



New South Wales

# Road Transport Legislation Amendment (Penalty Levels and Fees) Regulation 2008

under the

Road Transport (General) Act 2005

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (General) Act 2005*.

ERIC ROOZENDAAL, M.L.C.,  
Minister for Roads

## Explanatory note

The objects of this Regulation are:

- (a) to amend the *Road Transport (General) Regulation 2005* to increase certain penalty levels for penalties for motor vehicle offences that are dealt with by way of penalty notices, and
- (b) to amend the *Road Transport (Mass, Loading and Access) Regulation 2005 (the 2005 Regulation)* to increase:
  - (i) the fee for the issue of a Class 1, 2 or 3 permit, or a permit under Division 6 or 7 of Part 2 of the 2005 Regulation, and
  - (ii) the fee for the issue of a permit exempting a person from the operation of any of the provisions of clause 53 (1) of the 2005 Regulation relating to the projection of loading or equipment of vehicles, and
  - (iii) the fee for an application to be accredited under a Mass Management Accreditation Scheme.

The penalty level and fee increases are generally in line with movements in the Consumer Price Index.

This Regulation is made under the *Road Transport (General) Act 2005*, including sections 10 (the general regulation-making power) and 183 (Penalty notices for certain offences).

**2008 No 256**

Clause 1      Road Transport Legislation Amendment (Penalty Levels and Fees)  
                  Regulation 2008

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**Road Transport Legislation Amendment (Penalty Levels and Fees) Regulation 2008**

under the

Road Transport (General) Act 2005

**1 Name of Regulation**

This Regulation is the *Road Transport Legislation Amendment (Penalty Levels and Fees) Regulation 2008*.

**2 Commencement**

This Regulation commences on 1 July 2008.

**3 Amendment of Road Transport (General) Regulation 2005**

The *Road Transport (General) Regulation 2005* is amended as set out in Schedule 1.

**4 Amendment of Road Transport (Mass, Loading and Access) Regulation 2005**

The *Road Transport (Mass, Loading and Access) Regulation 2005* is amended as set out in Schedule 2.

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**Schedule 1      Amendment of Road Transport (General)  
Regulation 2005**

(Clause 3)

**Clause 41**

Omit the clause. Insert instead:

**41      Penalty levels**

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

*Level 1* means a penalty of \$54.

*Level 2* means a penalty of \$81.

*Level 3* means a penalty of \$135.

*Level 4* means a penalty of \$189.

*Level 5* means a penalty of \$243.

*Level 6* means a penalty of \$324.

*Level 7* means a penalty of \$405.

*Level 8* means a penalty of \$486.

*Level 9* means a penalty of \$621.

*Level 10* means a penalty of \$783.

*Level 11* means a penalty of \$972.

*Level 12* means a penalty of \$1,026.

*Level 13* means a penalty of \$1,269.

*Level 14* means a penalty of \$1,674.

*Level 15* means a penalty of \$1,784.

*Level 16* means a penalty of \$2,538.

*Level 17* means a penalty of \$2,752.

**2008 No 256**

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Regulation 2008

Schedule 2      Amendment of Road Transport (Mass, Loading and Access) Regulation  
2005

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**Schedule 2      Amendment of Road Transport (Mass,  
Loading and Access) Regulation 2005**

(Clause 4)

**[1]      Clause 37 Permit application fees**

Omit "\$65" from clause 37 (1). Insert instead "\$66".

**[2]      Clause 55 Exemption by permit**

Omit "\$65" from clause 55 (5). Insert instead "\$66".

**[3]      Clause 68 Application for accreditation**

Omit "\$79" from clause 68 (2) (a). Insert instead "\$80".

BY AUTHORITY

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