



New South Wales

# Road Transport Legislation Amendment (Light Vehicle Standards Rules) Regulation 2020

under the

Road Transport Act 2013

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

ANDREW CONSTANCE, MP  
Minister for Transport and Roads

## Explanatory note

The objects of this Regulation are—

- (a) to amend the *Road Transport (Vehicle Registration) Regulation 2017* to—
  - (i) apply recent amendments to the national uniform legislation relating to light vehicles to New South Wales by amending the *Light Vehicle Standards Rules* set out in Schedule 2 to that Regulation, and
  - (ii) extend the requirement that certain hydrogen-powered and electric-powered vehicles display a label on number plates to all hydrogen-powered and electric-powered vehicles, and
- (b) to make a consequential amendment to the *Road Transport (Driver Licensing) Regulation 2017* arising from the *Road Transport Legislation Amendment (Miscellaneous) Regulation 2019* that permits the holder of a learner or provisional licence to use a mobile phone in certain circumstances, and
- (c) to amend the *Road Transport (General) Regulation 2013* to update the classes of authorised officer able to issue a penalty notice for the offence of stopping in a bus, transit or truck lane.

This Regulation is made under the *Road Transport Act 2013*, including sections 23 (the general statutory rule-making power), 24, 25 and 195 and Schedule 1.

## **Road Transport Legislation Amendment (Light Vehicle Standards Rules) Regulation 2020**

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### **1 Name of Regulation**

This Regulation is the *Road Transport Legislation Amendment (Light Vehicle Standards Rules) Regulation 2020*.

### **2 Commencement**

- (1) Subject to subclause (2), this Regulation commences on the day on which it is published on the NSW legislation website.
- (2) Schedule 1[7] and [8] commence on 1 July 2020.

## **Schedule 1 Amendment of Road Transport (Vehicle Registration) Regulation 2017**

### **[1] Schedule 2 Light Vehicle Standards Rules**

Insert in alphabetical order in rule 3(1)—

*ADR (Definitions and Vehicle Categories)* means the third edition ADR titled ‘Vehicle Standard (Australian Design Rule – Definitions and Vehicle Categories) 2005’ made under the Motor Vehicle Standards Act.

### **[2] Schedule 2, rule 26**

Omit rule 26(3). Insert instead—

- (3) In relation to a motor vehicle built before 1 January 2005, a component of the steering system of the vehicle that is essential for effective steering of the vehicle must be built to transmit energy by mechanical means only.

### **[3] Schedule 2, rule 44, note**

Insert after rule 44(6B)—

**Note.** ADR (Definitions and Vehicle Categories) provides for the vehicle category of goods vehicles.

### **[4] Schedule 2, rule 53**

Insert “, other than a motor bike in vehicle category LC or LD,” after “motor bike” in rule 53(1).

### **[5] Schedule 2, rule 53(1A)**

Insert after rule 53(1)—

- (1A) The handlebars on a motor bike in vehicle category LC or LD must extend at least 250 millimetres, but not over 550 millimetres, on each side of the centre line of the vehicle.

### **[6] Schedule 2, rule 53(6)**

Insert after rule 53(5)—

- (6) In this rule, *vehicle category LC or LD* means a motor cycle or motor cycle and side-car within the meaning of ADR (Definitions and Vehicle Categories).

### **[7] Schedule 2, rule 144A**

Omit “built after 1 January 2019, or a vehicle modified to be a hydrogen-powered vehicle after 1 January 2019” from rule 144A(1).

Insert instead “, including a vehicle modified to be a hydrogen-powered vehicle”.

### **[8] Schedule 2, rule 144B**

Omit “that is built after 1 January 2019, or a vehicle modified to be an electric-powered vehicle after 1 January 2019” from rule 144B(1).

Insert instead “, including a vehicle modified to be an electric-powered vehicle”.

## **Schedule 2      Amendment of Road Transport (Driver Licensing) Regulation 2017**

### **Clause 40 Additional conditions on learner and provisional licences**

Omit clause 40(2). Insert instead—

- (2) Subclause (1)(d) does not apply if—
  - (a) a motor vehicle that is being driven by the holder is stationary, and
  - (b) the holder is required to use a mobile phone—
    - (i) in order to comply with a requirement under the Act or this Regulation to produce a driver licence, or
    - (ii) for a function or use permitted by rule 300–1(3) of the *Road Rules 2014*.

## **Schedule 3      Amendment of Road Transport (General) Regulation 2013**

### **Schedule 5 Penalty notice offences**

Omit “2” from Column 2 of the matter relating to rule 187(1) under the heading *Road Rules 2014*.

Insert instead “1, 2, 8, 12, 16”.