



New South Wales

Road Transport Legislation Amendment (National Heavy Vehicle Regulator) Regulation 2022

His Honour the Administrator, with the advice of the Executive Council, has made the following Regulation under the following Acts—

- (a) *Road Transport Act 2013*,
- (b) *Transport Administration Act 1988*.

SAMUEL FARRAWAY, MLC
Minister for Regional Transport and Roads

Explanatory note

The objects of this Regulation are to amend rules and regulations consequential to the proposed commencement, on 1 August 2022, of the remaining provisions of the *Heavy Vehicle Legislation Amendment (National Regulator) Act 2021*, and the transfer of certain functions from Transport for NSW (TfNSW) to the National Heavy Vehicle Regulator (the NHVR).

This Regulation amends the following instruments—

- (a) the *Road Rules 2014*—
 - (i) to allow officers of the NHVR undertaking law enforcement activities to use flashing lights and sirens on vehicles, and
 - (ii) to exempt officers of the NHVR from certain rules concerning pedestrian traffic,
- (b) the *Road Transport (General) Regulation 2021*—
 - (i) to prescribe officers of the NHVR as authorised officers who may issue penalty notices for offences under the *Road Transport Act 2013* and regulations, and
 - (ii) to prescribe the offences for which officers of the NHVR may issue penalty notices,
- (c) the *Road Transport (Vehicle Registration) Regulation 2017*—
 - (i) to prescribe officers of the NHVR as officers who may direct that a vehicle be inspected and who may carry out inspections, and
 - (ii) to amend the *Light Vehicle Standards Rules* to prescribe vehicles being used by NHVR officers as transport enforcement vehicles and to allow those vehicles to be fitted with flashing lights and sirens,
- (d) the *Transport Administration (General) Regulation 2018* to allow TfNSW to delegate functions to the NHVR.

This Regulation also amends the *Road Transport (Driver Licensing) Regulation 2017* to remove a redundant clause.

Road Transport Legislation Amendment (National Heavy Vehicle Regulator) Regulation 2022

1 Name of Regulation

This Regulation is the *Road Transport Legislation Amendment (National Heavy Vehicle Regulator) Regulation 2022*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Road Rules 2014

[1] Rule 218–1 NSW rule: using lights on vehicles generally

Insert at the end of rule 218–1(e)—

- (v) the vehicle is being used by an officer of the National Heavy Vehicle Regulator for law enforcement purposes, or

[2] Rule 224–1 NSW rule: using sirens

Insert at the end of rule 224–1(2)—

- (d) the vehicle is being used by an officer of the National Heavy Vehicle Regulator for law enforcement purposes.

[3] Rule 308–1

Insert after rule 308—

308–1 NSW rule: exemption for officer of National Heavy Vehicle Regulator

- (1) A provision listed in subrule (2) does not apply to a person who is an officer of the National Heavy Vehicle Regulator acting in the course of that person's employment if, in the circumstances—
 - (a) the person is taking reasonable care, and
 - (b) it is reasonable that the provision should not apply.
- (2) This rule applies to the following provisions—
 - (a) rule 229—Pedestrians on a road with a road access sign,
 - (b) rule 236—Pedestrians not to cause a traffic hazard or obstruction,
 - (c) rule 238—Pedestrians travelling along a road (except in or on a wheeled recreational device or toy),
 - (d) rule 239—Pedestrians on a bicycle path or separated footpath.

Note— This is an additional NSW Road Rule. There is no corresponding rule in the *Australian Road Rules*.

[4] Dictionary

Insert in alphabetical order—

National Heavy Vehicle Regulator means the National Heavy Vehicle Regulator established under the *Heavy Vehicle National Law (NSW)*, section 656.

Note— This is an additional NSW definition. There is no corresponding definition in the Dictionary of the *Australian Road Rules*.

Schedule 2 Amendment of Road Transport (Driver Licensing) Regulation 2017

Clause 125A Additional relevant purposes for use of digital driver licence

Omit the clause.

Schedule 3 Amendment of Road Transport (General) Regulation 2021

[1] Section 75 Prescribed officers for the purposes of the Act, Part 6.1

Insert after section 75(1)(c)—

- (d) persons employed by the National Heavy Vehicle Regulator as authorised officers.

[2] Section 75(2)

Insert at the end of paragraph (c)—

, or

- (d) for a prescribed officer employed by the National Heavy Vehicle Regulator—wearing a uniform of the National Heavy Vehicle Regulator.

[3] Section 75(3)

Insert at the end of the section—

- (3) In this section—

National Heavy Vehicle Regulator means the National Heavy Vehicle Regulator established under the *Heavy Vehicle National Law (NSW)*, section 656.

[4] Schedule 4 Authorised officers

Insert at the end of Schedule 4—

Class 14 officer means a person appointed as an authorised officer under the *Heavy Vehicle National Law (NSW)*, section 481.

