



New South Wales

# Road Transport (General) Amendment (Vehicle Registration) Regulation 2007

under the

Road Transport (General) Act 2005

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (General) Act 2005*.

ERIC ROOZENDAAL, M.L.C.,  
Minister for Roads

## Explanatory note

The object of this Regulation is to amend the *Road Transport (General) Regulation 2005* in order to update references to provisions of the *Road Transport (Vehicle Registration) Regulation 1998* as a consequence of that Regulation being repealed and replaced with the *Road Transport (Vehicle Registration) Regulation 2007*.

This Regulation also includes certain offences under the *Road Transport (Vehicle Registration) Regulation 2007* as offences for which a penalty notice may be issued.

This Regulation is made under the *Road Transport (General) Act 2005*, including sections 10 (the general regulation-making power) and 183.

**2007 No 520**

Clause 1      Road Transport (General) Amendment (Vehicle Registration) Regulation  
2007

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**Road Transport (General) Amendment (Vehicle  
Registration) Regulation 2007**

under the

Road Transport (General) Act 2005

**1 Name of Regulation**

This Regulation is the *Road Transport (General) Amendment (Vehicle  
Registration) Regulation 2007*.

**2 Commencement**

This Regulation commences on 1 November 2007.

**3 Amendment of Road Transport (General) Regulation 2005**

The *Road Transport (General) Regulation 2005* is amended as set out  
in Schedule 1.

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## Schedule 1 Amendments

(Clause 3)

**[1] Clauses 11, 14 (2), 15 (1) (e) and 29 (2)**

Omit “*Road Transport (Vehicle Registration) Regulation 1998*” wherever occurring.

Insert instead “*Road Transport (Vehicle Registration) Regulation 2007*”.

**[2] Clause 13 Appeals concerning examiner’s authorities and proprietor’s authorities**

Omit clause 13 (1). Insert instead:

- (1) Any person aggrieved by a decision of the Authority under the *Road Transport (Vehicle Registration) Regulation 2007* to refuse to issue an examiner’s authority or a proprietor’s authority or to suspend or cancel such an authority, being a decision notified to the person under clause 64 of that Regulation, may appeal against the decision to a Local Court by lodging a notice of appeal with the registrar of any such Court not later than 21 days after being so notified.

**[3] Clause 13 (6)**

Omit “clause 68 of the *Road Transport (Vehicle Registration) Regulation 1998*”.

Insert instead “clause 63 of the *Road Transport (Vehicle Registration) Regulation 2007*”.

**[4] Clause 28 Appeals concerning accreditation schemes**

Omit clause 28 (1) (a). Insert instead:

- (a) a decision of the Authority under the *Road Transport (Vehicle Registration) Regulation 2007* to vary, suspend or cancel a registered operator’s accreditation under an accreditation scheme under Division 6 of Part 5 of that Regulation,

**[5] Clause 28 (1) (c) and (6) (c)**

Omit the paragraphs.

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Schedule 1 Amendments

**[6] Clause 28 (6) (a)**

Omit the paragraph. Insert instead:

- (a) in relation to a decision of the Authority under the *Road Transport (Vehicle Registration) Regulation 2007* to vary, suspend or cancel a registered operator’s accreditation under an accreditation scheme under Division 6 of Part 5 of that Regulation—an internal review under clause 76 of that Regulation, and

**[7] Clause 28 (6) (b)**

Omit “that Regulation, and”. Insert instead “that Regulation.”.

**[8] Schedule 3 Penalty notice offences**

Omit the matter relating to the *Road Transport (Vehicle Registration) Regulation 1998*.

Insert instead:

**Road Transport (Vehicle Registration) Regulation 2007**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision</b>	<b>Authorised officer</b>	<b>Penalty</b>
Clause 22 (5); Clause 26 (1); Clause 27 (1); Clause 28; Clause 30 (8); Clause 31 (1); Clause 31 (2); Clause 31 (3); Clause 31 (5); Clause 31 (6); Clause 32 (2); Clause 32 (3); Clause 34 (1); Clause 34 (2); Clause 37 (3); Clause 39 (4); Clause 42 (5); Clause 46 (3); Clause 47; Clause 48; Clause 49; Clause 50 (2); Clause 50 (3); Clause 52 (1) except in relation to a matter provided for elsewhere in this Table; Clause 52 (2); Clause 52 (4); Clause 52 (5); Clause 55 (3); Clause 56 (4); Clause 58 (7); Clause 58 (8); Clause 59 (4); Clause 67 (1); Clause 67 (2); Clause 67 (3); Clause 68; Clause 70 (7); Clause 74 (2); Clause 84 (1); Clause 85 (1) (b); Clause 85 (1) (c); Clause 85 (3); Clause 86 (1); Clause 86 (3)	Class 1, 2	Level 2
Clause 52 (1) (a) in respect of the use of a registrable vehicle that does not comply with any of the following provisions of Schedule 2:		
(a) clause 21 (b), vehicle cause danger or unreasonable annoyance	Class 1, 2	Level 3
(b) clause 22, defective steering	Class 1, 2	Level 5

