



New South Wales

# Roads (General) Amendment (Tolls) Regulation 2005

under the

Roads Act 1993

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

MICHAEL COSTA, M.L.C.,  
Minister for Roads

## **Explanatory note**

The object of this Regulation is to amend the *Roads (General) Regulation 2000* to simplify the provisions relating to the payment of tolls to enable new methods of payment to be introduced by toll operators, including the payment of a road toll by means of a casual user pass that allows the user of the road to pay the required toll before, or within a specified period after, using the road. This Regulation also amends the requirements for security indicators recorded on images taken by approved toll cameras. This amendment brings the requirements into line with the requirements for security indicators recorded on images taken by speed cameras.

This Regulation is made under the *Roads Act 1993*, including sections 250A and 264 (the general regulation-making power).

## **2005 No 273**

Clause 1            Roads (General) Amendment (Tolls) Regulation 2005

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## **Roads (General) Amendment (Tolls) Regulation 2005**

under the

Roads Act 1993

### **1 Name of Regulation**

This Regulation is the *Roads (General) Amendment (Tolls) Regulation 2005*.

### **2 Amendment of Roads (General) Regulation 2000**

The *Roads (General) Regulation 2000* is amended as set out in Schedule 1.

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## Schedule 1 Amendments

(Clause 2)

**[1] Clause 21A Definitions**

Omit the definition of *electronic toll sign*.

**[2] Clause 21A, definition of “toll collection point”**

Omit the definition. Insert instead:

*toll collection point* means the point designated by a toll operator (by signs or otherwise) as the point at which the liability to pay a toll is incurred for driving a motor vehicle on a tollway or a particular lane of the tollway.

**[3] Clause 22**

Omit the clause. Insert instead:

**22 Driver of vehicle to pay toll**

- (1) The driver of a motor vehicle who drives the vehicle past any toll collection point is liable to pay and must not fail to pay the relevant toll to the toll operator, at or within the time and in a manner permitted by the toll operator in respect of the tollway or a particular lane of the tollway.  
Maximum penalty: 5 penalty units.
- (2) A toll operator may indicate, by the use of signs (approved by the RTA), the manner of payment that is permitted in respect of the tollway or a particular lane of the tollway.
- (3) Nothing in clause 32 or 33 affects the requirement of a person to pay a toll under this clause.
- (4) A toll operator may waive a toll in respect of a particular driver or a driver belonging to a particular class of drivers.
- (5) A requirement to pay a toll includes a requirement to pay the toll in accordance with any terms and conditions (including a term requiring the payment of an administrative charge) that may be imposed by a toll operator in relation to the particular manner of payment of the toll.

**[4] Clause 23 Manner of payment of toll**

Omit clause 23 (1).

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Schedule 1 Amendments

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### [5] Clause 23B Objections in relation to payment of toll

Omit clause 23B (2) (b) and (c). Insert instead:

- (b) if a toll was paid as referred to in clause 22—state the location and approximate time and date when the liability to pay the toll was alleged to have been incurred and the time and manner of the payment of that toll, and
- (c) if the objector received a written notice as referred to in paragraph (h)—include a copy of that notice or relevant details from that notice such as any reference number and the time, date, toll collection point, lane and direction of travel when the liability to pay the toll is alleged to have been incurred, and

### [6] Clause 23B (2) (f)–(h)

Omit clause 23B (2) (f)–(j). Insert instead:

- (f) if the toll was paid at the toll collection point—be made within 14 days after the payment of the toll, and
- (g) if the toll was paid other than at the toll collection point—be made within 14 days after receipt by the objector of a statement from the toll operator or person approved by the toll operator indicating that the toll has been paid and the amount paid, and
- (h) if the toll was not paid—be made within 7 days after the objector is notified in writing of his or her liability to pay the toll.

### [7] Clause 23D

Omit the clause. Insert instead:

#### 23D Security indicators: section 250A (2) (b) of Act

- (1) For the purposes of section 250A (2) (b) of the Act:
  - (a) a series of 32 characters produced by an MD5 algorithm, or
  - (b) a series of 48 characters of which 32 characters have been produced by an MD5 algorithm,is prescribed as a security indicator.
- (2) For the purposes of this clause, *character* includes a letter, number or symbol.

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- (3) This clause applies in relation to the hearing of any proceedings after the commencement of the *Roads (General) Amendment (Tolls) Regulation 2005* regardless of when the proceedings were instituted.