

1990 - No. 713

TRAFFIC ACT 1909 - REGULATION

(Relating to the monitoring of coaches, heavy vehicles and
vehicles carrying dangerous goods)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Traffic Act 1909, has been pleased to make the Regulation set forth hereunder.

WAL MURRAY
Minister for Roads.

Commencement

1. This Regulation commences on 1 January 1991.

Amendment

2. The Motor Traffic Regulations 1935 are amended by inserting after Part 11A the following Part:

**PART 11B - MONITORING OF COACHES,
HEAVY VEHICLES AND VEHICLES CARRYING
DANGEROUS LOADS**

**Vehicles to which Part 3A of the Act applies (in addition to
vehicles carrying dangerous goods)**

126J. For the purposes of section 10G (1) (a) of the Act:

- (a) all coaches; and
- (b) every heavy vehicle that is an articulated vehicle or a prime mover,

are prescribed.

Enforcement officers for the purposes of Part 3A of the Act

126K. (1) For the purposes of Part 3A of the Act, the following persons are authorised as prescribed officers:

- (a) officers employed by the Authority as enforcement officers and to whom the Authority has issued a written authorisation; and
- (b) officers of the Dangerous Goods Branch of the Workcover Authority who are employed as inspectors of dangerous goods.

(2) For the purposes of section 10K (4) (b) of the Act, the prescribed manner of identification is:

- (a) for a prescribed officer employed by the Authority - wearing a uniform of the Authority and
- (b) for a prescribed officer employed by the Workcover Authority - wearing a reflectorised vest displaying the words "SAFETY OFFICER".

Manner of approval of aspects of data recording etc.

126L. Any approval of the Authority for the purposes of Part 3A of the Act is to be signified in one of the following ways:

- (a) in a Vehicle Monitoring Device Specification published or adopted by the Authority (and available on request from the Authority);
- (b) by instrument in writing signed by the Chief Executive of the Authority or by another person authorised in writing by the Authority and given to a person seeking to rely on it.

Accessories to contravention of Part 3A of the Act

126M. A person must not knowingly cause, permit or allow any other person to contravene Part 3A of the Act.

Manner of granting exemptions

126N. (1) For the purposes of section 10O (1) of the Act, an exemption may be granted:

- (a) by order published in the Gazette or in a newspaper circulating in New South Wales; or
- (b) by notice in writing signed by the Chief Executive of the Authority, or by another person authorised in writing by

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the Authority, and served on the person who is, or whose vehicle is, to be exempted.

(2) An exemption granted in the manner provided by clause (1)
(b) may in the same manner be rescinded.

EXPLANATORY NOTE

The object of this Regulation is to prescribe certain particulars and arrangements necessary for the introduction of monitoring, in accordance with Part 3A of the Traffic Act 1909, of coaches, heavy vehicles and vehicles carrying dangerous goods.

Except in the case of vehicles exempted by order of the Roads and Traffic Authority, the monitoring requirements apply to all coaches, to heavy vehicles that are articulated vehicles or prime movers and to carriers of dangerous goods identified in section 10G of the Act.
