

Passed by both Houses



New South Wales

Road Transport Legislation Amendment Bill 2021

Contents

		Page
	1 Name of Act	2
	2 Commencement	2
Schedule 1	Amendment of Road Transport Act 2013 No 18	3
Schedule 2	Amendment of Road Transport (Vehicle Registration) Regulation 2017	5
Schedule 3	Amendment of Motor Vehicles Taxation Act 1988 No 111	8
Schedule 4	Amendment of Motor Vehicles Taxation Regulation 2016	10
Schedule 5	Minor and consequential amendments	14

I certify that this public bill, which originated in the Legislative Assembly, has finally passed the Legislative Council and the Legislative Assembly of New South Wales.

*Clerk of the Legislative Assembly.
Legislative Assembly,
Sydney,*

, 2021



New South Wales

Road Transport Legislation Amendment Bill 2021

Act No , 2021

*An Act to amend the *Road Transport Act 2013* and the *Motor Vehicles Taxation Act 1988* concerning the fixing of registration charges and motor vehicle taxation amounts; to make minor miscellaneous amendments to legislation administered by the Minister for Transport and Roads and Minister for Regional Transport and Roads; and to make minor consequential amendments.*

I have examined this bill and find it to correspond in all respects with the bill as finally passed by both Houses.

Assistant Speaker of the Legislative Assembly.

The Legislature of New South Wales enacts—

1 Name of Act

This Act is the *Road Transport Legislation Amendment Act 2021*.

2 Commencement

- (1) Subject to subsections (2) and (3), this Act commences on assent.
- (2) Except as provided by subsection (3), Schedule 5 commences on—
 - (a) if section 15 of the *Road Vehicle Standards Act 2018* of the Commonwealth commences before the date of assent to this Act—on the date of assent to this Act, or
 - (b) otherwise—on the day on which section 15 of the *Road Vehicle Standards Act 2018* of the Commonwealth commences.
- (3) Schedule 5.5 commences, or is taken to have commenced, on the day on which section 15 of the *Road Vehicle Standards Act 2018* of the Commonwealth commences.

Schedule 1 Amendment of Road Transport Act 2013 No 18

[1] Section 4 Definitions

Insert in alphabetical order in section 4(1)—

primary producer means a person who—

- (a) is a primary producer as defined by the statutory rules, and
- (b) meets the eligibility criteria for a primary producer, if any, prescribed by the statutory rules.

primary producer's vehicle means a vehicle prescribed by the statutory rules.

[2] Section 69

Omit the section. Insert instead—

69 False statements

- (1) A person must not fraudulently attempt to—
 - (a) register, or renew the registration of, a registrable vehicle, or
 - (b) obtain, or renew, an unregistered vehicle permit for a registrable vehicle, or
 - (c) obtain an exemption from, a concession on, or a reduction of a registration charge, fee or tax under the road transport legislation.
- (2) A person must not, without lawful authority, possess a device, plate or document obtained fraudulently.
- (3) Transport for NSW may—
 - (a) decide a device, plate or document obtained fraudulently is void, and
 - (b) make consequential amendments to the NSW registrable vehicles register.

Maximum penalty for subsections (1) and (2)—

- (a) for an individual—20 penalty units, and
- (b) for a corporation—100 penalty units.

[3] Section 169B

Insert after section 169A—

169B Power to require production of information

- (1) An authorised officer may require a relevant person for a vehicle to give the authorised officer information the authorised officer reasonably requires to assess—
 - (a) the eligibility of a person to receive a concessional charge for the vehicle, or
 - (b) whether or not the registered operator of the vehicle has paid the correct registration charge, fee or tax under the road transport legislation for the vehicle, or
 - (c) the compliance of the registered operator of the vehicle with the following—
 - (i) vehicle registration requirements and conditions applying to the vehicle,

- (ii) conditions, however described, attached to a concessional charge for the vehicle.
- (2) The information must be given in the form specified by the authorised officer.
- (3) A person must comply with a requirement under subsection (1) unless the person has a reasonable excuse for not complying.
Maximum penalty—
 - (a) for an individual—20 penalty units, and
 - (b) for a corporation—50 penalty units.
- (4) In this section—
concessional charge means the following—
 - (a) a registration charge for a vehicle reduced in accordance with the statutory rules,
 - (b) an exemption, or partial exemption, granted under this Act or the statutory rules, from payment under the road transport legislation of a registration charge, fee or tax.
relevant person, for a vehicle, means—
 - (a) the registered operator of the vehicle, or
 - (b) another person the authorised officer reasonably believes has control or possession of the information.

