person fails to deface the vehicle identifier in accordance with an approved defacement method within the compliance period for the person.

Maximum penalty: 20 penalty units.

- (2) A motor wrecker commits an offence if—
- (a) the motor wrecker begins to demolish or dismantle a notifiable vehicle (anywhere in Australia) that is a repairable write-off in the course of the business carried on by the motor wrecker; and
  - (b) the vehicle identifier for the vehicle is not defaced in accordance with an approved defacement method; and
  - (c) the motor wrecker fails to deface the vehicle identifier in accordance with an approved defacement method within the compliance period for the person.

Maximum penalty: 20 penalty units.

- (3) An offence against this section is a strict liability offence.
- (4) In this section:

*approved defacement method*, for a vehicle identifier, means a method approved under section 31 (3).

*compliance period*—see section 25 (3).

## **29 Entry of vehicle information in written-off vehicles register**

- (1) The road transport authority may enter in the written-off vehicles register information for a notifiable vehicle given to the authority under section 24 (Information about notifiable vehicles to be given to road transport authority).
- (2) The road transport authority may, of its own initiative, enter in the register information about a vehicle that the authority believes on reasonable grounds is a notifiable vehicle.

**30 Statement of whether vehicle is written-off**

- (1) A person may apply to the road transport authority for a statement whether a vehicle is recorded in the written-off vehicles register or an approved corresponding WOVV as a written-off vehicle.

*Note 1* A fee for the application may be determined under the Act, s 96.

*Note 2* If a form is approved under the Act, s 225 for an application, the form must be used.

- (2) If the vehicle is recorded in a register mentioned in subsection (1), the statement must—
- (a) state the time and date of issue of the statement; and
  - (b) state the registers searched and the register in which the vehicle is recorded; and
  - (c) state the relevant identification information recorded in the register for the vehicle; and
  - (d) state the date recorded in the register that the vehicle was written-off; and
  - (e) if the vehicle is recorded as a repairable write-off or a statutory write-off—state whether the vehicle is recorded as a repairable write-off or a statutory write-off; and
  - (f) include information to the following effect:
    - (i) the register might not include a record of each time the vehicle has been written-off;
    - (ii) the road transport authority may refuse to register (or to renew the registration of) a vehicle that is recorded as a repairable write-off;
    - (iii) the road transport authority cannot register (or renew the registration of) a vehicle that is recorded as a statutory write-off.

- (3) If the vehicle is not recorded in a register mentioned in subsection (1), the statement must—
  - (a) state the time and date of issue of the statement; and
  - (b) state the registers searched; and
  - (c) state that the vehicle identifier mentioned in the statement is not recorded in the registers searched; and
  - (d) include information to the effect that the vehicle may have been written-off despite it not being recorded.
- (4) Subsections (2) and (3) do not limit the matters the road transport authority may include in a statement under this section.

### 31 Approvals for pt 6

- (1) For this part, the Minister may, in writing, approve a register of written-off vehicles kept under the law of another jurisdiction (an *approved corresponding WOV*R) as a register that corresponds to the written-off vehicles register kept under the Act.
- (2) The road transport authority may, in writing, approve a notice (a *statutory write-off notice*) for attaching to a vehicle that is a statutory write-off.
- (3) For section 28 (4), definition of *approved defacement method*, the road transport authority may, in writing, approve a method for defacing vehicle identifiers.
- (4) The following are a notifiable instrument:
  - (a) an approval under subsection (1);
  - (b) a notice approved under subsection (2);
  - (c) a statement of a method approved under subsection (3).

*Note* A notifiable instrument must be notified under the Legislation Act.

## **Schedule 1 Internally reviewable decisions**

(see s 11)

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

<b>column 1 item</b>	<b>column 2 provision</b>	<b>column 3 decision</b>
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	40 (b)	road transport authority—refuse issue/renew driver licence because it is practical for applicant to have suitable photograph taken at designated place
3	40 (b)	road transport authority—refuse to accept photograph is suitable for use on driver licence



## Part 1.4 Road Transport (Driver Licensing) Regulation 2000

column 1 item	column 2 provision	column 3 decision
1	26 (1) (a)	road transport authority—refuse to approve road ready training course
2	26 (1) (b)	road transport authority—refuse to approve approved pre-learner rider training course
3	26 (1) (c)	road transport authority—refuse to approve heavy vehicle driver training course
4	38A	road transport authority—refuse to approve provisional driver training course
5	55 (1)	road transport authority—issue/renew, or refuse to issue/renew on application, driver licence subject to conditions imposed by authority
6	55 (2)	road transport authority—vary/revoke, or refuse to vary/revoke on application, condition imposed on driver licence by authority
7	55 (2)	road transport authority—vary driver licence to impose conditions to which the licence is subject (other than a condition mentioned in section 50 (Conditions of restricted licences) or section 54 (Conditions of probationary licences))
8	65	road transport authority—refuse to approve course for training people to hold public vehicle licences and for public vehicle licensees (a <b><i>public vehicle training course</i></b> )
9	67 (1)	road transport authority—refuse exemption from driver licence eligibility requirement

**Schedule 1**  
**Part 1.4**

Internally reviewable decisions  
Road Transport (Driver Licensing) Regulation 2000

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<b>column 1 item</b>	<b>column 2 provision</b>	<b>column 3 decision</b>
10	67 (2)	road transport authority—imposition of condition on driver licence issued because of exemption from eligibility requirement
11	67 (4)	road transport authority—refuse exemption from requirement to successfully complete public vehicle training course
12	67 (5)	road transport authority—imposition of condition on exemption from the requirement to successfully complete public vehicle training course
13	69 (3)	road transport authority—refuse to dispense with requirement for completed application form for issue and certain variations of driver licences
14	69 (6)	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
15	69 (7)	road transport authority—refuse to accept test, assessment or evidence obtained in another jurisdiction by applicant for issue and certain variations of driver licences
16	69 (8) (a)	road transport authority—require an applicant to undergo a medical examination by authorised medical reviewer for assessment of applicant's fitness to hold driver licence or drive a particular class or kind of motor vehicle

<b>column 1 item</b>	<b>column 2 provision</b>	<b>column 3 decision</b>
17	69 (8) (b)	road transport authority—refer a report to authorised medical reviewer for assessment of applicant’s fitness to hold driver licence or drive a particular class or kind of motor vehicle
18	69 (8) (c)	road transport authority—require applicant to pay for assessment under section 69 (8) (a) or (b)
19	69 (9)	road transport authority—require applicant for issue and certain variations of driver licences to comply with requirements equivalent to section 69 (5) (h) (which is about treatment of alcohol or drug offenders in another jurisdiction)
20	70 (1)	road transport authority—refuse application for issue of driver licence of the class or kind applied for
21	70 (1)	road transport authority—refuse application for certain variations of driver licences
22	71 (a)	road transport authority—refuse to accept application for issue/certain variations of driver licence and issue licence when applicant is eligible
23	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
24	73 (2)	road transport authority—refuse permission to keep current external driver licence

**Schedule 1**  
**Part 1.4**

Internally reviewable decisions  
Road Transport (Driver Licensing) Regulation 2000

