



New South Wales

# Road Transport (General) Amendment (Miscellaneous) 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*.

DAVID CAMPBELL, MP  
Minister for Transport

## Explanatory note

The object of this Regulation is to prescribe certain offences under the *Road Transport (General) Regulation 2005* as **fatigue-related offences** for the purposes of section 154A of the *Road Transport (General) Act 2005*. Under that section, an authorised officer may issue a direction to a driver whom the officer believes on reasonable grounds to have committed a fatigue-related offence where the driver is impaired by fatigue or there is a risk that the driver may be impaired by fatigue.

The Regulation also makes two law revision amendments.

This Regulation is made under the *Road Transport (General) Act 2005*, including sections 10 (the general regulation-making power), 11B (Regulations relating to fatigue management), 11C (Regulations relating to speeding compliance), and 154A (Directions relating to driver fatigue) of that Act.

## **2009 No 506**

Clause 1            Road Transport (General) Amendment (Miscellaneous) Regulation 2009

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## **Road Transport (General) Amendment (Miscellaneous) Regulation 2009**

under the

Road Transport (General) Act 2005

### **1 Name of Regulation**

This Regulation is the *Road Transport (General) Amendment (Miscellaneous) Regulation 2009*.

### **2 Commencement**

This Regulation commences on the day on which it is published on the NSW legislation website.

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## **Schedule 1      Amendment of Road Transport (General) Regulation 2005**

**[1]    Clause 39 Definitions**

Omit “(Division P)” from paragraph (k) of the definition of *prescribed business*.

Insert instead “(Division R)”.

**[2]    Clause 142A**

Insert after clause 142:

**142A    Fatigue-related offences: section 154A (4)**

For the purposes of section 154A of the Act, each offence created by the following provisions of this Regulation are prescribed as fatigue-related offences:

- (a) clause 45,
- (b) Division 3 of this Part.

**[3]    Clause 152 Definitions**

Omit “(Division P)” from paragraph (k) of the definition of *prescribed business*.

Insert instead “(Division R)”.