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JUSTICES ACT 1902 - REGULATION
(Relating to short descriptions of traffic offences)

NEW SOUTH WALES



[Published in Gazette No. 29 of 23 February 1990]

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Justices Act 1902, has been pleased to make the Regulation set forth hereunder.

JOHN DOWD
Attorney General.

Commencement

1. This Regulation commences on *

Amendments

2. The Justices (Short Descriptions of Motor Traffic and Other Offences) Regulation 1986 is amended:

- (a) by omitting from Columns 1 and 2, respectively, of Schedule 1 under the heading "**Traffic Act 1909**" the following matter:

Section 8C (1) (a) (i), (10) - drive not have 1/2 hour rest
motor vehicle having unladen weight in 5 hours driving
in excess of 2 tonnes without interval
of at least 1/2 hour for rest and
refreshment at end of 5 consecutive
hours' driving

* The regulation commenced on 23 February 1990.

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| Section 8C (1) (a) (ii), (10) - drive motor vehicle having unladen weight in excess of 2 tonnes after having driven for more than 12 hours in the preceding 24 hours | drive after having driven more than 12 hrs in last 24 hrs |
| Section 8C (1) (a) (iii), (10) - drive motor vehicle having unladen weight in excess of 2 tonnes without having at least 5 consecutive hours for rest in the preceding 24 hours | drive without having 5 hrs consecutive rest in last 24 hrs |
| Section 8C (1) (a) (iv), (10) - drive a motor vehicle having unladen weight in excess of 2 tonnes without having at least one period of 24 consecutive hours for rest during the preceding 7 days | drive 7 days without 24 consecutive hours rest |
| Section 8C (1) (a) (iv), (10) - drive a motor vehicle having unladen weight in excess of 2 tonnes without having 2 periods of rest, each of at least 24 consecutive hours, during the preceding 14 days | drive 14 days without 2 x 24 consecutive hours rest |
| Section 8C (1) (b) (i), (10) - permit a person to drive a motor vehicle having an unladen weight in excess of 2 tonnes without an interval of at least 1/2 hour for rest and refreshment at the end of any 5 consecutive hours driving | permit driver not to have 1/2 hour rest after 5 hours driving |
| Section 8C (1) (b) (ii), (10) - permit a person to drive a motor vehicle having an unladen weight in excess of 2 tonnes after having driven for more than 12 hours during the preceding 24 hours | permit driver to drive more than 12 hours in 24 hours |

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| Section 8C (1) (b) (iii), (10) - permit a person to drive a motor vehicle having an unladen weight in excess of 2 tonnes without having at least 5 consecutive hours for rest in the preceding 24 hours | permit driver not to have 5 consecutive hours rest in 24 hours |
| Section 8C (1) (b) (iv), (10) - permit a person to drive a motor vehicle having an unladen weight in excess of 2 tonnes without having at least one period of 24 consecutive hours for rest during the preceding 7 days | permit driver not to have 24 consecutive hours rest in 7 days |
| Section 8C (1) (b) (iv), (10) - permit a person to drive a motor vehicle having an unladen weight in excess of 2 tonnes without 2 periods of rest, each of at least 24 consecutive hours, during the preceding 14 days | permit driver not to have 2 x 24 consecutive hrs rest in 14 days |
| (b) by inserting in appropriate numerical order in Columns 1 and 2, respectively, of Schedule 1 under the heading " Motor Traffic Regulations 1935 " the following matter: | |
| Regulations 126A (1), 129 - drive one or more vehicles to which Part 11A of the Regulations applies if driver has not, after any period of 5 hours of driving one or more such vehicles, taken a rest of at least 30 minutes | drive more than 5 hrs |
| Regulations 126A (2) (a), 129 - drive a vehicle to which Part 11A of the Regulations applies on a public street if driver has driven one or more such vehicles for periods totalling 12 hours or more during the preceding 24 hour period | drive more than 12 hrs in 24 hrs |

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| Regulations 126A(2) (b), 129 - drive a vehicle to which Part 11A of the Regulations applies on a public street if driver has not had at least 9 hours of rest, 6 of which must be consecutive and in a sleeper-cab or away from such vehicles in the preceding 24 hour period | drive without minimum prescribed rest in last 24 hrs |
| Regulations 126A (2) (c), 129 - drive a vehicle to which Part 11A of the Regulations applies on a public street if driver has driven one or more such vehicles for periods totalling 72 hours or more during preceding 7 day period | drive in excess of 72 hrs during 7 day period |
| Regulations 126A (2) (d), 129 - drive a vehicle to which Part 11A of the Regulations applies on a public street if driver has not had at least one period of 24 consecutive hours for rest away from such vehicles during preceding 7 day period | drive without 24 consecutive hrs rest during 7 day period |
| Regulations 126A (3), 129 - cause the driving of one or more vehicles to which Part 11A of the Regulations applies in contravention of Regulation 126A | cause drive contrary to Reg. 126A |
| Regulations 126A (3), 129 - permit the driving of one or more vehicles to which Part 11A of the Regulations applies in contravention of Regulation 126A | permit drive contrary to Reg. 126A |

