

1996

**THE LEGISLATIVE ASSEMBLY OF THE
AUSTRALIAN CAPITAL TERRITORY**

MOTOR TRAFFIC ACT 1936

MOTOR TRAFFIC REGULATIONS (AMENDMENT)

EXPLANATORY STATEMENT

Circulated by the Authority of
Anthony Joseph De Domenico, MLA
Minister for Urban Services

Outline

Section 218 of the *Motor Traffic Act 1936* ("the Act") empowers the Executive to make regulations prescribing all matters which are required or permitted to be prescribed, or which are necessary or convenient to be prescribed for the purposes of the Act. The Motor Traffic Regulations deal with matters such as requiring trailers to have adequate brakes and safety chains, registration labels for vehicles, unlicensed drivers and prescribed offences for which parking and traffic infringement notices may be issued and associated penalties and demerit points.

The Motor Traffic Regulations (Amendment), amend the Regulations by generally increasing all penalties for parking and traffic infringements by 3% in accordance with the anticipated movement in 1996-97 of the Consumer Price Index.

The changes to be made to the Regulations relate specifically to the dollar amount of parking and traffic penalties. These increases are part of the 1996-97 Budget strategy, and will not effect parity between the severity of the offences and the dollar value of the penalties.

Financial Implications

There are no increased costs associated with the amending Regulations. However, the government can expect some increase in revenue consequential upon the revised penalties. Based on current revenue, this should result in an increase of \$199,000 in revenue generated from parking infringements, and \$110,000 from traffic infringements. In total, revenue generated would increase by \$309,000.

Details

Commencement and Interpretation

Regulation 1 and 2 provide that the Regulations will take effect on 1 July 1996 and that a reference in the Regulations to "Principal Regulation" means the Motor Traffic Regulations.

Substitution of Schedule

Regulation 3 repeals the existing Schedule in the Regulations and substitutes a new Schedule which revises all the penalties. The penalties have generally been raised by between \$1.00 and \$5.00 with the exception of some of the higher penalties set at 287 and 563 which have been raised by \$8.00 and \$16.00 respectively. This represents a 3% increase which is in accordance with the anticipated movement in 1996-97 of the Consumer Price Index.