[4] Schedule 2 Registration charges for heavy vehicles

Omit clause 3. Insert instead—

3 Registration charge for primary producer's vehicles

The statutory rules may prescribe the amounts of registration charges applicable to primary producer's vehicles.

[5] Schedule 4 Savings, transitional and other provisions

Insert at the end of the Schedule, with appropriate Part and clause numbering—

Part Provisions consequent on enactment of Road Transport Legislation Amendment Act 2021

Device, plate or document obtained by false statement

Section 69, as substituted by the *Road Transport Legislation Amendment Act 2021*, extends to a device, plate or document fraudulently obtained before the substitution.

Power to require production of information

The power of an authorised officer under section 169B to require a person to give the officer information extends to information about a charge, fee or tax incurred or paid before the commencement of that section.

Schedule 2 Amendment of Road Transport (Vehicle Registration) Regulation 2017

[1] Part 8, Division 1A

Insert after clause 127A—

Division 1A Registration charges for primary producer's vehicles

127B Eligibility criteria for primary producers

For the purposes of the Act, section 4(1), definition of *primary producer*, paragraph (b), the eligibility criteria for a primary producer is that the primary producer must earn at least 50 per cent of the primary producer's total income from primary production activities.

127C Registration charges for primary producer's vehicles

For the purposes of the Act, Schedule 2, clause 3, the amounts specified in Schedule 4A as the registration charges for primary producer's vehicles are prescribed.

[2] Schedule 4 Registration charges for chargeable heavy vehicles

Insert “, subject to Schedule 4A,” after “is” in clause 1(1).

[3] Schedule 4A

Insert after Schedule 4—

Schedule 4A Registration charges for primary producer's vehicles

clause 127B

1 Registration charges

The registration charge for a primary producer's vehicle is the lesser of the following amounts—

- (a) the amount calculated in accordance with Schedule 4,
- (b) the amount specified in the table to this Schedule.

Table—Registration charges for primary producer's vehicles

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	
	Load carrying vehicle		Special purpose vehicle, other than a tractor		Tractor		Bus		
Weight of vehicle	Not lower charged vehicle	Lower charged vehicle	Not lower charged vehicle	Lower charged vehicle	Not lower charged vehicle	Lower charged vehicle	Not lower charged vehicle	Lower charged vehicle	
More than kg	Not more than kg	Registration charge \$							
—	975	197	197	359	359	197	197	359	359
975	1,150	225	222	409	403	225	222	409	403
1,150	1,500	272	259	495	471	272	259	495	471
1,500	2,500	410	389	745	707	410	389	745	707
2,500	2,790	637	637	1,207	1,207	684	663	695	695
2,790	3,050	724	724	1,372	1,372	684	663	790	790
3,050	3,300	793	793	1,503	1,503	684	663	865	865
3,300	3,560	863	863	1,635	1,635	684	663	941	941
3,560	3,810	926	926	1,755	1,755	684	663	1,010	1,010
3,810	4,060	996	996	1,889	1,889	684	663	1,087	1,087
4,060	4,320	1,063	1,063	2,014	2,014	684	663	1,160	1,160
4,320	4,500	1,131	1,131	2,142	2,142	684	663	1,234	1,234
4,500	4,830	1,196	1,196	2,142	2,142	684	663	1,304	1,304
4,830	5,080	1,263	1,263	2,142	2,142	684	663	1,378	1,378
5,080	5,330	1,335	1,335	2,142	2,142	684	663	1,456	1,456
5,330	5,590	1,400	1,400	2,142	2,142	684	663	1,527	1,527
5,590	5,840	1,469	1,469	2,142	2,142	684	663	1,602	1,602
5,840	6,100	1,535	1,535	2,142	2,142	684	663	1,675	1,675
6,100	6,350	1,603	1,603	2,142	2,142	684	663	1,748	1,748
6,350	6,600	1,668	1,668	2,142	2,142	684	663	1,819	1,819
6,600	6,860	1,739	1,739	2,142	2,142	684	663	1,897	1,897
6,860	7,110	1,803	1,803	2,142	2,142	684	663	1,967	1,967
7,110	—	1,803 plus \$65 for each 254 kg or part by which the weight exceeds 7,110 kg	1,803 plus \$65 for each 254 kg or part by which the weight exceeds 7,110 kg	2,142	2,142	684	663	1,967 plus \$71 for each 254 kg or part by which the weight exceeds 7,110 kg	1,967 plus \$71 for each 254 kg or part by which the weight exceeds 7,110 kg

