

TASMANIA

**PASSENGER TRANSPORT AMENDMENT BILL
2007**

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**PASSENGER TRANSPORT AMENDMENT BILL
2007**

*(Brought in by the Minister for Infrastructure, the Honourable
James Glennister Cox)*

A BILL FOR

**An Act to amend the *Passenger Transport Act 1997* and the
*Vehicle and Traffic Act 1999***

Be it enacted by His Excellency the Governor of Tasmania, by
and with the advice and consent of the Legislative Council and
House of Assembly, in Parliament assembled, as follows:

PART 1 – PRELIMINARY

1. Short title

This Act may be cited as the *Passenger
Transport Amendment Act 2007*.

2. Commencement

This Act commences on the day on which this
Act receives the Royal Assent.

Passenger Transport Amendment Act 2007
Act No. of

s. 3

Part 2 – Passenger Transport Act 1997 Amended

**PART 2 – PASSENGER TRANSPORT ACT 1997
AMENDED**

3. Principal Act

In this Part, the *Passenger Transport Act 1997** is referred to as the Principal Act.

4. Section 9 inserted

After section 8 of the Principal Act, the following section is inserted in Part 2:

9. Small passenger vehicle exemptions

Notwithstanding section 7(1), the regulations may provide that a small passenger vehicle is exempted from the requirement to be registered as a public passenger vehicle until the date specified in the regulations if the small passenger vehicle is used for the purpose specified in the regulations.

5. Section 15 amended (Small passenger vehicle offences)

Section 15 of the Principal Act is amended as follows:

*No. 52 of 1997

Passenger Transport Amendment Act 2007
Act No. of

Part 2 – Passenger Transport Act 1997 Amended

s. 5

(a) by omitting subsection (1A) and substituting the following subsection:

(1A) Without limiting the matters that may constitute a lawful excuse under subsection (1), either of the following is taken to be a lawful excuse under that subsection:

(a) the driving and use of a small passenger vehicle as a hire and drive vehicle;

(b) the driving and use of a small passenger vehicle that has been exempted under section 9 from the requirement to be registered as a public passenger vehicle.

(b) by inserting the following subsection after subsection (2):

(3) Without limiting the matters that may constitute a lawful excuse under subsection (2), the driving and use of a small passenger vehicle that has been exempted under section 9 from the requirement to be registered as a public passenger vehicle is taken to be a lawful excuse under that subsection.

Passenger Transport Amendment Act 2007
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s. 6

Part 2 – Passenger Transport Act 1997 Amended

6. Section 16V amended (Exemptions from accreditation)

Section 16V(1) of the Principal Act is amended by omitting “exempt a person” and substituting “exempt, by notice published in the *Gazette*, a person or class of persons”.

**PART 3 – VEHICLE AND TRAFFIC ACT 1999
AMENDED**

7. Principal Act

In this Part, the *Vehicle and Traffic Act 1999** is referred to as the Principal Act.

8. Section 14 amended (Driving instructors)

Section 14 of the Principal Act is amended by inserting after subsection (1) the following subsection:

(1A) Notwithstanding subsection (1), the regulations may provide that a person or class of persons specified in the regulations be exempted, subject to such conditions, and until such date, as may be specified in the regulations, from the requirement to hold an ancillary certificate referred to in subsection (1)(b).

9. Section 15 amended (Public passenger vehicles)

Section 15 of the Principal Act is amended by inserting after subsection (1) the following subsection:

*No. 70 of 1999

Passenger Transport Amendment Act 2007
Act No. of

s. 10

Part 3 – Vehicle and Traffic Act 1999 Amended

(1A) Notwithstanding subsection (1), the regulations may provide that a person or class of persons specified in the regulations be exempted, subject to such conditions, and until such date, as may be specified in the regulations, from the requirement to hold an ancillary certificate referred to in subsection (1)(b).

10. Section 45 amended (Regulations generally)

Section 45(4) of the Principal Act is amended by inserting “approved,” after “determined,”.