

2017

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

**ROAD TRANSPORT LEGISLATION
AMENDMENT REGULATION 2017 (No 2)**

SL2017-23

EXPLANATORY STATEMENT

**Circulated by authority of
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Minister for Justice, Consumer Affairs and Road Safety**

Introduction

This explanatory statement relates to the *Road Transport Legislation Amendment Regulation 2017 (No 2)* (the regulation). It has been prepared in order to assist the reader of the regulation. This explanatory 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 (Offences) Regulation 2005* and *Road Transport (Safety and Traffic Management) Regulation 2000* by replacing references to the term *segway* with *personal mobility device*. *Personal mobility device* is the term used in other jurisdictions and by the National Transport Commission.

There are no human rights implications associated with this regulation.

There are no climate change implications associated with this regulation.

Notes on clauses

Part 1 Preliminary

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.

Part 2 *Road Transport (Offences) Regulation 2005*

Clauses 4 Schedule 1, part 1.13, column 3, items 11 to 17

This clause replaces references to the term *segway* with the term *personal mobility device*.

Part 3 Road Transport (Safety and Traffic Management) Regulation 2000

Clauses 5–7

These clauses replace references to the term *segway* with the term *personal mobility device*.

Clause 8 Section 38M

This clause replaces references to the term *segway* with the term *personal mobility device*. It also inserts a standard ACT Legislation note in line with current legislative drafting practice. The definition of *overtake* is omitted as it is already defined in the Australian Road Rules which must be read with, and as if they form part of, the *Road Transport (Safety and Traffic Management) Regulation 2000* (see s 6).

Clauses 9–11

These clauses replace references in the dictionary to the term *segway* with the term *personal mobility device*.