<b>column 1 item</b>	<b>column 2 provision</b>	<b>column 3 decision</b>
25	73D (4) (b)	road transport authority—refuse to issue probationary licence to person because not satisfied genuine attempt made to enrol in alcohol awareness course and person enrolled in course to be completed after disqualification period
26	73H (1) (b)	road transport authority—refuse to grant exemption from requirement to attend alcohol awareness course
27	73M(4) (b)	road transport authority—refuse to issue probationary licence to person because not satisfied genuine attempt made to enrol in drug awareness course and person enrolled in course to be completed after disqualification period
28	73Q (1) (b)	road transport authority—refuse to grant exemption from requirement to attend drug awareness course
29	78 (2)	road transport authority—require person to provide evidence, information or documents or undergo tests, assessments or examinations in accordance with notice
30	78 (3)	road transport authority—refuse to accept certificate of medical examination conducted in another jurisdiction
31	78 (4) (a)	road transport authority—require an applicant to undergo a medical examination by authorised medical reviewer for assessment of applicant's fitness to hold driver licence or drive a particular class or kind of motor vehicle

<b>column 1 item</b>	<b>column 2 provision</b>	<b>column 3 decision</b>
32	78 (4) (b)	road transport authority—refer a report to authorised medical reviewer for assessment of applicant’s fitness to hold driver licence or drive a particular class or kind of motor vehicle
33	78 (4) (c)	road transport authority—require applicant to pay for assessment under section 78 (4) (a) or (b)
34	78 (5)	road transport authority—refuse to accept test, assessment or evidence obtained in another jurisdiction
35	78 (6)	road transport authority—require compliance with requirements equivalent to section 78 (2) (h) (which is about treatment of alcohol or drug offenders in another jurisdiction)
36	79 (a)	road transport authority—require public vehicle licensee to undertake training
37	85 (3)	road transport authority—refuse to dispense with requirement for completed application form for driver licence renewal
38	85 (5)	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
39	85 (6)	road transport authority—refuse to accept evidence, test or assessment obtained by applicant for renewal of driver licence in another jurisdiction

**Schedule 1**  
**Part 1.4**

Internally reviewable decisions  
Road Transport (Driver Licensing) Regulation 2000

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<b>column 1 item</b>	<b>column 2 provision</b>	<b>column 3 decision</b>
40	85 (6)	road transport authority—require applicant for renewal of driver licence to comply with requirements equivalent to section 69 (6) (h) (which is about treatment of alcohol or drug offenders in another jurisdiction)
41	85 (8)	road transport authority—refuse to renew driver licence
42	88 (1)	road transport authority—vary/suspend/cancel driver licence
43	93 (1)	road transport authority—refuse exemption from requirement to hold driver licence/particular class or kind of licence
44	93 (2)	road transport authority—impose conditions on exemption from requirement to hold driver licence/particular class or kind of licence
45	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
46	104A (2)	road transport authority—refuse exemption from compliance with required training for accreditation as a driving instructor or heavy vehicle driver assessor
47	104A (3)	road transport authority—impose conditions on exemption from compliance with required training for accreditation as a driving instructor or heavy vehicle driver assessor

<b>column 1 item</b>	<b>column 2 provision</b>	<b>column 3 decision</b>
48	106 (1)	road transport authority—refuse to approve application for/renewal of accreditation as a driving instructor or heavy vehicle driver assessor
49	107 (3)	road transport authority—period of issue of accreditation as a driving instructor or heavy vehicle driver assessor
50	107A	road transport authority—refuse to issue replacement for certificate of accreditation as a driving instructor or heavy vehicle driver assessor that has been lost, stolen or destroyed
51	108 (5)	road transport authority—not approve way for driving instructor to display certificate of accreditation
52	108A (2)	road transport authority—not approve way for heavy vehicle assessor to display certificate of accreditation
53	112 (3)	road transport authority—cancel/suspend accreditation as a driving instructor or heavy vehicle driver assessor/disqualify from applying for accreditation (including suspending or disqualifying for additional period)
54	120 (1)	road transport authority—require person to provide evidence, information or documents or undergo tests, assessments or examinations in accordance with notice
55	120 (2)	road transport authority—refuse to accept certificate of medical examination of person conducted in another jurisdiction

**Schedule 1**  
**Part 1.4**

Internally reviewable decisions  
Road Transport (Driver Licensing) Regulation 2000

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<b>column 1 item</b>	<b>column 2 provision</b>	<b>column 3 decision</b>
56	120 (3)	road transport authority—refuse to accept test, assessment or evidence obtained by person in another jurisdiction
57	121 (1) (a)	road transport authority—require driving instructor or heavy vehicle driver assessor to undertake training
58	122	road transport authority—not approve course for training people as driving instructors or heavy vehicle driver assessors



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## **Part 1.6**                      **Road Transport (General) Regulation 2000**

<b>column 1 item</b>	<b>column 2 provision</b>	<b>column 3 decision</b>
1	29 (2)	road transport authority—recording a vehicle as written-off in written-off vehicles register on authority's own initiative

## Part 1.6A                      Road Transport (Mass, Dimensions and Loading) Act 2009

column 1 item	column 2 provision	column 3 decision
1	194 (1)	authorised person or police officer—issue improvement notice
2	194 (3)	authorised person or police officer—method to achieve remedy under improvement notice
3	195 (2)	authorised person or police officer—refuse to extend due date for improvement notice
4	197 (3)	authorised person or police officer—amend improvement notice
5	199 (1)	authorised person or police officer—refuse to issue clearance certificate

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## **Part 1.6B**                      **Road Transport (Mass, Dimensions and Loading) Regulation 2010**

<b>column 1 item</b>	<b>column 2 provision</b>	<b>column 3 decision</b>
1	17 (1), (2), (3)	road transport authority—refuse to issue class 1 permit
2	17 (4)	road transport authority—impose condition on class 1 permit
4	24 (1)	road transport authority—refuse to issue class 2 permit
5	24 (2)	road transport authority—impose condition on class 2 permit
6	31 (1)	road transport authority—refuse to issue class 3 permit
7	31 (2)	road transport authority—impose condition on class 3 permit
8	41 (1)	road transport authority—refuse to issue exempt combination permit
9	41 (2)	road transport authority—impose condition on exempt combination permit
10	48 (1)	road transport authority—refuse to issue permit to eligible vehicle to operate at higher mass limit
11	48 (2)	road transport authority—impose condition on permit for eligible vehicle operating at higher mass limit

## **Part 1.7**                      **Road Transport (Public Passenger Services) Act 2001**

<b>column 1 item</b>	<b>column 2 provision</b>	<b>column 3 decision</b>
1	120 (3)	police officer or authorised person—refuse to remove noncompliance notice
2	120 (3)	police officer or authorised person—refuse to direct that noncompliance notice be taken to have been removed
3	127	Minister—refuse to exempt vehicle or person from Act or provision of Act

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## **Part 1.8**                      **Road Transport (Public Passenger Services) Regulation 2002**

