



New South Wales

Justices (Short Descriptions of Motor Traffic and Other Offences) Amendment (Two-up Driving) Regulation 1996

under the
Justices Act 1982

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Justices Act 1902*.

MICHAEL KNIGHT, M.P.,
Minister for Roads

Explanatory note

The object of this Regulation is to revise the short descriptions for use on penalty notices relating to certain offences against Part 11A (Driving hours of heavy motor vehicles and coaches) of the *Motor Traffic Regulations 1935* and to make certain other changes for the sake of law revision.

This Regulation is made under the *Justices Act 1902*, including section 145B (Short descriptions of certain offences).

Justices (Short Descriptions of Motor Traffic and Other Offences) Amendment (Two-up Driving) Regulation 1996

1 Name of Regulation

This Regulation is the *Justices (Short Descriptions of Motor Traffic and Other Offences) Amendment (Two-up Driving) Regulation 1996*.

2 Commencement

This Regulation commences on 30 September 1996.

3 Amendment of Justices (Short Descriptions of Motor Traffic and Other Offences) Regulation 1986

The *Justices (Short Descriptions of Motor Traffic and Other Offences) Regulation 1986* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Schedule 1, matter relating to the Roads (General) Regulation 1994

Omit “being a” from the matter relating to clause 32.
Insert instead “being a person”.

[2] Schedule 1, matter relating to the Roads (General) Regulation 1994

Omit “the roads” from the matter relating to clause 55 (3).
Insert instead “the roads authority”.

[3] Schedule 1, matter relating to the Roads (General) Regulation 1994

Omit “animal, leave the vehicle” from the matter relating to clause 63 (d).
Insert instead “animal, leave the animal”.

[4] Schedule 1, matter relating to the Motor Traffic Regulations 1935

Omit the matter relating to Regulation 126A (1). Insert instead:

Regulations 126A (1). 129—drive Part 11A motor vehicle if driver has not, after any period of 5 hours of driving one or more Part 11A vehicles, taken a rest of at least 30 minutes	drive more than 5 hrs (heavy vehicle or coach)
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Schedule 1 Amendments

[5] **Schedule 1, matter relating to the Motor Traffic Regulations 1935**

Omit the matter relating to Regulation 126A (2). Insert instead:

Regulations 126A (2) (a), 129— drive heavy motor vehicle on a public street if driver has driven one or more Part 11A vehicles for periods totalling 12 hours or more during the preceding 24 hour period	drive more than 12 hrs in 24 hrs (heavy vehicle)
Regulations 126A (2) (b), 129— drive heavy motor vehicle 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 Part 11A vehicles in the preceding 24 hour period	drive without 9 hrs rest in last 24 hrs (heavy vehicle)
Regulations 126A (2) (c), 129— drive heavy motor vehicle on a public street if driver has driven one or more Part 11A vehicles for periods totalling 72 hours or more during the preceding 7 day period	drive more than 72 hrs during 7 days (heavy vehicle)
Regulations 126A (2) (d), 129— drive heavy motor vehicle on a public street if driver has not had at least one period of 24 consecutive hours of rest away from Part 11A vehicles during the preceding 7 day period	drive without 24 hrs rest in 7 days (heavy vehicle)
Regulations 126A (2A) (a), 129— drive coach (otherwise than under two-up arrangement) on a public street if driver has driven one or more Part 11A vehicles for periods totalling 12 hours or more during the preceding 24 hour period	drive more than 12 hrs in 24 hrs (coach—solo)

Amendments

Schedule 1

Regulations 126A (2A) (b), 129— drive coach (otherwise than under two-up arrangement) on a public street if driver has not had at least 12 hours of rest, 8 of which must be consecutive and in a sleeper-cab or away from Part 11A vehicles, during the preceding 24 hour period	drive without 12 hrs rest in last 24 hrs (coach—solo)
Regulations 126A (2A) (c), 129— drive coach (otherwise than under two-up arrangement) on a public street if driver has driven one or more Part 11A vehicles for periods totalling 72 hours or more during the preceding 7 day period	drive more than 72 hours in last 7 days (coach—solo)
Regulations 126A (2A) (d), 129— drive coach (otherwise than under two-up arrangement) on a public street if driver has not had at least 96 hours of rest away from Part 11A vehicles during preceding 672 hours	drive without 96 hrs rest in last 672 hours (coach—solo)
Regulations 126A (2B) (a), 129— drive coach (under two-up arrangement) on a public street if driver has driven one or more Part 11A vehicles for periods totalling 11 hours or more during the preceding 24 hour period	drive more than 11 hrs in last 24 hrs (coach—two-up)
Regulations 126A (2B) (b), 129— drive coach (under two-up arrangement) on a public street if driver has not had at least 13 hours of rest, 5 hours and 30 minutes of which must be consecutive and in a sleeper-cab or away from Part 11A vehicles, in the preceding 24 hour period	drive without 13 hrs rest in last 24 hrs (coach—two-up)

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Schedule 1 Amendments

Regulations 126A (2B) (c), 129— drive coach (under two-up arrangement) on a public street if driver has not had at least 13 hours of rest away from Part 11A vehicles in previous 53 hours	drive without 13 hrs rest in last 53 hrs (coach—two-up)
Regulations 126A (2B) (d), 129— drive coach (under two-up arrangement) on a public street if driver has driven one or more Part 11A vehicles for periods totalling 66 hours or more during preceding 7 day period	drive more than 66 hrs in last 7 days (coach—two-up)
Regulations 126A (2B) (e), 129— drive coach (under two-up arrangement) on a public street if driver has not had at least 102 hours of rest in sleeper-cab or away from Part 11A vehicles during preceding 168 hours	drive without 102 hrs rest in last 168 hrs (coach—two-up)
Regulations 126A (2B) (f), 129— drive coach (under two-up arrangement) on a public street if driver has not had at least 96 hours of rest away from Part 11A vehicles in previous 672 hours	drive without 96 hrs rest in last 672 hrs (coach—two-up)

[6] **Schedule 1, matter relating to the Motor Traffic Regulations 1935**

Omit the matter relating to Regulation 126C (2) (a). Insert instead:

Regulations 126C (2) (a), 129—not enter in accordance with directions provided in log book particulars of times and places at which the holder has commenced and ended periods of driving or of rest	not make required log book entries
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