



Australian Capital Territory

# Road Transport (Safety and Traffic Management) Amendment Act 2006

A2006-39

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An Act to amend the *Road Transport (Safety and Traffic Management) Act 1999*

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The Legislative Assembly for the Australian Capital Territory enacts as follows:

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J2005-1057

Authorised by the ACT Parliamentary Counsel—also accessible at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)

**1 Name of Act**

This Act is the *Road Transport (Safety and Traffic Management) Amendment Act 2006*.

**2 Commencement**

This Act commences on the day after its notification day.

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

**3 Legislation amended**

This Act amends the *Road Transport (Safety and Traffic Management) Act 1999*.

**4 Section 10E**

*substitute*

**10E Keeping of vehicles seized under s 10C (1) (a)**

- (1) This section applies if a motor vehicle is seized under section 10C (1) (a) (Powers of police officers to seize and impound vehicles used in committing certain offences) by a police officer because the police officer believes the vehicle has been used by a person in committing an offence.
- (2) The chief police officer must keep the motor vehicle under this section until the earlier of the following happens:
  - (a) the person is dealt with by a court for the offence;
  - (b) an infringement notice is served on the person for the offence;
  - (c) if a prosecution for the offence is not started within 28 days after the seizure—the end of the 28-day period;

- (d) if the person has not been convicted, or found guilty, of a relevant offence within the 5-year period before the day the vehicle is seized—the end of the 3-month period after the day the vehicle is seized.
- (3) However, subsection (2) does not apply if the vehicle is sooner released under—
    - (a) section 10G (Vehicles seized under s 10C (1) (a)—release by chief police officer); or
    - (b) section 10H (Vehicles seized under s 10C (1) (a)—release by Magistrates Court).
  - (4) If the person is convicted, or found guilty of, the offence, the chief police officer must keep the vehicle as required under section 10F.
  - (5) In this section:  
*relevant offence* means an offence against—
    - (a) section 5A (Races, attempts on speed records, speed trials etc);  
or
    - (b) section 5B (Burnouts and other prohibited conduct); or
    - (c) section 8 (Menacing driving).

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## Endnotes

**1 Presentation speech**

Presentation speech made in the Legislative Assembly on 8 June 2006.

**2 Notification**

Notified under the Legislation Act on 26 September 2006.

**3 Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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I certify that the above is a true copy of the Road Transport (Safety and Traffic Management) Amendment Bill 2006, which was passed by the Legislative Assembly on 21 September 2006.

Clerk of the Legislative Assembly

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