

Australian Capital Territory

Road Transport (Safety and Traffic Management) Amendment Regulation 2019 (No 1)

Subordinate law SL2018-1

made under the

Road Transport (Safety and Traffic Management) Act 1999, section 33 (General regulation-making power)

EXPLANATORY STATEMENT

Introduction

This explanatory statement relates to the *Road Transport (Safety and Traffic Management) Amendment Regulation 2019 (No 1)* (the regulation) as presented to the Legislative Assembly. It has been prepared in order to assist the reader of the regulation. It does not form part of the legislation and has not been endorsed by the Assembly.

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.

Overview

This regulation amends the *Road Transport (Safety and Traffic Management) Regulation 2017*. Section 33 of the *Road Transport (Safety and Traffic Management) Act 1999* gives the Executive the power make regulations for the *Road Transport (Safety and Traffic Management) Act 1999*.

The *Road Transport (Safety and Traffic Management) Act 1999* requires that a traffic offence detection device, which includes a speed measuring device, must be approved as an approved speed measuring device prior to its use within the ACT. Approved speed measuring devices are used to support road safety by detecting speeding offences.

This regulation contains an amendment to section 12 of the *Road Transport (Safety and Traffic Management) Regulation 2017* to include in the definition of *laser speed measuring device*, two additional devices. Including these devices in the definition of

a laser speed measuring device will mean they are approved speed measuring devices in accordance with section 13 of the *Road Transport (Safety and Traffic Management) Regulation 2017*.

Approving these additional devices will enable ACT Policing to use the latest technology in the detection of speeding offences.

Human rights implications

There are no human rights implications associated with this regulation.

Climate change implications

There are no climate change implications associated with this regulation.

CLAUSE NOTES

Clause 1 **Name of regulation**

This clause specifies the name of the regulation. This clause provides that the regulation may be cited as the *Road Transport (Safety and Traffic Management) Amendment Regulation 2019 (No 1)*.

Clause 2 **Commencement**

This clause provides for the commencement of the regulation. This regulation will commence the day after this regulation is notified.

Clause 3 **Legislation amended**

This clause names the regulation that is being amended by this Regulation. This regulation amends the *Road Transport (Safety and Traffic Management) Regulation 2017*.

Clause 4 **Section 12, definition of *laser speed measuring device*; new paragraphs (aa) and (ab)**

This clause supports the introduction of new laser speed measuring devices. The clause contains an amendment to section 12 of the *Road Transport (Safety and Traffic Management) Regulation 2017* to include in the definition of *laser speed measuring device*, two additional devices being devices known as the –

- Applied Concepts Inc. Stalker LIDAR RLR (or Stalker RLR or Stalker RLR Lidar or STALKER LIDAR RLR)
- Kustom Signals Inc. ProLaser4 (or PROLASER4).