[4] Dictionary

Insert in alphabetical order—

load carrying vehicle has the meaning given by Schedule 4, clause 12(2).

lower charged vehicle means—

- (a) a motor vehicle designated, for the purposes of this definition, by Transport for NSW as a kind of energy efficient motor vehicle in a list—
 - (i) maintained by Transport for NSW, and
 - (ii) published on its website or in another way Transport for NSW considers appropriate, or
- (b) a trailer.

special purpose vehicle has the meaning given by Schedule 4, clause 15.

Schedule 3 Amendment of Motor Vehicles Taxation Act 1988 No 111

[1] Transferred provision—section 3(1), definition of “primary producer”

The definition of *primary producer* is transferred to the *Road Transport (Vehicle Registration) Regulation 2017*, Dictionary and is a transferred provision to which the *Interpretation Act 1987*, section 30A applies.

[2] Section 3(1), definition of “primary producer’s vehicle”

Omit “(not being a motor vehicle which is used for let or hire):”.

Insert instead “, other than a motor vehicle used for let or hire or a heavy vehicle used for carting goods for use in the household of a primary producer—”.

[3] Transferred provision—section 3(1), definition of “primary producer’s vehicle”

The definition of *primary producer’s vehicle* is transferred to the *Road Transport (Vehicle Registration) Regulation 2017*, Dictionary and is a transferred provision to which the *Interpretation Act 1987*, section 30A applies.

[4] Section 3(1)

Insert in alphabetical order—

primary producer has the same meaning as in the *Road Transport Act 2013*.

primary producer’s vehicle has the same meaning as in the *Road Transport Act 2013*.

[5] Section 3(2)(b) and (4)

Omit the provisions.

[6] Section 3B Relationship with Schedule 2 to Road Transport Act 2013

Omit “specified in Schedule 1” from section 3B. Insert instead “prescribed”.

[7] Section 3B(b)

Omit “unless otherwise expressly provided in Schedule 1,”.

[8] Section 4 Tax on motor vehicles

Insert after section 4(1)—

- (1A) The regulations may prescribe the amount of tax applicable to a motor vehicle for a year or part of a year.

[9] Section 4(2)

Insert “or the regulations” after “Act”.

[10] Section 4(3) and (4)

Insert after section 4(2)—

- (3) The regulations may provide for the annual indexation for inflation of the amounts of tax applicable to motor vehicles.
- (4) The Minister must consult with the Treasurer before recommending the making of a regulation under subsection (3).

[11] Section 5, heading

Omit the heading. Insert instead—

5 Amounts of tax—pro-rata reductions and rounding

[12] Section 5(1)–(1E)

Omit the subsections.

[13] Transferred provision—Section 7 Determination of weight

Section 7 is transferred to the *Motor Vehicles Taxation Regulation 2016*, as clause 8 of the Regulation, and is a transferred provision to which the *Interpretation Act 1987*, section 30A applies.

[14] Section 17 Exemptions granted by Minister

Omit the section.

[15] Schedule 1 Motor vehicle tax for 2010

Omit the Schedule.

[16] Schedule 2 Savings, transitional and other provisions

Insert at the end of the Schedule, with appropriate clause numbering—

Provision consequent on enactment of Road Transport Legislation Amendment Act 2021

An exemption from the payment of motor vehicle tax granted by the Minister under section 17 before the commencement of the *Road Transport Legislation Amendment Act 2021* continues in force as if it were a declaration by the Minister under the *Road Transport Act 2013*, section 19 until—

- (a) it is rescinded, revoked or repealed under the *Road Transport Act 2013*, section 19(2), or
- (b) if the exemption is expressed to operate for a fixed period of time, the expiry of the period.

