



New South Wales

Road Transport (Driver Licensing) Amendment (Fatigue and Speeding) Regulation 2008

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*.

MICHAEL DALEY, M.P.,
Minister for Roads

Explanatory note

The object of this Regulation is to amend Schedule 2 (Additional demerit point offences) to the *Road Transport (Driver Licensing) Regulation 2008* to provide that where a person is convicted by a court of certain new offences in proposed Part 6 (Heavy vehicle driver fatigue) of the *Road Transport (General) Regulation 2005* (to be inserted by the *Road Transport (General) Amendment (Heavy Vehicle Driver Fatigue and Speeding Compliance) Regulation 2008*) the person will incur the specified demerit points.

This Regulation is made under the *Road Transport (Driver Licensing) Act 1998*, including sections 19 (the general regulation-making power) and 20 (2) (o) (in relation to the demerit points register).

2008 No 430

Clause 1

Road Transport (Driver Licensing) Amendment (Fatigue and Speeding)
Regulation 2008

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under the

Road Transport (Driver Licensing) Act 1998

1 Name of Regulation

This Regulation is the *Road Transport (Driver Licensing) Amendment (Fatigue and Speeding) Regulation 2008*.

2 Commencement

This Regulation commences on 29 September 2008.

3 Amendment of Road Transport (Driver Licensing) Regulation 2008

The *Road Transport (Driver Licensing) Regulation 2008* is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 3)

Schedule 2 Additional demerit point offences

Insert in appropriate order:

Road Transport (General) Regulation 2005			
Column 1	Column 2	Column 3	Column 4
Provision creating offence	Description of offence	Standard demerit points	Long weekend demerit points
Clause 64, but only where a court finds the person guilty of the offence:	Contravening standard hours for solo driver of a regulated heavy vehicle		
(a) in relation to a severe risk offence		3	3
(b) in relation to a critical risk offence		4	4
Clause 65, but only where a court finds the person guilty of the offence:	Contravening standard hours for solo driver of a bus		
(a) in relation to a severe risk offence		3	3
(b) in relation to a critical risk offence		4	4
Clause 66, but only where a court finds the person guilty of the offence:	Contravening standard hours for two-up driver of a regulated heavy vehicle		
(a) in relation to a severe risk offence		3	3

2008 No 430Road Transport (Driver Licensing) Amendment (Fatigue and Speeding)
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Schedule 1 Amendment

Road Transport (General) Regulation 2005			
Column 1	Column 2	Column 3	Column 4
Provision creating offence	Description of offence	Standard demerit points	Long weekend demerit points
(b)	in relation to a critical risk offence	4	4
Clause 68, but only where a court finds the person guilty of the offence:	Contravening BFM hours for solo driver of a regulated heavy vehicle		
(a)	in relation to a severe risk offence	3	3
(b)	in relation to a critical risk offence	4	4
Clause 70, but only where a court finds the person guilty of the offence:	Contravening BFM hours for two-up driver of a regulated heavy vehicle		
(a)	in relation to a severe risk offence	3	3
(b)	in relation to a critical risk offence	4	4
Clause 71, but only where a court finds the person guilty of the offence:	Contravening AFM hours for driver of a regulated heavy vehicle		
(a)	in relation to a severe risk offence	3	3
(b)	in relation to a critical risk offence	4	4

Road Transport (General) Regulation 2005			
Column 1	Column 2	Column 3	Column 4
Provision creating offence	Description of offence	Standard demerit points	Long weekend demerit points
Clause 72, but only where a court finds the person guilty of the offence:	Contravening AFM outer limits for driver of a regulated heavy vehicle		
(a) in relation to a severe risk offence		3	3
(b) in relation to a critical risk offence		4	4
Clause 117 (9), but only where a court finds the person guilty of the offence:	Contravening work and rest hours exemption hours		
(a) in relation to a severe risk offence		3	3
(b) in relation to a critical risk offence		4	4