



Australian Capital Territory

Road Transport (Safety and Traffic Management) Amendment Regulation 2016 (No 2)

Subordinate Law SL2016-21

The Australian Capital Territory Executive makes the following regulation under the *Road Transport (General) Act 1999* and the *Road Transport (Safety and Traffic Management) Act 1999*.

Dated 15 August 2016.

SHANE RATTENBURY
Minister

MEEGAN FITZHARRIS
Minister



Australian Capital Territory

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J2016-246

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

1 Name of regulation

This regulation is the *Road Transport (Safety and Traffic Management) Amendment Regulation 2016 (No 2)*.

2 Commencement

This regulation commences on 1 September 2016.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

3 Legislation amended

This regulation amends the *Road Transport (Safety and Traffic Management) Regulation 2000*.

Note This regulation also amends the *Road Transport (Offences) Regulation 2005* (see s 6).

4 Section 30B (1)

substitute

- (1) For the [Australian Road Rules](#), rule 300 (1) (c), a driver may use a mobile phone while the vehicle is moving, or is stationary but not parked, if—
 - (a) the phone is—
 - (i) being used to perform a navigational or intelligent highway and vehicle system function; and
 - (ii) secured in a mounting affixed to the vehicle; or
 - (b) each of the following apply:
 - (i) the phone is being used to stream, play or listen to music or audio files;
 - (ii) the phone is not being held by the driver;

- (iii) the use of the phone does not require the driver, at any time while using it, to press anything on the body of the phone or to otherwise manipulate any part of the body of the phone.

5 New section 30B (3)

insert

- (3) In this section:

mobile phone includes any other wireless hand-held device designed or capable of being used for telecommunication other than a CB radio or any other 2-way radio.

Example—other hand-held devices

iPad or other tablet computer

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).

6 Road Transport (Offences) Regulation 2005 Schedule 1, part 1.2, item 457

substitute

457	300 (1)	driver using mobile phone	20	416	3 (NS)
457A	300 (1)	driver using mobile phone for messaging, social networking, mobile application or accessing internet	20	511	4

Endnotes

1 Notification

Notified under the [Legislation Act](#) on 18 August 2016.

2 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

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