

Act 1993 No. 14

**TRAFFIC (TOW TRUCK PENALTY NOTICES) AMENDMENT
BILL 1993**

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to amend the Traffic Act 1909 to provide for “on-the-spot” fines for certain offences under the Tow Truck Act 1989.

The Bill amends section 18B of the Traffic Act 1909 so that penalty notices may be served under that section on any person who appears to have committed an offence under the Tow Truck Act 1989 or the regulations made under that Act. A penalty notice gives the person the option of paying an “on-the-spot” fine instead of having the matter dealt with by a court.

As a result of the amendment of section 18B, the effect of section 18C of the Traffic Act 1909 is extended. Offences under the Tow Truck Act 1989 and the regulations made under that Act will be eligible for inclusion in the penalty default cancellation scheme—that is, the scheme under which a failure to pay the penalty imposed by a penalty notice can result in cancellation of the offender’s driver’s licence or vehicle registration.

Clause 1 specifies the short title of the proposed Act.

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

Clause 3 amends section 18B of the Traffic Act 1909, to provide for certain offences under the Tow Truck Act 1989 and the regulations made under that Act to be included in the penalty notice scheme. Only those offences which are prescribed by the regulations for the purposes of section 18B will be subject to the penalty notice and fine default scheme.
