



New South Wales

# Heavy Vehicle (Adoption of National Law) Amendment (Penalties) Regulation 2020

under the

Heavy Vehicle (Adoption of National Law) Act 2013

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Heavy Vehicle (Adoption of National Law) Act 2013*.

PAUL TOOLE, MP  
Minister for Regional Transport and Roads

## Explanatory note

The object of this Regulation is to ensure national consistency in the application of heavy vehicle penalties relating to fatigue offences and to clarify discrepancies between defect notices and self-clearing defect notices.

This Regulation is made under the *Heavy Vehicle (Adoption of National Law) Act 2013*, including sections 12(6) and 28 (the general regulation-making power).

## Heavy Vehicle (Adoption of National Law) Amendment (Penalties) Regulation 2020

under the

Heavy Vehicle (Adoption of National Law) Act 2013

### 1 Name of Regulation

This Regulation is the *Heavy Vehicle (Adoption of National Law) Amendment (Penalties) Regulation 2020*.

### 2 Commencement

This Regulation commences on the commencement of Part 3 of the *Heavy Vehicle National Law and Other Legislation Amendment Act 2019* of Queensland and is required to be published on the NSW legislation website.

### 3 Amendment of Heavy Vehicle (Adoption of National Law) Regulation 2013

#### (1) Schedule 1 Infringement notices under section 591 of Heavy Vehicle National Law (NSW)

Omit “or substantial risk breach” wherever occurring in subclause (2).

Insert instead “, substantial risk breach, severe risk breach, major defect notice, minor defect notice or self-clearing defect notice”.

#### (2) Schedule 1

Omit the matters relating to sections 529, 531A(4) and (5) from the table to the Schedule.

Insert in appropriate order—

Section 250(1)—for a severe risk breach	\$1,121
Section 251(1)—for a severe risk breach	\$1,121
Section 254(1)—for a severe risk breach	\$1,121
Section 256(1)—for a severe risk breach	\$1,121
Section 529(a)—for a major defect notice or a minor defect notice	\$674
Section 529(b)—for a self-clearing defect notice	\$336