Schedule 4 Amendment of Motor Vehicles Taxation Regulation 2016

Clause 7 and Schedule 1

Insert after clause 6—

7 Motor vehicle tax

For the purposes of the Act, section 4, the amounts of motor vehicle tax specified in Schedule 1 are prescribed.

Schedule 1 Motor vehicle tax

clause 7

1 Amount of tax for 2021

If registration or renewal of registration of a motor vehicle is effected for 1 year commencing on a date during the calendar year 2021, the amount of motor vehicle tax applicable to the vehicle is the amount specified for the vehicle in the table to this Schedule.

2 Tractors—special arrangements

Despite any other provision in this Schedule, the maximum amount of tax payable for a tractor is as follows—

- (a) if the tractor is both a primary producer's vehicle and a lower taxed motor vehicle—\$663,
- (b) if the tractor is a primary producer's vehicle but is not a lower taxed motor vehicle—\$684,
- (c) if the tractor is not a primary producer's vehicle but is a lower taxed motor vehicle—\$1,207,
- (d) if the tractor is neither a primary producer's vehicle nor lower taxed motor vehicle—\$1,243.

3 Additional tax—motor vehicle over 3,560kg

- (1) This clause applies to a motor vehicle—
 - (a) weighing more than 3,560kg, and
 - (b) not used substantially for private purposes.
- (2) The tax payable for a motor vehicle to which this clause applies is increased by—
 - (a) if the vehicle is a bus—\$167, or
 - (b) if the vehicle is not a bus—\$278.

4 Tax to increase by CPI for years after 2021

- (1) If registration or renewal of registration of a motor vehicle of a class described in the table to this Schedule is effected for 1 year commencing on a date (the *registration date*) after the calendar year 2021, the amount of motor vehicle tax applicable to the vehicle on registration or renewal of registration is—
 - (a) if the registration date occurs in the calendar year 2022—the amount of the tax specified in Schedule 1 for a motor vehicle of that class, adjusted by the prescribed proportion, or

- (b) if the registration date occurs in a subsequent calendar year—the amount of the tax for which a motor vehicle of that class was liable during the previous year, adjusted by the prescribed proportion.
- (2) The *prescribed proportion* is calculated by subtracting the CPI number for the first previous financial year from the CPI number for the second previous financial year, and expressing the difference obtained as a percentage of the CPI number for the first previous financial year, rounded down to 2 decimal places.
- (3) In this clause—
CPI number means the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Bureau of Statistics.
first previous financial year means the financial year immediately preceding the second previous financial year.
second previous financial year means the financial year immediately preceding the financial year that ends on 30 June of the calendar year that includes the registration date.

Table—Motor vehicle tax for 2021

Column 1	Column 2	Column 3		Column 4
Vehicle type	Vehicle characteristics	Vehicle weight		Tax
		Exceeding kg	Not exceeding kg	\$
Motor cycle		N/A	N/A	66
Motor vehicle not exceeding 2,500kg weight	Not a lower taxed motor vehicle and used substantially for private purposes	0	975	221
		975	1,150	257
		1,150	1,500	313
		1,500	2,500	479
Motor vehicle not exceeding 2,500kg weight	Not a lower taxed motor vehicle and not used substantially for private purposes	0	975	359
		975	1,150	409
		1,150	1,500	495
		1,500	2,500	745
Motor vehicle not exceeding 2,500kg weight	Lower taxed motor vehicle used substantially for private purposes	0	975	221
		975	1,150	251
		1,150	1,500	289
		1,500	2,500	441
Motor vehicle not exceeding 2,500kg weight	Lower taxed motor vehicle not used substantially for private purposes	0	975	359
		975	1,150	403
		1,150	1,500	471
		1,500	2,500	707

