



Australian Capital Territory

Motor Traffic Regulations 1934

made under the

Motor Traffic Act 1936

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About this republication

The republished law

This is a republication of the *Motor Traffic Regulations* effective 30 May 1985 to 19 December 1991.

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AUSTRALIAN CAPITAL TERRITORY

MOTOR TRAFFIC REGULATIONS

In force under the *Motor Traffic Ordinance 1936*

Reprinted as at 30 November 1986

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AUSTRALIAN CAPITAL TERRITORY

MOTOR TRAFFIC REGULATIONS

In force under the *Motor Traffic Ordinance 1936*

PART I—PRELIMINARY

Citation

1. These Regulations may be cited as the Motor Traffic Regulations.¹

Commencement

2. These Regulations shall come into operation on the third day of April, 1934.

Application of Regulations

3. These Regulations shall apply in relation to all motor vehicles.

Interpretation

5. In these Regulations—

“caravan” means a covered trailer designed to provide living accommodation;

“special purpose trailer” means a trailer of a kind referred to in paragraph (b) of the definition of “trailer” in the Ordinance;

“the Ordinance” means the *Motor Traffic Ordinance 1936*;

“wind-screen” means the main front wind-screen, but does not include a wind deflector or other subsidiary wind-screen.

PART II—TRAILERS

Brakes on trailers

11B. (1) Every trailer whose weight (inclusive of the load it is carrying) exceeds 2 tonnes, shall be equipped with at least one brake or combination of brakes of reasonable efficiency, having regard to the size of the trailer and load carried, and capable of being readily applied and retained either by the driver of the towing vehicle or by some person who is carried on or walking alongside the trailer within reach of the brake lever.

(2) Every trailer whose weight (inclusive of the load it is carrying) is less than 2 tonnes but exceeds 254 kilograms shall be equipped with at least one brake capable of being readily applied either by the driver of the towing vehicle or automatically by the over-run of the trailer.

r. 11B

(3) It shall not be necessary for a trailer whose weight (inclusive of the load it is carrying) is less than 254 kilograms to be equipped with brakes when coupled to a motor vehicle which, if retarded by its foot-brake, can be brought to a rest from a speed of 50 kilometres per hour in less than 15 metres.

Safety chains on trailers

11C. (1) A trailer the gross weight of which does not exceed 2.30 tonnes shall be equipped with a safety chain that complies with the requirements of the standard known as "Australian Standard D25-1972—Safety Chains for Trailers".

(2) In this regulation, "gross weight", in relation to a trailer, means the unladen weight of the vehicle together with the weight of the load being carried on the vehicle.

PART IV—REGISTRATION LABELS**Issue and form of labels**

17. (1) Upon the registration or renewal of registration of any motor vehicle or trailer, the Registrar shall issue to the person in whose name the vehicle is registered a registration label in an approved form.

Affixing of registration labels

18. (1) A registration label shall, during the currency of the registration, be firmly affixed to or attached on the motor vehicle or trailer in respect of which the label is issued, in the position and in the manner hereinafter prescribed in respect of such vehicle (unless otherwise approved by the Registrar) and so as to be clearly visible to a person facing the label at a distance of 6 metres therefrom.

(2) The position of and manner in which registration labels are to be affixed or attached shall be as follows:

- (a) In the case of a motor vehicle (other than a motor cycle) having a windscreen—
 - (i) if the motor vehicle has a pivoted, hinged or horizontally sliding ventilation window on the front left-hand or near-side of the motor vehicle—the label shall be affixed either on the inside of the windscreen at the bottom and as near as practicable to the left-hand side of the windscreen or on the inside and at the bottom of that ventilation window; or
 - (ii) in any other case—the label shall be affixed on the windscreen as provided by the last preceding sub-paragraph,

so that the front of the label faces outwards from the motor vehicle;
- (b) In the case of a motor vehicle (other than a motor cycle) not having a windscreen—the label shall be displayed in a holder which

shall be affixed to the left-hand or near-side of the motor vehicle, as nearly as practicable to the position in which the label would have been displayed in accordance with paragraph (a) of this sub-regulation if the vehicle had been fitted with a windscreen, and so that the front of the label faces towards the front of the motor vehicle;

- (c) In the case of a motor cycle—the label shall be displayed in a holder affixed to the handle-bar or front fork in the centre or on the left-hand or near-side of the motor cycle and the front of the label shall face towards the front or the left-hand side of the motor cycle; and
- (d) In the case of a trailer—the label shall be displayed in a holder affixed to the left-hand or near-side of the trailer in such manner that the front of the label faces outwards from the trailer.

