

First print



New South Wales

Traffic Amendment (Disqualification for Speeding) Bill 1997

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Traffic Act 1909* to provide that a person will be disqualified from holding a driver's licence for a period of not less than 1 month if, during the holiday period from 24 December 1997 to 31 January 1998 (inclusive), the person:

- commits a speeding offence by exceeding the applicable speed limit by more than 30 km/h but not more than 45 km/h under section 4A (1) of that Act, and
- is convicted of the offence.

Exceeding the speed limit by more than 45 km/h is currently an offence that results in the disqualification of a person's driver's licence.

The Bill also provides that the speeding offence referred to above, if committed during the holiday period, will be an offence for which a driver's licence may be cancelled or suspended by the Roads and Traffic Authority if the person who committed the offence pays the applicable fine under the penalty notice scheme.

Traffic Amendment (Disqualification for Speeding) Bill 1997

Explanatory note

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent.

Clause 3 is a formal provision giving effect to the amendment to the *Traffic Act 1909* set out in Schedule 1.

Schedule 1 amends the *Traffic Act 1909* as described in the above overview.

First print

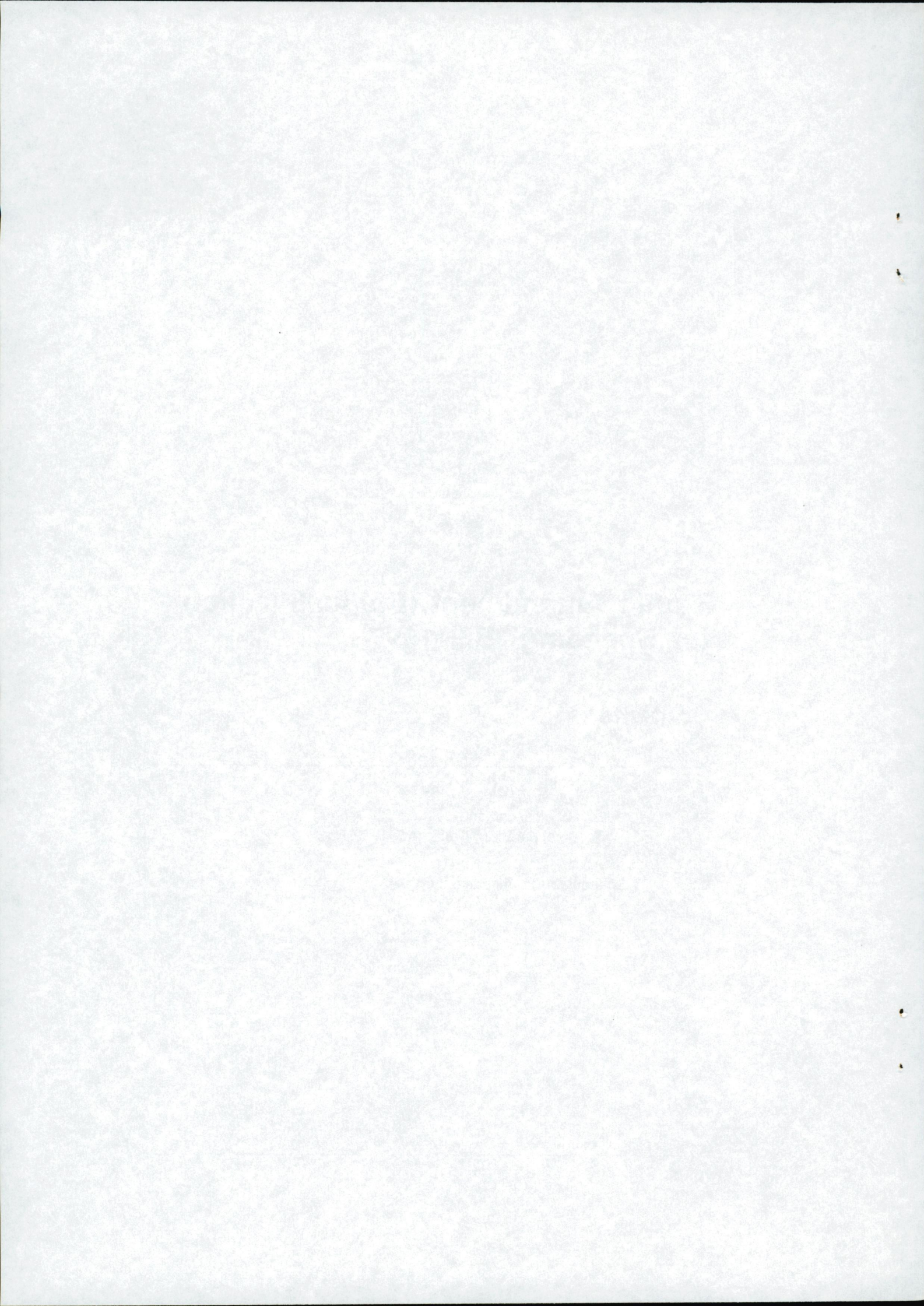


New South Wales

Traffic Amendment (Disqualification for Speeding) Bill 1997

Contents

	Page
1 Name of Act	2
2 Commencement	2
3 Amendment of Traffic Act 1909 No 5	2
 Schedule 1 Amendment	 3





New South Wales

Traffic Amendment (Disqualification for Speeding) Bill 1997

No. , 1997

A Bill for

An Act to amend the *Traffic Act 1909* to provide for the disqualification of drivers' licences for certain speeding offences committed during the 1997–98 Christmas–New Year holiday period.

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Traffic Amendment (Disqualification for Speeding) Act 1997*.

2 Commencement

5

This Act commences on the date of assent.

3 Amendment of Traffic Act 1909 No 5

The *Traffic Act 1909* is amended as set out in Schedule 1.

Schedule 1 Amendment

(Section 3)

Section 4AAB

Insert after section 4A:

- 4AAB Special provision—disqualification for speeding during holiday period** 5
- (1) In this section, *holiday period* means the period starting at midnight on 23 December 1997 and ending at midnight on 31 January 1998.
- (2) If a person: 10
- (a) commits an offence under section 4A (1) during the holiday period by driving a motor vehicle on any length of public street at a speed that exceeds the speed limit applicable to that length of public street by more than 30 kilometres per hour but not more than 45 kilometres per hour, and 15
- (b) is convicted of that offence by a court, 20
- the person is disqualified from holding a driver's licence for 1 month without any specific order, or for such longer period as the court may order.
- (3) An offence referred to in subsection (2) (a) that is committed during the holiday period is a speeding offence prescribed for the purposes of section 11AB (3).
- (4) Any disqualification under this section is in addition to any penalty imposed for the offence. 25