Column 1	Column 2	Column 3		Column 4
Vehicle type	Vehicle characteristics	Vehicle weight		Tax
		Exceeding kg	Not exceeding kg	\$
Motor vehicle exceeding 2,500kg weight	Not used substantially for private purposes and not a bus, a motor lorry or self-propelled plant	2,500	2,790	1,158
		2,790	3,050	1,316
		3,050	3,300	1,442
		3,300	3,560	1,569
		3,560	3,810	1,684
		3,810	4,060	1,811
		4,060	4,320	1,933
		4,320	4,500	2,056
Motor vehicle exceeding 2,500kg weight	Used substantially for private purposes, or a bus	2,500	2,790	695
		2,790	3,050	790
		3,050	3,300	865
		3,300	3,560	941
		3,560	3,810	1,010
		3,810	4,060	1,087
		4,060	4,320	1,160
		4,320	4,500	1,234
Motor lorry		2,500	4,500	707
Light self-propelled plant		2,500	2,790	1,207
		2,790	3,050	1,372
		3,050	3,300	1,503
		3,300	3,560	1,635
		3,560	3,810	1,755
		3,810	4,060	1,889
		4,060	4,320	2,014
Primary producer's vehicle that is a tractor or a motor lorry, other than a station wagon	Not a lower taxed motor vehicle	0	975	197
		975	1,150	225
		1,150	1,500	272
		1,500	2,500	410
		2,500	2,790	637
		2,790	3,050	724
		3,050	4,500	745

Column 1	Column 2	Column 3		Column 4
Vehicle type	Vehicle characteristics	Vehicle weight		Tax
		Exceeding kg	Not exceeding kg	\$
Primary producer's vehicle that is a tractor, a trailer or a motor lorry, other than a station wagon	Lower taxed motor vehicle	0	975	197
		975	1,150	222
		1,150	1,500	259
		1,500	2,500	389
Primary producer's vehicle that is a trailer	Exceeding 2,500 kg in weight	2,500	2,790	637
		2,790	3,050	724
		3,050	4,500	745
Primary producer's vehicle that is a motor car or a station wagon	Not a lower taxed motor vehicle	0	975	221
		975	1,150	257
		1,150	1,500	313
		1,500	2,500	479
		2,500	2,790	695
		2,790	3,050	790
		3,050	3,300	865
		3,300	3,560	941
		3,560	3,810	1,010
		3,810	4,060	1,087
Primary producer's vehicle that is a motor car or a station wagon	Lower taxed motor vehicle	0	975	221
		975	1,150	251
		1,150	1,500	289
		1,500	2,500	441

Schedule 5 Minor and consequential amendments

5.1 Crimes Act 1900 No 40

[1] Section 154E Definitions

Insert “as in force immediately before its repeal” after “of the Commonwealth” in paragraph (c) of the definition of *motor vehicle* in section 154E(1).

[2] Section 154J Possession of identification plate not attached to motor vehicle or trailer

Insert “as in force immediately before its repeal” after “of the Commonwealth” in the definition of *identification plate* in section 154J(3).

5.2 Interpretation Act 1987 No 15

Section 30A Transferred provisions

Omit “to another Act and an Act” from section 30A(1).

Insert instead “to another Act or statutory rule and an Act or statutory rule”.

5.3 Motor Accident Injuries Regulation 2017

[1] Clause 5 Motor vehicles subject to unregistered vehicle permits (section 2.4 (1) (c))

Omit “in respect of which approval for the placement of identification plates has not been given under section 10A of the *Motor Vehicle Standards Act 1989* of the Commonwealth” from clause 5(a).

Insert instead “that comply with subclause (2)”.

[2] Clause 5(2) and (3)

Insert at the end of clause 5—

(2) A motor vehicle complies with this subclause if—

- (a) the vehicle is not required to be entered on the RAV by the *Road Vehicle Standards Act 2018* of the Commonwealth or rules made under that Act, and
- (b) if applicable—approval for the placement of identification plates was not given in relation to the vehicle under the *Motor Vehicle Standards Act 1989* of the Commonwealth, section 10A, as in force from time to time before its repeal.

(3) In this clause—

RAV means the Register of Approved Vehicles kept under the *Road Vehicle Standards Act 2018* of the Commonwealth, section 14(1).

5.4 Motor Accidents Compensation Regulation 2020

[1] Clause 21 Motor vehicles subject to unregistered vehicle permits

Omit “, in respect of which approval for the placement of identification plates has not been given under section 10A of the *Motor Vehicle Standards Act 1989* of the Commonwealth” from clause 21(a).

Insert instead “that comply with subclause (2)”.

[2] Clause 21(2) and (3)

Insert at the end of clause 21—

- (2) A motor vehicle complies with this subclause if—
 - (a) the vehicle is not required to be entered on the RAV by the *Road Vehicle Standards Act 2018* of the Commonwealth or rules made under that Act, and
 - (b) if applicable—approval for the placement of identification plates was not given in relation to the vehicle under the *Motor Vehicle Standards Act 1989* of the Commonwealth, section 10A, as in force from time to time before its repeal.
- (3) In this clause—

RAV means the Register of Approved Vehicles kept under the *Road Vehicle Standards Act 2018* of the Commonwealth, section 14(1).

