

CLAUSE NOTES

Vehicle And Traffic (Regulatory Reforms) Amendment Bill 2023

Long Title This Bill seeks to amend the *Vehicle and Traffic Act 1999* and the Road Rules 2019.

Part 1 - Preliminary

Clause 1 **Short title**

This clause provides that, once passed, the Bill will be cited as the *Vehicle and Traffic (Regulatory Reforms) Amendment Act 2023*.

Clause 2 **Commencement**

This clause provides for the provisions of the Bill to commence on the day or days it is proclaimed.

It is anticipated that clause 7 in the Bill will commence soon after royal assent and the balance of the Bill will commence six months later.

Part 2 - Road Rules 2019 Amended

Clause 3 **Principal Rules**

In this part, the Road Rules 2019 is referred to as the Principal Rules to which the amendments apply.

Clause 4

Schedule 5 amended (Dictionary)

This clause excludes from the definition of “bicycle” two wheeled pedal cycles with an internal combustion engine powered motor (motors) of any output or a combined electrically powered output of 200 or more watts when the motor is running or not. The engine is used to either power the vehicle unassisted or to assist with pedalling.

These pedal cycles will become a motor bike under the Principal Rules. Rules applying to drivers of cars, motor bikes and heavy vehicles will apply including that riders must ride on the road and wear a helmet.

The amendment has no effect on laws relating to scooters, rollerblades, roller skates and skateboards. These types of devices are dealt with elsewhere in the Principal Rules.

Part 3 – Vehicle and Traffic Act 1999 Amended

Clause 5

Principal Act

In this part, the Vehicle and Traffic Act 1999 is referred to as the Principal Act to which the amendments apply.

Clause 6

Section 3 amended (Interpretation)

This clause widens the definition of “motor vehicle” so a pedal cycle with an internal combustion auxiliary engine-powered motor (or motors) becomes a motor vehicle under the Principal Act.

Registration laws about ensuring the safety of these cycles will apply to its use, including that appropriate vehicle safety standards are met. Laws that the rider is authorised, not disqualified and aged 17 years or older will apply.

The clause provides that a cycle which has a combined electrically power auxiliary motor (or motors) output of 200 watts or more will continue to be a motor vehicle under the Principal Act. However, it will allow the Vehicle and Traffic (Driver Licensing and Vehicle Registration) Regulations to prescribe a maximum watt output.

Clause 7

Section 33 amended (Offensive advertising on vehicles)

This clause updates, and makes consequential amendments, to the Principal Act to empower the Minister by declaration to determine the body that considers advertising complaints made by members of the public about breaches to the advertising code around offensive advertising on hire and drive vehicles.

The Principal Act will no longer name the Advertising Standards Board or the Advertising Standards Bureau, as the bodies which considers advertising complaints as the bodies are de-registered.

Part 4 – Concluding provision

Clause 8

Repeal of Act

As an amendment Bill, this clause clarifies that the Bill will be repealed a year after the last provision comes into effect.