Provision and type of holder, &c.

20. (1) Any holder mentioned in these Regulations shall be provided by the owner of the vehicle and shall be of a type approved by the Registrar.

(2) Every label which is required to be displayed in a holder shall be affixed to clear glass in the holder in such manner that all the particulars on the label are clearly visible through the glass.

Alterations affecting particulars on labels

21. (1) Where a new number-plate, being a plate bearing a number different to that shown on the current registration label issued in respect of the relevant vehicle, is issued, the Registrar shall issue a new registration label in respect of that vehicle to the person in whose name it is registered.

(2) Where any alteration is made in the construction, equipment, use or ownership of a motor vehicle or trailer of such a nature as to affect the accuracy of any of the particulars appearing on the current registration label, the person in whose name the vehicle is registered shall forthwith notify the Registrar and shall, if so required by the Registrar, produce the vehicle for inspection.

(3) Where the Registrar is satisfied that any of the particulars on the current registration label issued in respect of a vehicle are incorrect, the Registrar shall, if all applicable requirements of the Ordinance and these Regulations have been complied with in relation to that vehicle, issue a new registration label in respect of that vehicle to the person in whose name it is registered.

(4) Where a new registration label in respect of a vehicle has been issued under sub-regulation (1) or (3), the person in whose name the vehicle is registered shall, as soon as practicable, cause the previous registration label issued in respect of that vehicle to be destroyed.

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Label destroyed, damaged, &c.

22. Where a registration label is lost, destroyed, damaged or in any way defaced before the expiry of the registration, the Registrar may, upon application and payment of the relevant fee determined pursuant to section 217A of the Ordinance, and upon being satisfied that the label has been lost or destroyed, issue a duplicate of the label, and the duplicate shall thereupon be deemed to be the registration label for the purposes of these Regulations.

Destruction of label on expiry of registration

23. Within 3 days after the date of expiry of the registration of a motor vehicle or trailer, the person in whose name the vehicle was registered shall cause the registration label to be destroyed.

Destruction of label when registration cancelled

24. Where the registration of a vehicle is cancelled, the person in whose name the vehicle was registered shall—

- (a) if required to do so by the Registrar by notice in writing served on the person when notice of the decision to cancel the registration was served on the person—within 3 days after the cancellation took effect or within such further period as the Registrar allows, produce to the Registrar the vehicle or the holder displaying the registration label issued in respect of the vehicle to enable the label to be destroyed; or
- (b) if a notice first referred to in paragraph (a) is not served in accordance with that paragraph—within 7 days after the cancellation took effect, cause the registration label issued in respect of the vehicle to be destroyed.

Offences in relation to registration labels

25. (1) Any person who, upon any public street—

- (a) drives, or allows to be driven, or is in charge of, any motor vehicle or trailer which is required to be registered and which does not carry a registration label as required by these Regulations or which carries such label otherwise than in conformity with the requirements of these Regulations;
- (b) without lawful authority or excuse, drives or allows to be driven, or is in charge of, any motor vehicle or trailer—
 - (i) upon which is displayed any registration label which (except as provided in these Regulations or as directed by the Registrar) has been altered, mutilated or defaced in any manner whatsoever or upon which any writing, mark or colour is not clearly legible or visible;
 - (ii) having affixed thereto or displayed thereon a registration label which was issued in respect of any other motor vehicle or trailer or in respect of a registration which has expired; or

(iii) to which is affixed or on which is displayed a registration label containing any incorrect particulars,
shall be guilty of an offence.

(2) Any person who—

- (a) without lawful authority or excuse, prints or manufactures or has in his possession a label which resembles a registration label and which is calculated or likely to deceive;
- (b) except as provided in these Regulations or as directed by the Registrar, alters or defaces any registration label;
- (c) buys or sells any label which resembles a registration label and is calculated to deceive; or
- (d) contravenes any provision of this Part,

shall be guilty of an offence.

Production of vehicles

26. A notice by the Registrar to produce any vehicle shall be in writing and shall state the time within and the place at which the vehicle shall be produced.