5.5 National Environment Protection Council (New South Wales) Act 1995 No 4

Section 14 Council may make national environment protection measures

Omit “*Motor Vehicle Standards Act 1989*” from section 14(2)(b).

Insert instead “*Road Vehicle Standards Act 2018*”.

5.6 Passenger Transport (General) Regulation 2017

Clause 80 Management information system

Omit “Australian Design Rules under the *Motor Vehicle Standards Act 1989* of the Commonwealth” from the definition of *vehicle identification number* in clause 80(2).

Insert instead “national road vehicle standards under the *Road Vehicle Standards Act 2018* of the Commonwealth, section 12”.

5.7 Point to Point Transport (Taxis and Hire Vehicles) Act 2016 No 34

Section 136 Nature of proceedings for offences

Insert after section 136(5)—

- (6) The Commissioner is taken to be a public officer for the purposes of the *Criminal Procedure Act 1986*.

5.8 Point to Point Transport (Taxis and Hire Vehicles) Regulation 2017

Clause 21 Motor cycles—hire vehicles

Omit “the Australian Design Rules (under the *Motor Vehicle Standards Act 1989* of the Commonwealth) vehicle category definition” from clause 21(1).

Insert instead “a vehicle category definition, contained in a national road vehicle standard under the *Road Vehicle Standards Act 2018* of the Commonwealth, section 12,”.

5.9 Protection of the Environment Operations (Clean Air) Regulation 2010

Clause 14 Definitions

Omit “national standard under the *Motor Vehicle Standards Act 1989* of the Commonwealth” from the definition of *ADR*.

Insert instead “national road vehicle standard under the *Road Vehicle Standards Act 2018* of the Commonwealth, section 12”.

5.10 Protection of the Environment Operations (Noise Control) Regulation 2017

[1] Schedule 1 Prescribed stationary noise levels

Omit the definitions of *ADR 83/00*, *certified to ADR 83/00* and *compliance plate date* from clause 1.

Insert in alphabetical order—

ADR 83/00 means the national road vehicle standard made under the *Road Vehicle Standards Act 2018* of the Commonwealth, section 12, entitled *Australian Design Rule 83/00—External Noise*.

identification plate means the plate authorised to be placed on a motor vehicle, or taken to have been placed on a motor vehicle, under the *Motor Vehicle Standards Act 1989* of the Commonwealth as in force immediately before its repeal.

identification plate date, in relation to a motor vehicle, means the date appearing on the identification plate for the motor vehicle.

RAV means the Register of Approved Vehicles kept under the *Road Vehicle Standards Act 2018* of the Commonwealth, section 14(1).

[2] Schedule 1, clause 1A

Insert after clause 1—

1A Certified to ADR 83/00

For this Schedule, a motor vehicle is *certified to ADR 83/00* if—

- (a) approval was given, under of the *Motor Vehicle Standards Act 1989* of the Commonwealth, section 10A, before the repeal of that Act, to place identification plates showing compliance with ADR 83/00 on that motor vehicle, or
- (b) approval is given under the *Road Vehicle Standards (Consequential and Transitional Provisions) Act 2018* of the Commonwealth, Schedule 3, item 4(2) or 6(2), or
- (c) the vehicle satisfied the requirements of an entry pathway under the *Road Vehicle Standards Act 2018* of the Commonwealth, section 15(2), including compliance with ADR 83/00, and the vehicle is entered on the RAV.

[3] Schedule 1, clauses 2(b), 3(b) and 4(b)

Omit “compliance plate date” wherever occurring. Insert instead “identification plate date”.

[4] Schedule 1, clause 2(b)(iii)

Insert at the end of clause 2(b)(ii)—

, or

- (iii) if the motor car is entered on the RAV and does not have an identification plate—the noise level established by ADR 83/00 for a motor car when stationary plus 5 dB(A).

[5] Schedule 1, clause 3(b)(iii)

Insert at the end of clause 3(b)(ii)—

, or

- (iii) if the motor cycle is entered on the RAV and does not have an identification plate—the noise level established by ADR 83/00 for a motor cycle when stationary plus 5 dB(A).

