



New South Wales

# Heavy Vehicle (Adoption of National Law) Amendment (Infringement Notice Penalties) Regulation 2023

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*.

JO HAYLEN, MP  
Minister for Transport

## Explanatory note

The object of this regulation is to increase the amounts payable under infringement notices for offences under the *Heavy Vehicle National Law (NSW)*, *Heavy Vehicle (Fatigue Management) National Regulation (NSW)* and *Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)* to ensure the amounts are consistent nationally.

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

## **Heavy Vehicle (Adoption of National Law) Amendment (Infringement Notice Penalties) Regulation 2023**

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 (Infringement Notice Penalties) Regulation 2023*.

### **2 Commencement**

This regulation commences on 1 July 2023.

## **Schedule 1      Amendment of Heavy Vehicle (Adoption of National Law) Regulation 2022**

### **Schedule 1 Infringement notice offences**

Omit the table to the schedule. Insert instead—

<b>Provision</b>	<b>Penalty</b>
<b>Offences under Heavy Vehicle National Law (NSW)</b>	
Section 25A(1)	\$377
Section 25A(2)	\$377
Section 60(1)—	
(a) for contravention of a heavy vehicle standard relating to a speed limiter	\$758
(b) otherwise	\$377
Section 79(2)	\$502
Section 81(1)	\$502
Section 81(2)	\$502
Section 81(3)	\$502
Section 82(2)	\$377
Section 82(3)	\$377
Section 83(1)	\$377
Section 83(2)	\$377
Section 83(3)	\$377
Section 85(1)	\$377
Section 85(2)	\$377
Section 86(2)	\$377
Section 87A(1)	\$377
Section 89(1)	\$758
Section 90(1)	\$377
Section 90(2)	\$377
Section 90(3)	\$377
Section 92(2)	\$377
Section 96(1)—	
(a) for a minor risk breach	\$502
(b) for a substantial risk breach	\$758
Section 102(1)—	
(a) if the heavy vehicle does not have goods or passengers in it	\$377
(b) if the heavy vehicle has goods or passengers in it—	
(i) for a minor risk breach	\$377

<b>Provision</b>	<b>Penalty</b>
(ii) for a substantial risk breach	\$631
Section 109(2)	\$377
Section 111(1)—	
(a) for a minor risk breach	\$377
(b) for a substantial risk breach	\$631
Section 129(1)	\$758
Section 129(2)	\$758
Section 129(3)	\$758
Section 130(2)	\$758
Section 131(1)	\$758
Section 132(2)	\$377
Section 132(3)	\$377
Section 133(1)	\$377
Section 133(2)	\$502
Section 133(3)	\$377
Section 134(1)	\$377
Section 134(2)	\$377
Section 137	\$758
Section 150(1)	\$758
Section 151(2)	\$377
Section 151(3)	\$377
Section 152(1)	\$377
Section 152(2)	\$502
Section 152(3)	\$377
Section 153A(1)	\$758
Section 181(3)	\$502
Section 184(1)	\$377
Section 185(1)	\$758
Section 185(2)	\$758
Section 190(1)	\$758
Section 191(1)	\$758
Section 191(3)	\$758
Section 192(1)	\$758
Section 192(2)	\$377
Section 250(1)—	
(a) for a minor risk breach	\$502
(b) for a substantial risk breach	\$758

<b>Provision</b>	<b>Penalty</b>
(c) for a severe risk breach	\$1,260
Section 251(1)—	
(a) for a minor risk breach	\$502
(b) for a substantial risk breach	\$758
(c) for a severe risk breach	\$1,260
Section 254(1)—	
(a) for a minor risk breach	\$502
(b) for a substantial risk breach	\$758
(c) for a severe risk breach	\$1,260
Section 256(1)—	
(a) for a minor risk breach	\$502
(b) for a substantial risk breach	\$758
(c) for a severe risk breach	\$1,260
Section 258(1)—	
(a) for a minor risk breach	\$502
(b) for a substantial risk breach	\$758
Section 260(1)—	
(a) for a minor risk breach	\$502
(b) for a substantial risk breach	\$758
Section 263(1)	\$502
Section 284(2)	\$758
Section 286(1)	\$758
Section 287(2)	\$377
Section 287(3)	\$377
Section 288(1)	\$377
Section 288(2)	\$502
Section 288(3)	\$377
Section 293(1)	\$758
Section 296(1)	\$189
Section 297(2)	\$758
Section 298(1)	\$189
Section 299	\$377
Section 301	\$189
Section 302	\$189
Section 303	\$189
Section 305(1)	\$758
Section 305(2)	\$377

<b>Provision</b>	<b>Penalty</b>
Section 305(3)	\$189
Section 306	\$377
Section 307(2)	\$377
Section 307(3)	\$377
Section 308(1)	\$377
Section 309(2)	\$377
Section 310(2)	\$758
Section 312(3)	\$758
Section 319(1)	\$758
Section 319A(2)	\$377
Section 321(1)	\$758
Section 321(3)	\$758
Section 322(2)	\$377
Section 323(2)	\$377
Section 324(2)	\$377
Section 324A(2)	\$189
Section 341(1)	\$758
Section 341(2)	\$758
Section 341(3)	\$377
Section 341(4)	\$377
Section 341(5)	\$758
Section 341(7)	\$189
Section 354(3)	\$758
Section 354(5)	\$758
Section 355(2)	\$758
Section 355(4)	\$758
Section 355(6)	\$758
Section 373(2)	\$758
Section 375	\$758
Section 376(2)	\$377
Section 376(3)	\$377
Section 377	\$377
Section 392(2)	\$758
Section 395	\$758
Section 396(2)	\$758
Section 399(2)	\$758
Section 466(2A)	\$377

<b>Provision</b>	<b>Penalty</b>
Section 466(2B)	\$377
Section 467	\$758
Section 468(1)	\$377
Section 468(3)	\$377
Section 469(2)	\$502
Section 470(3)	\$758
Section 470(8)	\$377
Section 471(2)	\$758
Section 471(3)	\$502
Section 476(2)	\$758
Section 488	\$502
Section 513(4)	\$758
Section 514(3)	\$758
Section 516(3)	\$758
Section 517(4)	\$758
Section 522(5)	\$758
Section 524(5)	\$758
Section 526(4)	\$377
Section 528(3)	\$377
Section 529—	
(a) for a major defect notice or a minor defect notice	\$758
(b) for a self-clearing defect notice	\$377
Section 531(4)	\$377
Section 533(7)	\$1,260
Section 534(5)	\$1,260
Section 567(4)	\$377
Section 568(3)—	
(a) for failure to comply with a requirement under section 568(2)(a)	\$758
(b) for failure to comply with a requirement under section 568(2)(b)	An amount equal to 10% of the amount of the maximum penalty for an offence of failing to keep the document, device or other thing in the driver's possession
Section 568(7)	\$377
Section 569(2)	\$758
Section 569(7)	\$377
<b>Offences under Heavy Vehicle (Fatigue Management) National Regulation (NSW)</b>	

<b>Provision</b>	<b>Penalty</b>
Section 18A(1)	\$189
<b>Offences under Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)</b>	
Section 16(2)	\$377
Section 28	\$377
Section 34(2)	\$502