

1993

AUSTRALIAN CAPITAL TERRITORY LEGISLATIVE ASSEMBLY

MOTOR TRAFFIC REGULATIONS (AMENDMENT)

EXPLANATORY MEMORANDUM

Circulated by Authority of the Minister for Urban Services

Terry Connolly MLA

MOTOR TRAFFIC REGULATIONS (AMENDMENT)

EXPLANATORY MEMORANDUM

The Motor Traffic Regulations ('the Principal Regulations') are made under section 218 of the *Motor Traffic Act 1936*. The Principal Regulations deal with matters including braking and safety requirements for trailers, registration labels for vehicles, unlicensed drivers, prescribed offences in respect of which a traffic or parking infringement notice may be issued and specify penalties for those prescribed offences.

The Motor Traffic Regulations (Amendment) are made consequentially to the *Motor Traffic (Amendment) Act (No. 3) 1993* ('the amending Act'). The amending Act provides a licensing scheme for restricted taxis and restricted hire vehicles and provides for new measures to improve the efficiency of bus services by providing for priority for buses in certain situations.

The Motor Traffic Regulations (Amendment) amend the Schedule to the Motor Traffic Regulations to specify the prescribed penalties for the new offences that are created by the amending Act.

Commencement

Regulation 1 links the commencement of the Motor Traffic Regulations (Amendment) in with the commencement of the various provisions of the amending Act so that the penalties are applicable as soon as the offences are created.

Schedule

Regulation 2 amends the Schedule in accordance with the amendments made to the *Motor Traffic Act 1936* ('the Act') by the amending Act.

Paragraph 2(a) inserts a reference to restricted hire vehicles into item 16 in Part I of the Schedule as a consequence of extending the offence of parking a private hire car in a public street for more than 30 minutes to restricted hire vehicles in subsection 154(3) of the Act.

Paragraph 2(b) omits items 17, 18 and 19 from Part II of the Schedule because the provisions to which those items refer, subsections 27(5), 27(6) and 28(5) respectively, are omitted from the Principal Act by the amending Act. Those subsections are condensed into a new section 31A which covers the number of passengers that may be carried by taxis, motor omnibuses, private hire cars and restricted hire vehicles. The two new items 17 and 18 set out the prescribed penalties for section 31A of the Act.

Paragraph 2(c) inserts a new item 63A into Part II of the Schedule. New item 63A specifies the prescribed penalty for the new offence in subsection 124B(1) of failing to decrease speed, or to stop, to allow a local services omnibus to enter the line of traffic.