<b>column 1 item</b>	<b>column 2 provision</b>	<b>column 3 decision</b>
1	8 or 9	road transport authority—refuse to accredit/renew accreditation to operate public passenger service/taxi network
2	10 (1)	road transport authority—issue/renew accreditation to operate public passenger service/taxi network subject to conditions imposed by authority
3	10 (2)	road transport authority—amend/revoke, or refuse to amend/revoke, condition imposed on accreditation to operate public passenger service/taxi network by authority
4	10 (2)	road transport authority—amend/revoke, or refuse to amend/revoke, condition imposed on accreditation to operate public passenger service/taxi network on application by holder of accreditation
5	12 (4)	road transport authority—period of issue/renewal of accreditation to operate public passenger service/taxi network
6	13 (2)	road transport authority—refuse to amend accepted service standard for public passenger service/taxi network

**Schedule 1**  
**Part 1.8**

Internally reviewable decisions  
Road Transport (Public Passenger Services) Regulation 2002

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<b>column 1 item</b>	<b>column 2 provision</b>	<b>column 3 decision</b>
7	16 (1)	road transport authority—refuse to issue replacement for certificate of accreditation to operate public passenger service/taxi network that has been lost, stolen or destroyed
8	20	road transport authority—direct accredited person to undertake training
9	37 (3) (a)	road transport authority—number of seated/standing passengers bus permitted to carry
10	70 (1) (a)	road transport authority—appointment of a bus stop by authority
11	70 (1) (b)	road transport authority—approve/refuse to approve accredited operator to appoint bus stops
12	83A (6)	road transport authority—issue transferable leased taxi licence subject to conditions
13	83C (6)	road transport authority—issue non-transferable leased taxi licence subject to conditions
14	83E (6)	road transport authority—issue wheelchair-accessible taxi licence subject to conditions
15	83G (6)	road transport authority—issue NSW cross-border taxi licence subject to conditions
16	84B (1)	road transport authority—refuse to renew restricted taxi licence
17	84B (5)	road transport authority—renew restricted taxi licence subject to conditions

<b>column 1 item</b>	<b>column 2 provision</b>	<b>column 3 decision</b>
18	85 (1)	road transport authority—amend/refuse to amend taxi licence to impose/amend/revoke condition
19	90 (1)	road transport authority—refuse to issue replacement taxi licence for licence that has been lost, stolen or destroyed
20	95A (1)	road transport authority—refuse to exempt taxi from being fitted with taximeter complying with standards for taximeters
21	101 (3)	road transport authority—refuse to exempt taxi service operator from requirement for arrangements with accredited taxi network provider for provision of a taxi booking service for taxi
22	101 (3)	road transport authority—refuse to exempt taxi from requirement to be fitted with equipment for driver to send messages to and receive messages from accredited taxi network provider
23	107 (1)	road transport authority—refuse to approve network sign and livery requirements and design for accredited taxi network provider
24	110	road transport authority—refuse to approve network uniform for accredited taxi network provider
25	154E (1)	road transport authority—refuse to approve application to participate in ITO pilot
26	154F (3)	road transport authority—end an exemption

**Schedule 1**  
**Part 1.8**

Internally reviewable decisions  
Road Transport (Public Passenger Services) Regulation 2002

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<b>column 1 item</b>	<b>column 2 provision</b>	<b>column 3 decision</b>
27	160 (1)	road transport authority—refuse to exempt person from requirement to successfully complete wheelchair-accessible taxi driver training course
28	160 (2)	road transport authority—exempt subject to conditions person from requirement to successfully complete wheelchair-accessible taxi driver training course
29	161	road transport authority—require person to undertake wheelchair-accessible taxi driver training course
30	162 (1)	road transport authority—refuse to approve wheelchair-accessible taxi driver training course
31	163 (1) (b)	road transport authority—refuse to approve use of bus as taxi
32	167	road transport authority—refuse to issue/renew hire car licence
33	169 (1)	road transport authority—issue/renew hire car licence subject to condition imposed by authority
34	169 (2)	road transport authority—amend/refuse to amend hire car licence to impose/amend/revoke condition
35	175 (1)	road transport authority—refuse to issue replacement hire car licence for licence that has been lost, stolen or destroyed



column 1 item	column 2 provision	column 3 decision
36	240 (1)	Minister—refuse to issue replacement demand responsive service authorisation for authorisation that has been lost, stolen or destroyed
37	269 (5) (a)	road transport authority—number of seated/standing passengers demand responsive service vehicle permitted to carry
38	307 (5)	road transport authority—refuse to approve way of displaying driver authority card
39	323 (4)	road transport authority—suspend/cancel service authority/disqualify from applying for service authority (including suspending or disqualifying for additional period)/impose/vary condition on service authority/impose financial penalty/reprimand  <i>Note</i> A service authority is an accreditation or a hire car or taxi licence under the <i>Road Transport (Public Passenger Services) Regulation 2002</i> .
40	324 (3)	road transport authority—immediately suspend service authority

## Part 1.9 Road Transport (Safety and Traffic Management) Regulation 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 section 42 (1)
3	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
4	75A (2)	road transport authority—refuse to declare person to be parking authority for stated area applied for
5	100 (1)	road transport authority—refuse to issue parking permit
6	100 (3)	road transport authority—impose condition on parking permit
7	100 (3)	road transport authority—refuse to vary/revoke condition on parking permit
8	101 (1)	road transport authority—refuse to issue mobility parking scheme authority
9	101 (2)	road transport authority—impose conditions on mobility parking scheme authority
10	101 (2)	road transport authority—refuse to vary/revoke conditions on mobility parking scheme authority

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<b>column 1 item</b>	<b>column 2 provision</b>	<b>column 3 decision</b>
11	101A (1)	road transport authority—revoke parking permit/mobility parking scheme authority
12	112 (5)	chief police officer—refuse to pay balance of proceeds of sale of impounded vehicle

## **Part 1.9A                      Road Transport (Third-Party Insurance) Act 2008**

<b>column 1 item</b>	<b>column 2 provision</b>	<b>column 3 decision</b>
1	45	arbitrator—refuse to approve premium
2	184 (1)	CTP regulator—refuse to issue CTP insurer licence
3	185 (2) (b)	CTP regulator—decide to issue CTP insurer licence subject to condition
4	185 (4)	CTP regulator—amend CTP insurer licence by including condition or, amending or revoking condition
5	194	CTP regulator—suspend CTP insurer licence
6	195	CTP regulator—suspend CTP insurer licence
7	203 (1)	CTP regulator—cancel CTP insurer licence
8	207	CTP regulator—not transfer CTP insurer licence

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## **Part 1.10**                      **Road Transport (Vehicle Registration) Act 1999**

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

## Part 1.11 Road Transport (Vehicle Registration) Regulation 2000

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

column 1 item	column 2 provision	column 3 decision
1	7 (1)	road transport authority—suspend operation of section 14 (Vehicles temporarily in the ACT) or section 16 (Trailers exempt from registration in another jurisdiction)
2	7 (2)	road transport authority—period of suspension of operation of section 14 or section 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	32A (3)	road transport authority—refuse to approve application for registration of repairable write-off
9	32AA (1)	road transport authority—refuse to approve application for registration of registrable vehicle as public passenger vehicle
10	33 (1)	road transport authority—impose condition on registration of registrable vehicle
11	33 (2)	road transport authority—refuse to conditionally register registrable vehicle

