

NORTHERN TERRITORY OF AUSTRALIA  
MOTOR VEHICLES AMENDMENT BILL 1991

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## NORTHERN TERRITORY OF AUSTRALIA

# A BILL for AN ACT

to amend the *Motor Vehicles Act*

**B**E it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

### 1. SHORT TITLE

This Act may be cited as the *Motor Vehicles Amendment Act 1991*.

### 2. COMMENCEMENT

This Act shall come into operation on the commencement of the *Commercial Passenger (Road) Transport Act 1991*.

### 3. PRINCIPAL ACT

The *Motor Vehicles Act* is in this Act referred to as the Principal Act.

### 4. INTERPRETATION

Section 5(1) of the Principal Act is amended -

- (a) by omitting the definitions of "hire car licence" and "lender";
- (b) by omitting the definition of "motor omnibus" and substituting the following:

"'motor omnibus' means an approved motor vehicle fitted, equipped and constructed in accordance with the Australian Design Rules to carry more than 8 passengers and used to carry passengers for hire or reward;"

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- (c) by omitting the definition of "private hire car" and substituting the following:

"'private hire car' has the same meaning as in section 3(1) of the *Commercial Passenger (Road) Transport Act*";

- (d) by omitting the definition of "public hire car" and "public motor vehicle"; and

- (e) by inserting -

- (i) after the definition of "self-tracking" the following:

"'special passenger vehicle' has the same meaning as in section 3(1) of the *Commercial Passenger (Road) Transport Act*";

- (ii) after the definition of "tare mass" the following:

"'taxi' has the same meaning as in section 3(1) of the *Commercial Passenger (Road) Transport Act*"; and

- (iii) after the definition of "the public" the following:

"'tourist vehicle' has the same meaning as in section 3(1) of the *Commercial Passenger (Road) Transport Act*";.

5. GRANTING OF LICENCES

Section 10 of the Principal Act is amended -

- (a) by omitting from subsection (1) the words "public or" and substituting "taxi or"; and

- (b) by omitting subsection (3) and substituting the following:

"(3) The Registrar may grant a licence to drive a taxi, tourist vehicle, special passenger vehicle or private hire car to any person who satisfies him that the person is not less than 18 years of age, is capable of driving a taxi, tourist vehicle, special passenger vehicle or private hire car with safety to the public and, except where the Registrar otherwise approves, is able to read and write the English language; and the Registrar may renew that licence from time to time."

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6. USE OF NUMBER PLATES RESTRICTED

Section 19 of the Principal Act is amended by omitting "Except as provided by section 22 or 27B -" and substituting "Except as provided by section 22 or by the *Commercial Passenger (Road) Transport Act* in relation to number plates issued for taxis, supplementary taxis and substitute taxis -".

7. TRANSFER OF NUMBER PLATES

Section 22 of the Principal Act is amended by adding at the end the following:

"(2) Where a number plate is transferred from or to a taxi, private hire car, motor omnibus, tourist vehicle or special passenger vehicle, the Registrar shall advise the Director (within the meaning of the *Commercial Passenger (Road) Transport Act*) of that fact and provide details of the vehicles affected."

8. REPEAL OF PART III

Part III of the Principal Act is repealed.

9. NEW SECTION

The Principal Act is amended by inserting in Part V, before section 45, the following:

"44. REFERENCE TO MINISTER

"In this Part, a reference to 'Minister' means the Minister given responsibility under the Administrative Arrangements Order for the Office."

10. COMPENSATION CONTRIBUTIONS TO BE PAID

Section 45 of the Principal Act is amended -

- (a) by omitting from subsection (1) "specified in Schedule 2 in respect of that class of vehicle or an amount in substitution thereof"; and
- (b) by omitting from subsection (2) "specified in Schedule 2 in respect of that class of trader's plate or an amount in substitution thereof".

11. REFUSAL, CANCELLATION OR SUSPENSION OF LICENCE

Section 102 of the Principal Act is amended -

- (a) by omitting from subsection (2)(da) and (db) the words "public or" (wherever occurring) and substituting "taxi, tourist vehicle, special passenger vehicle or";

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- (b) by omitting subsection (2)(e);
- (c) by omitting from subsection (2)(f) the words "or licence" and "or licensed" (wherever occurring);
- (d) by omitting subsection (3A); and
- (e) by omitting from subsection (5)(b) all of words after "public streets," and substituting "or, in the case of a commercial passenger vehicle within the meaning of the *Commercial Passenger (Road) Transport Act*, is not fit to be used as such."

12. REPEAL OF SECTION 110

Section 110 of the Principal Act is repealed.

13. REPEAL OF SECTION 137A

Section 137A of the Principal Act is repealed.

14. REGULATIONS

Section 138(1) of the Principal Act is amended -

- (a) by omitting paragraphs (a) to (n) (except paragraph (g)), (aa) and (ab);
- (b) by omitting paragraph (g) and substituting the following:
  - "(g) the form, construction and equipment of commercial passenger vehicles (within the meaning of the *Commercial Passenger (Road) Transport Act*);";
- (c) by omitting paragraph (o) and substituting the following:
  - "(o) the medical condition and physical and character fitness of an applicant for a driver's licence for a commercial passenger vehicle (within the meaning of the *Commercial Passenger (Road) Transport Act*);" and
- (d) by inserting, in paragraph (af) after "licences,", the words "labels or identification plates,".

15. REPEAL OF SCHEDULE 2

Schedule 2 of the Principal Act is repealed.

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16. FURTHER AMENDMENTS

The Principal Act is further amended by omitting from sections 46, 47, 48 and 49 "Treasurer" (wherever occurring) and substituting "Minister".

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