

FACT SHEET

Traffic Amendment Bill 2009

- The purpose of the Bill is to amend the *Traffic Act 1925* to improve the legislative framework for the *Australian Road Rules* (Road Rules) and to elevate some local road rules to Act level.
- Section 31A of the *Traffic Act 1925* (the Act) establishes a specific legislative head of power to support and facilitate nationally uniform road traffic laws including the Australian Road Rules.
- There are two issues being addressed in the amendment Bill:
 - To ensure that the legislative basis for the Road Rules are more compatible with the technical processing features of the EnAct legislative drafting system. The amendment will mean the Office of Parliamentary Counsel will no longer have major difficulties processing amendments in the Road Rules.
 - To allow some local road rules in the *Traffic (Road Rules) Regulations 1999* to be elevated to Act level. The offences should not be retained as subordinate legislation as they comprise behaviours where serious consequences could result from the illegal action or the nature of the enforcement powers is such that it is more appropriate to have them placed at Act level.
- The amendments will not significantly expand or reduce the coverage of the Act. They will, however, improve the legislative framework for the application of the Road Rules in Tasmania.
- It is proposed to have the Bill enacted to facilitate the remaking of the Road Rules prior to their expiry on 1 December 2009.