



New South Wales

Road Transport (General) (Penalty Notice Offences) Amendment (Speeding and Registration) Regulation 2002

under the

Road Transport (General) Act 1999

Her 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 object of this Regulation is to amend the *Road Transport (General) (Penalty Notice Offences) Regulation 2002*:

- (a) to make amendments that are consequential on the making of the *Road Transport (Safety and Traffic Management) (Road Rules) Amendment (Speeding) Regulation 2002*, and
- (b) to increase the penalty payable for penalty notices issued in respect of vehicles having a GVM or GCM of more than 4.5 tonnes for offences under clause 85 of the *Road Transport (Vehicle Registration) Regulation 1998* from \$74 to \$448, and
- (c) to clarify the meaning of certain expressions terms and used in the Regulation.

This Regulation is made under the *Road Transport (General) Act 1999*, including sections 15 and 71 (the general regulation-making power).

2002 No 881

Clause 1 Road Transport (General) (Penalty Notice Offences) Amendment
(Speeding and Registration) Regulation 2002

**Road Transport (General) (Penalty Notice Offences)
Amendment (Speeding and Registration) Regulation
2002**

under the

Road Transport (General) Act 1999

1 Name of Regulation

This Regulation is the *Road Transport (General) (Penalty Notice Offences) Amendment (Speeding and Registration) Regulation 2002*.

2 Commencement

This Regulation commences on 1 December 2002.

3 Amendment of Road Transport (General) (Penalty Notice Offences) Regulation 2002

The *Road Transport (General) (Penalty Notice Offences) Regulation 2002* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 3)

[1] Clause 3 Definitions

Omit the definitions of *class A motor vehicle*, *class B motor vehicle* and *class C motor vehicle* from clause 3 (1).

Insert instead:

class A motor vehicle means:

- (a) a motor vehicle with a GVM not exceeding 4.5 tonnes, or
- (b) a motor vehicle and trailer combination with a GCM not exceeding 4.5 tonnes.

class B motor vehicle means:

- (a) a motor vehicle with a GVM exceeding 4.5 tonnes but not exceeding 12 tonnes, or
- (b) a motor vehicle and trailer combination with a GCM exceeding 4.5 tonnes but not exceeding 12 tonnes.

class C motor vehicle means:

- (a) a motor vehicle with a GVM exceeding 12 tonnes, or
- (b) a motor vehicle and trailer combination with a GCM exceeding 12 tonnes.

[2] Clause 3 (1)

Insert in alphabetical order:

GCM has the same meaning as it has in the *Road Transport (Safety and Traffic Management) Act 1999*.

GVM has the same meaning as it has in the *Road Transport (Safety and Traffic Management) Act 1999*.

[3] Schedule 2 Penalty notice offences

Insert “(being a vehicle that is not driven at a speed in excess of 130km/h)” after “class A motor vehicle” in paragraph (a) of the matter relating to rule 20 of the *Australian Road Rules*.

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Road Transport (General) (Penalty Notice Offences) Amendment
(Speeding and Registration) Regulation 2002

Schedule 1 Amendments

[4] Schedule 2

Insert after paragraph (a) of the matter relating to rule 20 of the *Australian Road Rules*:

- | | | | |
|-------|--|---|-------|
| (a1) | in the case of a class A motor vehicle (being a vehicle that is driven at a speed in excess of 130km/h): | | |
| (i) | where the speed limit applicable is not exceeded by more than 30 km/h | 1 | 197 |
| (ii) | where the speed limit applicable is exceeded by more than 30 km/h but not more than 45km/h | 1 | 549 |
| (iii) | where the speed limit applicable is exceeded by more than 45km/h | 1 | 1,515 |

[5] Schedule 2

Insert “(whether or not the vehicle is also driven at a speed in excess of 130km/h)” after “class B motor vehicle” in paragraph (b) of the matter relating to rule 20 of the *Australian Road Rules*.

[6] Schedule 2

Insert “(whether or not the vehicle is also driven at a speed in excess of 130km/h)” after “class C motor vehicle” in paragraph (c) of the matter relating to rule 20 of the *Australian Road Rules*.

[7] Schedule 2

Insert “(whether or not the vehicle is also driven at a speed in excess of 130km/h)” after “class B motor vehicle” in paragraph (a) of the matter relating to clause 38 (1) of the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999*.

[8] Schedule 2

Insert “(whether or not the vehicle is also driven at a speed in excess of 130km/h)” after “class C motor vehicle” in paragraph (b) of the matter relating to clause 38 (1) of the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999*.

[9] Schedule 2

Omit the following from the matter relating to the *Road Transport (Vehicle Registration) Regulation 1998*:

Clause 23 (4); Clause 28 (1); Clause 29; Clause 30 (1);
Clause 32 (8); Clause 34 (3); Clause 39 (4); Clause 41 (2)
(a); Clause 41 (2) (b); Clause 43 (5); Clause 47 (3); Clause
51 (1) (b); Clause 51 (1) (c); Clause 51 (1) (d); Clause 51
(1) (e); Clause 51 (1) (f); Clause 51 (2); Clause 51 (3);
Clause 52; Clause 53; Clause 54 (1); Clause 55; Clause 57
(2); Clause 57 (4); Clause 57 (5); Clause 60 (3); Clause 61
(4); Clause 63 (5); Clause 64 (2); Clause 67 (4); Clause 74;
Clause 75; Clause 84 (1); Clause 85; Clause 86

1, 2 74

Insert instead:

Clause 23 (4); Clause 28 (1); Clause 29; Clause 30 (1);
Clause 32 (8); Clause 34 (3); Clause 39 (4); Clause 41 (2)
(a); Clause 41 (2) (b); Clause 43 (5); Clause 47 (3); Clause
51 (1) (b); Clause 51 (1) (c); Clause 51 (1) (d); Clause 51
(1) (e); Clause 51 (1) (f); Clause 51 (2); Clause 51 (3);
Clause 52; Clause 53; Clause 54 (1); Clause 55; Clause 57
(2); Clause 57 (4); Clause 57 (5); Clause 60 (3); Clause 61
(4); Clause 63 (5); Clause 64 (2); Clause 67 (4); Clause 74;
Clause 75; Clause 84 (1); Clause 86

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(Speeding and Registration) Regulation 2002

Schedule 1 Amendments

[10] Schedule 2

Insert after the matter relating to clause 84 (3) of the *Road Transport (Vehicle Registration) Regulation 1998*:

Clause 85:

- | | | | |
|-----|---|------|-----|
| (a) | in the case of a class A motor vehicle | 1, 2 | 74 |
| (b) | in the case of a class B motor vehicle or class C motor vehicle | 1, 2 | 448 |

BY AUTHORITY