<b>column 1 item</b>	<b>column 2 provision</b>	<b>column 3 decision</b>
12	33 (4)	road transport authority—vary/cancel condition imposed on registration of registrable vehicle
13	36 (2) (a)	road transport authority—refuse to approve dealing in relation to registrable vehicle
14	36 (2) (b)	road transport authority—refuse to record details of dealing in register
15	36 (2) (c)	road transport authority—refuse to exercise any other function in relation to dealing
16	41 (2)	road transport authority—refuse to issue replacement for damaged registration certificate
17	42 (4)	road transport authority—refuse to issue replacement for registration certificate that has been lost, stolen or destroyed
18	44 (5)	road transport authority—refuse to give replacement for lost, stolen, damaged or destroyed registration label
19	50 (2)	road transport authority—refuse to issue bicycle rack numberplate
20	52 (1)	road transport authority—change registration number given to registered vehicle
21	57	road transport authority—cancel prescribed right to non-standard registration number
22	59 (6)	road transport authority—refuse to exempt vehicle or person from section 59 (which is about how numberplates are to be displayed)
23	59 (6)	road transport authority—impose condition on exemption from section 59
24	59 (6)	road transport authority—revoke exemption from section 59
25	61	road transport authority—refuse to approve swap of numberplates between registrable vehicles
26	62	road transport authority—refuse to transfer numberplates between registrable vehicles

**Schedule 1**  
**Part 1.11**

Internally reviewable decisions  
Road Transport (Vehicle Registration) Regulation 2000

<b>column 1 item</b>	<b>column 2 provision</b>	<b>column 3 decision</b>
27	63	road transport authority—refuse to issue different registration number for registrable vehicle
28	64 (2)	road transport authority—refuse to issue replacement numberplate with same number of numberplate as damaged
29	65 (5)	road transport authority—refuse to issue replacement numberplate with same or different number of lost, stolen or destroyed numberplate
30	65 (6)	road transport authority—refuse to issue replacement numberplate for lost, stolen or destroyed bicycle rack numberplate
31	68 (5)	road transport authority—refuse to renew registration for period nominated by registered operator
32	68 (9) (a)	road transport authority—refuse to renew registration of vehicle
33	68 (10)	road transport authority—refuse to renew registration of statutory write-off
34	77 (2)	road transport authority—refuse to transfer registration of registrable vehicle if registered operator has died
35	77 (3)	road transport authority—refuse to transfer registration of registrable vehicle to second transferee
36	77A (4)	road transport authority—refuse application to re-establish registration of vehicle
37	78 (1)	road transport authority—refuse application to transfer registration of registrable vehicle
38	78 (2)	road transport authority—refuse to transfer registration of registrable vehicle if 1 of the parties to the registration has not complied with section in relation to transfer



column 1 item	column 2 provision	column 3 decision
39	80 (1)	road transport authority—refuse to exempt person from provision of part 4.2 (Transfer of registration)
40	80 (1)	road transport authority—impose condition on exemption from provision of part 4.2
41	80 (1)	road transport authority—revoke exemption from provision of part 4.2
42	85	road transport authority—suspend/cancel registration of registered vehicle
43	85A (3)	road transport authority—refuse application to re-establish registration of vehicle
44	86 (1)	road transport authority—refuse to issue unregistered vehicle permit
45	86 (1)	road transport authority—condition imposed on unregistered vehicle permit
46	86 (5)	road transport authority—vary/cancel unregistered vehicle permit
47	88 (1)	road transport authority—refuse to issue trader’s plate
48	89 (3)	road transport authority—refuse to issue replacement plate for recalled trader’s plate
49	92 (1)	road transport authority—refuse to issue replacement identification label for trader’s plate
50	104 (1)	road transport authority—refuse to exempt vehicle, combination or person from provision of section 108 (which is about vehicle emission control systems) or schedule 1
51	104 (1)	road transport authority—condition imposed on exemption from provision of section 108 or schedule 1
52	104 (1)	road transport authority—revoke exemption from provision of section 108 or schedule 1

**Schedule 1**  
**Part 1.11**

Internally reviewable decisions  
Road Transport (Vehicle Registration) Regulation 2000

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<b>column 1 item</b>	<b>column 2 provision</b>	<b>column 3 decision</b>
53	113	road transport authority—refuse to conditionally register vehicle not complying with applicable vehicle standards
54	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
55	118	road transport authority—refuse to approve application for authorisation (including renewal) (as authorised examiner) for class of vehicles
56	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)
57	130	road transport authority—refuse to approve application for approval of premises (including renewal) for class of vehicles (for vehicle inspections)
58	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)
59	152 (1)	road transport authority—refuse to issue replacement for examiner’s certificate of appointment that has been lost, stolen or destroyed

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<b>column 1 item</b>	<b>column 2 provision</b>	<b>column 3 decision</b>
60	152 (2)	road transport authority—refuse to issue replacement for certificate of approval that has been lost, stolen or destroyed
61	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
62	158	road transport authority—revoke an authorisation
63	160 (3)	road transport authority, police officer or authorised person—refuse to clear defect notice
64	161	road transport authority—refuse to authorise use of vehicle with suspended registration on a road or road related area
65	161	road transport authority—the place and time of an authorisation for use of vehicle with suspended registration
66	161	road transport authority—conditions imposed on an authorisation for use of vehicle with suspended registration
67	161	road transport authority—revocation of an authorisation for use of vehicle with suspended registration

## **Schedule 2      Reviewable decisions**

(see s 12)

### **Part 2.1                      Road Transport (Safety and Traffic Management) Regulation 2000**

<b>column 1 item</b>	<b>column 2 provision</b>	<b>column 3 decision</b>
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 s 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.

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## Dictionary

(see s 3)

*Note 1* The Legislation Act contains definitions and other provisions relevant to these regulations.

*Note 2* For example, the Legislation Act, dict, pt 1, defines the following terms:

- Australia
- fail
- function
- Minister (see s 162)
- provision (see s 16).

*Note 3* Terms used in these regulations have the same meaning that they have in the *Road Transport (General) Act 1999* (see Legislation Act, s 148). In particular, the following terms are defined in the *Road Transport (General) Act 1999*, dict:

- administering authority
- Australian Road Rules
- authorised person
- bicycle
- combination
- credit card
- infringement notice
- infringement notice offence
- jurisdiction
- motor vehicle
- responsible person (see s 10 and s 11)
- ride
- road
- road related area
- road transport authority (or authority) (see s 16)
- road transport legislation (see s 6)
- trailer.

***approved corresponding WOV***R, for part 6 (Written-off vehicles register)—see section 31 (1).

**authorised examiner**—see the *Road Transport (Vehicle Registration) Regulation 2000*, dictionary.

**dealer**, for part 6 (Written-off vehicles register)—see the *Sale of Motor Vehicles Act 1977*, section 6A.

**designated person**, for a notifiable vehicle, for part 6 (Written-off vehicles register)—see section 23 (1).

**driver licence**—see the *Road Transport (Driver Licensing) Act 1999*, dictionary.

**GVM**—see the *Road Transport (Vehicle Registration) Act 1999*, dictionary.

**heavy vehicle driver assessor**—see the *Road Transport (Driver Licensing) Regulation 2000*, dictionary.

**insurer**, for part 6 (Written-off vehicles register)—see section 20.

**motorbike**—see the *Road Transport (Vehicle Registration) Regulation 2000*, dictionary.

**motor wrecker**, for part 6 (Written-off vehicles register)—see section 20.

**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.

**notifiable vehicle**, for part 6 (Written-off vehicles register)—see section 21.

**parking permit**—see the *Road Transport (Safety and Traffic Management) Regulation 2000*, dictionary.

**registered operator**—see the *Road Transport (Vehicle Registration) Act 1999*, dictionary.

**registration**, of a vehicle, means the registration of the vehicle under the *Road Transport (Vehicle Registration) Act 1999*.

