

Road Transport (General) Concession Determination 2023 (No 2)

Disallowable instrument DI2023-87

made under the

Road Transport (General) Act 1999, section 96 (Determination of fees, charges and other amounts)

EXPLANATORY STATEMENT

Background

Section 96 of the *Road Transport (General) Act 1999* allows the Minister to determine fees, charges and other amounts payable under the ACT road transport legislation.

This disallowable instrument has the effect of determining the method to be used to work out a fee payable by persons eligible for a concession in relation to fees payable for vehicle registration and driver licensing.

On 1 February 2023 the Chief Minister and Minister for Climate Action, and the Minister for Energy and Emissions Reduction jointly announced that vehicles coming off the 2-years free registration concession would transition to the lowest weight category from 25 May 2023 with the remainder of the light vehicle fleet transitioning from the weight-based system to an emissions-based system from 1 July 2024. They also announced holders of ACT Service Access and Low Income Health Care cards will receive a 100% concession on motor vehicle registration from 1 July 2023 and new registration concessions for plug-in hybrid and hybrid vehicles of 40% and 20% commencing from 1 July 2023.

Amendments described below vary the threshold that provides discount for some vehicles with tailpipe emissions of less than 130g/km of CO₂. Following advice from ACT Treasury, the threshold has been modified to include vehicles with tail pipe emissions of no more than 130g/km of CO₂.

Amendments to the Road Transport (General) Concession Determination

Items 4 and 5 of Part 1 have been amended to provide holders of Seniors Cards first registering a PHEV or Hybrid vehicle with tailpipe emissions of no more than 130g/km of CO₂ on or after 1 July 2023 and on or before 30 June 2024 with the respective concession of 40% and 20% for these vehicles. These items previously

provided a concession for vehicles with tailpipe emissions of less than 130g/km of CO₂ but excluded vehicles with tailpipe emissions of 130g/km of CO₂.

Items 3 and 4 of Part 3 have been amended to provide a 40% and 20% concession respectively to new and used PHEVs and Hybrid vehicles with tailpipe emissions of no more than 130g/km of CO₂ first registered on or after 1 July 2023 and on or before 30 June 2024. Columns 4 and 5 clarify that the concession is available to each PHEV or hybrid that is private or business registered and is a passenger car, forward control passenger vehicle, an off-road passenger vehicle, a bus or goods carrying vehicle and is not available to motorcycles, mopeds or motor tricycles (vehicles fitting within the L-Group vehicle classification under the Australian Design Rules). These items previously provided a concession for vehicles with tailpipe emissions of less than 130g/km of CO₂ but excluded vehicles with tailpipe emissions of 130g/km of CO₂.

Notes on Clauses

Clauses 1 to 3 are formal provisions that deal with the name and commencement of the new instrument and revoke its predecessor.

Clause 4 describes the formula to be used to determine the fee payable if a person is entitled to a concession. The calculated fee is rounded down to the nearest 10 cents to determine the fee payable.

Clause 5 of the disallowable instrument describes how the entitlement to a concession is to apply in relation to a vehicle or other matter, with reference to the table in Schedule 1. It explains the number of concessions a person is eligible to receive, and how those concessions are to be applied to vehicles. Some types of concessions (such as the concession given to holders of a pensioner concession card) may only be claimed in relation to a single vehicle, while other concessions (for example, the concession for gas/electric/plug-in hybrid electric/hydrogen powered vehicles) may apply to all such vehicles held by the person claiming the concession.

Clause 6 sets out definitions used in the instrument.

Schedule 1 describes the types of concessions available and the conditions that must be met to enable the concession to be applied.

The table in Parts 1 to 4 of Schedule 1 describes the types of concessions available for a person's vehicle registration or driver licence. Parts 1 to 4 of Schedule 1 also provide for the level of concession, the type of fee to which the concession relates and the number of concessions that may be granted.

The preference of the Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) is that Instruments or Explanatory Statements identify the amount of the old and new fee, any percentage increase and also the reason for any increase in the Instrument or the Explanatory Statement.

Provisions in the Instrument to which this Explanatory Statement relate do not of themselves set or amend fees and charges. They provide for concessions available on

fees determined in other Instruments. The amendments give effect to advice received in relation to government decisions and announcements relating to vehicle registration concessions.

There are no adverse human rights or climate change implications arising from this instrument.

This determination is a disallowable instrument and must be presented to the Legislative Assembly within 6 sitting days after its notification pursuant to section 64 of the *Legislation Act 2001*.