

Road Transport (General) (Vehicle Impounding and Seizure/Speed Trial Fees) Determination 2026 (No 1)

Disallowable instrument DI2026–51

made under the

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

EXPLANATORY STATEMENT

Overview

This explanatory statement relates to the *Road Transport (General) (Vehicle Impounding and Seizure/Speed Trial Fees) Determination 2026 (No 1)* (the **instrument**) as presented to the Legislative Assembly. It has been prepared to assist the reader of the instrument. It does not form part of the instrument and has not been endorsed by the Assembly.

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

This instrument has the effect of determining:

- the fee for a permit to hold a vehicle speed or reliability trial under section 5A of the *Road Transport (Safety and Traffic Management) Act 1999*; and
- the daily storage fees for impounding a seized vehicle, which must be paid prior to the release of an impounded vehicle under subsections 10G (2) or (3) of the *Road Transport (Safety and Traffic Management) Act 1999*.

Indexing fees and charges annually maintains the cost of the product or service being provided.

The fees in this instrument have been increased by 3.85%, incorporating the estimated 2025-26 wage price index (WPI) of 3.5% in accordance with rates published in Budget Memo 2025/32 and an additional 0.35% as per Budget Memo 2024/14. Fees are rounded down to the nearest ten cents.

This instrument commences on the day after its notification day.

This instrument revokes the *Road Transport (General) (Vehicle Impounding and Seizure/Speed Trial) Fees Determination 2025* (DI2025-304).

This determination, under section 96 of the Act, is a disallowable instrument and must be presented to the Legislative Assembly not later than 6 sitting days after its notification day, pursuant to *Legislation Act 2001* (the **Legislation Act**).

Human rights

This instrument may limit the right to freedom of movement under section 13 of the *Human Rights Act 2004*. This impact is due to the daily storage fee costs from a vehicle seized and impounded by ACT Policing, which may delay the vehicle's release.

Any limitation on the right to freedom of movement from the daily storage fee is proportionate to achieving the aim of improving road safety. Alternative transport remains available to individuals who are unable to have their vehicle released after seizure, such as public transport.

Climate change

It is anticipated that the changes implemented in this instrument will not have an impact on climate change.

Regulatory Impact Statement (RIS)

A RIS is not required for the daily storage fee arising from a vehicle seized and impounded by ACT Policing or the fee for a permit to hold a speed or reliability trial due to section 36 (1) (k) of the Legislation Act, which states that a RIS need not be prepared for an amendment of a fee consistent with announced government policy.