



Victoria Government Gazette

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Road Safety Act 1986

DECLARATION UNDER SECTION 68(4) OF THE **ROAD SAFETY ACT 1986** THAT CERTAIN PROVISIONS OF THE **ROAD SAFETY ACT 1986** AND OF THE REGULATIONS AND RULES MADE UNDER THAT ACT DO NOT APPLY WITH RESPECT TO CERTAIN MOTOR SPORT EVENTS SANCTIONED, OR ORGANISED AND CONDUCTED BY MOTOR SPORT AUSTRALIA

1. Purpose

The purpose of this notice is to make a declaration under section 68(4) of the **Road Safety Act 1986** that, subject to the limitations and conditions specified in this notice, the provisions of the **Road Safety Act 1986** specified in Schedule 1, and of the Road Safety Road Rules 2017 and the Road Safety (Vehicles) Regulations 2021 (other than the provisions specified in Schedules 2 and 3 respectively), do not apply to certain motor sport functions or events sanctioned, or organised and conducted by Motor Sport Australia.

2. Authorising provision and background

This notice is made under section 68(4) of the **Road Safety Act 1986**.

Section 68(4) provides that the Minister for Roads and Road Safety may, on the application of a motoring organisation and by notice published in the Government Gazette, declare sections 68(1) and 68(2) of the **Road Safety Act 1986** and the provisions of any regulations (except as specified in the notice) do not apply with respect to any function or event that is sanctioned, or organised and conducted by that motoring organisation.

Section 68(1) provides that it is an offence for a person to drive or be in charge of a motor vehicle which is being used in a race or speed trial on a highway. Section 68(2) makes it an offence for a person, alone or with any other person, to organise or manage a race or speed trial or to carry out or cause to be carried out any preparations for the conduct of a race or speed trial that is held or to be held on a highway.

Section 65A(1) provides that, subject to certain exceptions, it is an offence if a person drives a motor vehicle in a manner which causes the motor vehicle to undergo loss of traction by one or more of the motor vehicle's wheels. Section 65A(5)(b) provides that section 65A(1) does not apply to a person while the person is participating in a function or event sanctioned, or organised and conducted, by a motoring organisation the subject of a notice published under section 68(4).

3. Commencement

This notice takes effect on the day on which it is published in the Government Gazette.

4. Expiry

This notice expires on 1 September 2023.

5. Declaration

In accordance with section 68(4) of the **Road Safety Act 1986**, I, Nicholas Foa, as delegate for the Minister for Roads and Road Safety and on the application of the Confederation of Australian Motor Sport Ltd (trading as Motor Sport Australia), declare that the provisions of the **Road Safety Act 1986** specified in Schedule 1, and of the Road Safety Road Rules 2017 and the Road Safety (Vehicles) Regulations 2021 (other than the provisions specified in Schedule 2 and 3 respectively), do not apply with respect to any motor sport function or event sanctioned, or organised and conducted by the Confederation of Australian Motor Sport Ltd (trading as Motor Sport Australia), provided that the motor sport function or event is the subject of a permit issued by the relevant coordinating road authority under section 99B of the **Road Safety Act 1986** where the event is being run on a highway.

Dated 11 August 2022

NICHOLAS FOA
Head of Transport Services
Department of Transport

SPECIAL

SCHEDULE 1

Provisions of the **Road Safety Act 1986** that do not apply to the motor sport functions or events referred to in the Declaration above.

Provision	Subject
Section 68(1)	Participating in a race or speed trial
Section 68(2)	Organising, managing or carrying out preparations for a race or speed trial

SCHEDULE 2

Provisions of the Road Safety Road Rules 2017 that do apply to the motor sport functions or events referred to in the Declaration above.

Provision	Subject
Part 1	Introductory
Part 2	Application of rules
Rule 78	Keeping clear of police vehicles, emergency vehicles, enforcement vehicles and escort vehicles
Rule 79	Giving way to police vehicles, emergency vehicles, enforcement vehicles and escort vehicles
Rule 79A	Approaching and passing stationary or slow-moving police vehicles, emergency vehicles, enforcement vehicles, escort vehicles and incident response service vehicles
Rule 300	Use of mobile phones
Rule 304	Obedying a direction by a police officer or authorised person
Part 19	Exemptions
Part 20	Traffic control devices and traffic-related items
Part 21	General
Schedules 1–4	Abbreviations, symbols, traffic signs and symbols
Dictionary	Meaning of terms

SCHEDULE 3

Provisions of the Road Safety (Vehicles) Regulations 2021 that do apply to the motor sport functions or events referred to in the Declaration above.

Provision	Subject
Division 1 of Part 1	Preliminary
Division 2 of Part 1	Interpretation
Clause 33 of Schedule 1	Horns, alarms, etc
Clause 34 of Schedule 1	Rear vision mirrors
Clause 45 of Schedule 1	Windscreen wipers and washers
Division 3 of Part 7 of Schedule 1	Headlights
Division 6 of Part 7 of Schedule 1	Tail lights
Division 10 of Part 7 of Schedule 1	Brake lights
Division 12 of Part 7 of Schedule 1	Direction indicator lights

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