



New South Wales

# Road Transport Legislation Amendment (Demerit Points and Penalty Notice 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 add to the offences under the *Road Rules 2014* for which demerit points may be incurred,
- (b) to increase from 1 to 2 the number of demerit points that may be incurred for certain other offences under the *Road Rules 2014*,
- (c) to change the penalty amount for certain offences under the *Road Rules 2014* and the *Road Transport (General) Regulation 2013* when dealt with by penalty notice (by increasing some penalties, creating specific higher penalties for certain offences that occur in school zones and decreasing other penalties).

This Regulation is made under the *Road Transport Act 2013*, including sections 23 (the general power to make regulations and rules), 24, 32 (1) (regarding demerit points) and 195 (1) (a) (regarding penalty notices) and Schedule 1.

## **Road Transport Legislation Amendment (Demerit Points and Penalty Notice Offences) Regulation 2017**

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### **1 Name of Regulation**

This Regulation is the *Road Transport Legislation Amendment (Demerit Points and Penalty Notice Offences) Regulation 2017*.

### **2 Commencement**

This Regulation commences on 30 January 2018 and is required to be published on the NSW legislation website.

## **Schedule 1      Amendment of Road Transport (Driver Licensing) Regulation 2017**

### **[1]      Schedule 2 Additional demerit point offences**

Omit the matter relating to Rules 171 (1), 172 (1) and 173 (1) from the matter relating to the *Road Rules 2014*.

Insert instead:

Rule 170 (1)	Stop in intersection	2	2
Rule 170 (2)	Stop within 20m of intersection (traffic lights)	2	2
Rule 170 (3)	Stop within 10m of intersection (no traffic lights)	2	2
Rule 171 (1)	Stop on/near children's crossing	2	2
Rule 172 (1)	Stop on/near pedestrian crossing	2	2
Rule 173 (1)	Stop on/near marked foot crossing	2	2
Rule 174 (2)	Stop near bicycle crossing lights	2	2

### **[2]      Schedule 2**

Insert after the matter relating to Rule 197 (1B) in the matter relating to the *Road Rules 2014*:

Rule 198 (1) (in school zone)	Obstruct access to or from ramp/path/passageway	2	2
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### **[3]      Schedule 2**

Insert after the matter relating to Rule 203 (1) in the matter relating to the *Road Rules 2014*:

Rule 208 (1) (arising from a breach of Rule 208 (2)) (in school zone)	Not parallel park in direction of travel	2	2
Rule 208 (1) (arising from a breach of Rule 208 (6)) (in school zone)	Parallel park close to dividing line/strip	2	2

## Schedule 2 Amendment of Road Transport (General) Regulation 2013

### [1] Schedule 5 Penalty notice offences

Omit the following from the matter relating to the *Road Rules 2014*:

Rule 169, Rule 170, Rule 176, Rule 177, Rule 178, Rule 187	Class 1, 12, 16	Level 4
Rule 171 (1), Rule 172 (1), Rule 173 (1), otherwise than in school zone	Class 1, 12	Level 5
Rule 171 (1), Rule 172 (1), Rule 173 (1), in school zone	Class 1, 12	Level 6
Rule 174 (2), Rule 175 (1)	Class 1, 12	Level 5
Rule 179, Rule 180, Rule 181, Rule 190, Rule 208 (1) and (2)	Class 1, 12	Level 3

Insert instead:

Rule 169	Class 1, 12, 16	Level 4
Rule 170 (1), (2) and (3), otherwise than in school zone	Class 1, 12, 16	Level 5
Rule 170 (1), (2) and (3), in school zone	Class 1, 12, 16	Level 6
Rule 171 (1), Rule 172 (1), Rule 173 (1), Rule 174 (2), otherwise than in school zone	Class 1, 12	Level 5
Rule 171 (1), Rule 172 (1), Rule 173 (1), Rule 174 (2), in school zone	Class 1, 12	Level 6
Rule 175 (1)	Class 1, 12	Level 5
Rule 176, Rule 177, Rule 178	Class 1, 12, 16	Level 4
Rule 179, Rule 180, Rule 181, Rule 190	Class 1, 12	Level 3

### [2] Schedule 5

Omit the following from the matter relating to the *Road Rules 2014*:

Rule 188, Rule 193, Rule 194, Rule 198 (1), Rule 199, Rule 200, Rule 201, Rule 202, Rule 205, Rule 208 (1) and (3), Rule 208 (1) and (4), Rule 208 (1) and (5), Rule 208 (1) and (7), Rule 208 (1) and (8), Rule 208A, Rule 209, Rule 210, Rule 211	Class 1, 12	Level 2
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Insert instead:

Rule 187 (2), Rule 187 (3)	Class 1, 12, 16	Level 4
Rule 188, Rule 193, Rule 194, Rule 199, Rule 200, Rule 201, Rule 202, Rule 205, Rule 208A, Rule 209, Rule 210, Rule 211	Class 1, 12	Level 2

**[3] Schedule 5**

Omit the following from the matter relating to the *Road Rules 2014*:

Rule 197 (1), Rule 198 (2), otherwise than in school zone	Class 1, 12	Level 2
Rule 197 (1), Rule 198 (2), in a school zone	Class 1, 12	Level 3

Insert instead:

Rule 197 (1), Rule 198 (1) and (2), otherwise than in school zone	Class 1, 12	Level 4
Rule 197 (1), Rule 198 (1) and (2), in school zone	Class 1, 12	Level 5

**[4] Schedule 5**

Omit the following from the matter relating to the *Road Rules 2014*:

Rule 208 (1) and (6)	Class 1, 12	Level 4
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Insert instead:

Rule 208 (1) (arising from a breach of Rule 208 (2)), otherwise than in school zone	Class 1, 12	Level 4
Rule 208 (1) (arising from a breach of Rule 208 (2)), in school zone	Class 1, 12	Level 5
Rule 208 (1) (arising from a breach of Rule 208 (3), (4), (5), (7) or (8)),	Class 1, 12	Level 2
Rule 208 (1) (arising from a breach of Rule 208 (6)), otherwise than in school zone	Class 1, 12	Level 4
Rule 208 (1) (arising from a breach of Rule 208 (6)), in school zone	Class 1, 12	Level 5

**[5] Schedule 5**

Omit the following from the matter relating to the *Road Transport (General) Regulation 2013*:

Clause 63; Clause 64 (a); Clause 64 (b); Clause 71 (b); Clause 92 (3) (a)	Class 1, 12, 15	Level 2
Clause 70; Clause 71 (a); Clause 76; Clause 92 (3) (b); Clause 92 (3) (c); Clause 92 (4)	Class 1, 12, 15	Level 7

Insert instead:

Clause 63 (a); Clause 64 (a); Clause 64 (b); Clause 70 (a); Clause 70 (b); Clause 71 (a); Clause 76 (a); Clause 76 (b); Clause 92 (3) (b); Clause 92 (3) (c); Clause 92 (4)	Class 1, 12, 15	Level 4
Clause 63 (b); Clause 71 (b); Clause 92 (3) (a)	Class 1, 12, 15	Level 3