

1996—No. 228

TRAFFIC ACT 1909—REGULATION

(Relating to penalty notice offences)

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.

MICHAEL KNIGHT, MP
Minister for Roads.

Commencement

1. This Regulation commences on 21 June 1996.

Amendment

2 The Motor Traffic Regulations 1935 are amended:

(a) by inserting after Regulation 130A (1) (f) (iv) the following matter:

 ; and

 (v) an offence arising under Regulation 117I in respect of standing or driving a motor vehicle on a public street that is not an approved route, in contravention of a condition of a specific overdimension permit; and

 (vi) an offence arising under Regulation 117O in respect of standing or driving a motor vehicle on a public street that is not an approved route, in contravention of a condition of a general overdimension permit;

(b) by inserting in numerical order in Table A of Part 2 of Schedule K the following matter:

Regulation 117I:

(a) in respect of the offence of standing or driving a motor vehicle on a public street that is not an approved route, in contravention of a condition of a specific overdimension permit	773
(b) in respect of any other offence..	102

Regulation 117O:

(a) in respect of the offence of standing or driving a motor vehicle on a public street that is not an approved route, in contravention of a condition of a general overdimension permit	773
(b) in respect of any other offence..	102

Regulation 117Q.....	102
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EXPLANATORY NOTE

The object of this Regulation is:

- (a) to prescribe additional offences under the Motor Traffic Regulations 1935 in respect of which penalty notices ("on-the-spot" fines) may be served; and
- (b) to prescribe the persons who may issue penalty notices in relation to certain of those additional offences (being persons additional to those whose existing authorisation to issue penalty notices will extend to the new offences); and
- (c) to prescribe the penalties for each offence if dealt with by way of the penalty notice (rather than by a court).

The offences concerned are the following:

- (a) driving a motor vehicle past a flashing red signal on a railway level crossing;
- (b) the standing or driving on a public street of a motor vehicle the subject of a specific overdimension permit in contravention of the conditions of the permit;
- (c) the standing or driving on a public street of a motor vehicle the subject of a general overdimension permit in contravention of the conditions of the permit;
- (d) the standing or driving on a public street of a motor vehicle displaying warning signs required by a general overdimension permit if the vehicle is not a vehicle to which such a permit applies.

This Regulation is made under the Traffic Act 1909 and, in particular, under section 3 (the general regulation-making power) and section 18B (Penalty notices for certain offences).