



New South Wales

Road Transport (Driver Licensing) Amendment (Licence Penalties) Regulation 2005

under the

Road Transport (Driver Licensing) Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Driver Licensing) Act 1998*.

JOSEPH TRIPODI, M.P.,
Minister for Roads

Explanatory note

The object of this Regulation is to amend the *Road Transport (Driver Licensing) Regulation 1999* as follows:

- (a) to extend the prohibition on driving high performance vehicles currently imposed on holders of provisional licences first issued with licences after 11 July 2005 to holders of licences issued after the commencement of the amendments who have previously held a provisional licence and are issued the provisional licence as a consequence of disqualification for an offence committed on or after 11 July 2005,
- (b) to increase the demerit points allocated to the offences of failing (as the holder of a learner licence or a provisional licence) to comply with restrictions on the power and capacity of motor bikes or motor trikes that may be ridden and of (as the holder of a provisional licence) failing to comply with restrictions on the number of passengers in a vehicle.

This Regulation is made under the *Road Transport (Driver Licensing) Act 1998*, including sections 15 (1), 19 (the general regulation-making power) and 20.

2005 No 844

Clause 1 Road Transport (Driver Licensing) Amendment (Licence Penalties)
 Regulation 2005

Road Transport (Driver Licensing) Amendment (Licence Penalties) Regulation 2005

under the

Road Transport (Driver Licensing) Act 1998

1 Name of Regulation

This Regulation is the *Road Transport (Driver Licensing) Amendment (Licence Penalties) Regulation 2005*.

2 Commencement

This Regulation commences on 16 December 2005.

3 Amendment of Road Transport (Driver Licensing) Regulation 1999

The *Road Transport (Driver Licensing) Regulation 1999* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 3)

[1] Clause 15B Provisional P1 and P2 licences—high performance vehicle restrictions

Omit clause 15B (4). Insert instead:

- (4) This clause applies only to a provisional licence issued after the commencement of this subclause and so applies if:
 - (a) the person to whom the licence is issued had not held a provisional licence at any time before that commencement, or
 - (b) the person to whom the licence is issued had held a provisional licence at a time before that commencement and the licence issued after that commencement is issued after a disqualification for an offence committed on or after 11 July 2005.

(4A) Nothing in the *Road Transport (Driver Licensing) Amendment (Licence Penalties) Regulation 2005* affects a condition imposed on a licence under this clause before the commencement of that Regulation.

[2] Schedule 2 Additional demerit point offences

Omit “2” wherever occurring in Columns 3 and 4 of the matter relating to clause 12 (3) of the *Road Transport (Driver Licensing) Regulation 1999*.

Insert instead “4”.

[3] Schedule 2, matter relating to Road Transport (Driver Licensing) Regulation 1999

Omit the matter relating to clause 56 (except in respect of a condition under clause 15B or 15C).

Insert instead:

Clause 56 (except in respect of a condition under clause 15 (4) (c), 15B or 15C)	Not comply with conditions of licence	2	2
Clause 56 (in respect of a condition under clause 15 (4) (c))	Not comply with P1 (class R) restriction on capacity/power	4	4

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Schedule 1 Amendments

**[4] Schedule 2, matter relating to Road Transport (Driver Licensing)
Regulation 1999**

Omit the matter relating to clause 56 (in respect of a condition under clause 15C).

Insert instead:

Clause 56 (in respect of a condition under clause 15C)	Not comply with P1/P2 passenger restriction	7	7
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BY AUTHORITY
