



# Victoria Government Gazette

No. S 418 Monday 19 December 2011  
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## Road Safety Act 1986

### DECLARATION UNDER SECTION 99B(4) IN RELATION TO NON-ROAD ACTIVITIES ON PART OF THE MIDLAND HIGHWAY FOR THE MOORoopNA NYE FESTIVAL 31 DECEMBER 2011

#### 1 Purpose

The purpose of this Declaration is to exempt participants in the Mooroopna NYE Festival from specified provisions of the Road Safety Road Rules 2009 with respect to a non-road activity, namely the Mooroopna NYE Festival, parts of which are to take place on the Midland Highway, Mooroopna.

#### 2 Authorising provision

This notice is made under section 99B(4) of the **Road Safety Act 1986**. Section 99B(4) provides that the Minister may, on the application of a person proposing to conduct a non-road activity on a highway, by notice published in the Government Gazette declare that specified provisions of the **Road Safety Act 1986** and of the regulations made under that Act do not apply with respect to the non-road activity specified in the notice during the period specified in this notice.

#### 3 Commencement

This declaration takes effect on 31 December 2011.

#### 4 Definitions

In this notice, unless the context or subject-matter otherwise requires –

- a) ‘Event’ means the Mooroopna NYE Festival, to be held on 31 December 2011; and
- b) ‘Participants’ means bona fide participants in the Event, including officers, members and authorised agents of the Rotary Club of Mooroopna, whose presence is reasonably required to ensure safe conduct of the Event.

#### 5 Declaration

I, Steve Brown, acting as delegate of the Minister for Roads, under section 99B(4) of the **Road Safety Act 1986**, declare that the provisions of the Road Safety Road Rules 2009 specified in Schedule 1 do not apply to the non-road activity specified in column 1 of Schedule 2 conducted on the highway specified in column 2 of Schedule 2 on the date and during the period specified in column 3 of Schedule 2, subject to the conditions set out in paragraph 6.

#### 6 Conditions

- (a) A copy of this notice must be produced on demand to any member of the police force or to any person who is an authorised officer under section 71 of the **Road Management Act 2004**.
- (b) Failure to comply with a condition specified in this section does not invalidate the exemption given by this notice.

**SPECIAL**

**Schedule 1**

<b>Provisions of the Road Safety Rules 2009 that do not apply to participants in the Event</b>	
Rule 200	Stopping on roads – heavy and long vehicles
Rule 264	Wearing of seatbelts by drivers
Rule 265	Wearing of seatbelts by passengers 16 years old, or older
Rule 268	How persons must travel in or on a motor vehicle
Rule 298	Driving with a person in a trailer

**Schedule 2**

<b>Activities, highways and periods for which the Road Safety Rules 2009 do not apply</b>		
<i>Column 1</i> <b>Exempted non-road activity</b>	<i>Column 2</i> <b>Highway</b>	<i>Column 3</i> <b>Period</b>
The street procession and parade which is part of the Mooroopna NYE Festival	Midland Highway, between Watt Street and Recreation Reserve Entrance, Mooroopna	Saturday 31 December 2011 from 7.30 to 8.30 pm

Dated 16 December 2011

STEVE BROWN  
Executive Director  
Regional Services  
Roads Corporation

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