

[Act 1998 No 27]



New South Wales

Traffic Amendment (Variable Speed Limits) Bill 1998

Explanatory note

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

Overview of Bill

The objects of this Bill are:

- (a) to enable variable speed limit signs, activated by a computer-based intelligent control system, to determine the speed limits that are to apply at different times on certain major roads, such as motorways and freeways, in order to promote road safety and facilitate traffic flow, and
 - (b) to enable prima facie evidence to be given by certificate as to the location of variable speed limit signs, the speed limits displayed by them and the times at which those speed limits were displayed, and
 - (c) to enable speed cameras to be inspected every 84 hours rather than every day.
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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 a day or days to be appointed by proclamation.

Clause 3 is a formal provision giving effect to the amendments to the *Traffic Act 1909* set out in Schedule 1.

Clause 4 provides for all references to “public street” in a provision of the *Traffic Act 1909* that is amended by the proposed Act to become references to “road or road related area”. This reflects amendments made to the *Traffic Act 1909* by the *Traffic Legislation Amendment Act 1997*, as yet uncommenced.

Schedule 1 Amendments

Schedule 1 [1] inserts a definition of *variable speed limit sign* into the *Traffic Act 1909*.

Schedule 1 [2] authorises the determination of the speed limit for a particular length of public street at a particular time by means of a variable speed limit sign.

Schedule 1 [3] enables approved camera recording devices that take photographs of speeding vehicles to be inspected within 84 hours before the time and day recorded on the photograph as the time at which and the day on which the speeding offence was alleged to have been committed rather than on the day of the alleged offence.

Schedule 1 [4] enables, in relation to an offence of exceeding a speed limit displayed by means of a variable speed limit sign, prima facie evidence to be given by certificate of:

- (a) the location of the variable speed limit sign and the length of public street to which the speed limit applies, and
- (b) the speed limit displayed on the variable speed limit sign, and
- (c) the day on which and the time of the day at which the speed limit was so displayed.

Schedule 1 [5] contains a savings provision.