

# Road Transport (General) (Penalty Notice Offences) Regulation 2002

[2002-436]



New South Wales

## Status Information

### Currency of version

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Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Notes—

- **Does not include amendments by**  
[Road Transport Legislation \(Speed Limiters\) Amendment Act 2005 No 36](#) (not commenced)

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

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# Road Transport (General) (Penalty Notice Offences) Regulation 2002



New South Wales

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# Road Transport (General) (Penalty Notice Offences) Regulation 2002



New South Wales

## 1 Name of Regulation

This Regulation is the *Road Transport (General) (Penalty Notice Offences) Regulation 2002*.

## 2 Commencement

This Regulation commences on 1 July 2002.

## 3 Definitions

(1) In this Regulation:

**area of operations**, in relation to a declared organisation, means the area of operations specified in relation to that organisation in Column 2 of Schedule 3 to the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999*.

**Australian Road Rules** has the same meaning as it has in the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999*.

**authorised officer** means an officer of a class referred to in Schedule 1, being a person who satisfies the criteria specified in that Schedule in respect of an officer of that class.

**class A motor vehicle** means:

- (a) a motor vehicle with a GVM not exceeding 4.5 tonnes, or
- (b) a motor vehicle and trailer combination with a GCM not exceeding 4.5 tonnes.

**class B motor vehicle** means:

- (a) a motor vehicle with a GVM exceeding 4.5 tonnes but not exceeding 12 tonnes, or
- (b) a motor vehicle and trailer combination with a GCM exceeding 4.5 tonnes but not exceeding 12 tonnes.

**class C motor vehicle** means:

- (a) a motor vehicle with a GVM exceeding 12 tonnes, or
- (b) a motor vehicle and trailer combination with a GCM exceeding 12 tonnes.

**declared organisation** means an organisation specified in Column 1 of Schedule 3 to the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999*.

**GCM** has the same meaning as it has in the *Road Transport (Safety and Traffic Management) Act 1999*.

**GVM** has the same meaning as it has in the *Road Transport (Safety and Traffic Management) Act 1999*.

**heavy motor vehicle** has the same meaning as it has in the *Road Transport (Safety and Traffic Management) Act 1999*.

**local council** means the council of a local government area.

**Safe-T-Cam sign** means a traffic sign bearing the words "SAFE-T-CAM MANAGING SPEED AND FATIGUE".

**Safe-T-Cam zone** means a length of road to which a Safe-T-Cam sign applies, being a length of road beginning at a Safe-T-Cam sign and ending 300 metres along the length of road in the direction driven by a driver on the road who faces the sign before passing it.

**the Act** means the *Road Transport (General) Act 1999*.

- (2) The persons referred to in Schedule 1 are prescribed as authorised officers for the purposes of paragraph (c) of the definition of **authorised officer** in section 3 (1) of the Act, but only in relation to the functions conferred on authorised officers by section 15 of the Act.
- (3) Words and expressions that are used in Schedule 1 in connection with a provision of an Act or instrument have the same meanings in that Schedule as they have in that provision.

#### 4 Notes

Notes in the text of this Regulation do not form part of this Regulation.

#### 5 Penalty notice offences

- (1) For the purposes of section 15 of the Act:
  - (a) each offence:
    - (i) that is created by a provision specified in Column 1 of Schedule 2, and

- (ii) for which an amount of penalty is specified in Column 3 of Schedule 2, is declared to be a penalty notice offence, and
  - (b) the authorised officers for such an offence are officers of the class or classes specified in relation to the offence in Column 2 of Schedule 2, and
  - (c) the prescribed penalty for such an offence is the amount of penalty specified in relation to the offence in Column 3 of Schedule 2.
- (2) If the reference to a provision in Column 1 of Schedule 2 is qualified by words that restrict its operation to specified kinds of offences or to offences committed in specified circumstances, an offence created by the provision is a penalty notice offence only if it is an offence of a kind so specified or is committed in the circumstances so specified.
- (3) Despite subclause (1) (b):
- (a) an authorised officer who is an officer or employee of a local council may exercise the functions of an authorised officer only within the local government area of that council, and
  - (b) an authorised officer who is an officer or employee of a declared organisation may exercise the functions of an authorised officer only within the area of operations of that organisation.
- (4) Subclause (3) does not prevent an authorised officer who is an officer or employee of a local council or declared organisation from exercising the functions of an authorised officer:
- (a) in the local government area of some other council, or
  - (b) in the area of operations of some other declared organisation,
- under an arrangement entered into between the bodies concerned in relation to the exercise of those functions within those areas.

**Note—**

Subclause (1) (b) prescribes those persons who are to be authorised officers for the purposes of section 15 (that is, those persons who may issue penalty notices for the penalty notice offences prescribed by subclause (1) (a)). Under section 15 (1), police officers are empowered to issue penalty notices for all such offences.

## **5A Penalty levels**

For the purposes of this Regulation, penalty amounts are expressed in terms of the following levels:

**Level 1** means a penalty of \$50.

**Level 2** means a penalty of \$75.

**Level 3** means a penalty of \$125.

**Level 4** means a penalty of \$175.

**Level 5** means a penalty of \$225.

**Level 6** means a penalty of \$300.

**Level 7** means a penalty of \$375.

**Level 8** means a penalty of \$450.

**Level 9** means a penalty of \$575.

**Level 10** means a penalty of \$725.

**Level 11** means a penalty of \$900.

**Level 12** means a penalty of \$950.

**Level 13** means a penalty of \$1,175.

**Level 14** means a penalty of \$1,550.

**Level 15** means a penalty of \$2,350.

## **6 Savings and transitional—Motor Traffic Regulations 1935**

- (1) Any person who, immediately before the commencement of clause 7 of the [Road Transport \(General\) \(Short Descriptions and Penalty Notice Offences\) Regulation 1999](#), was authorised for the purposes of Regulation 130A of the *Motor Traffic Regulations 1935* is taken to have been authorised for the purposes of this Regulation.
- (2) Any person who, immediately before the commencement of clause 7 of the [Road Transport \(General\) \(Short Descriptions and Penalty Notice Offences\) Regulation 1999](#), was an enforcement officer for the purposes of Regulation 130A of the *Motor Traffic Regulations 1935* is taken to be an enforcement officer for the purposes of this Regulation.

### **Note—**

The object of subclauses (1) and (2) is to ensure that persons who were authorised officers under a provision of Regulation 130A of the *Motor Traffic Regulations 1935* immediately before the commencement of clause 7 of the [Road Transport \(General\) \(Short Descriptions and Penalty Notice Offences\) Regulation 1999](#) continue to be authorised officers under the corresponding provision of Schedule 1.

- (3) This clause applies to any document (being an information, complaint, summons, warrant, notice, order or other document that relates to an offence alleged to have been committed before the repeal of the *Motor Traffic Regulations 1935*), and so

applies whether the document was issued, given or made before or after that repeal.

- (4) The repeal of the *Motor Traffic Regulations 1935* does not affect the validity of any document to which this clause applies in which an expression that was prescribed by those Regulations, as in force immediately before that repeal, is used.

**7 Repeal and savings—Road Transport (General) (Short Descriptions and Penalty Notice Offences) Regulation 1999**

- (1) The *Road Transport (General) (Short Descriptions and Penalty Notice Offences) Regulation 1999* is repealed.
- (2) Any act, matter or thing that was done for the purposes of or, immediately before the repeal of the *Road Transport (General) (Short Descriptions and Penalty Notice Offences) Regulation 1999*, had effect under that Regulation is taken to have been done for the purposes of or to have effect under this Regulation.

**Schedule 1 Authorised officers**

(Clause 3)

**Class 1 officer** means:

- (a) a special constable who, during the normal course of his or her employment, is subject to the control and direction of the Commissioner of Police, or
- (b) a person who is employed in the Office of State Revenue in the Treasury and who is authorised by the Chief Commissioner of State Revenue for the purposes of this Regulation.

**Class 2 officer** means a person:

- (a) who is employed by the Roads and Traffic Authority as an enforcement officer, or
- (b) who is subject to the control and direction of the Roads and Traffic Authority as an enforcement officer.

**Class 3 officer** means a person:

- (a) who is employed by the State Transit Authority as an enforcement officer, or
- (b) who is subject to the control and direction of the State Transit Authority as an enforcement officer.

**Class 4 officer** means a person:

- (a) who is employed in the Department of Transport as an enforcement officer, or
- (b) who is subject to the control and direction of the head of the Department of Transport as an enforcement officer.

**Class 5 officer** means a person:

- (a) who is employed by the Tow Truck Authority as an enforcement officer, or

(b) who is subject to the control and direction of the Tow Truck Authority as an enforcement officer.