**relevant identification information**, for a vehicle, for part 6 (Written-off vehicles register)—see section 20.

**relevant thing**—see section 17 (1).

**reminder notice**—see the Act, dictionary.

**repairable write-off**, for part 6 (Written-off vehicles register)—see section 20.

**reviewable decision**—see the Act, section 90 (1) and also section 11.

**service authority**—see the *Road Transport (Public Passenger Services) Regulation 2002*, section 320.

**statutory write-off**, for part 6 (Written-off vehicles register)—see section 22.

**statutory write-off notice**, for part 6 (Written-off vehicles register)—see section 31 (2).

**subject of the refund**—see section 14 (4).

**total loss**, for part 6 (Written-off vehicles register)—see the Act, section 83C.

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

**vehicle identifier**, for part 6 (Written-off vehicles register)—see the Act, section 83B.

**written-off vehicle**, for part 6 (Written-off vehicles register)—see the Act, section 83B.

**written-off vehicles register**, for part 6 (Written-off vehicles register)—see the Act, section 83B.

## Endnotes

1 About the endnotes

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## 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 not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

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.

### 2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired



### 3 Legislation history

This regulation was originally the *Road Transport (General) Regulations 2000*. It was renamed under the *Legislation Act 2001*.

#### **Road Transport (General) Regulation 2000 SL2000-13**

notified 29 February 2000 (Gaz 2000 No S6)

s 1, s 2 commenced 29 February 2000 (IA s 10B)

remainder commenced 1 March 2000 (s 2 and see Gaz 2000 No S5)

as amended by

#### **Road Transport Legislation Regulations Amendment 2000 SL2000-32 sch 2**

notified 1 August 2000 (Gaz 2000 No S40)

commenced 1 August 2000 (s 1)

#### **Road Transport Legislation Amendment Act 2001 A2001-27 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 A2001-44 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 see Gaz 2001 No S65)

#### **Road Transport (Public Passenger Services) Act 2001 A2001-62 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 SL2001-46 pt 2**

notified LR 18 October 2001

s 1, s 2 commenced 18 October 2001 (LA s 75)

pt 2 commenced 1 December 2001 immediately after Act 2001 No 62 commenced (s 2)

## Endnotes

3 Legislation history

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### **Road Transport Legislation Amendment Regulations 2002 SL2002-2 pt 3**

notified LR 27 February 2002  
s 1, s 2 commenced 27 February 2002 (LA s 75)  
pt 3 commenced 1 March 2002 (s 2 and see CN 2002 No 2)

### **Road Transport (Safety and Traffic Management) Amendment Regulations 2002 SL2002-7 pt 3**

notified LR 15 April 2002  
commenced 16 April 2002 (s 2)

### **Statute Law Amendment Act 2002 A2002-30 pt 3.69**

notified LR 16 September 2002  
s 1, s 2 taken to have commenced 19 May 1997 (LA s 75 (2))  
pt 3.69 commenced 17 September 2002 (s 2 (1))

### **Road Transport Legislation Amendment Regulations 2002 (No 2) SL2002-31 pt 3**

notified LR 31 October 2002  
s 1, s 2 commenced 31 October 2002 (LA s 75 (1))  
s 9 and s 11 commenced 1 November 2002 (s 2 (1))  
pt 3 remainder commenced 28 January 2003 (s 2 (2) and see Road Transport Legislation Amendment Act 2002, s 13 and CN2002-16)

### **Urban Services (Application of Criminal Code) Amendment Regulations 2002 SL2003-1 pt 3**

notified LR 9 January 2003  
s 1, s 2 commenced 9 January 2003 (LA s 75)  
pt 3 commenced 28 January 2003 (s 2 (2) and see Road Transport Legislation Amendment Regulations 2002 (No 2), s 12)

### **Road Transport Legislation (Taxi Services) Amendment Regulations 2003 (No 1) SL2003-32 sch 2 pt 2.2**

notified LR 22 September 2003  
s 1, s 2 commenced 22 September 2003 (LA s 75 (1))  
sch 2 pt 2.2 commenced 23 September 2003 (s 2)

**Road Transport Legislation (Hire Cars) Amendment Regulation 2005 (No 1) SL2005-4 sch 2 pt 2.2**

notified LR 7 March 2005  
s 1, s 2 commenced 7 March 2005 (LA s 75 (1))  
sch 2 pt 2.2 commenced 9 March 2005 (s 2 and see Road Transport (Public Passenger Services) (Hire Cars) Amendment Act 2004 A2004-69, s 2 and LA s 79)

**Road Transport (Safety and Traffic Management) Amendment Regulation 2005 (No 2) SL2005-22 sch 2 pt 2.1**

notified LR 15 September 2005  
s 1, s 2 commenced 15 September 2005 (LA s 75 (1))  
sch 2 pt 2.1 commenced 16 September 2005 (s 2)

**Criminal Code Harmonisation Act 2005 A2005-54 sch 1 pt 1.34**

notified LR 27 October 2005  
s 1, s 2 commenced 27 October 2005 (LA s 75 (1))  
sch 1 pt 1.34 commenced 24 November 2005 (s 2)

**Road Transport Legislation (Taxi Licences) Amendment Regulation 2006 (No 1) SL2006-5 sch 1 pt 1.2**

notified LR 6 March 2006  
s 1, s 2 commenced 6 March 2006 (LA s 75 (1))  
sch 1 pt 1.2 commenced 7 March 2006 (s 2)

**Road Transport Legislation (Taxi Licences) Amendment Regulation 2006 (No 2) SL2006-31 sch 1 pt 1.1**

notified LR 26 June 2006  
s 1, s 2 commenced 26 June 2006 (LA s 75 (1))  
sch 1 pt 1.1 commenced 2 July 2006 (s 2 and see Road Transport Legislation Amendment Act 2006 A2006-26, s 2 and CN2006-12)

**Road Transport Legislation (Public Passenger Services) Amendment Regulation 2006 (No 1) SL2006-32 sch 1 pt 1.2**

notified LR 26 June 2006  
s 1, s 2 commenced 26 June 2006 (LA s 75 (1))  
sch 1 pt 1.2 commenced 3 July 2006 (s 2 (2))

## Endnotes

3 Legislation history

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**Road Transport Legislation (Accreditation and Licensing)  
Amendment Regulation 2006 (No 1) SL2006-59 pt 3**

notified LR 18 December 2006

s 1, s 2 commenced 18 December 2006 (LA s 75 (1))

pt 3 commenced 1 January 2007 (s 2 and CN2006-24)

