



New South Wales

Roads (General) Amendment (Short Descriptions) Regulation 1999

under the
Roads Act 1993

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Roads Act 1993*.

MICHAEL KNIGHT, MP
for Minister for Roads

Explanatory note

The *Justices (Short Descriptions of Motor Traffic and Other Offences) Regulation 1986* is to be repealed on 1 September 1999 as part of the staged repeal of subordinate legislation under the *Subordinate Legislation Act 1989*. That Regulation prescribes short descriptions for offences for the purposes of section 145B of the *Justices Act 1902*, including certain offences under the *Roads (General) Regulation 1994*.

The object of this Regulation is to add the short descriptions for those offences under the *Roads (General) Regulation 1994* to Schedule 2 to that Regulation. Schedule 2 currently prescribes offences under that Regulation that may be dealt with by way of penalty notice and the penalty payable when dealt with in that manner.

This Regulation is made under the *Roads Act 1993* and the *Justices Act 1902*.

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Clause 1 Roads (General) Amendment (Short Descriptions) Regulation 1999

Roads (General) Amendment (Short Descriptions) Regulation 1999

1 Name of Regulation

This Regulation is the *Roads (General) Amendment (Short Descriptions) Regulation 1999*.

2 Commencement

This Regulation commences on 1 September 1999.

3 Amendment of Roads (General) Regulation 1994

The *Roads (General) Regulation 1994* 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] Clauses 76 and 76A

Omit clause 76. Insert instead:

76 Penalty notices

For the purposes of section 243 of the Act:

- (a) an offence created by a provision specified in Column 1 of Schedule 2 is a prescribed offence, and
- (b) the amount specified in Column 3 of that Schedule for such an offence is the prescribed penalty payable under section 243 of the Act for that offence.

76A Short descriptions of offences

- (1) For the purposes of section 145B of the *Justices Act 1902*, the prescribed expression for an offence created by a provision specified in Column 1 of Schedule 2 is:
 - (a) the expression specified in Column 2 of that Schedule, or
 - (b) if a choice of words is indicated in that expression, the words remaining after the omission of the words irrelevant to the offence.
- (2) For the purposes of any proceedings for an offence created by a provision specified in Column 1 of Schedule 2, the prescribed expression for the offence is taken to relate to the offence created by the provision, as the provision was in force when the offence is alleged to have been committed.
- (3) The amendment or repeal of a prescribed expression does not affect the validity of any information, complaint, summons, warrant, notice, order or other document in which the expression is used, and any such document continues to have effect as if that expression had not been amended or repealed.
- (4) Subclause (3) applies to any information, complaint, summons, warrant, notice, order or other document (whether

issued, given or made before or after the amendment or repeal) that relates to an offence alleged to have been committed before the amendment or repeal.

[2] Schedule 2

Omit the Schedule. Insert instead:

Schedule 2 Penalty notice offences and short descriptions

(Clauses 76 and 76A)

Column 1 Offence	Column 2 Prescribed expression	Column 3 Penalty \$
Roads (General) Regulation 1994		
Clause 6 (3)	disregard traffic controller	343
Clause 11 (1) (a)	place on road thing likely to injure person/damage vehicle	343
Clause 11 (1) (b)	place on road thing likely restrict/ endanger road use	343
Clause 11 (1) (b)	place on road thing likely interfere with public convenience	343
Clause 11 (1) (c)	unload/load vehicle on/from shoulder likely cause road damage	343
Clause 11 (1) (d)	allow escape onto road of liquid/ loose/waste material	343
Clause 11 (3) (a)	fail to place things out of line of traffic	343
Clause 11 (3) (b)	fail to ensure things on road adequately guarded	343
Clause 11 (3) (c)	fail to ensure things on road adequately lit at night	343
Clause 11 (3) (d)	fail to remove things from road	343

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Clause 12 (a)	drive on road vehicle/animal that causes damage to road/structure/work	228
Clause 12 (b)	tether animal on road capable of causing damage to road/structure/ work	228
Clause 13 (1) (a)	propel/drag anything on road capable of causing damage to road/structure/ work	228
Clause 13 (1) (b)	drive vehicle with wheel chains on road that not slippery	228
Clause 13 (2)	drive on a road vehicle with caterpillar tracks/wheels with spikes/bars/ projections	343
Clause 14	drive on road vehicle in such disrepair as to damage road/work/structure	228
Clause 15	carry out road work without hazard guard/light	343
Clause 16	extinguish/interfere with/obscure street light/hazard warning light	343
Clause 17 (1)	jump onto/from bridge on road	343
Clause 18	cast/throw material onto road/into vehicle from building	343
Clause 19	allow water to drip/flow on road from adjoining land (occupier)	228
Clause 20	excavate near road so as to threaten damage to road/structure/work	343
Clause 21	erect/maintain/use door/gate opening outwards into road	228
Clause 23 (1)	drive vehicle past tollway without payment/direction	114
Clause 23 (3)	fail to pay toll directed to be paid within 7 days	114
Clause 24 (2)	pay toll money to officer in container/package/receptacle	114
Clause 24 (3) (a)	pay toll money to machine in container/package/receptacle	114
Clause 24 (3) (b)	pay toll money to machine with wrong coin denomination	114