**Class 6 officer** means a person:

(a) who is an officer or employee of the Forestry Commission, or

(b) who is subject to the control and direction of the Forestry Commission,

and who is an enforcement officer (within the meaning of section 226 of the [Protection of the Environment Operations Act 1997](#)) in respect of an offence arising under section 145 of that Act.

**Class 7 officer** means a person:

(a) who is an officer or employee of the National Parks and Wildlife Service, or

(b) who is subject to the control and direction of the National Parks and Wildlife Service,

and who is an enforcement officer (within the meaning of section 226 of the [Protection of the Environment Operations Act 1997](#)) in respect of an offence arising under section 145 of that Act.

**Class 8 officer** means a person:

(a) who is employed by the Sydney Harbour Foreshore Authority as an enforcement officer, or

(b) who is subject to the control and direction of the Sydney Harbour Foreshore Authority as an enforcement officer.

**Class 9 officer** means a person:

(a) who is employed in a Government department as an enforcement officer, or

(b) who is subject to the control and direction of the head of a Government department as an enforcement officer,

but only if the Government department is authorised in writing by the Commissioner of Police for the purposes of this provision.

**Class 10 officer** means a person:

(a) who is employed by a corporation established by or under an Act as an enforcement officer, or

(b) who is subject to the control and direction of a corporation as an enforcement officer,

but only if the corporation is authorised in writing by the Commissioner of Police for the purposes of this provision.

**Class 12 officer** means a person:

(a) who is employed by a local council, or

(b) who is subject to the control and direction of a local council,

and who is an authorised person (within the meaning of the [Local Government Act 1993](#)) for the purposes of section 679 of that Act.



- Class 14 officer** means a person who is an authorised officer (within the meaning of the [Roads Act 1993](#)) for the purposes of Division 2 of Part 14 of that Act.
- Class 15 officer** means a person who is employed by a declared organisation as an enforcement officer.
- Class 16 officer** means a person who is appointed or employed by the Roads and Traffic Authority as a Traffic Commander.

Schedule 2 Penalty notice offences

(Clause 5)

Australian Road Rules

Column 1	Column 2	Column 3
Provision	Authorised officer	Penalty
Rule 20:		
(a) in the case of a class A motor vehicle:		
(i) driven at a speed of not more than 15 km/h above the speed limit applicable	Class 1	Level 2
(ii) driven at a speed of more than 15 km/h but not more than 30 km/h above the speed limit applicable	Class 1	Level 5
(iii) driven at a speed of more than 30 km/h but not more than 45 km/h above the speed limit applicable	Class 1	Level 9
(iv) driven at a speed of more than 45 km/h above the speed limit applicable	Class 1	Level 14
(b) in the case of a class B motor vehicle:		
(i) driven at a speed of not more than 15 km/h above the speed limit applicable	Class 1	Level 5
(ii) driven at a speed of more than 15 km/h but not more than 30 km/h above the speed limit applicable	Class 1	Level 6
(iii) driven at a speed of more than 30 km/h but not more than 45 km/h above the speed limit applicable	Class 1	Level 9
(iv) driven at a speed of more than 45 km/h above the speed limit applicable	Class 1	Level 14

(c) in the case of a class C motor vehicle:

(i) driven at a speed of not more than 15 km/h above the speed limit applicable	Class 1	Level 5
(ii) driven at a speed of more than 15 km/h but not more than 30 km/h above the speed limit applicable	Class 1	Level 6
(iii) driven at a speed of more than 30 km/h but not more than 45 km/h above the speed limit applicable	Class 1	Level 11
(iv) driven at a speed of more than 45 km/h above the speed limit applicable	Class 1	Level 15

Rule 27 (1); Rule 28 (1); Rule 29; Rule 31; Rule 32 (1); Rule 33 (1) and (2); Rule 33 (1) and (3); Rule 88; Rule 89; Rule 90; Rule 91; Rule 92 (1); Rule 98 (1); Rule 99; Rule 100:

(a) in relation to the use of a motor vehicle	Class 1	Level 4
(b) in relation to the use of any other vehicle	Class 1	Level 1

Rule 37; Rule 39; Rule 40; Rule 41; Rule 42; Rule 43; Rule 93 (1); Rule 94; Rule 95 (1); Rule 96 (1); Rule 97 (1); Rule 111; Rule 115 (1); Rule 116; Rule 125 (1); Rule 128; Rule 143; Rule 155 (1); Rule 156 (1); Rule 295 (1) and (2); Rule 295 (1) and (3)

Rule 38; Rule 62; Rule 63; Rule 64 (a); Rule 64 (c); Rule 65 (2) (a); Rule 65 (2) (b); Rule 67 (1); Rule 68 (1); Rule 69 (1); Rule 70; Rule 71 (1); Rule 72 (1); Rule 73 (1); Rule 74 (1); Rule 75 (1); Rule 76 (1); Rule 76 (2); Rule 77 (1); Rule 84 (1) (a); Rule 84 (1) (b); Rule 85; Rule 86 (1); Rule 87; Rule 101; Rule 108 (1); Rule 114; Rule 136; Rule 140; Rule 142 (1); Rule 144; Rule 145; Rule 148; Rule 149; Rule 154 (1); Rule 157 (1); Rule 159 (1); Rule 224; Rule 264 (1); Rule 265 (1); Rule 266 (1); Rule 268; Rule 269 (1); Rule 269 (3); Rule 269 (4); Rule 270 (1) (a); Rule 270 (2); Rule 271 (1) (a); Rule 271 (2) (a); Rule 271 (2) (a) and (3); Rule 271 (4); Rule 271 (5); Rule 287; Rule 288; Rule 289; Rule 290; Rule 297 (2); Rule 298; Rule 299 (1); Rule 300

Rule 46 (1); Rule 46 (4); Rule 48 (1); Rule 48 (4); Rule 51; Rule 53; Rule 102 (1); Rule 105; Rule 107; Rule 112; Rule 113; Rule 117; Rule 118 (1); Rule 118 (2); Rule 141 (1); Rule 153 (1); Rule 162 (1); Rule 163 (1); Rule 164 (1); Rule 222 (2); Rule 295 (1), (4) and (5) (a); Rule 295 (1), (4) and (5) (b); Rule 295 (1), (4) and (5) (c); Rule 296 (1)

Rule 56 (1), otherwise than at toll booth:

(a) in relation to the use of a motor vehicle	Class 1	Level 6
(b) in relation to the use of any other vehicle	Class 1	Level 1
Rule 56 (1), at toll booth; Rule 59 (1), at toll booth	Class 1	Level 3

Rule 56 (2); Rule 80; Rule 81; Rule 82; Rule 83:

(a) in relation to the use of a motor vehicle	Class 1	Level 6
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(b) in relation to the use of any other vehicle	Class 1	Level 1
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Rule 57; Rule 60; Rule 61; Rule 64 (b); Rule 65 (2) (c); Rule 66; Rule 78 (1); Rule 78 (2); Rule 79 (1); Rule 121; Rule 122; Rule 123; Rule 124; Rule 126; Rule 152; Rule 274; Rule 275; Rule 277; Rule 279; Rule 281; Rule 282; Rule 284; Rule 286; Rule 294; Rule 297 (1)	Class 1	Level 6
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Rule 59 (1), otherwise than at toll booth	Class 1	Level 6
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Rule 103	Class 1, 2, 14	Level 4
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Rule 104:

(a) in relation to any length of road other than the length of road referred to in paragraph (b)	Class 1, 2, 14	Level 3
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(b) in relation to the length of road between Galston and Hornsby Heights that crosses Galston Gorge	Class 1, 2, 14	Level 14
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Rule 106	Class 1, 2, 14	Level 3
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Rule 119; Rule 141 (2); Rule 151; Rule 223; Rule 228; Rule 229; Rule 230 (1); Rule 231 (1); Rule 232 (1); Rule 232 (3); Rule 232 (4); Rule 233; Rule 234; Rule 235; Rule 236; Rule 237 (1); Rule 238; Rule 239; Rule 240; Rule 241; Rule 242 (1); Rule 243; Rule 244; Rule 245; Rule 246; Rule 247 (1); Rule 248; Rule 249; Rule 250; Rule 251; Rule 252 (1); Rule 253; Rule 254; Rule 255; Rule 256; Rule 257 (1); Rule 258; Rule 259; Rule 260; Rule 261 (1); Rule 262; Rule 301; Rule 302; Rule 303	Class 1	Level 1
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Rule 127 (1), in relation to a class B or class C motor vehicle in a Safe-T-Cam zone	Class 1	Level 11
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Rule 127 (1), otherwise than in relation to a class B or class C motor vehicle in a Safe-T-Cam zone	Class 1	Level 6
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Rule 129 (1); Rule 137 (1); Rule 138 (1):