**Road Transport (Vehicle Registration) Regulation 2007**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision</b>	<b>Authorised officer</b>	<b>Penalty</b>
(c) clause 25 (3), motor vehicle manufactured on or after 1 January 2003 (except if the model of the vehicle is a model of a kind manufactured before 1 January 2003) that has a GVM of not more than 3.5 tonnes and that is fitted with a vehicle frontal protection system (such as bullbar, roobar or nudge bar) failing to comply with AS 4876.1—2002, <i>Motor vehicle frontal protection systems—Road user protection</i> because of: <ul style="list-style-type: none"> <li>(i) incorrect method of mounting vehicle frontal protection system, or</li> <li>(ii) exposed edges, or</li> <li>(iii) unacceptable shape of material or unacceptable profile of vehicle frontal protection system, or</li> <li>(iv) use of non-standard or non-approved vehicle frontal protection system</li> </ul>	Class 1, 2	Level 3
(d) clause 25 (3), motor vehicle manufactured on or after 1 January 2003 (except if the model of the vehicle is a model of a kind manufactured before 1 January 2003) that has a GVM of not more than 3.5 tonnes and that is fitted with a vehicle frontal protection system (such as bullbar, roobar or nudge bar) failing to comply with AS 4876.1—2002, <i>Motor vehicle frontal protection systems—Road user protection</i> because of dangerous protrusions (such as fishing rod holders, aerials, winches and brackets for the mounting of spot lamps) fitted to vehicle frontal protection system	Class 1, 2	Level 5
(e) clause 26, oil and grease leaks	Class 1, 2	Level 3
(f) clause 28, defective seating	Class 1, 2	Level 5
(g) clause 29, seat belt removed or defective	Class 1, 2	Level 5
(h) clause 29, motor vehicle not fitted or equipped with seat belts or seat belt anchorages	Class 1, 2	Level 5
(i) clause 61, number-plates not affixed and displayed correctly (including obscured, defaced, illegible or illegal number-plates) in the case of a class A motor vehicle	Class 1, 2	Level 6

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## Schedule 1 Amendments

**Road Transport (Vehicle Registration) Regulation 2007**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision</b>	<b>Authorised officer</b>	<b>Penalty</b>
(j) clause 61, number-plates not affixed and displayed correctly (including obscured, defaced, illegible or illegal number-plates) in the case of a class B motor vehicle or class C motor vehicle	Class 1, 2	Level 8
(k) clauses 133–135 or 137–142, defective brakes	Class 1, 2	Level 5
(l) clause 136, defective brake other than a defective emergency brake	Class 1, 2	Level 5
(m) clauses 155–160, undue emission, inefficient silencer or excessive noise	Class 1, 2	Level 3
(n) clause 162, defective LPG or CNG equipment or labelling	Class 1, 2	Level 3
(o) clauses 168–179, road train equipment offences	Class 1, 2	Level 3
Clause 52 (1) (b)	Class 1, 2	Level 3
Clause 58 (9); Clause 59 (5)	Class 1, 2	Level 4
Clause 70 (4)	Class 1, 2	Level 5
Clause 71 (5); Clause 84 (2) in the case of a minor defect notice	Class 1, 2	Level 5
Clause 84 (2) in the case of a major defect notice	Class 1, 2	Level 6
Clause 84 (3); Clause 84 (5)	Class 1, 2	Level 8
Clause 85 (1); Clause 85 (2); Clause 85 (3) in the case of a class A motor vehicle	Class 1, 2	Level 6
Clause 85 (1); Clause 85 (2); Clause 85 (3) in the case of a class B motor vehicle or class C motor vehicle	Class 1, 2	Level 8

BY AUTHORITY