PART V—MISCELLANEOUS

Advertisements

27. No person shall advertise or publish or cause to be advertised or published in any newspaper or otherwise cause to be exhibited or exhibit any advertisement or notice directly or indirectly—

- (a) inviting persons to become passengers;
- (b) intimating that any persons will be carried;
- (c) soliciting the carriage of any goods; or
- (d) intimating that any goods will be carried;

unless the person requesting or requiring the advertisement or notice is the holder of a licence to ply for hire in respect of a public or other motor vehicle in which the passengers or goods are to be carried or is the holder of a private hire car licence and the advertisement or notice contains the name of such holder.

Unlicensed person acting as driver to be subject to Regulations

28. Any unlicensed person acting as the driver of a motor vehicle shall be subject to these Regulations and liable for any breach thereof in like manner as if he were a licensed driver.

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Offences

30. Any person who commits, or knowingly aids, abets, counsels, procures or assists any person to commit, a breach of any of these Regulations for which no other penalty is expressly provided shall be guilty of an offence.

Penalty: \$40.

Offences resulting from accident or other unavoidable causes

31. No person shall be deemed to be guilty of a breach of any of these Regulations if he proves to the satisfaction of the Court hearing the case that the occurrence which is the subject of the case was the result of accident, or could not have been avoided by any reasonable efforts on his part.

NOTE

- The Motor Traffic Regulations (a) (in force under the *Motor Traffic Ordinance 1936*) as shown in this reprint comprise Regulations made on 19 March 1934 amended as indicated in the Tables below.

Table of Regulations

Year and number	Date of making	Date of notification in <i>Gazette</i>	Date of commencement	Application, saving or transitional provisions
—	19 Mar 1934	22 Mar 1934	3 Apr 1934	—
1941 No. 9	24 Nov 1941	27 Nov 1941	27 Nov 1941	—
1942 No. 12	3 Nov 1942	5 Nov 1942	5 Nov 1942	—
1943 No. 8	23 Nov 1943	30 Dec 1943	30 Dec 1943	S. 1
1947 No. 5	13 Nov 1947	27 Nov 1947	27 Nov 1947	—
1953 No. 6	12 May 1953	21 May 1953	21 May 1953	—
14	2 Nov 1953	12 Nov 1953	12 Nov 1953	—
1955 No. 3	24 Mar 1955	31 Mar 1955	31 Mar 1955	—
1956 No. 1	19 Apr 1956	3 May 1956	Rr. 2 and 5: 21 May 1956 (see r. 1 and <i>Gazette</i> 1956, p. 1213) Remainder: 3 May 1956	—
1959 No. 8	3 July 1959	9 July 1959	9 July 1959	—
1960 No. 2	23 Mar 1960	31 Mar 1960	31 Mar 1960	—
1961 No. 1	19 Dec 1960	12 Jan 1961	12 Jan 1961	—
1963 No. 8	20 Dec 1963	24 Dec 1963	1 Jan 1964	—
1965 No. 5	25 Aug 1965	9 Sept 1965	9 Sept 1965	—
1968 No. 2	14 Feb 1968	22 Feb 1968	22 Feb 1968	—
1974 No. 3	15 Mar 1974	15 Mar 1974	15 Mar 1974	R. 2
17	9 Sept 1974	17 Sept 1974	17 Sept 1974	—
1975 No. 18	12 Sept 1975	16 Sept 1975	16 Sept 1975	—
1976 No. 3	6 Feb 1976	6 Feb 1976	6 Feb 1976	—
1977 No. 18	11 Aug 1977	17 Aug 1977	17 Aug 1977	—
27	27 Oct 1977	3 Nov 1977	3 Nov 1977	—
1979 No. 26	26 Nov 1979	29 Nov 1979	29 Nov 1979	—
1981 No. 23	21 Oct 1981	2 Nov 1981	2 Nov 1981	—
1982 No. 38	4 Aug 1982	18 Aug 1982	18 Aug 1982	—

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NOTE—continued

Table of Regulations—continued

Year and number	Date of making	Date of notification in Gazette	Date of commencement	Application, saving or transitional provisions
1983 No. 6	23 Aug 1983	24 Aug 1983	24 Aug 1983	—
9	16 Aug 1983	2 Sept 1983	2 Sept 1983	—
1984 No. 20	17 Aug 1984	21 Aug 1984	22 Aug 1984	—
1985 No. 10	14 May 1985	30 May 1985	30 May 1985	—

(a) The Motor Traffic Regulations were also amended by the *Seat of Government (Designation) Ordinance 1938* (No. 25, 1938) as amended by the *Ordinances Revising Ordinances 1938 and 1959* (No. 35, 1938 and No. 21, 1959).

