

**2017**

**THE LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**ROAD TRANSPORT REFORM (LIGHT RAIL) LEGISLATION AMENDMENT  
BILL 2017**

**Amendments to be moved by the Minister for Justice, Consumer Affairs and Road  
Safety**

**SUPPLEMENTARY EXPLANATORY STATEMENT**

**Presented by  
Shane Rattenbury MLA  
Minister for Justice, Consumer Affairs and Road Safety**



# ROAD TRANSPORT REFORM (LIGHT RAIL) LEGISLATION AMENDMENT BILL 2017

## Introduction

This supplementary explanatory statement relates to amendments to the Road Transport Reform (Light Rail) Legislation Amendment Bill 2017 (the Bill) as presented to the Legislative Assembly.

## The Bill

The purpose of the Bill is outlined in detail in the explanatory statement.

In summary, the Bill amends the road transport legislation to support the operation of light rail within the road environment of the ACT. This includes incorporating light rail vehicles within the ACT's Compulsory Third Party (CTP) insurance scheme.

The Bill makes amendments to the *Road Transport (Alcohol and Drugs) Act 1977* to make it an offence for a rider of a segway-type device to be under the influence of, or drinking, alcohol while using the device. This amendment is part of reforms to authorise the private use of segway-type devices on public land in the ACT.

## Purpose of the amendments

The amendments will amend references to *segway* with *personal mobility devices*. This will ensure consistency with the term as used in other jurisdictions and by the National Transport Commission.

Amendments are also made to the CTP insurance provisions of the Bill, to update references to CTP regulations amended by the *Road Transport (Third-Party Insurance) Amendment Regulation 2017 (No 2)* which commenced on 27 July 2017.

## Human Rights considerations

The amendments are minor or technical and do not have any human right implications.

## Clause notes

### Amendments 1 to 4

Amendments 1 to 4 replace references to the term *segway* with the term *personal mobility device*.

### Amendment 5

#### Clause 37

##### Page 12, line 10—

This amendment replaces the definition of *segway* with a new definition of *personal mobility device*. There is no change to the definition itself, only to the defined term.

The clause also replaces references to *rail transport operator* and *registrable or rail vehicle*. These amendments do not alter these terms and are included only to ensure dictionary terms appear in alphabetical order in accordance with current drafting practice.

### Amendment 6

#### Clause 82

##### Page 36, line 19—

Clause 82 of the Bill updates the definition of *passenger vehicle* as used in the *Road Transport (Third-Party) Insurance Regulation 2008* to include a paragraph referencing a light rail vehicle. This amendment renumbers the inserted paragraph to reflect amendments made to the definition of *passenger vehicle* by the *Road Transport (Third-Party Insurance) Amendment Regulation 2017 (No 2)*. There is no substantive amendment to the clause.

### Amendment 7

#### Clause 83

##### Page 37, line 1—

This technical amendment is also consequential on changes to schedule 1 of the *Road Transport (Third-Party) Insurance Regulation 2008* made by the *Road Transport (Third-Party Insurance) Amendment Regulation 2017 (No 2)*. The clause updates existing references to a light rail vehicle's entitlement to input tax credits for CTP payments to the new terms used in that regulation – entitled or not entitled. There is no substantive change to this clause.