(a) in relation to the use of a motor vehicle	Class 1	Level 4
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(b) in relation to the use of any other vehicle	Class 1	Level 1
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Rule 130; Rule 131; Rule 132; Rule 135 (1):

(a) in relation to the use of a motor vehicle	Class 1	Level 5
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(b) in relation to the use of any other vehicle	Class 1	Level 1
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Rule 146, in relation to a class B or class C motor vehicle in a Safe-T-Cam zone; Rule 147, in relation to a class B or class C motor vehicle in a Safe-T-Cam zone; Rule 150 (1), in relation to a class B or class C motor vehicle in a Safe-T-Cam zone	Class 1	Level 11
Rule 146, otherwise than in relation to a class B or class C motor vehicle in a Safe-T-Cam zone; Rule 147, otherwise than in relation to a class B or class C motor vehicle in a Safe-T-Cam zone	Class 1	Level 4
Rule 150 (1), otherwise than in relation to a class B or class C motor vehicle in a Safe-T-Cam zone	Class 1	Level 4
Rule 160; Rule 161; Rule 212; Rule 213 (2); Rule 215; Rule 216; Rule 217 (1); Rule 218; Rule 219; Rule 221; Rule 271 (1) (b); Rule 271 (1) (c); Rule 271 (2) (b); Rule 271 (2) (b) and (3); Rule 272; Rule 296 (2)	Class 1	Level 2
Rule 167, in relation to a sign bearing the words "no stopping"	Class 1, 12, 16	Level 4
Rule 167, in relation to a sign bearing the words "no standing"	Class 1, 12, 16	Level 2
Rule 168 (1)	Class 1, 12, 16	Level 2
Rule 169; Rule 170; Rule 176 (1); Rule 177 (1); Rule 178; Rule 187	Class 1, 12, 16	Level 4
Rule 171 (1); Rule 172 (1); Rule 173 (1); Rule 174 (2); Rule 175 (1)	Class 1, 12	Level 5
Rule 179; Rule 180 (1); Rule 181 (1); Rule 190 (1); Rule 208 (1) and (2)	Class 1, 12	Level 3
Rule 182 (1); Rule 196 (1)	Class 1, 4, 12	Level 3
Rule 183 (1)	Class 1, 3, 4, 12	Level 4
Rule 184 (1), in relation to a minibus zone in a clearway, transit lane or bus lane	Class 1, 3, 4, 12	Level 3
Rule 184 (1), otherwise than in relation to a minibus zone in a clearway, transit lane or bus lane	Class 1, 3, 4, 12	Level 2
Rule 185 (1); Rule 186 (1)	Class 1, 4, 12	Level 2
Rule 188; Rule 193 (1); Rule 194 (1); Rule 197 (1); Rule 198; Rule 199 (1); Rule 200; Rule 201; Rule 202; Rule 205; Rule 208 (1) and (3); Rule 208 (1) and (4); Rule 208 (1) and (5); Rule 208 (1) and (7); Rule 208 (1) and (8); Rule 209 (2); Rule 210 (1); Rule 211	Class 1, 12	Level 2
Rule 189; Rule 208 (1) and (6)	Class 1, 12	Level 4
Rule 191; Rule 192	Class 1, 12, 16	Level 3
Rule 195 (1)	Class 1, 4, 12	Level 4
Rule 203 (1)	Class 1, 12	Level 7
Rule 220 (1)	Class 1, 2, 12	Level 2
Rule 226; Rule 227	Class 1, 2	Level 2

Rule 270 (1) (a) and (b) (where unhelmeted rider rides bike with one unhelmeted passenger only)	Class 1	Level 8
Rule 270 (1) (a) and (b) (where unhelmeted rider rides bike with 2 unhelmeted passengers)	Class 1	Level 10
Rule 270 (1) (a) and (b) (where unhelmeted rider rides bike with 3 unhelmeted passengers)	Class 1	Level 12
Rule 270 (1) (a) and (b) (where unhelmeted rider rides bike with 4 or more unhelmeted passengers)	Class 1	Level 13
Rule 270 (1) (b) (where helmeted rider rides bike with one unhelmeted passenger only)	Class 1	Level 5
Rule 270 (1) (b) (where helmeted rider rides bike with 2 unhelmeted passengers)	Class 1	Level 8
Rule 270 (1) (b) (where helmeted rider rides bike with 3 unhelmeted passengers)	Class 1	Level 10
Rule 270 (1) (b) (where helmeted rider rides bike with 4 or more unhelmeted passengers)	Class 1	Level 12
Rule 291	Class 1, 2	Level 5
Rule 292 (a); Rule 292 (b)	Class 1, 2, 12	Level 6
Rule 292 (c)	Class 1, 2	Level 6
Rule 293 (2)	Class 1, 2, 16	Level 6
Rule 304 (1)	Class 1, 16	Level 5

**Local Government Act 1993**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision</b>	<b>Authorised officer</b>	<b>Penalty</b>
Section 650 (1) (in relation to a notice or sign referred to in section 650 (2) (a) or (b)); Section 650 (4); Section 650 (5)	Class 1, 6, 7, 12	Level 2
Section 650 (1) (in relation to a notice or sign referred to in section 650 (2) (c)—space for the use of persons with disabilities)	Class 1, 6, 7, 12	Level 7

**Motor Accidents Compensation Act 1999**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision</b>	<b>Authorised officer</b>	<b>Penalty</b>
Section 8	Class 1, 2, 4	Level 8

**Motor Vehicles Taxation Act 1988**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
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<b>Provision</b>	<b>Authorised officer</b>	<b>Penalty</b>
Section 9	Class 1, 2	Level 8
<b><i>Road Transport (Driver Licensing) Act 1998</i></b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision</b>	<b>Authorised officer</b>	<b>Penalty</b>
Section 23	Class 1	Level 9
Section 25 (1) (a); Section 25 (1) (b):		
(a) where the driver held a licence under the Act (but not a licence appropriate to the class of vehicle driven, being a class of vehicle that requires a Class C, Class R, Class LR or Class MR licence):		
(i) for the first offence, or the first offence within the last 5 years	Class 1, 2	Level 7
(ii) for the second or subsequent offence within the last 5 years	Class 1, 2	Level 9
(b) where the driver held a licence under the Act (but not a licence appropriate to the class of vehicle driven, being a class of vehicle that requires a Class HR, Class HC or Class MC licence):		
(i) for the first offence, or the first offence within the last 5 years	Class 1, 2	Level 8
(ii) for the second or subsequent offence within the last 5 years	Class 1, 2	Level 11
(c) where the driver held a licence issued under the law in force in another State or Territory, but had resided continuously in New South Wales during the previous 3 months:		
(i) for the first offence, or the first offence within the last 5 years	Class 1, 2	Level 7
(ii) for the second or subsequent offence within the last 5 years	Class 1, 2	Level 9
(d) where the driver held a licence under the Act that had expired less than 2 years before:		
(i) for the first offence, or the first offence within the last 5 years	Class 1, 2	Level 7
(ii) for the second or subsequent offence within the last 5 years	Class 1, 2	Level 9
(e) where the driver held a licence under the Act that had expired 2 years or more before:		

(i) for the first offence, or the first offence within the last 5 years	Class 1, 2	Level 8
(ii) for the second or subsequent offence within the last 5 years	Class 1, 2	Level 11
(f) where the driver had never been licensed within the meaning of section 25 (4) (for the first offence only)	Class 1, 2	Level 9

**Road Transport (Driver Licensing) Regulation 1999**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision</b>	<b>Authorised officer</b>	<b>Penalty</b>
Clause 12 (1) (a)	Class 1	Level 9
Clause 12 (1) (b); Clause 12 (2) (a); Clause 12 (2) (b); Clause 13; Clause 15 (6) (a); Clause 15 (6) (b)	Class 1	Level 4
Clause 12 (3)	Class 1	Level 7
Clause 12 (4); Clause 12 (5) (a); Clause 12 (5) (b); Clause 30 (1) (a); Clause 30 (1) (b); Clause 55 (5)	Class 1	Level 2
Clause 56 (where the licence concerned is a provisional P1 licence of class R and the holder of the licence drives a motor cycle with engine capacity greater than 260 ml or a power to weight ratio greater than 150 kilowatts per tonne but otherwise than in relation to a condition relating to a 90 km/h speed limit):		
(a) for the first offence, or the first offence within the last 5 years	Class 1	Level 7
(b) for the second or subsequent offence within the last 5 years	Class 1	Level 9
Clause 56 (otherwise than where the licence concerned is an interlock driver licence or where the licence is a provisional P1 licence of class R and the holder of the licence drives a motor cycle with engine capacity greater than 260 ml or a power to weight ratio greater than 150 kilowatts per tonne and otherwise than in relation to a condition relating to a 90 km/h speed limit):		
(a) in relation to licence conditions generally	Class 1	Level 4
(b) in relation to P plates for holders of P1 licences of class C	Class 1	Level 4
(c) in relation to P plates for holders of P1 licences of class R	Class 1	Level 4
(d) in relation to P plates for holders of P2 licences	Class 1	Level 4
Clause 56, in relation to a condition relating to a 90 km/h speed limit	Class 1	Level 4
Clause 57; Clause 58	Class 1, 2	Level 2

