

Heavy Vehicle (Adoption of National Law) Regulation 2013 (2014 SI 55)

[2014-55]



New South Wales

Status Information

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Provisions in force

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

Authorisation

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Heavy Vehicle (Adoption of National Law) Regulation 2013 (2014 SI 55)



New South Wales

1 Name of Regulation

This Regulation is the *Heavy Vehicle (Adoption of National Law) Regulation 2013*.

2 Definitions

(1) In this Regulation:

the Act means the *Heavy Vehicle (Adoption of National Law) Act 2013*.

(2) Notes included in this Regulation do not form part of this Regulation.

3 Prescribed offences and penalties for infringement notices

(1) For the purposes of section 591 of the *Heavy Vehicle National Law (NSW)*:

(a) each offence created by a provision specified in Column 1 of Schedule 1 is prescribed, and

(b) the penalty prescribed for each such offence is the amount specified opposite the provision in Column 2 of the Schedule.

(2) If the reference to a provision in Column 1 of Schedule 1 is qualified by words that restrict its operation to specified kinds of offences, an offence created by the provision is a prescribed offence only if it is an offence of a kind so specified or committed in the circumstances so specified.

(3) A reference in Column 2 of Schedule 1 to a minor risk breach or substantial risk breach in relation to an offence against a provision specified in Column 1 is a reference to a minor risk breach or substantial risk breach in relation to the offence within the meaning of the *Heavy Vehicle National Law (NSW)*.

Schedule 1 Prescribed offences and penalties for section 591 of Heavy

Vehicle National Law (NSW)

(Clause 3)

Column 1	Column 2
Provision	Penalty
Offences under <i>Heavy Vehicle National Law (NSW)</i>	
Section 60 (1) (except in the circumstances referred to in paragraph (b) of the penalty provision)	\$320
Section 60 (1) (in the circumstances referred to in paragraph (b) of the penalty provision)	\$640
Section 79 (2)	\$426
Section 81 (1)	\$426
Section 81 (2)	\$426
Section 81 (3)	\$426
Section 82 (2)	\$320
Section 82 (3)	\$320
Section 83 (1)	\$320
Section 83 (2)	\$320
Section 83 (3)	\$320
Section 85 (1)	\$320
Section 85 (2)	\$320
Section 86 (2)	\$320
Section 87A (1)	\$320
Section 89 (1)	\$640
Section 90 (1)	\$320
Section 90 (2)	\$320
Section 90 (3)	\$320
Section 92 (2)	\$320
Section 96 (1)	\$426 (for a minor risk breach) \$640 (for a substantial risk breach)
Section 102 (1) (in the circumstances referred to in paragraph (a) of the penalty provision)	\$320

Section 102 (1) (in the circumstances referred to in paragraph (b) of the penalty provision)	\$320 (for a minor risk breach) \$533 (for a substantial risk breach)
Section 109 (2)	\$320
Section 111 (1)	\$320 (for a minor risk breach) \$533 (for a substantial risk breach)
Section 129 (1)	\$640
Section 129 (2)	\$640
Section 129 (3)	\$640
Section 130 (2)	\$640
Section 130 (3)	\$640
Section 131 (1)	\$640
Section 132 (2)	\$320
Section 132 (3)	\$320
Section 133 (1)	\$320
Section 133 (2)	\$426
Section 133 (3)	\$320
Section 134 (1)	\$320
Section 134 (2)	\$320
Section 137	\$640
Section 150 (1)	\$640
Section 151 (2)	\$320
Section 151 (3)	\$320
Section 152 (1)	\$320
Section 152 (2)	\$426
Section 152 (3)	\$320
Section 153 (1)	\$320
Section 153 (2)	\$320
Section 153A (1)	\$640
Section 181 (3)	\$426
Section 183 (2) (in relation to an offence against section 96)	\$426 (for a minor risk breach) \$640 (for a substantial risk breach)

