

2006

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Urban Services)

Road Transport (Safety and Traffic Management) Amendment Bill 2006

A Bill for

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

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

1 **1 Name of Act**

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

4 **2 Commencement**

5 This Act commences on the day after its notification day.

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

8 **3 Legislation amended**

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

11 **4 Section 10E**

12 *substitute*

13 **10E Keeping of vehicles seized under s 10C (1) (a)**

14 (1) This section applies if a motor vehicle is seized under
15 section 10C (1) (a) (Powers of police officers to seize and impound
16 vehicles used in committing certain offences) by a police officer
17 because the police officer believes the vehicle has been used by a
18 person in committing an offence.

19 (2) The chief police officer must keep the motor vehicle under this
20 section until the earlier of the following happens:

21 (a) the person is dealt with by a court for the offence;

22 (b) an infringement notice is served on the person for the offence;

23 (c) if a prosecution for the offence is not started within 28 days
24 after the seizure—the end of the 28-day period;

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

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 2006.

2 Notification

Notified under the Legislation Act on 2006.

3 Republications of amended laws

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

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