**Road Transport (General) Act 1999**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision</b>	<b>Authorised officer</b>	<b>Penalty</b>
Section 19 (2) (a)	Class 1	Level 2

**Road Transport (Safety and Traffic Management) Act 1999**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision</b>	<b>Authorised officer</b>	<b>Penalty</b>
Section 41 (1)	Class 1	Level 8
Section 41 (2)	Class 1	Level 9
Section 42 (1) (c)	Class 1	Level 6
Section 48; Section 49 (3)	Class 1	Level 13
Section 76 (7)	Class 1, 2	Level 5

**Road Transport (Safety and Traffic Management) (Driver Fatigue) Regulation 1999**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision</b>	<b>Authorised officer</b>	<b>Penalty</b>
Clause 19 (3); Clause 20 (3); Clause 21; Clause 28 (3); Clause 29 (2); Clause 30 (3); Clause 34 (1); Clause 35 (4); Clause 36 (4); Clause 37; Clause 40 (4); Clause 48; Clause 49; Clause 50 (2); Clause 51 (2); Clause 52; Clause 54 (3); Clause 56 (1); Clause 57 (1); Clause 58; Clause 60; Clause 61; Clause 62; Clause 63 (3); Clause 64; Clause 65; Clause 66 (1); Clause 67; Clause 69; Clause 70; Clause 71 (1); Clause 72; Clause 73; Clause 75; Clause 76; Clause 77; Clause 78; Clause 93 (2); Clause 95 (1); Clause 96; Clause 97 (4); Clause 119 (2); Clause 125; Clause 130 (3); Clause 134 (2); Clause 135; Clause 136 (3); Clause 137 (2)	Class 1, 2, 4	Level 4

**Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision</b>	<b>Authorised officer</b>	<b>Penalty</b>
Clause 38 (1):		
(a) in the case of a class B motor vehicle:		
(i) driven at a speed of not more than 15 km/h above the speed limit applicable	Class 1	Level 5



(ii) driven at a speed of more than 15 km/h but not more than 30 km/h above the speed limit applicable	Class 1	Level 6
(iii) driven at a speed of more than 30 km/h but not more than 45 km/h above the speed limit applicable	Class 1	Level 9
(iv) driven at a speed of more than 45 km/h above the speed limit applicable	Class 1	Level 14
(b) in the case of a class C motor vehicle:		
(i) driven at a speed of not more than 15 km/h above the speed limit applicable	Class 1	Level 5
(ii) driven at a speed of more than 15 km/h but not more than 30 km/h above the speed limit applicable	Class 1	Level 6
(iii) driven at a speed of more than 30 km/h but not more than 45 km/h above the speed limit applicable	Class 1	Level 11
(iv) driven at a speed of more than 45 km/h above the speed limit applicable	Class 1	Level 15
Clause 38 (4); Clause 38 (5); Clause 38 (6):		
(a) in the case of a vehicle driven at a speed of not more than 15 km/h above the speed limit applicable	Class 1	Level 2
(b) in the case of a vehicle driven at a speed of more than 15 km/h but not more than 30 km/h above the speed limit applicable	Class 1	Level 5
(c) in the case of a vehicle driven at a speed of more than 30 km/h but not more than 45 km/h above the speed limit applicable	Class 1	Level 9
(d) in the case of a vehicle driven at a speed of more than 45 km/h above the speed limit applicable	Class 1	Level 14
Clause 40 (1):		
(a) in the case of a class A motor vehicle:		
(i) driven at a speed of not more than 15 km/h above the speed limit applicable	Class 1	Level 2
(ii) driven at a speed of more than 15 km/h but not more than 30 km/h above the speed limit applicable	Class 1	Level 5

(iii) driven at a speed of more than 30 km/h but not more than 45 km/h above the speed limit applicable	Class 1	Level 9
(iv) driven at a speed of more than 45 km/h above the speed limit applicable	Class 1	Level 14
(b) in the case of a class B motor vehicle:		
(i) driven at a speed of not more than 15 km/h above the speed limit applicable	Class 1	Level 5
(ii) driven at a speed of more than 15 km/h but not more than 30 km/h above the speed limit applicable	Class 1	Level 6
(iii) driven at a speed of more than 30 km/h but not more than 45 km/h above the speed limit applicable	Class 1	Level 9
(iv) driven at a speed of more than 45 km/h above the speed limit applicable	Class 1	Level 14
(c) in the case of a class C motor vehicle:		
(i) driven at a speed of not more than 15 km/h above the speed limit applicable	Class 1	Level 5
(ii) driven at a speed of more than 15 km/h but not more than 30 km/h above the speed limit applicable	Class 1	Level 6
(iii) driven at a speed of more than 30 km/h but not more than 45 km/h above the speed limit applicable	Class 1	Level 11
(iv) driven at a speed of more than 45 km/h above the speed limit applicable	Class 1	Level 15
Clause 42 (1); Clause 94 (3); Clause 94 (4); Clause 94 (5); Clause 95 (4); Clause 96	Class 1, 2	Level 3
Clause 43	Class 1, 2, 16	Level 3
Clause 44	Class 1	Level 3
Clause 45; Clause 47 (2) (a); Clause 47 (2) (b); Clause 45A (1); Clause 46 (1); Clause 47A (1); Clause 47C (2); Clause 47C (3); Clause 47D; Clause 47E; Clause 96B (1)	Class 1	Level 5
Clause 47 (2) (c); Clause 54 (1); Clause 55 (a); Clause 55 (b); Clause 55 (c); Clause 55 (e); Clause 84; Clause 85 (1); Clause 86; Clause 90 (1)	Class 1	Level 2
Clause 47B (where driver wearing seatbelt drives with one unrestrained passenger only)	Class 1	Level 5

Clause 47B (where driver wearing seatbelt drives with 2 unrestrained passengers)	Class 1	Level 8
Clause 47B (where driver wearing seatbelt drives with 3 unrestrained passengers)	Class 1	Level 10
Clause 47B (where driver wearing seatbelt drives with 4 or more unrestrained passengers)	Class 1	Level 12
Clause 47B (where driver not wearing seatbelt drives with one unrestrained passenger only)	Class 1	Level 8
Clause 47B (where driver not wearing seatbelt drives with 2 unrestrained passengers)	Class 1	Level 10
Clause 47B (where driver not wearing seatbelt drives with 3 unrestrained passengers)	Class 1	Level 12
Clause 47B (where driver not wearing seatbelt drives with 4 or more unrestrained passengers)	Class 1	Level 13
Clause 48 (1); Clause 49 (1)	Class 1, 2	Level 6
Clause 50 (1); Clause 56 (1); Clause 90 (2)	Class 1, 2	Level 2
Clause 53 (1), in relation to a class B or class C motor vehicle in a Safe-T-Cam zone	Class 1	Level 11
Clause 53 (1), otherwise than in relation to a class B or class C motor vehicle in a Safe-T-Cam zone	Class 1	Level 2
Clause 59 (2)	Class 1	Level 6
Clause 60 (1)	Class 1, 8, 9, 10, 12, 15, 16	Level 2
Clause 61; Clause 62; Clause 63 (2); Clause 64; Clause 65 (a); Clause 65 (b); Clause 66; Clause 67; Clause 68 (2); Clause 70 (b); Clause 71; Clause 72; Clause 73 (2); Clause 76 (3) (a); Clause 77; Clause 78 (2)	Class 1, 12, 15	Level 2
Clause 69; Clause 70 (a); Clause 74; Clause 76 (3) (b); Clause 76 (3) (c); Clause 76 (4)	Class 1, 12, 15	Level 7
Clause 79 (1)	Class 1, 12, 15, 16	Level 4
Clause 88; Clause 96A	Class 1	Level 1
Clause 93; Clause 94 (2); Clause 95 (3)	Class 1, 2	Level 5
Clause 96B (2)	Class 1, 12, 16	Level 5
Clause 123A (1)	Class 1, 12	Level 2
Clause 126K; Clause 126L; Clause 126M; Clause 126N (2); Clause 126O (3); Clause 126P (6)	Class 1, 12	Level 7