[5] Schedule 5

Omit the Schedule. Insert instead—

Schedule 5 Penalty notice offences

section 133

Local Government Act 1993

Column 1	Column 2	Column 3
Provision	Authorised officer	Penalty
Section 650(1), in relation to a notice or sign referred to in section 650(2)(a) or (b)	Class 1, 5, 6, 7, 10	Level 2
Section 650(4) and (5)	Class 1, 5, 6, 7, 10	Level 2
Section 650(1), in relation to a notice or sign referred to in section 650(2)(c)—space for the use of persons with disabilities	Class 1, 5, 6, 7, 10	Level 7
Section 650A(1), in relation to a notice or sign referred to in section 650A(2)(a) or (b)	Class 1, 7, 10	Level 2

Local Government Act 1993

Column 1	Column 2	Column 3
Provision	Authorised officer	Penalty
Section 650A(4) and (5)	Class 1, 7, 10	Level 2
Section 650A(1), in relation to a notice or sign referred to in section 650A(2)(c)—space for the use of persons with disabilities	Class 1, 7, 10	Level 7

Motor Accident Injuries Act 2017

Column 1	Column 2	Column 3
Provision	Authorised officer	Penalty
Section 2.1(1)	Class 1, 2, 14	Level 8

Motor Vehicles Taxation Act 1988

Column 1	Column 2	Column 3
Provision	Authorised officer	Penalty
Section 9(1)	Class 1, 2	Level 8

Road Rules 2014

Column 1	Column 2	Column 3
Provision	Authorised officer	Penalty
Rule 20, except where the applicable speed limit is specified by rule 24-2, 24-3 or 24-4—		
(a) if the vehicle is a class A motor vehicle and is otherwise than in a school zone—		
(i) driven at a speed of not more than 10 km/h above the speed limit applicable	Class 1	Level 2A
(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 4A
(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 6A
(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 9A
(v) driven at a speed of more than 45 km/h above the speed limit applicable	Class 1	Level 14A

Road Rules 2014

Column 1	Column 2	Column 3
Provision	Authorised officer	Penalty
(b) if the vehicle is a class B motor vehicle and is otherwise than in a school zone—		
(i) driven at a speed of not more than 10 km/h above the speed limit applicable	Class 1	Level 5A
(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 6A
(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 7A
(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 9A
(v) driven at a speed of more than 45 km/h above the speed limit applicable	Class 1	Level 14A
(c) if the vehicle is a class C motor vehicle and is otherwise than in a school zone—		
(i) driven at a speed of not more than 10 km/h above the speed limit applicable	Class 1	Level 5A
(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 6A
(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 7A
(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 11A
(v) driven at a speed of more than 45 km/h above the speed limit applicable	Class 1	Level 16A
Rule 20, except where the applicable speed limit is specified by rule 24–2, 24–3 or 24–4—		
(a) if the vehicle is a class A motor vehicle and is in a school zone—		
(i) driven at a speed of not more than 10 km/h above the speed limit applicable	Class 1	Level 3A
(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 5A
(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 7A
(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 10A

Road Rules 2014

Column 1	Column 2	Column 3
Provision	Authorised officer	Penalty
(v) driven at a speed of more than 45 km/h above the speed limit applicable	Class 1	Level 15A
(b) if the vehicle is a class B motor vehicle and is in a school zone—		
(i) driven at a speed of not more than 10 km/h above the speed limit applicable	Class 1	Level 6A
(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 7A
(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 8A
(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 10A
(v) driven at a speed of more than 45 km/h above the speed limit applicable	Class 1	Level 15A
(c) if the vehicle is a class C motor vehicle and is in a school zone—		
(i) driven at a speed of not more than 10 km/h above the speed limit applicable	Class 1	Level 6A
(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 7A
(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 8A
(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 12A
(v) driven at a speed of more than 45 km/h above the speed limit applicable	Class 1	Level 17A
Rule 20, where the applicable speed limit is specified by rule 24-2—		
(a) if the vehicle is driven at a speed of not more than 10 km/h above the speed limit applicable	Class 1	Level 2A
(b) if the vehicle is 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 4A
(c) if the vehicle is 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 6A
(d) if the vehicle is 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 9A

Road Rules 2014

Column 1	Column 2	Column 3
Provision	Authorised officer	Penalty
(e) if the vehicle is driven at a speed of more than 45 km/h above the speed limit applicable	Class 1	Level 14A
Rule 20, where the applicable speed limit is specified by rule 24-3—		
(a) if the vehicle is 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 2A
(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 4A
(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 6A
(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 9A
(v) driven at a speed of more than 45 km/h above the speed limit applicable	Class 1	Level 14A
(b) if the vehicle is 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 5A
(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 6A
(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 7A
(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 9A
(v) driven at a speed of more than 45 km/h above the speed limit applicable	Class 1	Level 14A
(c) if the vehicle is 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 5A
(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 6A
(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 7A
(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 11A