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| Regulations 126A (3), 129 - induce the driving of one or more vehicles to which Part 11A of the Regulations applies in contravention of Regulation 126A | induce drive contrary to Reg. 126A |
| Regulations 126A (4), 129 - fail to inform as required | fail to inform that driving would be illegal |
| Regulations 126B (5), 129 - not surrender log book on demand by member of Police Force | not surrender log book to police |
| Regulations 126B (5), 129 - not surrender log book on demand by authorised officer | not surrender log book to authorised officer |
| Regulations 126C (1), 129 - not carry in vehicle to which Part 11A of the Regulations applies an authorised log book which has been issued to the driver | not carry log book in vehicle |
| Regulations 126C (2) (a), 129 - not enter in accordance with directions provided in the log book particulars of times and places at which the holder has commenced and ended periods: | not make required log book entries |
| (i) of driving; and | |
| (ii) of resting or using a sleeper-cab; and | |
| (iii) away from vehicles to which Part 11A of the Regulations applies | |
| Regulations 126C (2) (a), 129 - not enter in duplicate in the log book particulars of times and places etc. | not make required log book entries in duplicate |

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| Regulations 126C (2) (b), 129 - not use pages of log book in strict sequence | not use pages of log book sequentially |
| Regulations 126C (2) (c), 129 - not make entries in log book in chronological order | not make log book entries in chronological order |
| Regulations 126C (2) (d), 129 - not, on completion of a page in a log book, certify the entries on that page by signing the page in the space provided | not sign log book page |
| Regulations 126C (5), 129 - not carry document certifying exemption in vehicle to which Part 11A of the Regulation applies (Reg. 126C (1)) | not carry log book exemption |
| Regulations 126C (5), 129 - not produce document certifying exemption for inspection by member of the Police Force (Reg. 126F (1) (a)) | driver not produce log book exemption to police |
| Regulations 126C (5), 129 - not produce document certifying exemption for inspection on demand by authorised officer (Reg. 126F (1) (a)) | driver not produce log book exemption to authorised officer |
| Regulations 126D (1), 129 - person to whom an authorised log book has been issued (who drives but is not the registered owner of a vehicle to which Part 11A of the Regulations applies) not give or send, at least once in each week, to the owner of the vehicle a duplicate copy of each page which has been or should have been used in respect of the vehicle | driver not give or send duplicate log book page |

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| Regulations 126D (2) (a), 129 - registered owner of vehicle to which Part 11 A of the Regulations applies (who is not the driver) not, at least once in each week, obtain from every driver a duplicate copy of each page which has been or should have been used by the driver | owner not obtain duplicate page |
| Regulations 126D (2) (b), 129 - registered owner of vehicle to which Part 11A of the Regulations applies (who is not the driver) not retain duplicate pages of log book separately for each driver (if more than one) | owner not keep duplicate pages for each driver separately |
| Regulations 126D (2) (b), 129 - registered owner of vehicle to which Part 11 A of the Regulations applies (who is not the driver) not retain duplicate pages of log book in chronological sequence | owner not keep duplicate pages chronologically |
| Regulations 126D (2) (b), 129 - registered owner of vehicle to which Part 11 A of the Regulations applies (who is not the driver) not retain duplicate pages of log book in the order in which they have been numbered | owner not keep duplicate pages in numerical order |
| Regulations 126D (2) (b), 129 - registered owner of vehicle to which Part 11A of the Regulations applies (who is not the driver) not retain duplicate pages of log book for period of 6 months from receipt of pages | owner not keep duplicate pages for 6 months |

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| Regulations 126D (2) (b), 129 - registered owner of vehicle to which Part 11A of the Regulations applies (who is not the driver) not retain duplicate pages at the address of the registered owner as shown in the last application for registration of the vehicle or at another address notified to the Authority | owner not retain duplicate pages at proper address |
| Regulations 126D (3) (a), 129 - registered owner of vehicle to which Part 11 A of the Regulations applies (who is also a driver of the vehicle) not retain duplicate page in numerical sequence | owner/driver not keep duplicate pages sequentially |
| Regulations 126D (3) (b), 129 - registered owner of vehicle to which Part 11A of the Regulations applies (who is also a driver of the vehicle) not retain duplicate pages for a period of 6 months from the date the page was completed | owner/driver not keep duplicate pages for 6 months |
| Regulations 126D (3) (c), 129 - registered owner of vehicle to which Part 11A of the Regulations applies (who is also a driver of the vehicle) not retain duplicate pages at the address of the registered owner as shown in the last application for registration of the vehicle or at another address notified to the Authority | owner/driver not retain duplicate pages at proper address |
| Regulations 126E (3) (a), 129 - fail to comply with direction of member of Police Force under Regulation 126E | fail to comply with order of police - Reg. 126E |

