



New South Wales

Road Transport Amendment (Electronic Traffic Infringement Notices Trial) Act 2013 No 61

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Road Transport Amendment (Electronic Traffic Infringement Notices Trial) Act 2013 No 61

Act No 61, 2013

An Act to amend the *Road Transport Act 2013* to establish a trial for the service of penalty notices to email addresses or mobile phone numbers where persons elect to have the penalty notices served on them in that way. [Assented to 3 September 2013]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Road Transport Amendment (Electronic Traffic Infringement Notices Trial) Act 2013*.

2 Commencement

This Act commences on the date of assent to this Act.

3 Amendment of Road Transport Act 2013 No 18

Section 196A

Insert after section 196:

196A Trial of service of penalty notices by electronic means

- (1) The object of this section is to establish a trial for the service of penalty notices to email addresses or mobile phone numbers where the persons on whom those penalty notices are to be served elect to have the penalty notices served in that way.
- (2) This section has effect for 2 years from the date of commencement of this section or for such longer period as may be prescribed by the regulations.
- (3) This section provides for additional means of service to those set out in section 196.
- (4) A police officer may serve a penalty notice by causing the penalty notice to be sent to an email address or mobile phone number but only if:
 - (a) the police officer has been authorised by the Commissioner of Police to serve penalty notices in that way for the purposes of the trial, and
 - (b) the person on whom the penalty notice is to be served has elected to have the penalty notice served in that way and has voluntarily provided an email address or mobile phone number for the purposes of that service.
- (5) A penalty notice is taken to have been served on a person if it is sent to an email address or mobile phone number that is recorded by a police officer as having been provided by the person for the purposes of this section.
- (6) A police officer is not to serve a penalty notice under this section on a person under the age of 16 years.

[Second reading speech made in—

Legislative Assembly on 21 August 2013

Legislative Council on 28 August 2013]