



# ROAD TRAFFIC AMENDMENT ACT 1990

Act No. 2 of 1990

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An Act to amend the *Road Traffic Act 1982*.

[Assented to 16 February 1990]

**BE IT ENACTED** by the Legislative Assembly of Norfolk Island as follows —

**Short title**

1. This Act may be cited as the *Road Traffic Amendment Act 1990*.

**Principal Act**

2. The *Road Traffic Act 1982* is in this Act referred to as the Principal Act.

**Motor cyclist to wear safety helmet**

3. Section 38 of the Principal Act is amended by omitting “A person” and substituting “Subject to section 38A, a person”.

**New section**

4. The Principal Act is amended by inserting after section 38 —

**Exemption from requirement to wear safety helmet**

“ **38A.** (1) Section 38 does not apply to a person —

- (a) in respect of whom an exemption certificate is in force under this section; and
- (b) who, if requested to do so by a member of the police force, immediately produces the certificate for the inspection of the member.

(2) A person may apply in writing to the executive member for a certificate to be issued exempting the

person from the requirements of section 38.

(3) Such an application is to be accompanied by written information from a medical practitioner registered under the *Medical Practitioners Registration Act 1983* stating the practitioner's views as to whether the wearing of a safety helmet does, or would, adversely affect the health of the applicant to an extent that does, or would, outweigh the benefits to be derived from wearing a safety helmet.

(4) The executive member, after considering an application and the information referred to in subsection (3), may grant or refuse to grant an exemption certificate.

(5) An exemption certificate shall —

- (a) specify the name of the person exempted by it;
- (b) be signed by the executive member; and
- (c) specify the period, not exceeding 1 year, for which the certificate is to be in force.”.

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Notified Gazette No. 8, 22 February 1990.

Commenced on notification (22 February 1990).

This enactment amends Act No. 12 of 1982 as previously amended by Act No. 13 of 1982, Act No. 7 of 1984, Act No. 14 of 1986, Act No. 1 of 1988 and Act No. 6 of 1989.

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