Road Rules 2014

Column 1	Column 2	Column 3
Provision	Authorised officer	Penalty
(v) driven at a speed of more than 45 km/h above the speed limit applicable	Class 1	Level 16A
Rule 20, where the applicable speed limit is specified by rule 24-4	Class 1	Level 2A
Rule 20, in relation to a bicycle and in circumstances other than where the applicable speed limit is specified by rule 24-2	Class 1	Level 2
Rules 27, 28(1) and (1A), 29, 31, 32(1), 33, 88, 89, 90, 91, 92, 98, 99 and 100—		
(a) in relation to a motor vehicle	Class 1	Level 4
(b) in relation to a bicycle	Class 1	Level 2
(c) in relation to a vehicle other than a motor vehicle or bicycle	Class 1	Level 1
Rules 28(2A), 32(2A), 35, 141(2), 245, 246, 247, 247A, 247B, 248, 249, 250, 251, 252, 253, 255, 257, 258, 259, 260, 261(1) and 262	Class 1	Level 2
Rules 37, 39, 40, 41 and 42, otherwise than in school zone	Class 1	Level 4
Rules 37, 39, 40, 41 and 42, in school zone	Class 1	Level 5
Rules 38, 62, 63, 64(a) and (c), 65(2)(a) and (b), 67(1), 68(1), 69(1), 70, 71, 101, 288, 289, 290, 297(2), 299, 300 and 300-1, otherwise than in school zone	Class 1	Level 5
Rules 38, 62, 63, 64(a) and (c), 65(2)(a) and (b), 67(1), 68(1), 69(1), 70, 71, 101, 288, 289, 290, 297(2), 299, 300 and 300-1, in school zone	Class 1	Level 6
Rules 46, 48, 51, 53, 112, 113, 117, 118, 141(1), 153, 162, 163, 164 and 164A	Class 1	Level 3
Rules 56, 59, 80 and 81, in relation to a vehicle other than a motor vehicle or a bicycle	Class 1	Level 1
Rule 56(1), in relation to a motor vehicle otherwise than at toll booth or in school zone	Class 1	Level 6
Rule 56(1), in relation to a motor vehicle in school zone	Class 1	Level 7
Rule 56(1), in relation to a motor vehicle or bicycle at toll booth	Class 1	Level 3
Rules 56(1) and 59, in relation to a bicycle otherwise than at toll booth	Class 1	Level 6
Rules 56(2), 80, 81 and 82, in relation to a motor vehicle otherwise than in school zone	Class 1	Level 6
Rules 56(2), 80, 81 and 82, in relation to a motor vehicle in school zone	Class 1	Level 7
Rules 56(2), 80 and 81, in relation to a bicycle	Class 1	Level 6
Rules 57, 60, 60A, 61, 64(b), 65(2)(c) and 297(1), (1A) and (3), otherwise than in school zone	Class 1	Level 6

Road Rules 2014

Column 1	Column 2	Column 3
Provision	Authorised officer	Penalty
Rules 57, 60, 60A, 61, 64(b), 65(2)(c) and 297(1), (1A) and (3), in school zone	Class 1	Level 7
Rule 59, in relation to a motor vehicle otherwise than at toll booth or in school zone	Class 1	Level 6
Rule 59, in relation to a motor vehicle in school zone	Class 1	Level 7
Rule 59, in relation to a motor vehicle or bicycle at toll booth	Class 1	Level 3
Rules 66, 78, 78-1, 79, 121, 122, 123, 124, 126, 152, 274, 275, 277, 279, 281, 282, 284, 286 and 294	Class 1	Level 6
Rules 72, 73, 74, 75, 76, 77, 84, 85, 86, 87, 108, 114, 136, 140, 142, 144, 144-1, 145, 148, 148A, 149, 154, 157(1), 159, 224, 224-1, 264, 265(1), 266, 267-1, 268, 268-2, 268-3, 269, 270(1)(a) and (2), 271(1)(a), (2)(a), (3) (in the circumstances specified in rule 271(2)(a)), (4), (5), (5A), (5B) and (5C), 271-1(1), 271-2(1), 287, 298 and 298-1	Class 1	Level 5
Rules 79-1, 79-2(1) and 218-1	Class 1	Level 2
Rule 82—		
(a) in relation to a bicycle	Class 1	Level 6
(b) in relation to a vehicle other than a motor vehicle or bicycle	Class 1	Level 1
Rule 83—		
(a) in relation to a motor vehicle	Class 1	Level 6
(b) in relation to a bicycle	Class 1	Level 2
(c) in relation to a vehicle other than a motor vehicle or bicycle	Class 1	Level 1
Rules 93, 94, 95, 96, 97, 101A, 111, 115, 116, 125, 128, 143, 155 and 156	Class 1	Level 4
Rule 102—		
(a) in relation to a driver who drives through or under, or attempts to drive through or under, a tunnel, bridge or other structure to which a clearance sign or low clearance sign relates	Class 1, 2, 14	Level 14
(b) in relation to a driver in circumstances other than referred to in paragraph (a)	Class 1, 2, 14	Level 3
Rule 103	Class 1, 2, 11, 14	Level 4
Rule 104(1) and (3)	Class 1, 2, 11, 14	Level 3
Rule 104(2)—		
(a) in relation to a length of road other than the length of road referred to in paragraph (b)	Class 1, 2, 11, 14	Level 3
(b) in relation to the length of road between Galston and Hornsby Heights that crosses Galston Gorge	Class 1, 2, 11, 14	Level 14

