



New South Wales

Motor Traffic Amendment (Dangerous Goods) Regulation 1998

under the
Traffic Act 1909

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Traffic Act 1909*.

CARL SCULLY MP
Minister for Roads

Explanatory note

The object of this Regulation is to amend the *Motor Traffic Regulations 1935* to update references relating to the conveyance of dangerous goods, as a result of the commencement of the *Road and Rail Transport (Dangerous Goods) Act 1997*.

This Regulation is made under the *Traffic Act 1909*, including section 3 (the general regulation making power).

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Clause 1 Motor Traffic Amendment (Dangerous Goods) Regulation 1998

Motor Traffic Amendment (Dangerous Goods) Regulation 1998

1 Name of Regulation

This Regulation is the *Motor Traffic Amendment (Dangerous Goods) Regulation 1998*.

2 Commencement

This Regulation commences on 20 April 1998.

3 Amendment of Motor Traffic Regulations 1935

The *Motor Traffic Regulations 1935* are 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] Regulation 69A Railway level crossing

Omit regulation 69A (3) (c). Insert instead:

(c) if any loading on the vehicle consists of or includes any dangerous goods within the meaning of Regulation 119A and the vehicle is required by the *Dangerous Goods Regulation 1978* or the *Road Transport Reform (Dangerous Goods) (New South Wales) Regulations* to have signs exhibited on it and:

- (i) there is no sign referred to in Regulation 54 (6) (ac) erected at or near the crossing facing the driver, or
- (ii) there are no railway gates erected at or near the crossing,

stop the vehicle so that the front of the vehicle is not less than 3 m nor more than 15 m from the rail of the crossing over which the vehicle will first pass, or

[2] Regulation 119A Carriage of dangerous goods

Omit the definition of *dangerous goods* from regulation 119A (1).
Insert instead:

Dangerous goods means goods that are dangerous goods within the meaning of the *Dangerous Goods Act 1975* or the *Road and Rail Transport (Dangerous Goods) Act 1997*.

[3] Regulation 119A (1), definition of “Tanker vehicle”

Omit “250” wherever occurring. Insert instead “450”.

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Schedule 1 Amendments

[4] Regulation 119A (2) (b)

Omit the paragraph. Insert instead:

- (b) any tanker vehicle that is used for the conveyance of dangerous goods and is required by the *Dangerous Goods Regulation 1978* or the *Road Transport Reform (Dangerous Goods) (New South Wales) Regulations* to have signs exhibited on it,

[5] Regulation 126K Enforcement officers for the purposes of Part 3A of the Act

Insert after regulation 126K (1) (b):

, and

- (c) authorised officers within the meaning of the *Road and Rail Transport (Dangerous Goods) Act 1997*.

[6] Regulation 126K (2) (c)

Insert after regulation 126K (2) (b):

, and

- (c) for a prescribed officer referred to in clause (1) (c)—wearing a reflectorised vest displaying the letters “EPA”.