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LEGISLATIVE ASSEMBLY OF THE AUSTRALIAN CAPITAL TERRITORY

MOTOR TRAFFIC ACT 1936

MOTOR TRAFFIC REGULATIONS (AMENDMENT)

EXPLANATORY MEMORANDUM

Circulated by the Authority of

Mr Terence Connolly MLA

Minister for Urban Services

MOTOR TRAFFIC REGULATIONS (AMENDMENT)

Outline

Subsection 147(1) of the Motor Traffic Act 1936 (the Act) provides that a person must not drive a motor vehicle at a speed of more than 40 kilometers per hour during the period from 8.00 am to 4.00 pm when a school located in a school zone is open for the attendance of scholars. The prescribed penalties for driving in contravention of this provision are set out in the Motor Traffic Regulations (the Principal Regulations).

The Motor Traffic Regulations (Amendment) (the Amending Regulations) amends the Principal Regulations to alter the prescribed penalties provision relating to driving in contravention of subsection 147(1) of the Act. Instead of a single prescribed penalty for driving in a school zone at speed exceeding 40 km per hour, the Amending Regulations create three levels of penalties: \$135 for driving in a school zone at speed exceeding 40 km per hour but less than 70 km per hour, \$250 for driving in a school zone at speed exceeding 70 km per hour but less than 85 km per hour and \$500 for driving in a school zone at speed of 85 km per hour or more.

Financial Implications

As the Amending Regulations increase penalty levels a small increase in revenue may result.

Schedule-Part I

The Schedule to Part I of the Principal Regulations is amended by omitting the penalty for subsection 147(1) and inserting three different prescribed penalty levels for driving in a school zone in excess of 40 km per hour. The new penalty levels are \$135 for driving between 40 and 70 km per hour, \$250 for driving between 70 and 85 km per hour and \$500 for driving at more than 85 km per hour in a school zone.