



New South Wales

Road Transport (Vehicle Registration) Amendment (Miscellaneous) Regulation 1999

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 as follows:

- (a) to provide that a registration charge (whether a motor vehicle tax payable under the *Motor Vehicles Taxation Act 1988* or the charge payable under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995*) must be payed before a registrable vehicle can be registered for the first time or subsequently (See Schedule 1 [1] and [4]),
- (b) to make further provision in respect of the display of registration labels on trailers and caravans (See Schedule 1 [2]),
- (c) to enable the Roads and Traffic Authority (“the Authority”) to alter the distinguishing number of a registrable vehicle if its number-plates were issued in error (See Schedule 1 [3]),
- (d) to enable the Authority to require the registered operator of a vehicle to return number-plates issued in respect of a vehicle with expired registration (See Schedule 1 [5]),

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- (e) to specify the place in which the holders of trader's plates are to keep records concerning the plates (See Schedule 1 [6]),
- (f) to enable the Authority to waive and postpone payment of fees for number-plates if it considers it appropriate to do so (See Schedule 1 [7]),
- (g) to make it clear that it is an offence for a person to cause or permit an unregistered vehicle to be used on a road or road related area (See Schedule 1 [8]),
- (h) to make it an offence for the driver of a registrable vehicle to use the vehicle with an incorrectly affixed registration label (See Schedule 1 [9]),
- (i) to enable police officers to seize number-plates under section 27C of the Act from certain vehicles driven while unregistered (See Schedule 1 [10]),
- (j) to exempt self-propelled elevating work platforms from the operation of the Act (See Schedule 1 [13]),
- (k) to make other amendments that are consequential on the repeal of the *Traffic Act 1909* and *Motor Traffic Regulation 1935* and the enactment of the *Road Transport (Safety and Traffic Management) Act 1999* and *Road Transport (General) Act 1999* (See Schedule 1 [11], [12] and [14]).

This Regulation is made under the *Road Transport (Vehicle Registration) Act 1997*, including sections 14 (the general regulation-making power), 15, 15A and 27C.

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1 Name of Regulation

This Regulation is the *Road Transport (Vehicle Registration) Amendment (Miscellaneous) Regulation 1999*.

2 Commencement

This Regulation commences on 1 December 1999.

3 Amendment of Road Transport (Vehicle Registration) Regulation 1998

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

4 Notes

The explanatory note does not form part of this Regulation.

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Schedule 1 Amendments

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(Clause 3)

[1] Clause 11 Lodgment of application, supporting evidence and payment

Omit “payable under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995*” from clause 11 (1) (c).
Insert instead “applicable to the vehicle”.

[2] Clause 17 Registration labels

Omit clause 17 (3) (b). Insert instead:

- (b) in the case of a caravan or other trailer:
 - (i) on or adjacent to the vehicle’s number-plate in such a manner that the characters on the number-plate are not obscured, or
 - (ii) if the vehicle has a fixed rear window or a hinged rear window that is to be closed when the caravan or other trailer is being towed—to that window, in a location as close as possible to the vehicle’s number-plate, and

[3] Clause 23 Authority may alter distinguishing number of registration

Insert after clause 23 (2):

- (2A) Without limiting subclause (1), the Authority may alter the distinguishing number of a registrable vehicle if the Authority considers that:
 - (a) there is an error of any kind in the vehicle number-plate issued for the vehicle, or
 - (b) there has been an error of any kind in the issuing of a vehicle number-plate for the vehicle.

[4] Clause 32 Renewal of registration

Omit “payable under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995*” from clause 32 (1) (b).

Insert instead “applicable to the vehicle”.

[5] Clause 40 Expiry of registration

Insert after clause 40 (2):

- (3) If the registration of a registrable vehicle expires, the registered operator must, if required to do so by the Authority, return the vehicle’s number-plates to the Authority or an agent nominated by the Authority within 14 days after the date specified in a written notice from the Authority requesting their return.
- (4) A registered operator to whom a written notice is given under subclause (3) must comply with any requirement specified in the notice.

Maximum penalty: 20 penalty units.

[6] Clause 52 Trader to keep and produce record

Insert after clause 52 (a):

- (a1) keep any such record at the premises in which the person carries on the business in respect of which the trader’s plate was issued for at least 6 months after the record was made, and

[7] Clause 83A

Insert after clause 83:

83A Waiver of fee for number-plates

The Authority may waive or postpone (whether wholly or in part) the payment of the applicable gazetted fee for the issue of any number-plates if the Authority is of the opinion that it is appropriate to do so.

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[8] Clause 84 Use of vehicle offences

Omit clause 84 (3). Insert instead:

(3) A person must not cause or permit another person to use an unregistered registrable vehicle (other than a vehicle that has had its registration suspended) on a road or road related area.

Maximum penalty: 20 penalty units.

(3A) A person must not cause or permit another person to use a registrable vehicle that has had its registration suspended on a road or road related area unless that use has been authorised by the Authority.

Maximum penalty: 20 penalty units.

[9] Clause 85 Number-plate and registration certificate and label offences

Insert “or affixed” after “displayed” in clause 85 (1) (d).

[10] Clause 91A

Insert after clause 91:

91A Seizure of number-plates under section 27C of Act

For the purposes of section 27C (b) of the Act, clause 84 (3) and (3A) is prescribed.

[11] Clause 93 Service of notices on registered operators and delivery of things to Authority

Omit the clause.

[12] Clause 94 Short descriptions of offences

Omit the clause.

[13] Schedule 1 Application of Act and Regulation

Insert after clause 19:

20 Self-propelled elevating work platforms

(1) The Act does not apply to a self-propelled elevating work platform.

(2) In this clause:

self-propelled elevating work platform means a self-propelled vehicle used for construction, maintenance or warehouse operations that is:

(a) designed mainly for use outside a road or road related area, and

(b) not capable of travelling at a speed in excess of 10km/hr, and

(c) only being used for the purpose for which it is manufactured, and

(d) not being used for transport on a road or road related area other than for the purposes of loading or unloading the vehicle on to another vehicle or repositioning the vehicle at a work site.

[14] Schedule 5 Short description of offences

Omit the Schedule.

BY AUTHORITY