



New South Wales

Road Transport (General) Amendment (Speeding Offences) Regulation 2009

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*.

MICHAEL DALEY, MP
Minister for Roads

Explanatory note

The level of penalty incurred by way of a penalty notice issued in respect of a speeding offence increases depending on by how much the applicable speed limit is exceeded. Currently, the level of penalty increases at 15, 30 and 45 kilometres per hour (*km/h*) over the speed limit.

The object of this Regulation is to provide for penalty increases at 10, 20, 30 and 45 km/h over the applicable speed limit. The following penalty levels will now apply if the driver of a class A motor vehicle (a vehicle of less than 4.5 tonnes) exceeds the applicable speed limit by the following amounts:

- (a) not more than 10 km/h—penalty level 2 (\$81) (currently penalty level 2),
- (b) more than 10 km/h but not more than 20 km/h—penalty level 4 (\$189) (currently penalty level 2 if more than 10 km/h but not more than 15 km/h and penalty level 5 (\$243) if more than 15 km/h but not more than 20 km/h),
- (c) more than 20 km/h but not more than 30 km/h—penalty level 6 (\$324) (currently penalty level 5).

The following penalty levels will now apply if the driver of a class B motor vehicle (a vehicle over 4.5 tonnes but less than 12 tonnes) or a class C motor vehicle (a vehicle over 12 tonnes) exceeds the applicable speed limit by the following amounts:

- (a) not more than 10 km/h—penalty level 5 (\$243) (currently penalty level 5),
- (b) more than 10 km/h but not more than 20 km/h—penalty level 6 (\$324) (currently penalty level 5 if more than 10 km/h but not more than 15 km/h and penalty level 6 if more than 15 km/h but not more than 20 km/h),

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- (c) more than 20 km/h but not more than 30 km/h—penalty level 7 (\$405) (currently penalty level 6).

In each case, the penalty is increased by one penalty level if the speeding offence occurs in a school zone.

This Regulation does not change penalty levels in respect of an offence of exceeding the applicable speed limit by more than 30 or 45 km/h.

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

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1 Name of Regulation

This Regulation is the *Road Transport (General) Amendment (Speeding Offences) Regulation 2009*.

2 Commencement

This Regulation commences on 1 July 2009 and is required to be published on the NSW legislation website.

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Schedule 1 Amendment of Road Transport (General) Regulation 2005

**Schedule 1 Amendment of Road Transport (General)
Regulation 2005****Schedule 3 Penalty notice offences**

Omit each matter relating to Rule 20 of the *Road Rules 2008* from Columns 1–3.

Insert instead in Columns 1, 2 and 3 respectively:

Rule 20 (except where the applicable speed limit is specified by rule 24–2, 24–3 or 24–4):

- (a) in the case of a class A motor vehicle and otherwise than in school zone:
- | | | | |
|-------|---|---------|----------|
| (i) | driven at a speed of not more than 10 km/h above the speed limit applicable | Class 1 | Level 2 |
| (ii) | driven at a speed of more than 10 km/h but not more than 20 km/h above the speed limit applicable | Class 1 | Level 4 |
| (iii) | driven at a speed of more than 20 km/h but not more than 30 km/h above the speed limit applicable | Class 1 | Level 6 |
| (iv) | 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 |
| (v) | 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 and otherwise than in school zone:
- | | | | |
|-------|---|---------|----------|
| (i) | driven at a speed of not more than 10 km/h above the speed limit applicable | Class 1 | Level 5 |
| (ii) | driven at a speed of more than 10 km/h but not more than 20 km/h above the speed limit applicable | Class 1 | Level 6 |
| (iii) | driven at a speed of more than 20 km/h but not more than 30 km/h above the speed limit applicable | Class 1 | Level 7 |
| (iv) | 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 |
| (v) | driven at a speed of more than 45 km/h above the speed limit applicable | Class 1 | Level 14 |

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- (c) in the case of a class C motor vehicle and otherwise than in school zone:
- | | | | |
|-------|---|---------|----------|
| (i) | driven at a speed of not more than 10 km/h above the speed limit applicable | Class 1 | Level 5 |
| (ii) | driven at a speed of more than 10 km/h but not more than 20 km/h above the speed limit applicable | Class 1 | Level 6 |
| (iii) | driven at a speed of more than 20 km/h but not more than 30 km/h above the speed limit applicable | Class 1 | Level 7 |
| (iv) | 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 |
| (v) | driven at a speed of more than 45 km/h above the speed limit applicable | Class 1 | Level 16 |

