



New South Wales

Road Transport (Vehicle Registration) Amendment (Law Revision) Regulation 1998

under the

Road Transport (Vehicle Registration) Act 1997

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Vehicle Registration) Act 1997*.

CARL SCULLY. M.P.

Minister for Roads

Explanatory note

The objects of this Regulation are:

- (a) to prescribe a fee for the inspection of a registrable vehicle's exhaust emission levels, and
- (b) to make provision of a transitional nature for the display on certain vehicles of registration labels, and
- (c) to make some minor consequential amendments and amendments by way of law revision.

This Regulation is made under the *Road Transport (Vehicle Registration) Act 1997*, including sections 8 (1) and 14 (the general regulation-making power), 15 and 15A.

Road Transport (Vehicle Registration) Amendment (Law Revision) Regulation 1998

1 Name of Regulation

This Regulation is the *Road Transport (Vehicle Registration) Amendment (Law Revision) Regulation 1998*.

2 Amendment of Road Transport (Vehicle Registration) Regulation 1998

The *Road Transport (Vehicle Registration) Regulation 1998* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 2)

[1] Clause 62 Fees for certain inspections

Insert after clause 62 (1):

- (1A) If a registrable vehicle is inspected under clause 61 to determine whether the vehicle's exhaust emissions levels comply with this Regulation:
 - (a) the Authority may require the registered operator of the vehicle to pay the applicable scheduled fee for the inspection. and
 - (b) if the vehicle is an applicable vehicle and the inspection relates solely to determining whether the vehicle's exhaust emissions levels comply with this Regulation—the registered operator of the vehicle is not required to pay the applicable scheduled fee for an inspection that is specified by subclause (1).

[2] Schedule 2 Scheduled fees

Omit “an authorised person (other than an inspection to which item 8 applies)” from Column 1 of item 6.

Insert instead “the Authority (other than an inspection to which item 6A or 7 applies)”.

[3] Schedule 2, item 6

Omit “Clause 62” from Column 3.

Insert “Clause 62 (1)”.

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Schedule 1 Amendments

[4] Schedule 2, item 6A

Insert after item 6:

6A. Inspection by the Authority of a
registrable vehicle to determine whether the
vehicle's exhaust emission levels comply with
this Regulation 30 Clause 62 (1A)

[5] Schedule 2, item 7

Omit "an authorised officer" from Column 1.
Insert instead "the Authority".

[6] Schedule 2, item 7

Omit "Clause 62" from Column 3.
Insert "Clause 62 (1)".

[7] Schedule 6 Savings and transitional provisions

Omit "a heavy vehicle" from clause 2 (1).
Insert instead "an existing registered vehicle".

[8] Schedule 6

Insert after clause 8:

9 Display of registration labels on certain registrable vehicles

(1) This clause applies to:

- (a) any existing label that is still in force on the commencement of this clause that was issued under the *Motor Traffic Regulations 1935* in respect of a registrable vehicle without a windscreen a motor cycle or a trailer, and

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- (b) any registration label issued under this Regulation in respect of a registrable vehicle without a windscreen, a motor cycle or a trailer.
- (2) Despite clause 17 (3) (b) and (c) of this Regulation, a label to which this clause applies may be displayed as follows until 1 July 1999:
- (a) in the case of a registrable vehicle without a windscreen (other than a motor cycle or trailer)—in a holder affixed to the left—hand or near side of the vehicle as near as practicable to the position in which the label is required to be displayed for a vehicle with a windscreen by clause 17 (3) (a) of this Regulation
- (b) in the case of a trailer—in a holder affixed to the left-hand or near side of the body of the trailer so that the label faces outwards or forwards from the trailer.
- (c) in the case of a motor cycle—in a holder affixed to the left-hand or near side of the motor cycle on the handlebars or elsewhere so that the label is clearly visible.
- (3) In this clause:
- existing label* has the same meaning as it has in clause 2 of Schedule 3 to the Act.