Road Rules 2014

Column 1	Column 2	Column 3
Provision	Authorised officer	Penalty
Rules 105 and 107	Class 1, 2, 14	Level 8
Rule 106(1) and (3)	Class 1, 2, 11, 14	Level 3
Rule 106(2)—		
(a) in relation to a length of road other than the length of road referred to in paragraph (b)	Class 1, 2, 11, 14	Level 3
(b) in relation to the length of road between Galston and Hornsby Heights that crosses Galston Gorge	Class 1, 2, 11, 14	Level 14
Rule 119—		
(a) in relation to the rider of a bicycle	Class 1	Level 2
(b) in relation to a rider in circumstances other than referred to in paragraph (a)	Class 1	Level 1
Rule 127(1), in relation to a class B or class C motor vehicle in a Safe-T-Cam zone or average speed detection zone	Class 1, 2, 14	Level 11
Rule 127(1), otherwise than in relation to a class B or class C motor vehicle in a Safe-T-Cam zone or average speed detection zone	Class 1	Level 6
Rule 128A, otherwise than in school zone	Class 1	Level 4
Rule 128A, in school zone	Class 1	Level 5
Rules 129, 137 and 138—		
(a) in relation to a motor vehicle	Class 1	Level 4
(b) in relation to a bicycle	Class 1	Level 2
(c) in relation to a vehicle other than a motor vehicle or bicycle	Class 1	Level 1
Rules 130, 131 and 135—		
(a) in relation to a motor vehicle	Class 1	Level 5
(b) in relation to a bicycle	Class 1	Level 2
(c) in relation to a vehicle other than a motor vehicle or bicycle	Class 1	Level 1
Rule 132—		
(a) in relation to a class B or class C motor vehicle in a Safe-T-Cam zone or average speed detection zone	Class 1, 2, 14	Level 11
(b) in relation to a class B or class C motor vehicle not in a Safe-T-Cam zone or average speed detection zone	Class 1, 14	Level 5
(c) in relation to a motor vehicle that is not a class B or class C motor vehicle	Class 1	Level 5
(d) in relation to a bicycle	Class 1	Level 2
(e) in relation to a vehicle other than a vehicle referred to in paragraphs (a)–(d)	Class 1	Level 1

Road Rules 2014

Column 1	Column 2	Column 3
Provision	Authorised officer	Penalty
Rules 146, 147 and 150(1)—		
(a) in relation to a class B or class C motor vehicle in a Safe-T-Cam zone or average speed detection zone	Class 1, 2, 14	Level 11
(b) otherwise than in relation to a class B or class C motor vehicle in a Safe-T-Cam zone or average speed detection zone	Class 1	Level 4
Rule 151—		
(a) in relation to the rider of a bicycle	Class 1	Level 2
(b) in relation to a rider in circumstances other than referred to in paragraph (a)	Class 1	Level 1
Rule 151A(2)	Class 1	Level 8
Rule 155A	Class 1	Level 4
Rule 157–1(1)	Class 1	Level 5
Rule 157–1(2)	Class 1, 10, 13	Level 5
Rules 160, 161, 212, 213, 216, 218, 219, 271(1)(b) and (c), (2)(b) and (3), 272 and 296(2)	Class 1	Level 2
Rule 167, otherwise than in school zone	Class 1, 7, 10, 13	Level 4
Rule 167, in school zone	Class 1, 10, 13	Level 5
Rule 168, otherwise than in school zone	Class 1, 7, 10, 13	Level 2
Rule 168, in school zone	Class 1, 10, 13	Level 3
Rule 168–1	Class 1, 7, 8, 9, 10, 12, 13	Level 2
Rule 169	Class 1, 7, 10, 13	Level 4
Rule 170(1), (2) and (3), otherwise than in school zone	Class 1, 7, 10, 13	Level 5
Rule 170(1), (2) and (3), in school zone	Class 1, 10, 13	Level 6
Rules 171(1), 172(1), 173(1) and 174(2), otherwise than in school zone	Class 1, 7, 10	Level 5
Rules 171(1), 172(1), 173(1) and 174(2), in school zone	Class 1, 10	Level 6
Rule 175(1)	Class 1, 10	Level 5
Rule 176	Class 1, 7, 10, 13	Level 4
Rules 177 and 178	Class 1, 10, 13	Level 4
Rules 179, 180, 181 and 190	Class 1, 7, 10	Level 3
Rule 179–1	Class 1, 7, 10, 12	Level 3
Rule 182(1)	Class 1, 2, 4, 7, 10	Level 3
Rule 183(1), otherwise than in school zone	Class 1, 2, 3, 7, 10	Level 4
Rule 183(1), in school zone	Class 1, 2, 3, 10	Level 5
Rule 184(1), in relation to a minibus zone in a clearway, transit lane or bus lane	Class 1, 2, 3, 7, 10	Level 3

