

1996—No. 7

TRAFFIC ACT 1909—REGULATION

(Relating to road train 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.

BOB DEBUS, MP
Acting Minister for Roads.

The Motor Traffic Regulations 1935 are amended:

(a) by inserting after Regulation 113G the following Regulation:

Standing or driving of road trains without permission

113H. A person must not stand or drive a road train on a public street, or cause or permit a road train to stand or be driven on a public street, unless:

(a) written permission is first obtained from the Commissioner of Police and all conditions of such permission are strictly complied with; or

(b) the road train is the subject of a specific or general overdimension permit for the time being in force under Part 9A.

(b) by omitting from Regulation 114 (1) (a) the words “a road train or any other” and by inserting instead the word “an”;

(c) by omitting from Regulation 114 (1) (b) the words “a road train or”;

(d) by inserting at the end of Regulation 114 (3A) (d) the following word and paragraph:

; or

(e) a road train.

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- (e) by inserting in Regulation 117B (c) after the word “Regulation” the matter “113H or”;
- (f) by omitting from Regulation 130A (1) (f) (iv) the matter “114 (I)” and by inserting instead the matter “113H”;
- (g) by omitting from Regulation 130A (1) (f) (iv) the matter “114 or” and by inserting instead the matter “113H or”;
- (h) by omitting from Table A of Part 2 of Schedule K the matter relating to Regulation 114 and by inserting instead the following matter:

Regulation 113H:

(a) in respect of the offence of standing or driving a road train that is longer than 25 metres on a public street that is not an approved route according to the conditions of the relevant permission under Regulation 113H or of an overdimension permit under Part 9A	773
(b) in respect of any other offence	102
Regulation 114 (1) (a) or (b)	61

EXPLANATORY NOTE

The object of this Regulation is to clarify the effect of an existing offence provision that prohibits road trains from being stood or driven on public streets without the permission of the Commissioner of Police or without an overdimension permit. This offence is presently part of an offence provision that deals with motor vehicles drawing other vehicles or trailers, and this Regulation merely creates a separate offence dealing with road trains. This Regulation also restores the monetary penalty that existed for road train offences before 4 August 1995.

This Regulation is made under the Traffic Act 1909 (in particular, section 3 (1) (a) and (h)).
