

LEGISLATIVE COUNCIL

**Impounding Amendment (Unattended Boat Trailers) Bill 2015**

**First print**

**Proposed amendments**

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No. 1      **Impounding boat trailers**

Page 3, Schedule 1 [1] and [2], lines 2–14. Omit all words on those lines. Insert instead:

**[1]      Section 15A**

Insert after section 15:

**15A      Impounding boat trailers**

- (1)      In this section:  
***declared area*** in relation to an impounding officer's area of operations, means the whole or any part of that area that is declared by the impounding authority that has appointed the officer, by order published in the Gazette, to be a declared area for the purposes of this section in relation to the officer.  
***road*** means a road within the meaning of the *Road Transport Act 2013* and includes a road related area within the meaning of that Act.
- Note.** The definition of ***motor vehicle*** in the Dictionary includes a boat trailer.
- (2)      An impounding officer may impound a boat trailer in the officer's area of operations if the officer believes on reasonable grounds that the boat trailer is in a declared area and has not been moved for at least 28 days (or such other period as is specified by the regulations).
- (3)      A boat trailer that is on a road is not moved for the purposes of this section if it is only moved along the same road and without passing an intersection with another road. An intersection with a road related area is to be disregarded for the purposes of this subsection unless it is related to a different road.
- (4)      This section does not apply to a boat trailer that is parked on a road in accordance with an official resident's parking permit that applies to the boat trailer and is displayed on the boat trailer.
- (5)      The power of an impounding officer to impound a boat trailer under this section is in addition to any power to impound the boat trailer under section 15.

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- (6) Section 16 applies to the impounding of a boat trailer under this section and in such a case, the notice to the owner under section 16 (4) is to specify a period of not less than 15 days in which the boat trailer may be moved to avoid the impounding.
- (7) A boat trailer that may be impounded under this section is taken to have been left unattended for the purposes of this Act.

No. 2 **Impounding boat trailers**

Page 3, Schedule 1 [4], proposed clause 8 of Schedule 1, line 22. Omit “15 (2)”. Insert instead “15A (2)”.

No. 3 **Impounding boat trailers**

Page 3, Schedule 1 [7], lines 34–37. Omit all words on those lines.