Road Rules 2014

Column 1	Column 2	Column 3
Provision	Authorised officer	Penalty
Rule 184(1), otherwise than in relation to a minibus zone in a clearway, transit lane or bus lane	Class 1, 2, 3, 7, 10	Level 2
Rule 186	Class 1, 2, 7, 10	Level 2
Rule 187(1)	Class 1, 2, 7, 10, 13	Level 4
Rule 187(2) and (3)	Class 1, 7, 10, 13	Level 4
Rules 188, 193, 194, 199, 200, 201, 202, 205, 208A, 209, 210 and 211	Class 1, 7, 10	Level 2
Rule 189, otherwise than in school zone	Class 1, 7, 10	Level 4
Rule 189, in school zone	Class 1, 10	Level 5
Rules 191, 192 and 203A	Class 1, 7, 10, 13	Level 3
Rule 195(1), otherwise than in school zone	Class 1, 2, 7, 10	Level 4
Rule 195(1), in school zone	Class 1, 2, 10	Level 5
Rule 195(1–1), otherwise than in school zone	Class 1, 2, 7, 10	Level 4
Rule 195(1–1), in school zone	Class 1, 2, 10	Level 5
Rule 196(1)	Class 1, 2, 10	Level 3
Rules 197(1) and 198(1) and (2), otherwise than in school zone	Class 1, 7, 10	Level 4
Rules 197(1) and 198(1) and (2), in school zone	Class 1, 10	Level 5
Rule 197(1A) and (1B), otherwise than in school zone	Class 1, 7, 10	Level 2
Rule 197(1A) and (1B), in school zone	Class 1, 10	Level 3
Rule 203(1)	Class 1, 7, 10, 12	Level 7
Rule 205A–1(1)	Class 1, 7, 10, 12, 13	Level 4
Rules 207 and 207–7	Class 1, 7, 10, 12	Level 2
Rule 208(1), arising from a breach of rule 208(2), otherwise than in school zone	Class 1, 7, 10	Level 4
Rule 208(1), arising from a breach of rule 208(2), in school zone	Class 1, 10	Level 5
Rule 208(1), arising from a breach of rule 208(3), (4), (5), (7) or (8)	Class 1, 7, 10	Level 2
Rule 208(1), arising from a breach of rule 208(6), otherwise than in school zone	Class 1, 7, 10	Level 4
Rule 208(1), arising from a breach of rule 208(6), in school zone	Class 1, 10	Level 5
Rule 215–1, in relation to a class B or class C motor vehicle in a Safe-T-Cam zone or average speed detection zone	Class 1, 2, 14	Level 11
Rule 215–1, otherwise than in relation to a class B or class C motor vehicle in a Safe-T-Cam zone or average speed detection zone	Class 1	Level 2

Road Rules 2014

Column 1	Column 2	Column 3
Provision	Authorised officer	Penalty
Rule 220–1(1)	Class 1	Level 2
Rules 221–1, 294–3 and 300–5	Class 1, 2, 14	Level 2
Rule 221–2	Class 1, 14	Level 2
Rule 222–1	Class 1, 2, 14	Level 5
Rule 222–2	Class 1, 2, 14	Level 3
Rules 223, 228, 229, 230, 231, 232, 233, 234, 235, 235A, 236, 237, 238, 239, 240A, 240, 241, 242, 243, 244, 301, 302 and 303	Class 1	Level 1
Rules 226 and 227	Class 1, 2, 14	Level 2
Rule 245–1	Class 1	Level 6
Rules 254, 256 and 262–9	Class 1	Level 5
Rules 262–1, 262–4, 262–5, 262–6, 262–7(1), (2) and (3), 262–8, 262–10, 262–11, 262–12 and 262–13	Class 1	Level 2
Rule 265(3), where driver drives with 1 unrestrained passenger	Class 1	Level 5
Rule 265(3), where driver drives with 2 unrestrained passengers	Class 1	Level 8
Rule 265(3), where driver drives with 3 unrestrained passengers	Class 1	Level 10
Rule 265(3), where driver drives with 4 or more unrestrained passengers	Class 1	Level 12
Rule 270(1)(a) and (b), where unhelmeted rider rides bike with 1 unhelmeted passenger only	Class 1	Level 8
Rule 270(1)(a) and (b), where unhelmeted rider rides bike with 2 unhelmeted passengers	Class 1	Level 10
Rule 270(1)(a) and (b), where unhelmeted rider rides bike with 3 unhelmeted passengers	Class 1	Level 12
Rule 270(1)(a) and (b), where unhelmeted rider rides bike with 4 or more unhelmeted passengers	Class 1	Level 13
Rule 270(1)(b), where helmeted rider rides bike with 1 unhelmeted passenger only	Class 1	Level 5
Rule 270(1)(b), where helmeted rider rides bike with 2 unhelmeted passengers	Class 1	Level 8
Rule 270(1)(b), where helmeted rider rides bike with 3 unhelmeted passengers	Class 1	Level 10
Rule 270(1)(b), where helmeted rider rides bike with 4 or more unhelmeted passengers	Class 1	Level 12
Rule 291	Class 1, 2, 14	Level 5
Rule 291–1	Class 1, 2, 14	Level 3
Rule 291–2	Class 1, 2, 13, 14	Level 3

Road Rules 2014

Column 1	Column 2	Column 3
Provision	Authorised officer	Penalty
Rule 292(a) and (b)	Class 1, 2, 10, 14	Level 6
Rule 292(c)	Class 1, 2, 10, 14	Level 6
Rule 293(2)	Class 1, 2, 13, 14	Level 6
Rule 294-1	Class 1, 2, 14	Level 6
Rule 294-2	Class 1, 2	Level 6
Rule 296(1), otherwise than in school zone	Class 1	Level 3
Rule 296(1), in school zone	Class 1	Level 4
Rule 300-2(1)	Class 1	Level 6
Rule 300-4	Class 1, 2, 14	Level 5
Rule 304(1)	Class 1, 13, 14	Level 5
Rule 316-2(1)	Class 1, 2, 10, 13	Level 3

Road Transport Act 2013

Column 1	Column 2	Column 3
Provision	Authorised officer	Penalty
Section 50	Class 1	Level 9
Section 53(1)(a) and (b)—		
(a) where the driver held a licence under the Act, excluding a licence appropriate to the class of vehicle driven that is a class of vehicle that requires a Class C, Class R, Class LR or Class MR licence—		
(i) for the first offence, or the first offence within the last 5 years	Class 1, 2, 14	Level 7
(ii) for the second or subsequent offence within the last 5 years	Class 1, 2, 14	Level 9
(b) where the driver held a licence under the Act, excluding a licence appropriate to the class of vehicle driven that is a class of vehicle that requires a Class HR, Class HC or Class MC licence—		
(i) for the first offence, or the first offence within the last 5 years	Class 1, 2, 14	Level 8
(ii) for the second or subsequent offence within the last 5 years	Class 1, 2, 14	Level 11
(c) where the driver held a licence issued under the law in force in another State or Territory, but had resided continuously in New South Wales during the previous 3 months—		
(i) for the first offence, or the first offence within the last 5 years	Class 1, 2, 14	Level 7

