



New South Wales

Road Transport Legislation Amendment (Penalties for Over-length Bus Offences) Regulation 2017

under the

Road Transport Act 2013

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport Act 2013*.

MELINDA PAVEY, MP
Minister for Roads, Maritime and Freight

Explanatory note

The objects of this Regulation are as follows:

- (a) to amend the *Road Rules 2014* to increase, from 20 penalty units (\$2,200) to 34 penalty units (\$3,740), the penalty for driving past a *no buses sign* that has information on or with it indicating a length if the bus is longer than that length (***the over-length bus offence***),
- (b) to amend the *Road Transport (Driver Licensing) Regulation 2008*:
 - (i) to include the over-length bus offence within the definition of a ***dimension requirement offence*** in relation to the variation, suspension or cancellation of a person's driver licence under clause 55A of that Regulation, and
 - (ii) to assign 6 demerit points for the over-length bus offence, but only in relation to the length of road between Galston and Hornsby Heights that crosses Galston Gorge (***the Galston Gorge road***),
- (c) to amend the *Road Transport (General) Regulation 2013*:
 - (i) to increase, from Level 3 (\$180) to Level 14 (\$2,238), the penalty notice fine for the over-length bus offence, but only in relation to the Galston Gorge road, and
 - (ii) to make it clear that the penalty notice fine for driving past a *no trucks sign* that has information on or with it indicating a length if the truck is longer than that length is Level 3 (\$180), unless the offence is committed on the Galston Gorge road (in which case the penalty notice fine is Level 14 (\$2,238)),
- (d) to amend the *Road Transport (Vehicle Registration) Regulation 2007* to include the over-length bus offence within the definition of a ***dimension requirement offence*** in relation to the suspension of the registration of a heavy vehicle under clause 41A of that Regulation.

This Regulation is made under the *Road Transport Act 2013*, including sections 23 (the general regulation-making and rule-making power), 24, 26, 32 and 195 and Schedule 1.

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1 Name of Regulation

This Regulation is the *Road Transport Legislation Amendment (Penalties for Over-length Bus Offences) Regulation 2017*.

2 Commencement

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

3 Amendment of Road Rules 2014

Rule 106 No buses signs

Omit “20” from rule 106 (2). Insert instead “34”.

4 Amendment of Road Transport (Driver Licensing) Regulation 2008

(1) Clause 55A Variation, suspension or cancellation for heavy vehicle dimension requirement offence

Omit “or 104” from clause 55A (2) (a). Insert instead “,104 or 106 (2)”.

(2) Schedule 2 Additional demerit point offences

Insert in appropriate order in Columns 1, 2, 3 and 4, respectively, under the heading *Road Rules 2014*:

Rule 106 (2), but only in relation to the length of road between Galston and Hornsby Heights that crosses Galston Gorge	Disobey no buses sign	6	6
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5 Amendment of Road Transport (Vehicle Registration) Regulation 2007

Clause 41A Suspension of registration for dimension requirement offence

Omit “or 104” from clause 41A (2) (a). Insert instead “, 104 or 106 (2)”.

Schedule 1 Amendment of Road Transport (General) Regulation 2013

[1] Schedule 5 Penalty notice offences

Omit the matter relating to “Rule 104” from Columns 1, 2 and 3 under the heading *Road Rules 2014*. Insert instead:

Rule 104 (1) and (3)	Class 1, 2, 14	Level 3
Rule 104 (2):		
(a) in relation to any length of road other than the length of road referred to in paragraph (b)	Class 1, 2, 14	Level 3
(b) in relation to the length of road between Galston and Hornsby Heights that crosses Galston Gorge	Class 1, 2, 14	Level 14

[2] Schedule 5

Omit “Rule 106” from Column 1 under the heading *Road Rules 2014*.

Insert instead “Rule 106 (1) and (3)”.

[3] Schedule 5

Insert in appropriate order in Columns 1, 2 and 3, respectively, under the heading *Road Rules 2014*:

Rule 106 (2):		
(a) in relation to any length of road other than the length of road referred to in paragraph (b)	Class 1, 2, 14	Level 3
(b) in relation to the length of road between Galston and Hornsby Heights that crosses Galston Gorge	Class 1, 2, 14	Level 14