



New South Wales

Road Transport (Driver Licensing) Amendment (Speeding and Keep Left Offences) Regulation 2010

under the

Road Transport (Driver Licensing) Act 1998

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

DAVID BORGER, MP
Minister for Roads

Explanatory note

The objects of this Regulation are:

- (a) to provide for an additional demerit point (and 2 additional points on long weekends, when double demerit points apply) to apply for a speeding offence under Rule 20 of the *Road Rules 2008* by the driver of a class B or class C motor vehicle (that is, a heavy vehicle) if evidence of average speed between detection points is used to establish the offence (under section 43A of the *Road Transport (Safety and Traffic Management) Act 1999*), and
- (b) to provide that 4 demerit points apply for an offence under Road Rule 132 (1) and (2) (which require drivers to keep to the left of the centre of a road or of the dividing line of a road) where the offence is committed by the driver of a class B or class C motor vehicle that is in a Safe-T-Cam zone or an average speed detection zone.

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

2010 No 373

Clause 1 Road Transport (Driver Licensing) Amendment (Speeding and Keep Left Offences) Regulation 2010

**Road Transport (Driver Licensing) Amendment
(Speeding and Keep Left Offences) Regulation 2010**

under the

Road Transport (Driver Licensing) Act 1998

1 Name of Regulation

This Regulation is the *Road Transport (Driver Licensing) Amendment (Speeding and Keep Left Offences) Regulation 2010*.

2 Commencement

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

Schedule 1 Amendment of Road Transport (Driver Licensing) Regulation 2008

[1] Schedule 1 National schedule of demerit point offences

Omit the two items about Rule 20 of the *Road Rules 2008*. Insert instead:

Rule 20, in the case of:	Exceeding speed limit:
* a class A motor vehicle that is not in a school zone, or	(a) where the speed limit is exceeded by more than 45km/h 6 12
* a class B or class C motor vehicle that is not in a school zone and where evidence of average speed between detection points is not used to establish the offence,	(b) where the speed limit is exceeded by more than 30km/h but not exceeded by more than 45km/h 5 10
but not where the applicable speed limit is specified by rule 24-1, 24-2, 24-3 or 24-4	(c) where the speed limit is exceeded by more than 20km/h but not exceeded by more than 30km/h 4 8
	(d) where the speed limit is exceeded by more than 10km/h but not exceeded by more than 20km/h (otherwise than by the holder of a learner licence, provisional P1 licence or provisional P2 licence) 3 6
	(e) where the speed limit is exceeded by more than 10km/h but not exceeded by more than 20km/h (in the case of the holder of a learner licence, provisional P1 licence or provisional P2 licence) 4 8
	(f) where the speed limit is exceeded by not more than 10km/h (otherwise than by the holder of a learner licence, provisional P1 licence or provisional P2 licence) 1 2

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Schedule 1 Amendment of Road Transport (Driver Licensing) Regulation 2008

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| | (g) | where the speed limit is exceeded by not more than 10km/h (in the case of the holder of a learner licence, provisional P1 licence or provisional P2 licence) | 4 | 8 |
| Rule 20, in the case of: | Exceeding speed limit: | | | |
| * a class A motor vehicle in a school zone, or | (a) | where the speed limit is exceeded by more than 45km/h | 7 | 14 |
| * a class B or class C motor vehicle that is in a school zone or where evidence of average speed between detection points is used to establish the offence, | (b) | where the speed limit is exceeded by more than 30km/h but not exceeded by more than 45km/h | 6 | 12 |
| but not where the applicable speed limit is specified by rule 24-1, 24-2, 24-3 or 24-4 | (c) | where the speed limit is exceeded by more than 20km/h but not exceeded by more than 30km/h | 5 | 10 |
| | (d) | where the speed limit is exceeded by more than 10km/h but not exceeded by more than 20km/h (otherwise than by the holder of a learner licence, provisional P1 licence or provisional P2 licence) | 4 | 8 |
| | (e) | where the speed limit is exceeded by more than 10km/h but not exceeded by more than 20km/h (in the case of the holder of a learner licence, provisional P1 licence or provisional P2 licence) | 5 | 10 |
| | (f) | where the speed limit is exceeded by not more than 10km/h (otherwise than by the holder of a learner licence, provisional P1 licence or provisional P2 licence) | 2 | 4 |
| | (g) | where the speed limit is exceeded by not more than 10km/h (in the case of the holder of a learner licence, provisional P1 licence or provisional P2 licence) | 5 | 10 |

[2] Schedule 1

Omit the matter relating to Rules 130, 131, 132 (1) or (2) and 135 of the *Road Rules 2008* from columns 1–4.

Insert instead:

Rule 130, 131 or 135	Failing to keep left	3	3
Rule 132 (1) or (2)	Failing to keep left:		
	(a) where vehicle is a class B or class C motor vehicle in a Safe-T-Cam zone or average speed detection zone	4	4
	(b) where vehicle is not a class B or class C motor vehicle in a Safe-T-Cam zone or average speed detection zone	3	3