Road Transport Act 2013

Column 1	Column 2	Column 3
Provision	Authorised officer	Penalty
(ii) for the second or subsequent offence within the last 5 years	Class 1, 2, 14	Level 9
(d) where the driver held a licence under the Act that had expired less than 2 years before—		
(i) for the first offence, or the first offence within the last 5 years	Class 1, 2, 14	Level 7
(ii) for the second or subsequent offence within the last 5 years	Class 1, 2, 14	Level 9
(e) where the driver held a licence under the Act that had expired 2 years or more before—		
(i) for the first offence, or the first offence within the last 5 years	Class 1, 2, 14	Level 8
(ii) for the second or subsequent offence within the last 5 years	Class 1, 2, 14	Level 11
(f) where the driver had never been licensed within the meaning of section 53(5), for the first offence only	Class 1, 2, 14	Level 9
Section 68(1)—		
(a) if the vehicle is a class A motor vehicle	Class 1, 2	Level 8
(b) if the vehicle is a class A motor vehicle that is a motor vehicle and trailer combination, where the motor vehicle is registered and the towed trailer is unregistered	Class 1, 2	Level 3
(c) if the vehicle is a class B or class C motor vehicle	Class 1, 2, 14	Level 12
(d) if a trailer is left standing on a road that is not part of a combination	Class 1, 2, 10, 14	Level 3
Sections 73(3) and 75(2)	Class 1, 2	Level 12
Sections 90(1), 92(1), 96, 97, 104G(1), 104I(1), 104M and 104N	Class 2	Level 8
Sections 91, 92(2), 93, 94, 98(6), 104H, 104I(2), 104J, 104K and 104O(6)	Class 2	Level 12
Section 110(1)–(3) if, in the 5 years before the offence, the person—	Class 1	Level 7
(a) has not been issued a penalty notice for an alcohol or other drug related driving offence, or		
(b) convicted of the same or an equivalent offence referred to in paragraph (a)		
Section 111(1) if, in the 5 years before the offence, the person—	Class 1	Level 7
(a) has not been issued a penalty notice for an alcohol or other drug related driving offence, or		
(b) convicted of the same or an equivalent offence referred to in paragraph (a)		

Road Transport Act 2013

Column 1	Column 2	Column 3
Provision	Authorised officer	Penalty
Section 116(1)	Class 1	Level 8
Section 117(1)(c)	Class 1	Level 6
Sections 119 and 120(3)	Class 1	Level 13
Section 143(6)	Class 1, 2	Level 5
Section 162	Class 1, 2, 14	Level 14
Section 169A(7)	Class 1, 2, 10	Level 5
Section 175(2)(a) or (b)	Class 1, 2, 10, 14	Level 2
Section 177(1)	Class 1, 2, 10, 14	Level 9
Section 188(1)—		
(a) if the offence relates to a vehicle registered otherwise than in the name of a natural person—		
(i) for the first offence, or the first offence within the last 5 years	Class 1	Level 12
(ii) for the second or subsequent offence within the last 5 years	Class 1	Level 17
(b) in any other case	Class 1	Level 8
Section 188(2)—		
(a) if the offence relates to a vehicle registered otherwise than in the name of a natural person	Class 1	Level 12
(b) in any other case	Class 1	Level 8
Section 189(4)—		
(a) if the person served with the verification notice is an individual	Class 1	Level 8
(b) if the person served with the verification notice is a corporation—		
(i) for the first offence, or the first offence within the last 5 years	Class 1	Level 12
(ii) for the second or subsequent offence within the last 5 years	Class 1	Level 17
Section 192(3)	Class 1	Level 8
Sections 239(2) and 244(1)–(3)	Class 1	Level 14
Section 243(1) and (2)	Class 1	Level 15
Section 244(4)	Class 1	Level 9

Road Transport (Driver Licensing) Regulation 2017

Column 1	Column 2	Column 3
Provision	Authorised officer	Penalty
Clause 9(2) and (3)	Class 1, 2, 14	Level 2
Clause 15(1)(a)	Class 1	Level 9
Clauses 15(1)(b), 17(1)(a) and (b), 18(a) and (b) and 23(a) and (b)	Class 1	Level 4
Clauses 16(a) and (b), 19, 39(6) and (8), 96(14) and 122(1)(a), (b) and (c)	Class 1	Level 2
Clause 17(2)	Class 1	Level 7
Clause 39(7)	Class 1	Level 5
Clause 93(3)	Class 1	Level 13
Clause 119(1), where the licence concerned is an interlock driver licence—		
(a) in relation to a condition imposed by clause 83(3)	Class 1	Level 13
(b) in relation to a condition imposed by clause 85(1)(e) or (f)	Class 1	Level 13
Clause 119(1), otherwise than where the licence concerned is an interlock driver licence—		
(a) in relation to a condition imposed by clause 22(1)(b) or 29(1)(b)— for the first offence, or the first offence within the last 5 years	Class 1	Level 7
(b) in relation to a condition imposed by clause 22(1)(b) or 29(1)(b)—for the second or subsequent offence within the last 5 years	Class 1	Level 9
(c) in relation to a condition imposed by clause 22(1)(c)	Class 1	Level 5
(d) in relation to a condition imposed by clause 36, 37 or 38	Class 1	Level 7
(e) in relation to a licence condition not referred to in paragraphs (a)–(d)	Class 1	Level 4
Clauses 120, 121 and 123(2)	Class 1, 2	Level 2