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Clause 26	fail to pay toll to RTA on demand	114
Clause 27 (1)	drive vehicle other than on tollway carriageway	228
Clause 28 (1)	walk other than on tollway footway or footbridge	228
Clause 29 (1)	leave vehicle unattended on tollway	343
Clause 30	load/unload vehicle on tollway without officer's directions	228
Clause 31 (a)	fail to park broken vehicle off tollway (driver)	343
Clause 31 (b)	fail to warn traffic of broken vehicle on tollway (driver)	343
Clause 31 (c)	fail to remove broken vehicle from tollway (driver)	343
Clause 32	allow animal to stray on tollway (person in charge)	228
Clause 35 (2)	contravene lawful tollway direction of authorised officer	343
Clause 36 (3)	contravene direction in RTA tollway notice	343
Clause 41 (a)	climb on bridge	343
Clause 41 (b)	remain on moving span of bridge closed to traffic	343
Clause 42	light/maintain/use fire on/under/near bridge	343
Clause 44 (2)	fish from bridge in contravention of roads authority notice	114
Clause 45 (2)	contravene bridge traffic direction	343
Clause 46	riding bicycle on Harbour Bridge except on cycleway	228
Clause 47 (1) (a)	sell goods on Harbour/Anzac Bridge	114
Clause 47 (1) (a)	hire goods on Harbour/Anzac Bridge	114
Clause 47 (1) (a)	offer sell goods on Harbour/Anzac Bridge	114
Clause 47 (1) (a)	offer hire goods on Harbour/Anzac Bridge	114

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Clause 47 (1) (b)	provide services on Harbour/Anzac Bridge	114
Clause 47 (1) (b)	offer services on Harbour/Anzac Bridge	114
Clause 47 (1) (c)	conduct entertainment on Harbour/Anzac Bridge	114
Clause 47 (1) (c)	conduct exhibition on Harbour/Anzac Bridge	114
Clause 47 (1) (c)	participate entertainment on Harbour/Anzac Bridge	114
Clause 47 (1) (c)	participate exhibition on Harbour/Anzac Bridge	114
Clause 47 (1) (d)	conduct assembly on Harbour/Anzac Bridge	114
Clause 47 (1) (d)	conduct procession on Harbour/Anzac Bridge	114
Clause 47 (1) (d)	participate assembly on Harbour/Anzac Bridge	114
Clause 47 (1) (d)	participate procession on Harbour/Anzac Bridge	114
Clause 47 (1) (e)	display advertisement on Harbour/Anzac Bridge	114
Clause 47 (1) (e)	distribute advertising on Harbour/Anzac Bridge	114
Clause 48	moor vessel to bridge	228
Clause 48	make fast floating timber to bridge	228
Clause 49 (1) (a)	cause/allow vessel to exceed speed limit through/under bridge (master)	228
Clause 49 (1) (b)	cause/allow vessel through/under bridge without power or tow (master)	228
Clause 49 (1) (c)	cause/allow vessel to tow with tide through/under bridge (master)	228
Clause 49 (1) (d)	cause/allow vessel to pass through/under bridge abreast other vessel (master)	228
Clause 50	fail to ensure bridge navigation lights displayed (operator)	228

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Clause 53 (1)	cause/allow vessel to approach unopened bridge (master)	228
Clause 53 (2) (a)	fail to give bridge “ready to pass signal” (master)	228
Clause 53 (2) (b)	fail to take vessel promptly through open bridge (master)	228
Clause 55 (3)	damage/deface/destroy ferry notice displayed at access point to ferry	114
Clause 57	use ferry without paying ferry charge	114
Clause 58	board ferry before allowed by ferry operator	228
Clause 59	drive vehicle/animal to ferry beyond “STOP” sign without permission	228
Clause 60 (1) (a)	sell goods on ferry	114
Clause 60 (1) (a)	hire goods on ferry	114
Clause 60 (1) (a)	offer to sell goods on ferry	114
Clause 60 (1) (a)	offer to hire goods on ferry	114
Clause 60 (1) (b)	provide services for gain on ferry	114
Clause 60 (1) (b)	offer services for gain on ferry	114
Clause 60 (1) (c)	conduct entertainment on ferry	114
Clause 60 (1) (c)	conduct exhibition on ferry	114
Clause 60 (1) (c)	participate in entertainment on ferry	114
Clause 60 (1) (c)	participate in exhibition on ferry	114
Clause 61 (2)	fail to extinguish vehicle light when directed	228
Clause 62	occupy vehicle/animal area on ferry (foot passenger)	228
Clause 63 (a)	obstruct ferry	228
Clause 63 (a)	interfere with ferry	228
Clause 63 (b)	obstruct ferry operator	228
Clause 63 (c)	obstruct person boarding ferry	228
Clause 63 (c)	obstruct person leaving ferry	228
Clause 63 (d)	leave vehicle unattended on ferry	228

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Clause 63 (d)	leave animal unattended on ferry	228
Clause 63 (e)	open container of petrol/inflammable spirit on ferry	228
Clause 63 (e)	light match on ferry	228
Clause 63 (e)	expose naked light on ferry	228
Clause 63 (f)	smoke on ferry	228
Clause 63 (g)	move on to ferry flap while ferry in motion	228
Clause 63 (g)	occupy ferry flap while ferry in motion	228
Clause 63 (g)	move on to ferry flap without permission	228
Clause 63 (g)	occupy ferry flap without permission	228
Clause 64 (3)	contravene ferry operator traffic direction	228
Clause 65 (1)	fail to keep moving ferry's gates and exits closed (operator)	228
Clause 65 (2)	fail to securely moor ferry before person/vehicle/animal aboard (operator)	228
Clause 65 (2)	fail to adjust ferry gates before person/vehicle/animal aboard (operator)	228
Clause 71	fail to ensure public gate is white (permit holder)	228
Clause 71	fail to ensure gate posts have reflectors (permit holder)	228
Clause 72	fail to ensure gate approach good order (permit holder)	228

BY AUTHORITY