

2016

**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**ROAD TRANSPORT (SAFETY AND TRAFFIC
MANAGEMENT) AMENDMENT REGULATION 2016 (No 3)**

SL2016-35

EXPLANATORY STATEMENT

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ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) AMENDMENT REGULATION 2016 (No 3)

Introduction

This explanatory statement relates to the *Road Transport (Safety and Traffic Management) Amendment Regulation 2016 (No.3)* (the regulation). It has been prepared in order to assist the reader of the regulation. It does not form part of the regulation and has not been endorsed by the Legislative Assembly.

The Statement must be read in conjunction with the regulation. It is not, and is not meant to be, a comprehensive description of the regulation. What is said about a provision is not taken as an authoritative guide to the meaning of a provision, this being a task for the courts.

Outline

This regulation amends the *Road Transport (Safety and Traffic Management) Regulation 2000*, made under the *Road Transport (Safety and Traffic Management) Act 1999* (the Act).

The Act requires that a traffic offence detection device must be approved as an approved camera detection device prior to its use within the ACT.

This regulation approves a new digital camera detection device (VITRONIC PoliScan FM1) for the purposes of the Act. This new camera incorporates a speed measuring device as part of its camera mechanism, which is approved by this regulation. These new devices will be used in addition to existing cameras to support the ACT Government's Road Safety Camera Strategy and Mobile Camera Deployment Strategy.

There are no human rights implications arising from the amendment made by this regulation.

There are no climate change implications associated with this amendment.

Notes on clauses

Clause 1 Name of regulation

This is a formal provision that sets out the name of the regulation.

Clause 2 Commencement

This is a formal provision that provides for the commencement of the regulation.

Clause 3 Legislation amended

This clause lists the legislation to be amended by the regulation. This regulation will amend the *Road Transport (Safety and Traffic Management) Regulation 2000*.

Clause 4 Section 102, definition of *digital camera detection device*, new paragraph (e)

This clause supports the introduction of a new model of speed camera. This clause inserts a reference to a new device (a VITRONIC PoliScan FM1 that includes, as a component, a laser speed measuring device) into the definition of *digital camera detection device*. Each device listed in the definition of digital camera detection device is, by virtue of section 103 (1), approved as an *approved camera detection device* for the purposes of the *Road Transport (Safety and Traffic Management) Act 1999*.

Clause 5 Section 102, definition of *laser speed measuring device*, new paragraph (h)

This clause inserts a reference to the VITRONIC Poliscan FM1 into the definition of *laser speed measuring device* in section 102. This device combines both the functions of digital camera detection device (for which it has been approved under clause 4) and a laser speed measuring device. This clause approves this device as an *approved camera detection device* for the purposes of the *Road Transport (Safety and Traffic Management) Act 1999*.

Clause 6 Section 105 (4)

Section 105 imposes certain obligations on the operator of a digital camera detection device located in a vehicle (a mobile speed camera), including requirements for a calibration verification check and scope alignment check of the device.

The VITRONIC Poliscan SPEED M1 HP device, which is already approved under the regulation, is exempted from the obligations regarding conducting a clarification verification check and a scope alignment check on the basis that that device automatically performs those checks when an instrument confidence check is conducted. The new VITRONIC Poliscan FM1 device operates in the same way and so is similarly exempted from these requirements.

This clause inserts a reference to the VITRONIC Poliscan FM1, for this purpose. There has been no change to the obligations on operators of other digital camera detection devices.