



New South Wales

Road Transport (General) Amendment (Over-height Vehicle Offences) Regulation 2010

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 BORGER, MP
Minister for Roads

Explanatory note

The object of this Regulation is to increase the penalty level for penalty notice offences relating to rule 102 of the *Road Rules 2008* (which provides that a driver must not drive past a clearance sign, or low clearance sign, if the driver's vehicle is higher than the height indicated by the sign) from Level 3 to Level 14 if the offence is committed in circumstances in which the driver drives through or under (or attempts to drive through or under) a tunnel, bridge or other structure to which the sign relates.

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

2010 No 398

Clause 1 Road Transport (General) Amendment (Over-height Vehicle Offences)
Regulation 2010

Road Transport (General) Amendment (Over-height Vehicle Offences) Regulation 2010

under the

Road Transport (General) Act 2005

1 Name of Regulation

This Regulation is the *Road Transport (General) Amendment (Over-height Vehicle Offences) Regulation 2010*.

2 Commencement

This Regulation commences on 1 August 2010 and is required to be published on the NSW legislation website.

3 Amendment of Road Transport (General) Regulation 2005

(1) **Schedule 3 Penalty notice offences**

Omit "Rule 102 (1);" from Column 1 of the matter relating to the *Road Rules 2008*.

(2) **Schedule 3**

Insert before the matter relating to Rule 103 of the *Road Rules 2008*, in Columns 1, 2 and 3, respectively:

Rule 102:

- | | | | |
|-----|---|---------|----------|
| (a) | in relation to a driver who drives through or under (or attempts to drive through or under) a tunnel, bridge or other structure to which a clearance sign or low clearance sign relates | Class 1 | Level 14 |
| (b) | in relation to any other driver | Class 1 | Level 3 |