



New South Wales

Crimes Amendment (Off-road Fatal Accidents) Act 2015 No 61

Contents

	Page
1 Name of Act	2
2 Commencement	2
Schedule 1 Amendment of Crimes Act 1900 No 40	3
Schedule 2 Amendment of Road Transport Act 2013 No 18	4



New South Wales

Crimes Amendment (Off-road Fatal Accidents) Act 2015 No 61

Act No 61, 2015

An Act to amend the *Crimes Act 1900* and the *Road Transport Act 2013* to make further provision for evidence of intoxication in connection with dangerous driving and to provide for testing for alcohol and drug use in off-road accidents. [Assented to 24 November 2015]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Crimes Amendment (Off-road Fatal Accidents) Act 2015*.

2 Commencement

This Act commences on the date of assent to this Act.

Schedule 1 Amendment of Crimes Act 1900 No 40

[1] Section 52AA Dangerous driving: procedural matters

Omit “occurring at a place that is not a road” from section 52AA (2) and (3A) wherever occurring.

[2] Section 52AA (7)

Omit the definition of *road*.

Schedule 2 Amendment of Road Transport Act 2013 No 18

[1] Schedule 3 Testing for alcohol and drug use

Omit the definition of *accident participant* from clause 10 (1).

[2] Schedule 3, clause 12

Insert after clause 12 (5):

(6) In this clause:

accident means:

- (a) an accident on a road involving a motor vehicle or other vehicle or a horse, or
- (b) an accident not on a road involving a motor vehicle.

accident participant means a person who:

- (a) at the time of an accident, was:
 - (i) driving a motor vehicle involved in the accident, or
 - (ii) occupying the driving seat of a motor vehicle involved in the accident and attempting to put the motor vehicle in motion, or
 - (iii) the holder of an applicable driver licence and occupying the seat in the motor vehicle next to a learner driver who was driving a motor vehicle involved in the accident, and
- (b) is at least 15 years old.

[Second reading speech made in—

Legislative Council on 14 October 2015

Legislative Assembly on 10 November 2015]