



New South Wales

Road Transport Amendment (Electronic Traffic Infringement Notices Trial) Bill 2013

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to establish a trial for the service of penalty notices under the *Road Transport Act 2013* to email addresses or mobile phone numbers where the persons on whom those penalty notices are to be served elect to have the penalty notices served on them in that way.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Clause 3 inserts proposed section 196A into the *Road Transport Act 2013* (the *Principal Act*). The proposed section establishes a trial for the service of penalty notices to email addresses or mobile phone numbers. The trial is to last for 2 years from the date of commencement of the proposed section (although the length of the trial can be extended by regulation). In addition to the methods of service of penalty notices set out in section 196 of the Principal Act, a police officer can serve a penalty notice by causing it to be sent to an email address or mobile phone number. A police officer may do this only if he or she is authorised by the Commissioner of Police to serve penalty notices in that way and the person on whom the penalty notice is to be served has elected to have the penalty notice served in that way and has voluntarily provided an email address or mobile phone number for the purposes of that service. A penalty notice is taken to be served on a person if it is sent to an email address or mobile phone number that is recorded by a police officer as having been provided by the person for the purposes of the proposed section. A police officer is not to serve a penalty notice under the proposed section on a person under the age of 16 years.



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Contents

	Page
1 Name of Act	2
2 Commencement	2
3 Amendment of Road Transport Act 2013 No 18	2



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No. , 2013

A Bill for

An Act to amend the *Road Transport Act 2013* to establish a trial for the service of penalty notices to email addresses or mobile phone numbers where persons elect to have the penalty notices served on them in that way.

The Legislature of New South Wales enacts:	1
1 Name of Act	2
This Act is the <i>Road Transport Amendment (Electronic Traffic Infringement Notices Trial) Act 2013</i> .	3 4
2 Commencement	5
This Act commences on the date of assent to this Act.	6
3 Amendment of Road Transport Act 2013 No 18	7
Section 196A	8
Insert after section 196:	9
196A Trial of service of penalty notices by electronic means	10
(1) The object of this section is to establish a trial for the service of penalty notices to email addresses or mobile phone numbers where the persons on whom those penalty notices are to be served elect to have the penalty notices served in that way.	11 12 13 14
(2) This section has effect for 2 years from the date of commencement of this section or for such longer period as may be prescribed by the regulations.	15 16 17
(3) This section provides for additional means of service to those set out in section 196.	18 19
(4) A police officer may serve a penalty notice by causing the penalty notice to be sent to an email address or mobile phone number but only if:	20 21 22
(a) the police officer has been authorised by the Commissioner of Police to serve penalty notices in that way for the purposes of the trial, and	23 24 25
(b) the person on whom the penalty notice is to be served has elected to have the penalty notice served in that way and has voluntarily provided an email address or mobile phone number for the purposes of that service.	26 27 28 29
(5) A penalty notice is taken to have been served on a person if it is sent to an email address or mobile phone number that is recorded by a police officer as having been provided by the person for the purposes of this section.	30 31 32 33
(6) A police officer is not to serve a penalty notice under this section on a person under the age of 16 years.	34 35