**Road Transport (Third-Party Insurance) Act 2008 A2008-1 sch 1 pt 1.7  
(as am by A2008-39 s 4)**

notified LR 26 February 2008

s 1, s 2 commenced 26 February 2008 (LA s 75 (1))

sch 1 pt 1.7 commenced 1 October 2008 (s 2 as am by A2008-39 s 4)

**Road Transport (Vehicle Registration) Amendment Regulation 2008  
(No 1) SL2008-16 s 6, s 7**

notified LR 17 April 2008

s 1, s 2 commenced 17 April 2008 (LA s 75 (1))

s 6, s 7 commenced 18 April 2008 (s 2)

**Statute Law Amendment Act 2008 A2008-28 sch 3 pt 3.52**

notified LR 12 August 2008

s 1, s 2 commenced 12 August 2008 (LA s 75 (1))

sch 3 pt 3.52 commenced 26 August 2008 (s 2)

**Road Transport (General) Amendment Regulation 2008 (No 1)  
SL2008-36**

notified LR 21 August 2008

s 1, s 2 commenced 21 August 2008 (LA s 75 (1))

remainder commenced 22 August 2008 (s 2)

**ACT Civil and Administrative Tribunal Legislation Amendment  
Act 2008 (No 2) A2008-37 sch 1 pt 1.92**

notified LR 4 September 2008

s 1, s 2 commenced 4 September 2008 (LA s 75 (1))

sch 1 pt 1.92 commenced 2 February 2009 (s 2 (1) and see ACT Civil  
and Administrative Tribunal Act 2008 A2008-35, s 2 (1) and CN2009-2)

**Road Transport (Third-Party Insurance) Amendment Act 2008  
A2008-39**

notified LR 22 August 2008

s 1, s 2 commenced 22 August 2008 (LA s 75 (1))

remainder commenced 23 August 2008 (s 2)

*Note* This Act only amends the Road Transport (Third-Party Insurance) Act 2008 A2008-1.

**Road Transport Legislation Amendment Regulation 2008 (No 2)  
SL2008-47 sch 1 pt 1.1**

notified LR 1 December 2008

s 1, s 2 commenced 1 December 2008 (LA s 75 (1))

sch 1 pt 1.1 commenced 2 December 2008 (s 2)

**Road Transport Legislation Amendment Regulation 2009 (No 1)  
SL2009-6 pt 3**

notified LR 11 March 2009

s 1, s 2 commenced 11 March 2009 (LA s 75 (1))

pt 3 commenced 16 March 2009 (s 2 and CN2009-7)

**Road Transport (Mass, Dimensions and Loading) Act 2009 A2009-22  
sch 1 pt 1.6**

notified LR 3 September 2009

s 1, s 2 commenced 3 September 2009 (LA s 75 (1))

sch 1 pt 1.6 commenced 3 March 2010 (s 2 and LA s 79)

**Road Transport (Mass, Dimensions and Loading) Regulation 2010  
SL2010-4 sch 3 pt 3.1**

notified LR 1 March 2010

s 1, s 2 commenced 1 March 2010 (LA s 75 (1))

sch 3 pt 3.1 commenced 3 March 2010 (s 2 and see Road Transport (Mass, Dimensions and Loading) Act 2009 A2009-22, s 2 and LA s 79)

**Road Transport Legislation Amendment Regulation 2010 (No 2)  
SL2010-7 sch 1 pt 1.2**

notified LR 16 March 2010

s 1, s 2 commenced 16 March 2010 (LA s 75 (1))

amdt 1.15 commenced 17 March 2010 (s 2 (1))

sch 1 pt 1.2 remainder commenced 7 April 2010 (s 2 (2))

## Endnotes

3 Legislation history

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**Statute Law Amendment Act 2010 A2010-18 sch 3 pt 3.15**

notified LR 13 May 2010  
s 1, s 2 commenced 13 May 2010 (LA s 75 (1))  
sch 3 pt 3.15 commenced 3 June 2010 (s 2)

**Road Transport (General) Amendment Regulation 2010 (No 1)  
SL2010-18**

notified LR 20 May 2010  
s 1, s 2 commenced 20 May 2010 (LA s 75 (1))  
remainder commenced 21 May 2010 (s 2)

**Road Transport Legislation Amendment Regulation 2010 (No 3)  
SL2010-28 pt 3**

notified LR 30 June 2010  
s 1, s 2 commenced 30 June 2010 (LA s 75 (1))  
pt 3 commenced 31 August 2010 (s 2 (3))

**Road Transport Legislation Amendment Regulation 2010 (No 4)  
SL2010-33 pt 2**

notified LR 5 August 2010  
s 1, s 2 commenced 5 August 2010 (LA s 75 (1))  
pt 2 commenced 6 August 2010 (s 2)

**Road Transport (General) Amendment Act 2010 A2010-39 pt 3**

notified LR 5 October 2010  
s 1, s 2 commenced 5 October 2010 (LA s 75 (1))  
s 3, s 12 commenced 1 December 2010 (s 2 and CN2010-16)  
pt 3 remainder commenced 5 April 2011 (s 2 and LA s 79)

**Road Transport (Alcohol and Drugs) Legislation Amendment  
Act 2010 A2010-47 pt 6**

notified LR 25 November 2010  
s 1, s 2 commenced 25 November 2010 (LA s 75 (1))  
s 137 commenced 25 November 2011 (s 2)  
pt 6 remainder commenced 1 December 2010 (s 2 (2) and see Road  
Transport (Alcohol and Drugs) (Random Drug Testing) Amendment  
Act 2010 A2010-27, s 2 and CN2010-15)

**Road Transport Legislation Amendment Act 2011 A2011-14 pt 4**

notified LR 11 May 2011  
s 1, s 2 commenced 11 May 2011 (LA s 75 (1))  
pt 4 commenced 3 June 2011 (s 2 (1) and CN2011-7)

**Road Transport (Vehicle Registration) Amendment Regulation 2011  
(No 1) SL2011-28 sch 1 pt 1.1**

notified LR 31 October 2011  
s 1, s 2 commenced 31 October 2011 (LA s 75 (1))  
sch 1 pt 1.1 commenced 1 November 2011 (s 2)

**Road Transport (Driver Licensing) Amendment Regulation 2011  
(No 1) SL2011-31 s 46, s 47**

notified LR 17 November 2011  
s 1, s 2 commenced 17 November 2011 (LA s 75 (1))  
s 46, s 47 commenced 25 November 2011 (s 2 and see  
*Road Transport (Alcohol and Drugs) Legislation Amendment Act 2010*  
A2010-47 s 2)

**Road Transport (Public Passenger Services) Amendment  
Regulation 2012 (No 1) SL2012-1 s 7**

notified LR 19 January 2012  
s 1, s 2 commenced 19 January 2012 (LA s 75 (1))  
s 7 commenced 1 March 2012 (s 2 and CN2012-5)

## Endnotes

4 Amendment history

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### 4 Amendment history

#### **Name of regulation**

s 1 am R12 LA

#### **Commencement**

s 2 om A2001-27 amdt 4.9

#### **Dictionary**

s 3 hdg sub SL2005-4 amdt 2.7

s 3 am A2001-44 amdt 1.3767

#### **Notes**

s 4 am A2001-27 amdt 4.10; A2001-44 amdt 1.3768; A2002-30  
amdt 3.746  
(2), (3) exp 17 September 2002 (s 4 (3))