Clause 132 (1); Clause 132 (2); Clause 132 (3)

Class 1, 2, 12,  
16

Level 3

### ***Road Transport (Vehicle Registration) Act 1997***

#### **Column 1**

#### **Column 2**

#### **Column 3**

#### **Provision**

#### **Authorised officer**

#### **Penalty**

Section 18 (1):

(a) in the case of a class A motor vehicle

Class 1, 2

Level 8

(b) in the case of a class B or class C motor vehicle

Class 1, 2

Level 12

Section 22 (4); Section 22B (2)

Class 1, 2

Level 12

### ***Road Transport (Vehicle Registration) Regulation 1998***

#### **Column 1**

#### **Column 2**

#### **Column 3**

#### **Provision**

#### **Authorised officer**

#### **Penalty**

Clause 23 (4); Clause 28 (1); Clause 29; Clause 30 (1); Clause 32 (8);  
Clause 34 (3); Clause 39 (4); Clause 41 (2) (a); Clause 41 (2) (b);  
Clause 43 (5); Clause 50 (3); Clause 52; Clause 53; Clause 54;  
Clause 55; Clause 57 (2); Clause 57 (4); Clause 57 (5); Clause 60 (3);  
Clause 61 (4); Clause 63 (5); Clause 64 (2); Clause 67 (4); Clause 74;  
Clause 75; Clause 84 (1); Clause 86

Class 1, 2

Level 2

Clause 57 (1) (a) in respect of the use of a registrable vehicle that  
does not comply with any of the following provisions of Schedule 4:

(a) clause 21 (a), vehicle contravening any Act or other law  
(otherwise than as referred to in the following paragraphs)

Class 1, 2

Level 2

(b) clause 21 (b), vehicle cause danger or unreasonable annoyance

Class 1, 2

Level 3

(c) clause 22, defective steering

Class 1, 2

Level 5

(d) clause 25 (3), motor vehicle manufactured on or after 1 January 2003 (except if the model of the vehicle is a model of a kind manufactured before 1 January 2003) that has a GVM of not more than 3.5 tonnes and that is fitted with a vehicle frontal protection system (such as bullbar, roobar or nudge bar) failing to comply with AS 4876.1—2002, <i>Motor vehicle frontal protection systems, Part 1: Road user protection</i> because of:		
	(i) incorrect method of mounting vehicle frontal protection system, or	Class 1, 2      Level 3
	(ii) exposed edges, or	
	(iii) unacceptable shape of material or unacceptable profile of vehicle frontal protection system, or	
(iv) use of non-standard or non-approved vehicle frontal protection system		
(e) clause 25 (3), motor vehicle manufactured on or after 1 January 2003 (except if the model of the vehicle is a model of a kind manufactured before 1 January 2003) that has a GVM of not more than 3.5 tonnes and that is fitted with a vehicle frontal protection system (such as bullbar, roobar or nudge bar) failing to comply with AS 4876.1—2002, <i>Motor vehicle frontal protection systems, Part 1: Road user protection</i> because of dangerous protrusions (such as fishing rod holders, aerials, winches and brackets for the mounting of spot lamps) fitted to vehicle frontal protection system	Class 1, 2	Level 5
(f) clause 26, oil and grease leaks	Class 1, 2	Level 3
(g) clause 28, defective seating	Class 1, 2	Level 5
(h) clause 29, seat belt removed or defective	Class 1, 2	Level 5
(i) clause 29, motor vehicle not fitted or equipped with seat belts or seat belt anchorages	Class 1, 2	Level 5
(j) clause 31, defective door latches, hinges	Class 1, 2	Level 2
(k) clauses 48–56, defective tyres	Class 1, 2	Level 2
(l) clauses 70–77, exceed dimensions	Class 1, 2	Level 2
(m) clause 74, excessive overhang	Class 1, 2	Level 2
(n) clauses 85–91, defective headlights	Class 1, 2	Level 2
(o) clauses 94–97, defective tail lights	Class 1, 2	Level 2

(p) clauses 106 and 107, defective brake lights	Class 1, 2	Level 2
(q) clauses 132-141, defective brakes	Class 1, 2	Level 5
(r) clause 135, defective emergency brake	Class 1, 2	Level 2
(s) clauses 154-159, undue emission, inefficient silencer or excessive noise	Class 1, 2	Level 3
(t) clause 161, defective LPG equipment or labelling	Class 1, 2	Level 3
(u) clauses 166-178, road train equipment offences	Class 1, 2	Level 3
(v) clause 189, defective or missing fire extinguisher (bus)	Class 1, 2	Level 2
Clause 57 (1) (b)	Class 1, 2	Level 3
Clause 63 (6); Clause 64 (2A)	Class 1, 2	Level 4
Clause 78 (5); Clause 84 (2) except in case of major defect notice	Class 1, 2	Level 5
Clause 84 (2) in the case of a major defect notice	Class 1, 2	Level 6
Clause 84 (3)	Class 1, 2	Level 8
Clause 85 (1) (a) or Clause 85 (1) (b) or Clause 85 (1) (c) or Clause 85 (2) (a) or Clause 85 (2) (b) in the case of a class A motor vehicle	Class 1, 2	Level 6
Clause 85 (1) (d) or Clause 85 (1) (e) or Clause 85 (3) in the case of a class A motor vehicle	Class 1, 2	Level 2
Clause 85 in the case of a class B motor vehicle or class C motor vehicle	Class 1, 2	Level 8

**Roads Act 1993**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision</b>	<b>Authorised officer</b>	<b>Penalty</b>
Section 112, if the offence arises because the laden weight of the vehicle exceeds the maximum specified by means of a notice displayed in accordance with section 112:		
(a) by not more than 1 tonne	Class 1, 2, 14	Level 5
(b) by more than 1 tonne but not more than 2 tonnes	Class 1, 2, 14	Level 8
(c) by more than 2 tonnes but not more than 3 tonnes	Class 1, 2, 14	Level 10
(d) by more than 3 tonnes but not more than 4 tonnes	Class 1, 2, 14	Level 11

Section 115 (4)	Class 1, 2, 14	Level 2
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Section 235, in relation to an offence under section 112, if the offence arises because the laden weight of the vehicle exceeds the maximum specified by means of a notice displayed in accordance with section 112:

(a) by not more than 1 tonne	Class 1, 2, 14	Level 5
(b) by more than 1 tonne but not more than 2 tonnes	Class 1, 2, 14	Level 8
(c) by more than 2 tonnes but not more than 3 tonnes	Class 1, 2, 14	Level 10
(d) by more than 3 tonnes but not more than 4 tonnes	Class 1, 2, 14	Level 11

**Road Transport (Mass, Loading and Access) Regulation 1996**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision</b>	<b>Authorised officer</b>	<b>Penalty</b>
Clause 16 (operate or drive Class 2 vehicle not in accordance with notice or permit):		
(a) if the offence arises because the axle load on a single steer axle or a single axle with single tyres exceeds the maximum specified by a notice issued, or a permit granted, under Division 2 of Part 3 with respect to that axle:		
(i) by not more than 0.5 tonne	Class 1, 2, 6, 7, 12, 14	Level 5
(ii) by more than 0.5 tonne but not more than 1 tonne	Class 1, 2, 6, 7, 12, 14	Level 10
(b) if the offence arises because the axle load on a single axle with dual tyres, or the sum of the axle loads on a twinsteer axle group or a tandem axle group, exceeds the maximum specified by a notice issued, or a permit granted, under Division 2 of Part 3 with respect to that axle or axle group:		
(i) by not more than 1 tonne	Class 1, 2, 6, 7, 12, 14	Level 5
(ii) by more than 1 tonne but not more than 1.5 tonnes	Class 1, 2, 6, 7, 12, 14	Level 8
(iii) by more than 1.5 tonnes but not more than 2 tonnes	Class 1, 2, 6, 7, 12, 14	Level 10
(iv) by more than 2 tonnes but not more than 2.5 tonnes	Class 1, 2, 6, 7, 12, 14	Level 11

- (c) if the offence arises because the sum of the axle loads on a tri-axle group exceeds the maximum specified by a notice issued, or a permit granted, under Division 2 of Part 3 with respect to that axle group:

(i) by not more than 1 tonne	Class 1, 2, 6, 7, 12, 14	Level 5
(ii) by more than 1 tonne but not more than 2 tonnes	Class 1, 2, 6, 7, 12, 14	Level 8
(iii) by more than 2 tonnes but not more than 3 tonnes	Class 1, 2, 6, 7, 12, 14	Level 10
(iv) by more than 3 tonnes but not more than 4 tonnes	Class 1, 2, 6, 7, 12, 14	Level 11

