



New South Wales

Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment (Graduated Licensing) Regulation 2000

under the

Road Transport (General) Act 1999

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (General) Act 1999*.

CARL SCULLY, M.P.,

Minister for Roads

Explanatory note

The objects of this Regulation are:

- (a) to prescribe certain offences under the *Road Transport (Driver Licensing) Regulation 1999* and the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999* as penalty notice offences, and
- (b) to prescribe short descriptions for those offences and the penalties payable for those offences if dealt with by way of penalty notice.

This Regulation is made under the *Road Transport (General) Act 1999*, including sections 15 and 71, and takes effect on 1 July 2000.

2000 No 311

Clause 1 Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment (Graduated Licensing) Regulation 2000

Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment (Graduated Licensing) Regulation 2000

1 Name of Regulation

This Regulation is the *Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment (Graduated Licensing) Regulation 2000*.

2 Commencement

This Regulation commences immediately after the commencement of the *Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment Regulation 2000*.

3 Amendment of Road Transport (General) (Short Descriptions and Penalty Notice Offences) Regulation 1999

The *Road Transport (General) (Short Descriptions and Penalty Notice Offences) Regulation 1999* 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] Schedule 2 Penalty notice offences

Omit the matter relating to clause 15 (6) (a) and (b) of the *Road Transport (Driver Licensing) Regulation 1999*.

Insert instead:

Clause 15 (6) (a)	2505	provisional P1 C holder tow vehicle over 250 kg	1	69
Clause 15 (6) (b)	2506	provisional P1 R holder tow vehicle	1	69

[2] Schedule 2

Omit the matter relating to clause 56 of the *Road Transport (Driver Licensing) Regulation 1999*.

Insert instead:

Clause 56 (where the licence concerned is a provisional P1 licence of class R and the holder of the licence drives a motor cycle with engine capacity greater than 260 ml or a power to weight ratio greater than 150 kilowatts per tonne but otherwise than in relation to a condition relating to a 90 km/hour speed limit):				
(a) for the first offence, or the first offence within 5 years	1304	not comply conditions of licence	1	329
(b) for the second or subsequent offence within the last 5 years	1305	not comply conditions of licence	1	514

2000 No 311

Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment (Graduated Licensing) Regulation 2000

Schedule 1 Amendments

Clause 56 (otherwise than where the licence concerned is a provisional P1 licence of class R and the holder of the licence drives a motor cycle with engine capacity greater than 260ml or a power to weight ratio greater than 150 kilowatts per tonne and otherwise than in relation to a condition relating to a 90 km/hour speed limit):				1
(a) in relation to licence conditions generally	2509	fail to comply with licence conditions	1	69
(b) in relation to P plates for holders of P1 licences of class C	1309	Not comply P1 licence—no P plates (class C)	1	69
(c) in relation to P plates for holders of P1 licences of class R	1310	Not comply P1 licence—no P plates (class R)	1	69
(d) in relation to P plates for holders of P2 licences	1114	Not comply P2 licence—no P plates	1	69
Clause 56 in relation to a condition imposing a 90 km/h speed limit	1306, 1307, 1308	exceed 90 km/h—provisional licence	1	69

[3] Schedule 2

Insert after the matter relating to clause 38 (4) of the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999*:

Clause 38 (5)				
(a) in the case of a vehicle driven at a speed of not more than 15 km/h above the speed limit applicable	0990, 1054, 1101	provisional P1 exceed speed 15 km/h and under	1	114
(b) in the case of a vehicle driven at a speed of more than 15km/h but not more than 30 km/h above the speed limit applicable	0991, 1055, 1102	provisional P1 exceed speed over 15 km/h	1	181

2000 No 311

Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment (Graduated Licensing) Regulation 2000

Amendments

Schedule 1

(c) in the case of a vehicle driven at a speed of more than 30 km/h but not more than 45 km/h above the speed limit applicable	0992, 1056, 1103	provisional P1 exceed speed over 30 km/h	1	506
(d) in the case of a vehicle driven at a speed of more than 45 km/h above the speed limit applicable	0993, 1057, 1104	provisional P1 exceed speed over 45 km/h	1	1,396
Clause 38 (6)				
(a) in the case of a vehicle driven at a speed of not more than 15 km/h above the speed limit applicable	0995, 1280, 1284	provisional P2 exceed speed 15 km/h and under	1	114
(b) in the case of a vehicle driven at a speed of more than 15km/h but not more than 30 km/h above the speed limit applicable	0996, 1281, 1285	provisional P2 exceed speed over 15 km/h	1	181
(c) in the case of a vehicle driven at a speed of more than 30 km/h but not more than 45 km/h above the speed limit applicable	0997, 1282, 1286	provisional P2 exceed speed over 30 km/h	1	506
(d) in the case of a vehicle driven at a speed of more than 45 km/h above the speed limit applicable	0998, 1283, 1287	provisional P2 exceed speed over 45 km/h	1	1,396

BY AUTHORITY