#### **Offences against regulation—application of Criminal Code etc**

s 4A ins SL2003-1 s 10

#### **Exemptions for traffic marshals—appointment and identity cards**

s 6 hdg bracketed note exp 17 September 2002 (s 4 (3))

s 6 sub SL2002-31 s 10

#### **Access to database**

s 7 hdg bracketed note exp 17 September 2002 (s 4 (3))

s 7 om SL2002-31 s 10

ins SL2010-33 s 4

#### **Delegation of road transport authority's functions**

s 8 (2), (3) exp 1 March 2002 (see s 8 (3))

#### **Identifying particulars for authorised people—Act, s 20 (1) (b)**

s 8A ins SL2002-31 s 11

om A2009-22 amdt 1.17

#### **Content of suspension notice—Act, s 44 (3) (c)**

s 9 sub SL2002-31 s 11

om A2009-22 amdt 1.17

ins SL2010-18 s 4

sub A2010-39 s 12

#### **Content of fine enforcement notice—Act, s 84 (3) (c)**

s 9A ins SL2010-18 s 4

sub A2010-39 s 13

#### **When posted notice taken to be given**

s 9B ins SL2010-18 s 4

#### **Specimen signature—Act, s 59 (2)**

s 9C ins A2011-14 s 19



**Certificate evidence—Act, s 72 (3)**

s 10 hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 10 sub SL2010-18 s 5

**Review of decisions**

pt 4 hdg sub A2008-37 amdt 1.438

**Internally reviewable decisions—Act, s 90, def *internally reviewable decision***

s 11 sub A2008-1 amdt 1.24; A2008-37 amdt 1.438

**Reviewable decisions—Act, s 90A (1), def *reviewable decision*, par (b)**

s 12 sub A2008-37 amdt 1.438

**Remission of fees, charges and other amounts—Minister**

s 13 hdg bracketed note exp 17 September 2002 (s 4 (3))  
sub SL2009-6 s 19

**Remission of fees, charges and other amounts—authority**

s 13AA ins SL2009-6 s 20

**Rounding down of fees**

s 13A ins SL2008-36 s 4

**Refund of fees, charges and other amounts**

s 14 hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 14 am A2001-62 amdt 1.34, amdt 1.35; SL2001-46 ss 4-7;  
SL2002-2 s 8, s 9; SL2005-4 amdt 2.8, amdt 2.9; pars renum  
R13 LA (see SL2005-4 amdt 2.10); SL2005-22 amdt 2.1;  
SL2006-5 amdt 1.2; SL2006-31 amdt 1.1; SL2009-6  
ss 21-31; ss and pars renum R27 LA; SL2010-28 s 36, s 37

**Dishonour notices**

s 16 hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 16 am A2001-27 amdt 4.11, amdt 4.12; A2001-62 amdt 1.36;  
SL2001-46 s 8; SL2002-2 s 10; SL2005-4 amdt 2.11;  
A2008-1 amdt 1.25; pars renum R24 LA; SL2010-28 s 38

**Suspension notices**

s 17 hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 17 am A2001-27 amdt 4.13; A2008-1 amdt 1.26

**Revocation of suspension**

s 18 am SL2010-7 amdt 1.15

**Cancellation notices**

s 19 hdg bracketed note exp 17 September 2002 (s 4 (3))

**Written-off vehicles register**

pt 6 hdg ins SL2002-31 s 12

## Endnotes

### 4 Amendment history

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#### Definitions for pt 6

- s 20 ins SL2002-31 s 12  
def **approved corresponding WOV** ins SL2002-31 s 12  
def **dealer** ins SL2002-31 s 12  
def **designated person** ins SL2002-31 s 12  
def **insurer** ins SL2002-31 s 12  
def **motor wrecker** ins SL2002-31 s 12  
def **notifiable vehicle** ins SL2002-31 s 12  
def **relevant identification information** ins SL2002-31 s 12  
def **repairable write-off** ins SL2002-31 s 12  
def **statutory write-off** ins SL2002-31 s 12  
def **statutory write-off notice** ins SL2002-31 s 12  
def **total loss** ins SL2002-31 s 12  
def **vehicle identifier** ins SL2002-31 s 12  
def **written-off** ins SL2002-31 s 12  
def **written-off vehicles register** ins SL2002-31 s 12

#### What is a notifiable vehicle

- s 21 ins SL2002-31 s 12

#### When vehicle is a statutory write-off

- s 22 ins SL2002-31 s 12

#### Who must give written-off vehicle information to road transport authority

- s 23 ins SL2002-31 s 12

#### Information about notifiable vehicles to be given to road transport authority

- s 24 ins SL2002-31 s 12  
am SL2003-1 s 11, s 12; A2005-54 amdts 1.234-1.236

#### Statutory write-offs—duty to attach notice

- s 25 ins SL2002-31 s 12  
sub SL2003-1 s 13  
am SL2005-4 amdt 2.12

#### Unauthorised interference with statutory write-off notices

- s 26 ins SL2002-31 s 12  
sub SL2003-1 s 13; A2005-54 amdt 1.237

#### Statutory write-off notice to remain with vehicle

- s 27 ins SL2002-31 s 12  
sub SL2003-1 s 13

#### Written-off vehicles—duty to deface vehicle identifier

- s 28 ins SL2002-31 s 12  
sub SL2003-1 s 13

#### Entry of vehicle information in written-off vehicles register

- s 29 ins SL2002-31 s 12  
(3), (4) exp 1 December 2003 (s 29 (4))  
am A2008-28 amdt 3.161

**Statement of whether vehicle is written-off**

s 30 ins SL2002-31 s 12  
pars renum R12 LA

**Approvals for pt 6**

s 31 ins SL2002-31 s 12  
am SL2003-1 s 14

**Internally reviewable decisions**

sch 1 hdg sub A2008-37 amdt 1.439

**Road Transport (Alcohol and Drugs) Act 1977**

sch 1 pt 1.1 om A2010-47 s 136

**Road Transport (Dimensions and Mass) Act 1990**

sch 1 pt 1.2 om A2009-22 amdt 1.18

**Road Transport (Driver Licensing) Regulation 2000**

sch 1 pt 1.4 am SL2000-32 sch 2; SL2001-46 s 9, s 10; SL2006-59 s 21;  
items renum R19 LA; A2010-18 amdts 3.47- 3.60; items  
renum R32 LA; SL2010-28 s 39, s 40, s 42; items renum  
R34 LA; A2010-47 s 137; SL2011-31 s 46, s 47; items renum  
R39 LA

**Road Transport (General) Act 1999**

sch 1 pt 1.5 am SL2001-46 ss 11-14; SL2002-2 ss 11-15  
sub SL2005-4 amdt 2.13  
om A2008-1 amdt 1.27

**Road Transport (General) Regulation 2000**

sch 1 pt 1.5A ins SL2002-31 s 14  
om SL2005-4 amdt 2.13

**Road Transport (General) Regulation 2000**

sch 1 pt 1.6 orig sch 1 pt 1.6 om SL2001-46 s 15  
(prev sch 1 pt 1.7) renum SL2001-46 s 16  
sub SL2005-4 amdt 2.13