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| Regulations 126E (3) (a), 129 - fail to comply with direction of authorised officer under Regulation 126E | fail to comply with order of authorised officer - Reg. 126E |
| Regulations 126E (3) (b), 129 - hinder or obstruct member of Police Force in exercise of power conferred by Regulation 126E | hinder or obstruct member of Police Force Reg. - 126E |
| Regulations 126E (3) (b), 129 - hinder or obstruct authorised officer in exercise of power under Regulation 126E | hinder or obstruct authorised officer Reg. - 126E |
| Regulations 126F (1) (a), 129 - driver not produce an authorised log book for inspection on demand by member of the Police Force | driver not produce log book to police |
| Regulations 126F (1) (a), 129 - driver not produce an authorised log book for inspection on demand by authorised officer | driver not produce log book to authorised officer |
| Regulations 126F (1) (b), 129 - driver not permit the making of copies of the log book pages on demand by member of the Police Force | driver not permit taking copies by police |
| Regulations 126F (1) (b), 129 - driver not permit the making of copies of the log book pages on demand by an authorised officer | driver not permit taking copies by authorised officer |
| Regulations 126F (1) (b), 129 - driver not permit the taking of extracts from the log book on demand by member of the Police Force | driver not permit taking of extracts by police |

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| Regulations 126F (1) (b), 129 - driver not permit the taking of extracts from the log book on demand by authorised officer | driver not permit taking of extracts by authorised officer |
| Regulations 126F (1) (c), 129 - driver not permit the making of an endorsement or notation in log book by member of the Police Force | driver not permit notation in log book by police |
| Regulations 126F (1) (c), 129 - driver not permit the making of an endorsement or notation in log book by authorised officer | driver not permit notation in log book by authorised officer |
| Regulations 126F (1) (d), 129 - driver not produce duplicate copy of a page of an authorised log book which the driver has not given or sent to the registered owner to member of the Police Force | driver not produce duplicate page to police |
| Regulations 126F (1) (d), 129 - driver not produce duplicate copy of a page of an authorised log book which the driver has not given or sent to the registered owner to authorised officer | driver not produce duplicate page to authorised officer |
| Regulations 126F (1) (e), 129 - driver not provide such information as may reasonably be required by a member of the Police Force in connection with any journey undertaken by that driver in that or another vehicle to which Part 11A of the Regulations applies | driver not provide journey information to police |

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| Regulations 126F (1) (e), 129 - driver not provide such information as may reasonably be required by an authorised officer in connection with any journey undertaken by that driver in that or another vehicle to which Part 11A of the Regulations applies | driver not provide journey information to authorised officer |
| Regulations 126F (2) (a), 129 - registered owner fail to produce a duplicate page from an authorised log book for inspection on demand by a member of the Police Force | owner fail to produce duplicate page to police |
| Regulations 126F (2) (a), 129 - registered owner fail to produce a duplicate page from an authorised log book for inspection on demand by an authorised officer | owner fail to produce duplicate page to authorised officer |
| Regulations 126F (2) (b), 129 - registered owner not permit the making of copies of or extracts from any duplicate pages kept on demand by a member of the Police Force | owner not permit police to copy duplicate page |
| Regulations 126F (2) (b), 129 - registered owner not permit the making of copies of or extracts from any duplicate pages kept on demand by an authorised officer | owner not permit authorised officer to copy duplicate page |
| Regulations 126F (2) (c), 129 - registered owner not permit the making of an endorsement or notation on duplicate pages on demand by a member of the Police Force | owner not permit notation on duplicate by police |