- (d) if the offence arises because the laden weight of a vehicle exceeds the maximum laden weight specified by a notice issued, or a permit granted, under Division 2 of Part 3 with respect to that vehicle:

(i) by not more than 1 tonne	Class 1, 2, 6, 7, 12, 14	Level 5
(ii) by more than 1 tonne but not more than 2 tonnes	Class 1, 2, 6, 7, 12, 14	Level 8
(iii) by more than 2 tonnes but not more than 3 tonnes	Class 1, 2, 6, 7, 12, 14	Level 10
(iv) by more than 3 tonnes but not more than 4 tonnes	Class 1, 2, 6, 7, 12, 14	Level 11

Clause 16 (operate or drive Class 2 vehicle not in accordance with notice or permit):

- |   |                             |          |
|---|-----------------------------|----------|
| (a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under the notice or permit | Class 1, 2, 6, 7,<br>12, 14 | Level 11 |
| (b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under the notice or permit                        | Class 1, 2, 6, 7,<br>12, 14 | Level 11 |
| (c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under the permit or notice   | Class 1, 2, 6, 7,<br>12, 14 | Level 11 |
| (d) that does not involve (a), (b) or (c)   | Class 1, 2, 6, 7,<br>12, 14 | Level 4  |

Clause 30; Clause 52; Clause 55	Class 1, 2, 6, 7, 12, 14	Level 3
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Clause 31 (vehicle or load in breach of a mass limit); Clause 32 (trailer or load in breach of a mass limit); Clause 33 (combination in breach of a mass limit):

(a) if the offence arises because the axle load on a single steer axle or a single axle with single tyres exceeds the maximum specified in Schedule 1 with respect to that axle:

(i) by not more than 0.5 tonne	Class 1, 2, 6, 7, 12, 14	Level 5
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(ii) by more than 0.5 tonne but not more than 1 tonne	Class 1, 2, 6, 7, 12, 14	Level 10
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(b) if the offence arises because the axle load on a single axle with dual tyres, or the sum of the axle loads on a twinsteer axle group or a tandem axle group, exceeds the maximum specified in Schedule 1 with respect to that axle or axle group:

(i) by not more than 1 tonne	Class 1, 2, 6, 7, 12, 14	Level 5
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(ii) by more than 1 tonne but not more than 1.5 tonnes	Class 1, 2, 6, 7, 12, 14	Level 8
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(iii) by more than 1.5 tonnes but not more than 2 tonnes	Class 1, 2, 6, 7, 12, 14	Level 10
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(iv) by more than 2 tonnes but not more than 2.5 tonnes	Class 1, 2, 6, 7, 12, 14	Level 11
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(c) if the offence arises because the sum of the axle loads on a tri-axle group exceeds the maximum specified in Schedule 1 with respect to that axle group:

(i) by not more than 1 tonne	Class 1, 2, 6, 7, 12, 14	Level 5
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(ii) by more than 1 tonne but not more than 2 tonnes	Class 1, 2, 6, 7, 12, 14	Level 8
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(iii) by more than 2 tonnes but not more than 3 tonnes	Class 1, 2, 6, 7, 12, 14	Level 10
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(iv) by more than 3 tonnes but not more than 4 tonnes	Class 1, 2, 6, 7, 12, 14	Level 11
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(d) if the offence arises because the laden weight of a vehicle exceeds the maximum specified in Schedule 1 with respect to that vehicle:

(i) by not more than 1 tonne	Class 1, 2, 6, 7, 12, 14	Level 5
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(ii) by more than 1 tonne but not more than 2 tonnes	Class 1, 2, 6, 7, 12, 14	Level 8
(iii) by more than 2 tonnes but not more than 3 tonnes	Class 1, 2, 6, 7, 12, 14	Level 10
(iv) by more than 3 tonnes but not more than 4 tonnes	Class 1, 2, 6, 7, 12, 14	Level 11
Clause 31 (owner or driver of vehicle failing to comply otherwise than in relation to a breach of a mass limit)	Class 1, 2, 6, 7, 12, 14	Level 4
Clause 32 (trailer or trailer load failing to comply otherwise than in relation to a breach of a mass limit); Clause 32 (failure to comply otherwise than in relation to a trailer or trailer load and otherwise than in relation to a breach of a mass limit); Clause 33 (otherwise than in relation to a breach of a mass limit)	Class 1, 2, 6, 7, 12, 14	Level 4
Clause 35	Class 1, 2, 6, 7, 12, 14	Level 9
Clause 36 (in relation to a breach of a mass limit) in respect of a breach of a condition of a notice or permit by owner of a Class 1, 2 or 3 vehicle; Clause 36 (in relation to a breach of a mass limit) in respect of a breach of a condition of a notice or permit by owner of a whole combination; Clause 36 (in relation to a breach of a mass limit) in respect of a breach of a condition of a notice or permit by owner of a vehicle forming part of a combination:		
(a) if the offence arises because the axle load on a single steer axle or a single axle with single tyres exceeds the maximum specified by a notice issued, or a permit granted, under Part 3 with respect to that axle:		
(i) by not more than 0.5 tonne	Class 1, 2, 6, 7, 12, 14	Level 5
(ii) by more than 0.5 tonne but not more than 1 tonne	Class 1, 2, 6, 7, 12, 14	Level 10
(b) if the offence arises because the axle load on a single axle with dual tyres, or the sum of the axle loads on a twinsteer axle group or a tandem axle group, exceeds the maximum specified by a notice issued, or a permit granted, under Part 3 with respect to that axle or axle group:		
(i) by not more than 1 tonne	Class 1, 2, 6, 7, 12, 14	Level 5
(ii) by more than 1 tonne but not more than 1.5 tonnes	Class 1, 2, 6, 7, 12, 14	Level 8
(iii) by more than 1.5 tonnes but not more than 2 tonnes	Class 1, 2, 6, 7, 12, 14	Level 10

(iv) by more than 2 tonnes but not more than 2.5 tonnes	Class 1, 2, 6, 7, 12, 14	Level 11
(c) if the offence arises because the sum of the axle loads on a tri-axle group exceeds the maximum specified by a notice issued, or a permit granted, under Part 3 with respect to that axle group:		
(i) by not more than 1 tonne	Class 1, 2, 6, 7, 12, 14	Level 5
(ii) by more than 1 tonne but not more than 2 tonnes	Class 1, 2, 6, 7, 12, 14	Level 8
(iii) by more than 2 tonnes but not more than 3 tonnes	Class 1, 2, 6, 7, 12, 14	Level 10
(iv) by more than 3 tonnes but not more than 4 tonnes	Class 1, 2, 6, 7, 12, 14	Level 11
(d) if the offence arises because the laden weight of a vehicle exceeds the maximum laden weight specified by a notice issued, or a permit granted, under Part 3 with respect to that vehicle:		
(i) by not more than 1 tonne	Class 1, 2, 6, 7, 12, 14	Level 5
(ii) by more than 1 tonne but not more than 2 tonnes	Class 1, 2, 6, 7, 12, 14	Level 8
(iii) by more than 2 tonnes but not more than 3 tonnes	Class 1, 2, 6, 7, 12, 14	Level 10
(iv) by more than 3 tonnes but not more than 4 tonnes	Class 1, 2, 6, 7, 12, 14	Level 11
<p>Clause 36 (in relation to a breach of a mass limit) in respect of a breach of a condition of an exemption by owner of a Class 1, 2 or 3 vehicle; Clause 36 (in relation to a breach of a mass limit) in respect of a breach of a condition of an exemption by owner of whole combination; Clause 36 (in relation to a breach of a mass limit) in respect of a breach of a condition of an exemption by owner of a vehicle forming part of a combination:</p>		
(a) if the offence arises because the axle load on a single steer axle or a single axle with single tyres exceeds the maximum specified by an exemption granted under Part 4 with respect to that axle:		
(i) by not more than 0.5 tonne	Class 1, 2, 6, 7, 12, 14	Level 5
(ii) by more than 0.5 tonne but not more than 1 tonne	Class 1, 2, 6, 7, 12, 14	Level 10

(b) if the offence arises because the axle load on a single axle with dual tyres, or the sum of the axle loads on a twinsteer axle group or a tandem axle group, exceeds the maximum specified by an exemption granted under Part 4 with respect to that axle or axle group:

(i) by not more than 1 tonne	Class 1, 2, 6, 7, 12, 14	Level 5
(ii) by more than 1 tonne but not more than 1.5 tonnes	Class 1, 2, 6, 7, 12, 14	Level 8
(iii) by more than 1.5 tonnes but not more than 2 tonnes	Class 1, 2, 6, 7, 12, 14	Level 10
(iv) by more than 2 tonnes but not more than 2.5 tonnes	Class 1, 2, 6, 7, 12, 14	Level 11