Road Transport (General) Regulation 2021

Column 1	Column 2	Column 3
Provision	Authorised officer	Penalty
Section 11(1)	Class 1	Level 6
Section 14(1)	Class 1	Level 2
Sections 17(1), 18(1) and 19(2)	Class 1, 2, 14	Level 5
Sections 19(3) and 20(2) and (3)	Class 1, 2, 14	Level 3

Road Transport (General) Regulation 2021

Column 1	Column 2	Column 3
Provision	Authorised officer	Penalty
Section 27(1) and (3)	Class 1, 2, 7, 10, 13	Level 3
Section 28(1)	Class 1, 2, 10, 13, 14	Level 3
Section 52(1), in relation to a contravention of a requirement of section 55(1) or 66	Class 1, 2, 5, 6, 10, 11, 14	Level 9
Section 52(1), in relation to a contravention of a requirement of section 60	Class 1, 2, 5, 6, 10, 11, 14	Level 3
Section 59(4)	Class 1, 2, 14	Level 4
Section 64	Class 1, 2	Level 4
Section 67(a) and (b)	Class 1, 2, 10, 11, 14	Level 4
Section 67(c)	Class 1, 2, 10, 11, 14	Level 6
Section 72(1)	Class 1, 2, 5, 6, 10, 11, 14	Level 3
Sections 88(1), 89(a) and (d), 123(1) and 124(a), (d) and (e)	Class 1, 7, 10, 12	Level 4
Sections 89(b) and (c) and 124(b) and (c)	Class 1, 7, 10, 12	Level 3
Section 106(2)	Class 1, 2	Level 2
Section 108(1) and (3)	Class 1, 2	Level 2
Sections 114, 115, 116, 117(2), 118(3) and 119(4) and (5)	Class 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13	Level 8
Section 163(6), if the offence arises because the laden mass of the vehicle exceeds the maximum specified by the limit notice—		
(a) by not more than 1 tonne	Class 1, 2, 10, 11, 14	Level 5
(b) by more than 1 tonne but not more than 2 tonnes	Class 1, 2, 10, 11, 14	Level 8
(c) by more than 2 tonnes but not more than 3 tonnes	Class 1, 2, 10, 11, 14	Level 10
(d) by more than 3 tonne but not more than 4 tonnes	Class 1, 2, 10, 11, 14	Level 11

Road Transport (Vehicle Registration) Regulation 2017

Column 1 Provision	Column 2 Authorised officer	Column 3 Penalty
Clauses 23(4), 29(1), 30(1), 31, 36(8), 37(1), (3), (4), (6) and (7), 39(1), 42(3), 43(4), 47(5), 52(3), 53, 54, 55, 56(2) and (3), 60(1) except in relation to a matter provided for elsewhere in this table, 60(2), (4) and (5), 68(8) and (9), 69(4), 77(1), (2) and (3), 78, 129(2) and 130(1) and (3)	Class 1, 2	Level 2
Clause 34(1) and (2)	Class 1	Level 15
Clause 60(1)(a), if the vehicle is a class A motor vehicle	Class 1, 2	Level 6
Clause 60(1)(a), if the vehicle is a class B motor vehicle	Class 1, 2, 14	Level 8
Clause 60(1)(a), if the vehicle is a class C motor vehicle	Class 1, 2, 14	Level 8
Clause 60(1)(b)(i), if the vehicle is a light vehicle that does not comply with the following provisions of the <i>Light Vehicle Standards Rules</i> —		
(a) rule 25C(b), vehicle cause danger or unreasonable annoyance	Class 1, 2	Level 3
(b) rule 26, defective steering	Class 1, 2	Level 5
(c) rule 29(3), motor vehicle fitted with a vehicle frontal protection system, for example a bullbar, roobar or nudge bar, failing to comply with the document titled <i>Technical specification: Requirements for vehicle frontal protection systems fitted to light vehicles</i> published on a publicly accessible website maintained by Transport for NSW and as in force from time to time, because of—	Class 1, 2	Level 3
(i) incorrect method of mounting vehicle frontal protection system, or		
(ii) exposed edges, or		
(iii) unacceptable shape of material or unacceptable profile of vehicle frontal protection system, or		
(iv) use of non-standard or non-approved vehicle frontal protection system		
(d) rule 29(3), motor vehicle fitted with a vehicle frontal protection system, for example a bullbar, roobar or nudge bar, failing to comply with the document titled <i>Technical specification: Requirements for vehicle frontal protection systems fitted to light vehicles</i> published on a publicly accessible website maintained by Transport for NSW and as in force from time to time, because of dangerous protrusions fitted to vehicle frontal protection system, for example—	Class 1, 2	Level 5
(i) fishing rod holders, or		
(ii) aerials, or		
(iii) winches, or		
(iv) brackets for the mounting of spot lamps		