Section 183 (2) (in relation to an offence against section 102)	\$320 (for a heavy vehicle that does not have goods or passengers) \$320 (for a minor risk breach) \$533 (for a substantial risk breach)
Section 183 (2) (in relation to an offence against section 111)	\$320 (for a minor risk breach) \$533 (for a substantial risk breach)
Section 184 (1)	\$320
Section 185 (1)	\$640
Section 185 (2)	\$640
Section 190 (1)	\$640
Section 191 (1)	\$640
Section 191 (3)	\$640
Section 192 (1)	\$640
Section 192 (2)	\$320
Section 219 (1):	
(a) in the circumstances referred to in paragraph (a) of the penalty provision, or	\$320
(b) in the circumstances referred to in paragraph (b) (i) of the penalty provision, or	\$320
(c) in the circumstances referred to in paragraph (b) (ii) of the penalty provision, or	\$533
(d) in the circumstances referred to in paragraph (c) (i) of the penalty provision, or	\$320
(e) in the circumstances referred to in paragraph (c) (ii) of the penalty provision, or	\$533
(f) in the circumstances referred to in paragraph (d) (i) of the penalty provision, or	\$533
(g) in the circumstances referred to in paragraph (e) (i) of the penalty provision.	\$533
Section 250 (1)	\$426 (for a minor risk breach) \$640 (for a substantial risk breach)
Section 251 (1)	\$426 (for a minor risk breach) \$640 (for a substantial risk breach)

Section 254 (1)	\$426 (for a minor risk breach) \$640 (for a substantial risk breach)
Section 256 (1)	\$426 (for a minor risk breach) \$640 (for a substantial risk breach)
Section 258 (1)	\$426 (for a minor risk breach) \$640 (for a substantial risk breach)
Section 260 (1)	\$426 (for a minor risk breach) \$640 (for a substantial risk breach)
Section 263 (1)	\$426
Section 284 (2)	\$640
Section 286 (1)	\$640
Section 287 (2)	\$320
Section 287 (3)	\$320
Section 288 (1)	\$320
Section 288 (2)	\$426
Section 288 (3)	\$320
Section 293 (1)	\$640
Section 296 (1)	\$160
Section 297 (2)	\$640
Section 298 (1)	\$160
Section 299	\$320
Section 301	\$160
Section 302	\$160
Section 303	\$160
Section 305 (1)	\$640
Section 305 (2)	\$320
Section 305 (3)	\$160
Section 306	\$320
Section 307 (2)	\$320
Section 307 (3)	\$320
Section 308 (1)	\$320
Section 309 (2)	\$320

Section 310 (2)	\$640
Section 312 (3)	\$640
Section 319 (1)	\$640
Section 321 (1)	\$640
Section 321 (3)	\$640
Section 322 (2)	\$320
Section 323 (2)	\$320
Section 324A (2)	\$160
Section 341 (1)	\$640
Section 341 (2)	\$640
Section 341 (3)	\$320
Section 341 (4)	\$320
Section 341 (7)	\$160
Section 354 (3)	\$640
Section 354 (5)	\$640
Section 355 (2)	\$640
Section 355 (4)	\$640
Section 355 (6)	\$640
Section 373 (2)	\$640
Section 375	\$640
Section 376 (2)	\$320
Section 376 (3)	\$320
Section 377	\$320
Section 392 (2)	\$640
Section 395	\$640
Section 396 (2)	\$640
Section 399 (2)	\$640
Section 467	\$640
Section 468 (1)	\$320
Section 468 (3)	\$320
Section 469 (2)	\$426

Section 470 (3)	\$640
Section 470 (8)	\$320
Section 471 (2)	\$640
Section 471 (3)	\$426
Section 476 (2)	\$640
Section 488	\$426
Section 513 (4)	\$640
Section 514 (3)	\$640
Section 516 (3)	\$640
Section 517 (4)	\$640
Section 522 (5)	\$640
Section 524 (5)	\$640
Section 526 (4)	\$320
Section 528 (3)	\$320
Section 529	\$640
Section 531 (4)	\$320
Section 533 (7)	\$1,065
Section 534 (5)	\$1,065
Section 567 (4)	\$320
Section 568 (3) (for a failure to produce a work diary for inspection)	\$640
Section 568 (3) (for a failure to produce any other document, device or thing for inspection)	\$320
Section 568 (7)	\$320
Section 569 (2)	\$640
Section 569 (7)	\$320

Offences under *Heavy Vehicle (Fatigue Management) National Regulation (NSW)*

Section 18A (1)	\$160
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Offences under *Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)*

Section 11 (1)	\$320
Section 16 (2)	\$320

Section 28	\$320
Section 34 (2)	\$400
Section 36 (2)	\$320