(c) if the offence arises because the sum of the axle loads on a tri-axle group exceeds the maximum specified by an exemption granted under Part 4 with respect to that axle group:

(i) by not more than 1 tonne	Class 1, 2, 6, 7, 12, 14	Level 5
(ii) by more than 1 tonne but not more than 2 tonnes	Class 1, 2, 6, 7, 12, 14	Level 8
(iii) by more than 2 tonnes but not more than 3 tonnes	Class 1, 2, 6, 7, 12, 14	Level 10
(iv) by more than 3 tonnes but not more than 4 tonnes	Class 1, 2, 6, 7, 12, 14	Level 11

(d) if the offence arises because the laden weight of a vehicle exceeds the maximum laden weight specified by an exemption granted under Part 4 with respect to that vehicle:

(i) by not more than 1 tonne	Class 1, 2, 6, 7, 12, 14	Level 5
(ii) by more than 1 tonne but not more than 2 tonnes	Class 1, 2, 6, 7, 12, 14	Level 8
(iii) by more than 2 tonnes but not more than 3 tonnes	Class 1, 2, 6, 7, 12, 14	Level 10
(iv) by more than 3 tonnes but not more than 4 tonnes	Class 1, 2, 6, 7, 12, 14	Level 11

Clause 36 (in relation to a breach of a mass limit) in respect of a breach of a condition of a notice or permit by driver of a combination Class 3 vehicle; Clause 36 (in relation to a breach of a mass limit) in respect of a breach of a condition of a notice or permit by driver of a single Class 3 vehicle:

- (a) if the offence arises because the axle load on a single steer axle or a single axle with single tyres exceeds the maximum specified by a notice issued, or a permit granted, under Part 3 with respect to that axle:
- |   |                             |          |
|---|-----------------------------|----------|
| (i) by not more than 0.5 tonne                        | Class 1, 2, 6, 7,<br>12, 14 | Level 5  |
| (ii) by more than 0.5 tonne but not more than 1 tonne | Class 1, 2, 6, 7,<br>12, 14 | Level 10 |
- (b) if the offence arises because the axle load on a single axle with dual tyres, or the sum of the axle loads on a twinsteer axle group or a tandem axle group, exceeds the maximum specified by a notice issued, or a permit granted, under Part 3 with respect to that axle or axle group:
- |  |                             |          |
|--|-----------------------------|----------|
| (i) by not more than 1 tonne                             | Class 1, 2, 6, 7,<br>12, 14 | Level 5  |
| (ii) by more than 1 tonne but not more than 1.5 tonnes   | Class 1, 2, 6, 7,<br>12, 14 | Level 8  |
| (iii) by more than 1.5 tonnes but not more than 2 tonnes | Class 1, 2, 6, 7,<br>12, 14 | Level 10 |
| (iv) by more than 2 tonnes but not more than 2.5 tonnes  | Class 1, 2, 6, 7,<br>12, 14 | Level 11 |
- (c) if the offence arises because the sum of the axle loads on a tri-axle group exceeds the maximum specified by a notice issued, or a permit granted, under Part 3 with respect to that axle group:
- |  |                             |          |
|--|-----------------------------|----------|
| (i) by not more than 1 tonne                           | Class 1, 2, 6, 7,<br>12, 14 | Level 5  |
| (ii) by more than 1 tonne but not more than 2 tonnes   | Class 1, 2, 6, 7,<br>12, 14 | Level 8  |
| (iii) by more than 2 tonnes but not more than 3 tonnes | Class 1, 2, 6, 7,<br>12, 14 | Level 10 |
| (iv) by more than 3 tonnes but not more than 4 tonnes  | Class 1, 2, 6, 7,<br>12, 14 | Level 11 |
- (d) if the offence arises because the laden weight of a vehicle exceeds the maximum laden weight specified by a notice issued, or a permit granted, under Part 3 with respect to that vehicle:
- |  |                             |         |
|--|-----------------------------|---------|
| (i) by not more than 1 tonne                         | Class 1, 2, 6, 7,<br>12, 14 | Level 5 |
| (ii) by more than 1 tonne but not more than 2 tonnes | Class 1, 2, 6, 7,<br>12, 14 | Level 8 |

(iii) by more than 2 tonnes but not more than 3 tonnes	Class 1, 2, 6, 7, 12, 14	Level 10
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(iv) by more than 3 tonnes but not more than 4 tonnes	Class 1, 2, 6, 7, 12, 14	Level 11
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Clause 36 (in relation to a breach of a mass limit) in respect of a breach of a condition of an exemption by driver of a combination Class 3 vehicle; Clause 36 (in relation to a breach of a mass limit) in respect of a breach of a condition of an exemption by driver of a single Class 3 vehicle:

(a) if the offence arises because the axle load on a single steer axle or a single axle with single tyres exceeds the maximum specified by an exemption granted under Part 4 with respect to that axle:

(i) by not more than 0.5 tonne	Class 1, 2, 6, 7, 12, 14	Level 5
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(ii) by more than 0.5 tonne but not more than 1 tonne	Class 1, 2, 6, 7, 12, 14	Level 10
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(b) if the offence arises because the axle load on a single axle with dual tyres, or the sum of the axle loads on a twinsteer axle group or a tandem axle group, exceeds the maximum specified by an exemption granted under Part 4 with respect to that axle or axle group:

(i) by not more than 1 tonne	Class 1, 2, 6, 7, 12, 14	Level 5
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(ii) by more than 1 tonne but not more than 1.5 tonnes	Class 1, 2, 6, 7, 12, 14	Level 8
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(iii) by more than 1.5 tonnes but not more than 2 tonnes	Class 1, 2, 6, 7, 12, 14	Level 10
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(iv) by more than 2 tonnes but not more than 2.5 tonnes	Class 1, 2, 6, 7, 12, 14	Level 11
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(c) if the offence arises because the sum of the axle loads on a tri-axle group exceeds the maximum specified by an exemption granted under Part 4 with respect to that axle group:

(i) by not more than 1 tonne	Class 1, 2, 6, 7, 12, 14	Level 5
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(ii) by more than 1 tonne but not more than 2 tonnes	Class 1, 2, 6, 7, 12, 14	Level 8
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(iii) by more than 2 tonnes but not more than 3 tonnes	Class 1, 2, 6, 7, 12, 14	Level 10
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(iv) by more than 3 tonnes but not more than 4 tonnes	Class 1, 2, 6, 7, 12, 14	Level 11
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- (d) if the offence arises because the laden weight of a vehicle exceeds the maximum laden weight specified by an exemption granted under Part 4 with respect to that vehicle:

(i) by not more than 1 tonne	Class 1, 2, 6, 7, 12, 14	Level 5
(ii) by more than 1 tonne but not more than 2 tonnes	Class 1, 2, 6, 7, 12, 14	Level 8
(iii) by more than 2 tonnes but not more than 3 tonnes	Class 1, 2, 6, 7, 12, 14	Level 10
(iv) by more than 3 tonnes but not more than 4 tonnes	Class 1, 2, 6, 7, 12, 14	Level 11

Clause 36 (in relation to a breach of a mass limit) in respect of a breach of a condition of a notice or permit by driver of a Class 1, 2 or 3 vehicle; Clause 36 (in relation to a breach of a mass limit) in respect of a breach of a condition of a notice or permit by driver of a vehicle forming part of a combination:

(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination is permitted to travel under the notice or permit	Class 1, 2, 6, 7, 12, 14	Level 11
(b) that involves travelling at a time other than the time at which the vehicle or combination is permitted to travel under the notice or permit	Class 1, 2, 6, 7, 12, 14	Level 11
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under the notice or permit	Class 1, 2, 6, 7, 12, 14	Level 11
(d) that does not involve (a), (b) or (c)	Class 1, 2, 6, 7, 12, 14	Level 4

Clause 36 (in relation to a breach of a mass limit) in respect of a breach of a condition of an exemption by driver of a Class 1, 2 or 3 vehicle; Clause 36 (in relation to a breach of a mass limit) in respect of a breach of a condition of an exemption by driver of a vehicle forming part of a combination:

(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination is permitted to travel under the exemption	Class 1, 2, 6, 7, 12, 14	Level 11
(b) that involves travelling at a time other than the time at which the vehicle or combination is permitted to travel under the exemption	Class 1, 2, 6, 7, 12, 14	Level 11
(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under the exemption	Class 1, 2, 6, 7, 12, 14	Level 11

(d) that does not involve (a), (b) or (c)	Class 1, 2, 6, 7, 12, 14	Level 4
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Clause 36 (otherwise than in relation to a breach of a mass limit) in respect of a breach of a condition of a notice or permit by driver of a Class 1, 2 or 3 vehicle; Clause 36 (otherwise than in relation to a breach of a mass limit) in respect of a breach of a condition of a notice or permit by driver of a vehicle forming part of a combination; Clause 36 (otherwise than in relation to a breach of a mass limit) in respect of a breach of a condition of a notice or permit by driver of a vehicle not forming part of a combination:

(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination is permitted to travel under the notice or permit	Class 1, 2, 6, 7, 12, 14	Level 11
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(b) that involves travelling at a time other than the time at which the vehicle or combination is permitted to travel under the notice or permit	Class 1, 2, 6, 7, 12, 14	Level 11
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(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under the notice or permit	Class 1, 2, 6, 7, 12, 14	Level 11
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(d) that does not involve (a), (b) or (c)	Class 1, 2, 6, 7, 12, 14	Level 4
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Clause 36 (otherwise than in relation to a breach of a mass limit) in respect of a breach of a condition of an exemption by driver of a Class 1, 2 or 3 vehicle; Clause 36 (otherwise than in relation to a breach of a mass limit) in respect of a breach of a condition of an exemption by driver of a vehicle forming part of a combination; Clause 36 (otherwise than in relation to a breach of a mass limit) in respect of a breach of a condition of an exemption by driver of a vehicle not forming part of a combination:

(a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination is permitted to travel under the exemption	Class 1, 2, 6, 7, 12, 14	Level 11
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(b) that involves travelling at a time other than the time at which the vehicle or combination is permitted to travel under the exemption	Class 1, 2, 6, 7, 12, 14	Level 11
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(c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under the exemption	Class 1, 2, 6, 7, 12, 14	Level 11
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(d) that does not involve (a), (b) or (c)	Class 1, 2, 6, 7, 12, 14	Level 4
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Clause 38 (otherwise than in relation to a breach of a mass limit):



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|---|-----------------------------|----------|
| (a) that involves travelling in an area or on a route other than an area or route on which the vehicle or combination concerned is permitted to travel under a notice or permit | Class 1, 2, 6, 7,<br>12, 14 | Level 11 |
| (b) that involves travelling at a time other than the time at which the vehicle or combination concerned is permitted to travel under a notice or permit                        | Class 1, 2, 6, 7,<br>12, 14 | Level 11 |
| (c) that involves travelling accompanied by fewer than the number of pilot or escort vehicles required under a notice or permit   | Class 1, 2, 6, 7,<br>12, 14 | Level 11 |
| (d) that does not involve (a), (b) or (c)   | Class 1, 2, 6, 7,<br>12, 14 | Level 4  |

## Clause 41:

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|--|-----------------------------|----------|
| (a) if the offence arises because the axle load on a single steer axle or a single axle with single tyres exceeds the maximum prescribed by or under that clause with respect to that axle:  |                             |          |
| (i) by not more than 0.5 tonne   | Class 1, 2, 6, 7,<br>12, 14 | Level 5  |
| (ii) by more than 0.5 tonne but not more than 1 tonne  | Class 1, 2, 6, 7,<br>12, 14 | Level 10 |
| (b) if the offence arises because the axle load on a single axle with dual tyres, or the sum of the axle loads on a twinsteer axle group or a tandem axle group, exceeds the maximum prescribed by or under that clause with respect to that axle or axle group: |                             |          |
| (i) by not more than 1 tonne   | Class 1, 2, 6, 7,<br>12, 14 | Level 5  |
| (ii) by more than 1 tonne but not more than 1.5 tonnes   | Class 1, 2, 6, 7,<br>12, 14 | Level 8  |
| (iii) by more than 1.5 tonnes but not more than 2 tonnes   | Class 1, 2, 6, 7,<br>12, 14 | Level 10 |
| (iv) by more than 2 tonnes but not more than 2.5 tonnes  | Class 1, 2, 6, 7,<br>12, 14 | Level 11 |
| (c) if the offence arises because the sum of the axle loads on a tri-axle group exceeds the maximum prescribed by or under that clause with respect to that axle group:  |                             |          |
| (i) by not more than 1 tonne   | Class 1, 2, 6, 7,<br>12, 14 | Level 5  |
| (ii) by more than 1 tonne but not more than 2 tonnes   | Class 1, 2, 6, 7,<br>12, 14 | Level 8  |

(iii) by more than 2 tonnes but not more than 3 tonnes	Class 1, 2, 6, 7, 12, 14	Level 10
(iv) by more than 3 tonnes but not more than 4 tonnes	Class 1, 2, 6, 7, 12, 14	Level 11
(d) if the offence arises because the laden weight of a vehicle exceeds the maximum laden weight prescribed by or under that clause with respect to that vehicle:		
(i) by not more than 1 tonne	Class 1, 2, 6, 7, 12, 14	Level 5
(ii) by more than 1 tonne but not more than 2 tonnes	Class 1, 2, 6, 7, 12, 14	Level 8
(iii) by more than 2 tonnes but not more than 3 tonnes	Class 1, 2, 6, 7, 12, 14	Level 10
(iv) by more than 3 tonnes but not more than 4 tonnes	Class 1, 2, 6, 7, 12, 14	Level 11

Clause 41, in relation to an offence arising because the laden weight of a vehicle exceeds the maximum laden weight prescribed by or under that clause with respect to that vehicle:

(a) by not more than 1 tonne	Class 1, 2, 6, 7, 12, 14	Level 5
(b) by more than 1 tonne but not more than 2 tonnes	Class 1, 2, 6, 7, 12, 14	Level 8
(c) by more than 2 tonnes but not more than 3 tonnes	Class 1, 2, 6, 7, 12, 14	Level 10
(d) by more than 3 tonnes but not more than 4 tonnes	Class 1, 2, 6, 7, 12, 14	Level 11
Clause 41I (1); Clause 51 (3); Clause 54; Clause 62 (1); Clause 69	Class 1, 2, 6, 7, 12, 14	Level 4

Clause 47 (3), relating to a breach of a mass limit:

(a) if the offence arises because the axle load on a single steer axle or a single axle with single tyres exceeds the maximum specified in the notice for that class of vehicle with respect to that axle:		
(i) by not more than 0.5 tonne	Class 1, 2, 6, 7, 12, 14	Level 5
(ii) by more than 0.5 tonne but not more than 1 tonne	Class 1, 2, 6, 7, 12, 14	Level 10

(b) if the offence arises because the axle load on a single axle with dual tyres, or the sum of the axle loads on a twinsteer axle group or a tandem axle group, exceeds the maximum specified in the notice for that class of vehicle with respect to that axle or axle group:		
(i) by not more than 1 tonne	Class 1, 2, 6, 7, 12, 14	Level 5
(ii) by more than 1 tonne but not more than 1.5 tonnes	Class 1, 2, 6, 7, 12, 14	Level 8
(iii) by more than 1.5 tonnes but not more than 2 tonnes	Class 1, 2, 6, 7, 12, 14	Level 10
(iv) by more than 2 tonnes but not more than 2.5 tonnes	Class 1, 2, 6, 7, 12, 14	Level 11
(c) if the offence arises because the sum of the axle loads on a tri-axle group exceeds the maximum specified in the notice for that class of vehicle with respect to that axle group:		
(i) by not more than 1 tonne	Class 1, 2, 6, 7, 12, 14	Level 5
(ii) by more than 1 tonne but not more than 2 tonnes	Class 1, 2, 6, 7, 12, 14	Level 8
(iii) by more than 2 tonnes but not more than 3 tonnes	Class 1, 2, 6, 7, 12, 14	Level 10
(iv) by more than 3 tonnes but not more than 4 tonnes	Class 1, 2, 6, 7, 12, 14	Level 11
(d) if the offence arises because the sum of the axle loads of a group of axles (other than an axle group of a kind referred to in (a), (b) or (c)) of a vehicle exceeds the maximum specified in the notice for that class of vehicle with respect to that axle group:		
(i) by not more than 1 tonne	Class 1, 2, 6, 7, 12, 14	Level 5
(ii) by more than 1 tonne but not more than 2 tonnes	Class 1, 2, 6, 7, 12, 14	Level 8
(iii) by more than 2 tonnes but not more than 3 tonnes	Class 1, 2, 6, 7, 12, 14	Level 10
(iv) by more than 3 tonnes but not more than 4 tonnes	Class 1, 2, 6, 7, 12, 14	Level 11
Clause 56 (4); Clause 56 (5); Clause 56 (6)	Class 1, 2, 6, 7, 12, 14	Level 6
Clause 57 (a); Clause 57 (b)	Class 1, 2, 12, 14	Level 4

Clause 57 (c)	Class 1, 2, 12, 14	Level 6
Clause 63 (1)	Class 1, 2, 6, 7, 12, 14	Level 2
Clause 67 (4)	Class 1, 2	Level 4