

Road Transport Legislation Amendment (Penalties and Other Sanctions) Act 2018 No 54

[2018-54]



New South Wales

Status Information

Currency of version

Current version for 24 February 2021 to date (accessed 24 November 2024 at 18:22)

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

Provisions in force

Some, but not all, of the provisions displayed in this version of the legislation have commenced.

Notes—

- **Editorial note**

The Parliamentary Counsel's Office is progressively updating certain formatting styles in versions of NSW in force legislation published from 29 July 2019. For example, colons are being replaced by em-rules (em-dashes). Text of the legislation is not affected.

This version has been updated.

- **Note**

Amending Acts and amending provisions are subject to automatic repeal pursuant to sec 30C of the [Interpretation Act 1987 No 15](#) once the amendments have taken effect.

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](#).

File last modified 24 February 2021

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Road Transport Legislation Amendment (Penalties and Other Sanctions) Act 2018 No 54



New South Wales

An Act to amend the *Road Transport Act 2013*, *Roads Act 1993* and other roads legislation to make further provision with respect to the enforcement of that legislation; and for other purposes.

1 Name of Act

This Act is the *Road Transport Legislation Amendment (Penalties and Other Sanctions) Act 2018*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

Schedule 1 Amendment of *Road Transport Act 2013 No 18*

[1]-[15] (Repealed)

[16] Part 7.4, Division 2A

Insert after Division 2—

Division 2A Driver education programs relating to alcohol or other drugs

215C Education program for alcohol and other drug related driving offences

- (1) Transport for NSW may, by notice in writing, require a person to undertake an alcohol or other drug education program specified in the notice if the person—
 - (a) has been found guilty of an offence against section 110, 111, 111A or 112, or
 - (b) committed an offence against section 110 or 111 that was dealt with by way of penalty notice.

- (2) A notice under this section must specify the period within which the alcohol or other drug education program must be undertaken and must contain any other matters specified in the statutory rules.
- (3) The person to whom a notice is given under this section must undertake the program within the period specified by the notice or any longer period that Transport for NSW may allow.
- (4) Any period of licence suspension, cancellation or other licence ineligibility relating to a person required to undertake an alcohol or other drug education program by a notice given under this section is extended until such time as the person has undertaken, and passed to the satisfaction of Transport for NSW, the alcohol or other drug education program.
- (5) Transport for NSW may, by notice in writing given to a person who fails to undertake an alcohol or other drug education program in accordance with this section, suspend any driver licence held by the person until such time as the person undertakes the program to the satisfaction of Transport for NSW.

[17]-[20] (Repealed)

[21] Section 266 Definitions

Insert after paragraph (e) of the definition of ***appealable decision*** in section 266 (1)—

- (e1) a decision of Transport for NSW to suspend a person's driver licence under section 215C,

[22] Schedule 1 Examples of statutory rule-making powers

Insert at the end of clause 1 (2) (p)—

, and

- (q) without limiting paragraph (n) or (o), alcohol or other drug education programs to be undertaken by holders of driver licences who have been found guilty of, or have been issued a penalty notice in respect of, an offence under this Act or the statutory rules relating to the use of alcohol or other drugs.

Schedule 2 Amendment of other legislation

2.1-2.4

(Repealed)