Road Transport (Vehicle Registration) Regulation 2017

Column 1 Provision	Column 2 Authorised officer	Column 3 Penalty
(e) rule 29A, oil and grease leaks	Class 1, 2	Level 3
(f) rule 31, defective seating	Class 1, 2	Level 5
(g) rule 31A, seatbelt removed or defective	Class 1, 2	Level 5
(h) rule 31A, motor vehicle not fitted or equipped with seatbelts or seatbelt anchorages	Class 1, 2	Level 5
(i) rule 119, 118, 120, 121, 123, 124, 125, 126, 127 or 128, defective brakes	Class 1, 2	Level 5
(j) rule 122, defective brake other than a defective emergency brake	Class 1, 2	Level 5
(k) rule 130, 134, 137, 139, 140 or 141, undue emission, inefficient silencer or excessive noise	Class 1, 2	Level 3
(l) rule 143 or 144, defective LPG or natural gas equipment or labelling	Class 1, 2	Level 3
Clause 60(1)(b)(ii)	Class 1, 2	Level 3
Clause 64(1)	Class 1, 2	Level 8
Clause 66(4)	Class 1, 2, 14	Level 2
Clauses 68(10) and 69(6)	Class 1, 2	Level 4
Clause 80(4)	Class 1, 2, 14	Level 5
Clause 80(7)	Class 1, 2, 14	Level 2
Clause 81(6)	Class 1, 2, 14	Level 5
Clause 84(1)	Class 1, 2	Level 9
Clauses 85(2) and (5) and 93(1), (2) and (3)	Class 2	Level 8
Clause 85(6)	Class 2	Level 5
Clauses 90(5), 94(2) and (3) and 95(1) and (2)	Class 2	Level 9
Clauses 109(2), 112(1) and (2), 121(1), 123Q(2), 123R(1) and (2) and 123ZA(1)	Class 1, 2	Level 5
Clauses 116 and 123V	Class 2	Level 8
Clauses 119(1) and (3), 121(3), 123Y(1) and (3) and 123ZA(3)	Class 2	Level 12
Clause 128(1)	Class 1, 2, 14	Level 2
Clause 128(2), if the defect notice is a minor defect notice	Class 1, 2, 14	Level 5
Clause 128(2), if the defect notice is a major defect notice	Class 1, 2, 14	Level 6
Clause 128(3) and (5)	Class 1, 2, 14	Level 8
Clause 129(1) and (3), if the vehicle is a class A motor vehicle	Class 1, 2	Level 6
Clause 129(4), if the vehicle is a class A motor vehicle	Class 1, 2	Level 2
Clause 129(1), (2), (3) and (4), if the vehicle is a class B motor vehicle or class C motor vehicle	Class 1, 2, 14	Level 8

Roads Act 1993

Column 1	Column 2	Column 3
Provision	Authorised officer	Penalty
Section 115(4)	Class 1, 2, 11	Level 2

Schedule 4 Amendment of Road Transport (Vehicle Registration) Regulation 2017

[1] Clause 66 Directed inspections

Insert “, the National Heavy Vehicle Regulator” after “Transport for NSW” wherever occurring in clause 66(1)–(3).

[2] Clause 66(5)

Insert “or the National Heavy Vehicle Regulator” after “Transport for NSW”.

[3] Clause 67 Periodic inspections

Insert “, the National Heavy Vehicle Regulator” after “must be inspected by Transport for NSW” in clause 67(1).

[4] Clause 67(2)

Insert “or the National Heavy Vehicle Regulator” after “Transport for NSW” wherever occurring.

[5] Schedule 2 Light Vehicle Standards Rules

Insert at the end of clause 3(1), definition of *exempt vehicle*, paragraph (d)—
 , or
 (e) a transport enforcement vehicle.

[6] Schedule 2, clause 3(1)

Insert in alphabetical order—

transport enforcement vehicle means—

- (a) a vehicle that is a transport enforcement vehicle under a law of New South Wales, or
- (b) a vehicle other than a police vehicle, that is driven by an authorised officer, within the meaning of the *Heavy Vehicle National Law (NSW)*, in the course of the officer’s duty.

[7] Schedule 2, clause 114(4)

Insert after paragraph (n)—

- (na) vehicles used by the National Heavy Vehicle Regulator,

[8] Schedule 2, clause 114(6)

Insert “or the National Heavy Vehicle Regulator” after “Transport for NSW”.

[9] Schedule 2, clause 114(7)(c)

Insert “or the National Heavy Vehicle Regulator,” after “Transport for NSW”.

[10] Schedule 2, clause 114(7)(c)

Insert “or magenta” after “crimson”.

[11] Dictionary

Insert in alphabetical order—

National Heavy Vehicle Regulator means the National Heavy Vehicle Regulator established under the *Heavy Vehicle National Law (NSW)*, section 656.

Schedule 5 Amendment of Transport Administration (General) Regulation 2018

[1] Clause 20 Further additional classes of persons to whom TfNSW may delegate functions

Insert at the end of clause 20(1)—

- (f) the National Heavy Vehicle Regulator and the members of staff of the National Heavy Vehicle Regulator.

[2] Clause 20(2)

Insert in alphabetical order—

National Heavy Vehicle Regulator means the National Heavy Vehicle Regulator established under the *Heavy Vehicle National Law (NSW)*, section 656.