



New South Wales

Road Transport Legislation Amendment (Dimension Requirement Offences) Regulation 2022

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*.

NATALIE WARD, MLC
Minister for Metropolitan Roads

Explanatory note

The objects of this Regulation are to—

- (a) increase the maximum penalty for an offence against the *Road Rules 2014*, rule 102, which prohibits a driver from driving past a clearance sign if the driver's vehicle is higher than the height indicated by the sign, and
- (b) increase the amount payable under a penalty notice issued for an alleged offence against the rule, and
- (c) increase the number of demerit points incurred for an offence against the rule if the driver drives, or attempts to drive, through or under a tunnel, bridge or other structure, and
- (d) increase the periods for which Transport for NSW may vary, suspend or cancel a person's driver licence, or suspend the registration of a heavy vehicle, in relation to an offence against the rule or certain similar dimension requirement offences, and
- (e) increase the maximum period for which a visiting driver ceases to be exempt from a requirement to hold a NSW driver licence if Transport for NSW considers it could vary, suspend or cancel a NSW driver licence held by the driver, if the driver were to hold a NSW driver licence.

This Regulation is made under the *Road Transport Act 2013*, including section 23, the general regulation-making and rule-making power, sections 24(1), 26(1) and (2), 32(1)(b) and 195(4) and Schedule 1, clauses 1(1) and (2)(b), 2(1) and 5, paragraph (a).

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1 Name of Regulation

This Regulation is the *Road Transport Legislation Amendment (Dimension Requirement Offences) Regulation 2022*.

2 Commencement

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

Schedule 1 Amendments

1.1 Road Rules 2014

Rule 102 Clearance and low clearance signs

Omit “34 penalty units” from rule 102(1). Insert instead “50 penalty units”.

1.2 Road Transport (Driver Licensing) Regulation 2017

[1] Clauses 66(1) and 96(6)

Omit “3 months” wherever occurring. Insert instead “6 months”.

[2] Schedule 2 Additional demerit point offences

Omit “6” wherever occurring in the matter relating to the *Road Rules 2014*, rule 102.
Insert instead “12”.

1.3 Road Transport (General) Regulation 2021

Schedule 5 Penalty notice offences

Omit “Level 14” from the matter relating to the *Road Rules 2014*, rule 102.
Insert instead “Level 17”.

1.4 Road Transport (Vehicle Registration) Regulation 2017

Clause 46 Suspension of registration for dimension requirement offence

Omit “3 months” from clause 46(1). Insert instead “6 months”.