

2004

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

ROAD TRANSPORT (GENERAL) ACT 1999

**ROAD TRANSPORT (GENERAL) EXEMPTION
DECLARATION 2004 (No 2)**

DISALLOWABLE INSTRUMENT DI2004-3

EXPLANATORY STATEMENT

Circulated by authority of

Bill Wood MLA
Minister for Urban Services

AUSTRALIAN CAPITAL TERRITORY

ROAD TRANSPORT (GENERAL) EXEMPTION DECLARATION 2004 (No 2)

DISALLOWABLE INSTRUMENT DI2004-3

EXPLANATORY STATEMENT

Subsection 13(1) of the *Road Transport (General) Act 1999* (the Act) empowers the Minister to declare that the road transport legislation does not apply to a person, vehicle or animal in a place or circumstance stated in the declaration. Under subsection 13(3) of the Act such a declaration is a disallowable instrument.

The 17th Summernats Car Festival is to be held at Exhibition Park in Canberra (EPIC) from 8 January 2004 to 11 January 2004, inclusive. The festival consists of a number of competitive motor vehicle events, including burnouts, horsepower performance tests, speed tests and driving skills contests. The vehicles competing in these events may be highly modified registered or unregistered vehicles.

Some vehicle are unable to be registered because they cannot meet Australian Vehicle Standards or Australian Design Rules (eg motorised bathtubs and drag cars). Other competing vehicles, although registered, have been modified to the point where they no longer comply with the Australian Vehicle Standards or Australian Design Rules. It is an offence to operate these non-complying vehicles on a road or road related area.

To enable drivers or registered operators of these vehicles to lawfully participate in the Summernats' activities within EPIC, this declaration seeks to remove offence provisions for driving an unregistered vehicle (subsection 18(1), *Road Transport (Vehicle Registration) Act 1999*) or a non-complying modified registered vehicle (regulations 108, 109, 110 and 111, *Road Transport (Vehicle Registration) Regulations 2000*).

All participating vehicles are subject to a vehicle safety inspection by Summernats officials prior to being permitted to enter the grounds of EPIC.

Although the Summernats event officially begins on 8 January 2004 and officially concludes on 11 January 2004, the declaration commences on 7 January 2004. This extended period, which is covered by the indemnity under the public liability policy obtained by promoters of the event, allows early arrivals to use participating vehicles within the grounds of EPIC.