[6] Schedule 1, clause 4(b)(iii)

Insert at the end of clause 4(b)(ii)—

, or

- (iii) if the vehicle is entered on the RAV and does not have an identification plate—the stationary noise level established by ADR 83/00 for a motor lorry or motor bus of that type when stationary plus 5 dB(A).

5.11 Road Rules 2014

[1] Rule 266 Wearing of seatbelts by passengers under 16 years old

Omit “*Motor Vehicle Standards Act 1989* of the Commonwealth” from rule 266(7), definition of *approved booster seat*, paragraph (b)(iii).

Insert instead “*Road Vehicle Standards Act 2018* of the Commonwealth”.

[2] Dictionary

Omit “vehicle standards, as amended from time to time, determined under section 7 of the *Motor Vehicle Standards Act 1989* of the Commonwealth” from paragraph (b) of the definition of *bicycle*.

Insert instead “national road vehicle standards, as amended from time to time, determined under the *Road Vehicle Standards Act 2018* of the Commonwealth, section 12”.

[3] Dictionary, definition of “bicycle”, note 1

Omit “determined under section 7 of the *Motor Vehicle Standards Act 1989* of the Commonwealth”.

Insert instead “determined under the *Road Vehicle Standards Act 2018* of the Commonwealth, section 12”.

5.12 Road Transport Act 2013 No 18

[1] Section 25 Incorporation of documents and modification of definitions

Omit section 25(1)(a)(ii). Insert instead—

- (ii) a national road vehicle standard under the *Road Vehicle Standards Act 2018* of the Commonwealth, section 12,

[2] Section 68 Prohibition on using unregistered registrable vehicles

Insert “or 104C” after “section 84” in section 68(4).

[3] Sections 107(2)(g)(i) and 150(1)(b)

Omit “to have a sign exhibited on it” wherever occurring.

Insert instead “to be identified with a placard”.

[4] Schedule 2 Registration charges for heavy vehicles

Omit the definition of *compliance plate* from clause 1. Insert in alphabetical order—

identification plate means a plate authorised to be placed on a vehicle, or taken to have been placed on a vehicle, under the *Motor Vehicle Standards Act 1989* of the Commonwealth as in force immediately before its repeal.

RAV means the Register of Approved Vehicles kept under the *Road Vehicle Standards Act 2018* of the Commonwealth, section 14(1).

[5] Schedule 2, clause 1, definition of “MRC (Mass Rating for Charging)”

Omit “compliance plate” from paragraph (a).

Insert instead “identification plate or on the RAV for the vehicle”.

[6] Schedule 2, clause 1, definition of “MRC (Mass Rating for Charging)”

Omit “compliance plate” from paragraph (b).

Insert instead “identification plate”.

[7] Schedule 2 Registration charges for heavy vehicles

Omit “the an appropriate officer” from Schedule 2, clause 19(3).

Insert instead “an appropriate officer”.

5.13 Road Transport (Driver Licensing) Regulation 2017

[1] Clause 4 Definitions

Omit paragraph (a) from the definition of *car-based motor tricycle* in clause 4(1).

Insert instead—

(a) has the category of LEM, LEP or LEG—

(i) as displayed on an identification plate on the motor trike issued under the *Motor Vehicle Standards Act 1989* of the Commonwealth as in force immediately before its repeal, or

(ii) as recorded on the RAV for the motor trike, and

[2] Clause 4(1)

Insert in alphabetical order—

RAV means the Register of Approved Vehicles kept under the *Road Vehicle Standards Act 2018* of the Commonwealth, section 14(1).

[3] Clause 99 Other exemptions from licensing

Omit “vehicle standards, as amended from time to time, determined under section 7 of the *Motor Vehicle Standards Act 1989* of the Commonwealth” wherever occurring in clause 99(1)(c) and (2)(c).

Insert instead “national road vehicle standards, as amended from time to time, determined under the *Road Vehicle Standards Act 2018* of the Commonwealth, section 12”.

[4] Clause 99(1), note

Omit “determined under section 7 of the *Motor Vehicle Standards Act 1989* of the Commonwealth”.

Insert instead “determined under the *Road Vehicle Standards Act 2018* of the Commonwealth, section 12”.