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| Regulations 126F (2) (c), 129 - registered owner not permit the making of an endorsement or notation on duplicate pages on demand by an authorised officer | owner not permit notation on duplicate by authorised officer |
| Regulations 126G (1) (a), 129 - remove from an authorised log book a certificate endorsed on it or attached to it | remove certificate from log book |
| Regulations 126G (1) (a), 129 - remove from an authorised log book an original page | remove original page |
| Regulations 126G (1) (b), 129 - fraudulently alter any page in an authorised log book | fraudulently alter page in log book |
| Regulations 126G (1) (b), 129 - fraudulently alter any part of an authorised log book | fraudulently alter part of log book |
| Regulations 126G (1) (b), 129 - fraudulently deface any page in an authorised log book | fraudulently deface page in log book |
| Regulations 126G (1) (b), 129 - fraudulently deface any part of an authorised log book | fraudulently deface part of log book |
| Regulations 126G (1) (b), 129 - fraudulently render illegible any page in an authorised log book | fraudulently render log book page illegible |
| Regulations 126G (1) (b), 129 - fraudulently render illegible any part of an authorised log book | fraudulently render part of log book illegible |

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| Regulations 126G (1) (b), 129 - fraudulently destroy any page in an authorised log book | fraudulently destroy log book page |
| Regulations 126G (1) (b), 129 - fraudulently destroy any part of an authorised log book | fraudulently destroy part of log book |
| Regulations 126G (1) (c), 129 - make false entry in authorised log book | make false entry in log book |
| Regulations 126G (1) (c), 129 - otherwise falsify entry in authorised log book | falsify log book |
| Regulations 126G (2), 129 - be in possession of more than one authorised log book containing pages which have not been used or cancelled | possess more than 1 log book with unused pages |
| Regulations 126G (3) (a), 129 - driver produce to a member of the Police Force a log book other than an authorised log book | produce unauthorised log book to police |
| Regulations 126G (3) (a), 129 - driver produce to an authorised officer a log book other than an authorised log book | produce unauthorised log book to authorised officer |
| Regulations 126G (3) (b), 129 - driver produce to a member of the Police Force an authorised log book issued to another person | produce another person's log book to police |
| Regulations 126G (3) (b), 129 - driver produce to an authorised officer an authorised log book issued to another person | produce another person's log book to authorised officer |

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Regulations 126G (4), 129 - fraudulently obtain fraudulently obtain an authorised log book

Regulations 126G (4), 129 - allow use of log book fraudulently allow an authorised log book to be used by any other person

Regulations 126G (9), 129 - not obtain a new authorised log book as required not obtain new log book

Regulations 126H, 129 - not comply with a direction by member of the Police Force to cease driving until sufficient time has elapsed not comply with order by police to cease driving

Regulations 126H, 129 - not comply with a direction by authorised officer to cease driving until sufficient time has elapsed not comply with order by authorised officer to cease driving

(c) by omitting from Columns 1 and 2, respectively, of Schedule 1 under the heading "**Motor Traffic Regulations 1935**" the following matter:

Regulations 132B (4), 129 - drive motor vehicle without carrying authorised and duly completed log book not carry authorised log book

Regulations 132B (5), 129 - being the holder of an authorised log book, fail to enter in duplicate particulars provided for in the pages of the log book not enter particulars in authorised log book

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| Regulations 132B (6), 129 - being the holder of an authorised log book, fail to complete each page of the log book in accordance with any directions therein | not complete authorised log book according to directions |
| Regulations 132B (6), 129 - being the holder of an authorised log book, fail to use the pages of the log book serially | not complete authorised log book serially |
| Regulations 132B (7), 129 - being the holder of an authorised log book, fail to sign each completed page of authorised log book | not sign authorised log book entries |
| Regulations 132B (8), 129 - being the holder of an authorised log book, fail to give or send the duplicate copies of pages of log book to employer | holder of authorised log book not send duplicate pages |
| Regulations 132B (9), 129 - remove an original page in an authorised log book | holder of authorised log book remove original page |
| Regulations 132B (9), 129 - destroy an original page in an authorised log book | holder of authorised log book destroy original page |
| Regulations 132B (9), 129 - deface an original page in an authorised log book | holder of authorised log book deface original page |
| Regulations 132B (10), 129 - being the owner of a motor vehicle having an unladen weight exceeding 2 tonnes, fail to obtain from the driver of a vehicle the completed duplicate pages from the authorised log book | owner not obtain duplicate pages of log book |

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| Regulations 132B (10), 129 - being the owner of a motor vehicle having an unladen weight exceeding 2 tonnes, fail to retain duplicate pages of an authorised log book in chronological order at place of business for a period of 6 months from the receipt of the duplicate pages | owner not keep log book pages in chronological order |
| Regulations 132B (11), 129 - fail to produce authorised log book when requested by police | driver not produce log book on request by police |
| Regulations 132B (11), 129 - fail to produce the authorised log book in respect of own vehicle when requested by police | owner not produce log book on request by police |

EXPLANATORY NOTE

The object of this Regulation is to prescribe short descriptions for certain traffic offences so that those descriptions may be used in informations, complaints, summonses, warrants, notices, orders or other documents by virtue of section 145B of the Justices Act 1902.