**Road Transport (Mass, Dimensions and Loading) Act 2009**

sch 1 pt 1.6A ins A2009-22 amdt 1.19

**Road Transport (Mass, Dimensions and Loading) Regulation 2010**

sch 1 pt 1.6B ins SL2010-4 amdt 3.1

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

sch 1 pt 1.7 orig sch 1 pt 1.7 renum as sch 1 pt 1.6  
(prev sch 1 pt 1.8) renum SL2001-46 s 16  
om SL2002-2 s 16  
ins SL2002-2 s 18  
am SL2006-31 amdt 1.2; SL2006-32 amdt 1.2, amdt 1.3; items  
renum R18 LA (see SL2006-32 amdt 1.4)

## Endnotes

4 Amendment history

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### **Road Transport (Public Passenger Services) Regulation 2002**

sch 1 pt 1.8 orig sch 1 pt 1.8 renum as sch 1 pt 1.7  
ins SL2001-46 s 18  
sub SL2002-2 s 18  
am SL2003-32 amdt 2.36; SL2005-4 amdt 2.14, amdt 2.15;  
SL2006-5 amdt 1.3, amdt 1.4; items renum R16 LA (see  
SL2006-5 amdt 1.5); SL2006-31 amdt 1.3, amdt 1.4;  
SL2006-32 amdt 1.5, amdt 1.7, amdt 1.8; items renum R18  
LA (see SL2006-32 amdt 1.6); SL2010-7 amdt 1.16; items  
renum R30 LA; A2010-18 amdt 3.61, amdt 3.62; items renum  
R32 LA; SL2012-1 s 7; items renum R40 LA

### **Road Transport (Safety and Traffic Management) Regulation 2000**

sch 1 pt 1.9 orig sch 1 pt 1.9 renum as sch 1 pt 1.10  
ins SL2001-46 s 18  
om SL2002-2 s 18  
(prev sch 1 pt 1.10) renum SL2002-2 s 17  
items renum R12 LA  
am SL2005-22 amdts 2.2-2.4; SL2008-47 amdt 1.1; items  
renum R25 LA

### **Road Transport (Third-Party Insurance) Act 2008**

sch 1 pt 1.9A ins A2008-1 amdt 1.28

### **Road Transport (Vehicle Registration) Act 1999**

sch 1 pt 1.10 orig sch 1 pt 1.10 renum as sch 1 pt 1.11  
(prev sch 1 pt 1.9) renum SL2001-46 s 17  
renum as sch 1 pt 1.9  
(prev sch 1 pt 1.11) renum SL2002-2 s 17  
am SL2002-7 s 17; A2002-30 amdt 3.747

### **Road Transport (Vehicle Registration) Regulation 2000**

sch 1 pt 1.11 orig sch 1 pt 1.11 renum as sch 1 pt 1.12  
(prev sch 1 pt 1.10) renum SL2001-46 s 17  
renum as sch 1 pt 1.10  
(prev sch 1 pt 1.12) renum SL2002-2 s 17  
am SL2002-31 s 15, s 16; items renum R9 LA (see SL2002-31  
s 17); SL2008-16 s 6, s 7; items renum R20 LA; A2010-18  
amdt 3.63; SL2011-28 amdt 1.1; items renum R38 LA

### **Road Transport (Vehicle Registration) Regulation 2000**

sch 1 pt 1.12 (prev sch 1 pt 1.11) renum SL2001-46 s 17  
renum as sch 1 pt 1.11

### **Reviewable decisions**

sch 2 hdg sub A2008-37 amdt 1.440

## Dictionary

dict

am SL2008-36 s 5; A2010-18 amdt 3.64  
 def **administering authority** om R12 LA  
 def **approved corresponding WOV** ins SL2002-31 s 13  
 def **bus service** ins A2001-62 amdt 1.37  
 om SL2006-32 amdt 1.9  
 def **credit card** om R12 LA  
 def **dealer** ins SL2002-31 s 13  
 def **designated person** ins SL2002-31 s 13  
 def **heavy vehicle driver assessor** ins SL2010-28 s 41  
 def **GVM** ins SL2002-31 s 13  
 def **infringement notice** om R12 LA  
 def **infringement notice offence** om R12 LA  
 def **insurer** ins SL2002-31 s 13  
 def **motorbike** ins SL2002-31 s 13  
 def **motor wrecker** ins SL2002-31 s 13  
 def **notifiable vehicle** ins SL2002-31 s 13  
 def **registered operator** ins SL2002-31 s 13  
 def **relevant identification information** ins SL2002-31 s 13  
 def **repairable write-off** ins SL2002-31 s 13  
 def **responsible person** om R12 LA  
 def **responsible person** ins SL2002-31 s 13  
 def **road transport authority** om R12 LA  
 def **road transport legislation** om R12 LA  
 def **service authority** ins SL2005-4 amdt 2.16  
 am SL2006-32 amdt 1.10  
 def **statutory write-off** ins SL2002-31 s 13  
 def **statutory write-off notice** ins SL2002-31 s 13  
 def **the Act** om A2001-44 amdt 1.3769  
 def **total loss** ins SL2002-31 s 13  
 def **trailer** ins SL2002-31 s 13  
 om R12 LA  
 def **vehicle identifier** ins SL2002-31 s 13  
 def **written-off** ins SL2002-31 s 13  
 def **written-off vehicles register** ins SL2002-31 s 13

## Endnotes

5 Earlier republications

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### 5 Earlier republications

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

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (\*) in column 1. Electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	not amended	1 March 2000
2	A2001-44	12 September 2001
3	A2001-62	1 December 2001
4	SL2002-2	1 March 2002
5	SL2002-2	2 March 2002
6	SL2002-7	16 April 2002
7	A2002-30	9 October 2002
8	<u>SL2002-31</u>	1 November 2002
9*	SL2003-1	28 January 2003
10	SL2003-32	23 September 2003
11	SL2003-32	2 December 2003
12	SL2003-32	1 November 2004
13	SL2005-4	9 March 2005
14	SL2005-22	16 September 2005
15	A2005-54	24 November 2005
16	SL2006-5	7 March 2006
17	SL2006-31	2 July 2006
18	SL2006-32	3 July 2006
19	SL2006-59	1 January 2007
20	SL2008-16	18 April 2008
21	SL2008-36	22 August 2008
22	A2008-39	23 August 2008

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<b>Republication No</b>	<b>Amendments to</b>	<b>Republication date</b>
23	A2008-39	26 August 2008
24	A2008-39	1 October 2008
25	SL2008-47	2 December 2008
26	SL2008-47	2 February 2009
27	SL2009-6	16 March 2009
28	SL2010-4	3 March 2010
29	<u>SL2010-7</u>	17 March 2010
30	SL2010-7	7 April 2010
31	SL2010-18	21 May 2010
32	SL2010-18	3 June 2010
33	SL2010-33	6 August 2010
34	SL2010-33	31 August 2010
35	<u>A2010-47</u>	1 December 2010
36	<u>A2010-47</u>	5 April 2011
37	A2011-14	3 June 2011
38	SL2011-28	1 November 2011
39*	SL2011-31	25 November 2011

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