



New South Wales

Road Transport (General) Amendment (Graduated Rider Licensing) Regulation 2009

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*.

MICHAEL DALEY, MP
Minister for Roads

Explanatory note

The object of this Regulation is to provide for penalty notices to be issued to the holder of a provisional P1 licence of class R (a motorcycle licence) who fails to comply with licence conditions imposed by clauses 22 (c) and 28A (1) (b) of the *Road Transport (Driver Licensing) Regulation 2008* (as inserted by the *Road Transport (Driver Licensing) Amendment (Graduated Rider Licensing) Regulation 2009*). Those conditions provide that the holder of such a licence is not to carry a passenger and restrict the types of motorcycles that the holder may ride. The amount payable in respect of such a penalty notice is \$243 in the case of failing to comply with the condition imposed by clause 22 (c) and \$405 (or \$621 if it is the second or subsequent such offence in the last 5 years) in the case of failing to comply with the condition imposed by clause 28A (1) (b).

This Regulation also simplifies Schedule 3 (Penalty notice offences) to the *Road Transport (General) Regulation 2005* in respect of the offence of failing to comply with a condition of a conditional licence or provisional licence.

This Regulation is made under the *Road Transport (General) Act 2005*, including section 10 (the general regulation-making power) and Part 5.3.

2009 No 215

Clause 1 Road Transport (General) Amendment (Graduated Rider Licensing)
Regulation 2009

Road Transport (General) Amendment (Graduated Rider Licensing) Regulation 2009

under the

Road Transport (General) Act 2005

1 Name of Regulation

This Regulation is the *Road Transport (General) Amendment (Graduated Rider Licensing) Regulation 2009*.

2 Commencement

This Regulation commences on 1 June 2009 and is required to be published on the NSW legislation website.

3 Amendment of Road Transport (General) Regulation 2005

Schedule 3 Penalty notice offences

Omit all matter relating to clause 114 (1) from Columns 1, 2 and 3 of the matter relating to the *Road Transport (Driver Licensing) Regulation 2008*.

Insert instead in Columns 1, 2 and 3, respectively:

Clause 114 (1) (otherwise than where the licence concerned is an interlock driver licence):

- | | | | |
|-----|--|---------|---------|
| (a) | in relation to a condition imposed by clause 22 (b) (ii) or 28A (1) (b) if it is the first such offence, or the first such offence within the last 5 years | Class 1 | Level 7 |
| (b) | in relation to a condition imposed by clause 22 (b) (ii) or 28A (1) (b) if it is the second or subsequent such offence within the last 5 years | Class 1 | Level 9 |
| (c) | in relation to a condition imposed by clause 22 (c) | Class 1 | Level 5 |
| (d) | in relation to a condition imposed by clause 32, 33 or 34 | Class 1 | Level 7 |
| (e) | in relation to any other licence condition | Class 1 | Level 4 |