Section 2 of the *Seat of Government (Designation) Ordinance 1938*, as amended, provides as follows:

"2. Where, in any Ordinance, not being an Ordinance specified in the Schedule to this Ordinance, or in any regulation or rule made under an Ordinance, the words 'Territory for the Seat of Government' or 'Territory for the Seat of Government of the Commonwealth' or 'Territory for the Seat of Government of the Commonwealth of Australia' or 'Federal Capital Territory' appear, the Ordinance, regulation or rule (as the case may be) is amended by omitting those words and inserting in their stead the words 'Australian Capital Territory'."

The amendments have been incorporated in this reprint but do not appear in the Table of Amendments.

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
R. 4	am. 1961 No. 1 rep. 1975 No. 18
R. 5	am. 1942 No. 12; 1955 No. 3; 1956 No. 1; 1960 No. 2 rs. 1961 No. 1 am. 1963 No. 8; 1977 No. 18
R. 6	rep. 1965 No. 5
Rr. 7, 8	am. 1953 No. 6 rep. 1965 No. 5
R. 9	am. 1941 No. 9; 1942 No. 12 rs. 1953 No. 6 am. 1956 No. 1 rep. 1965 No. 5
R. 10	rs. 1953 No. 6 rep. 1965 No. 5
R. 11	am. 1941 No. 9; 1953 No. 6; 1961 No. 1; 1974 No. 17; 1976 No. 3 rs. 1977 No. 18 am. 1981 No. 23; 1982 No. 38 rep. 1983 No. 6
R. 11AA	ad. 1953 No. 6 rep. 1977 No. 18
R. 11A	ad. 1942 No. 12 am. 1947 No. 5; 1956 No. 1 rep. 1965 No. 5
R. 11B	ad. 1942 No. 12 am. 1974 No. 17

*Motor Traffic Regulations***NOTE—continued****Table of Amendments—continued**

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
R. 11C	ad. 1947 No. 5 am. 1961 No. 1 rep. 1965 No. 5 ad. 1974 No. 3 am. 1974 No. 17
Rr. 11D-11F	ad. 1947 No. 5 rep. 1965 No. 5
Part III (rr. 12, 13, 13A, 14-16)	rep. 1961 No. 1
R. 12	am. 1942 No. 12 rep. 1961 No. 1
R. 13	am. 1942 No. 12; 1953 No. 6; 1956 No. 1; 1960 No. 2 rep. 1961 No. 1
R. 13A	ad. 1960 No. 2 rep. 1961 No. 1
Rr 14-16	am. 1942 No. 12 rep. 1961 No. 1
R. 17	am. 1953 No. 6; 1975 No. 18
R. 18	am. 1968 No. 2; 1974 No. 17
R. 19	rep. 1963 No. 8
R. 20	am. 1963 No. 8
R. 21	am 1963 No. 8; 1985 No. 10
R. 22	am. 1963 No. 8; 1968 No. 2; 1976 No. 3; 1977 No. 18; 1982 No. 38; 1983 No. 6; 1984 No. 20
R. 23	rs. 1963 No. 8 am. 1979 No. 26
R. 24	am. 1963 No. 8 rs. 1985 No. 10
Rr. 25, 26	am. 1963 No. 8
R. 29	rep. 1977 No. 27
R. 30	am. 1960 No. 2; 1968 No. 2; 1979 No. 26; 1983 No. 9
R. 32	rs. 1942 No. 12 rep. 1965 No. 5
R. 33	ad. 1942 No. 12 am. 1968 No. 2; 1976 No. 3; 1982 No. 38 rep. 1983 No. 6
R. 34	ad. 1943 No. 8 rs. 1955 No. 3 rep. 1959 No. 8
R. 35	ad. 1943 No. 8 rep. 1953 No. 6
Heading to The Schedules	ad. 1942 No. 12 rep. 1961 No. 1
The First Schedule . . .	am. 1941 No. 9 rs. 1942 No. 12 am. 1953 No. 6 rep. 1956 No. 1
The Second Schedule . .	am. 1942 No. 12; 1953 No. 14 rep. 1961 No. 1
The Third Schedule . . .	am. 1942 No. 12; 1943 No. 8; 1953 No. 6 rep. 1961 No. 1

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NOTE—continued

Table of Amendments—continued

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
The Fourth Schedule . . .	rep. 1961 No. 1
The Fifth Schedule . . .	ad. 1947 No. 5 am. 1953 No. 6 rep. 1961 No. 1

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