Rule 20 (except where the applicable speed limit is specified by rule 24-2, 24-3 or 24-4):

- (a) in the case of a class A motor vehicle and in school zone:
- | | | | |
|-------|---|---------|----------|
| (i) | driven at a speed of not more than 10 km/h above the speed limit applicable | Class 1 | Level 3 |
| (ii) | driven at a speed of more than 10 km/h but not more than 20 km/h above the speed limit applicable | Class 1 | Level 5 |
| (iii) | driven at a speed of more than 20 km/h but not more than 30 km/h above the speed limit applicable | Class 1 | Level 7 |
| (iv) | 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 10 |
| (v) | driven at a speed of more than 45 km/h above the speed limit applicable | Class 1 | Level 15 |
- (b) in the case of a class B motor vehicle and in school zone:
- | | | | |
|------|---|---------|---------|
| (i) | driven at a speed of not more than 10 km/h above the speed limit applicable | Class 1 | Level 6 |
| (ii) | driven at a speed of more than 10 km/h but not more than 20 km/h above the speed limit applicable | Class 1 | Level 7 |

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|-------|--|---------|----------|
| (iii) | driven at a speed of more than 20 km/h but not more than 30 km/h above the speed limit applicable | Class 1 | Level 8 |
| (iv) | 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 10 |
| (v) | driven at a speed of more than 45 km/h above the speed limit applicable | Class 1 | Level 15 |
| (c) | in the case of a class C motor vehicle and in school zone: | | |
| (i) | driven at a speed of not more than 10 km/h above the speed limit applicable | Class 1 | Level 6 |
| (ii) | driven at a speed of more than 10 km/h but not more than 20 km/h above the speed limit applicable | Class 1 | Level 7 |
| (iii) | driven at a speed of more than 20 km/h but not more than 30 km/h above the speed limit applicable | Class 1 | Level 8 |
| (iv) | 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 12 |
| (v) | driven at a speed of more than 45 km/h above the speed limit applicable | Class 1 | Level 17 |
| | Rule 20 (where the applicable speed limit is specified by rule 24–2): | | |
| (a) | in the case of a vehicle driven at a speed of not more than 10 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 10 km/h but not more than 20 km/h above the speed limit applicable | Class 1 | Level 4 |
| (c) | in the case of a vehicle driven at a speed of more than 20 km/h but not more than 30 km/h above the speed limit applicable | Class 1 | Level 6 |
| (d) | 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 |
| (e) | 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 |

Rule 20 (where the applicable speed limit is specified by rule 24–3):

- (a) in the case of a class A motor vehicle:
- | | | | |
|-------|---|---------|----------|
| (i) | driven at a speed of not more than 10 km/h above the speed limit applicable | Class 1 | Level 2 |
| (ii) | driven at a speed of more than 10 km/h but not more than 20 km/h above the speed limit applicable | Class 1 | Level 4 |
| (iii) | driven at a speed of more than 20 km/h but not more than 30 km/h above the speed limit applicable | Class 1 | Level 6 |
| (iv) | 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 |
| (v) | 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 10 km/h above the speed limit applicable | Class 1 | Level 5 |
| (ii) | driven at a speed of more than 10 km/h but not more than 20 km/h above the speed limit applicable | Class 1 | Level 6 |
| (iii) | driven at a speed of more than 20 km/h but not more than 30 km/h above the speed limit applicable | Class 1 | Level 7 |
| (iv) | 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 |
| (v) | 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 10 km/h above the speed limit applicable | Class 1 | Level 5 |
| (ii) | driven at a speed of more than 10 km/h but not more than 20 km/h above the speed limit applicable | Class 1 | Level 6 |
| (iii) | driven at a speed of more than 20 km/h but not more than 30 km/h above the speed limit applicable | Class 1 | Level 7 |

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| | | | |
|--|---|---------|----------|
| (iv) | 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 |
| (v) | driven at a speed of more than 45 km/h above the speed limit applicable | Class 1 | Level 16 |
| Rule 20 (where the applicable speed limit is specified by rule 24-4) | | Class 1 | Level 2 |