



# Victoria Government Gazette

No. S 321 Tuesday 18 June 2024  
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## Road Safety Act 1986

### ORDER IN COUNCIL DECLARING CERTAIN MOTOR VEHICLES NOT TO BE MOTOR VEHICLES – ELECTRIC SCOOTERS

Order in Council

#### 1. Purpose

The purpose of this Order is to declare that certain motor vehicles are not motor vehicles for the purposes of specified provisions of the **Road Safety Act 1986**.

#### 2. Objectives

The objectives of this Order are:

- (a) to prevent the provisions of the **Road Safety Act 1986** relating to registration of a motor vehicle from applying to an electric scooter; and
- (b) to prevent the provisions of the **Road Safety Act 1986** relating to the requirement to hold a driver licence or learner permit to drive a motor vehicle from applying to a rider of an electric scooter; and
- (c) to provide that the provisions of the **Road Safety Act 1986** relating to drink-driving and drug-driving offences apply to a rider of an electric scooter ridden on a road or road related area.

#### 3. Authorising provision

This Order is made under section 3(2)(b) of the **Road Safety Act 1986**.

Note: Section 3(2)(b) of the **Road Safety Act 1986** provides that the Governor in Council may by Order published in the Government Gazette declare any motor vehicle or class of motor vehicles not to be a motor vehicle or motor vehicles for the purposes of that Act or a specified provision of that Act, for the whole of the State or a specified part of the State. Under section 3(2A) of the **Road Safety Act 1986**, an Order published under section 3(2) may differ according to time, place or circumstance.

#### 4. Commencement

This Order comes into operation on 1 July 2024.

#### 5. Revocation

The Order published in the Government Gazette No. S 162 on 4 April 2023 entitled *Order in Council Declaring Certain Motor Vehicles Not to Be Motor Vehicles – Electric Scooters* is **revoked**.

#### 6. Interpretation

In this Order:

*electric scooter* has the same meaning as in section 3(1) of the **Road Safety Act 1986**;

*the Act* means the **Road Safety Act 1986**.

#### 7. Declaration of electric scooters not to be motor vehicles

The Governor in Council, under section 3(2)(b) of the **Road Safety Act 1986**, declares an electric scooter not to be a motor vehicle for the purposes of all the provisions of the Act other than sections 3AA(1)(a) and (b), 3AD, 3AE, 48, 49, 53, 54, 55, 55A, 55B, 55BA, 55D, 55E, 56, 57, 57A, 57B, 58, 59(1)(b) and (5), 62 and 64A.

Dated: 18 June 2024

Responsible Minister:

MELISSA HORNE MP

Minister for Roads and Road Safety

ANGELA SMITH  
Clerk of the Executive Council

**SPECIAL**

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