

c2023-114D
OPP--Opposition

LEGISLATIVE COUNCIL

Road Transport Legislation Amendment (Automated Seatbelt Enforcement) Bill 2023

First print

Proposed amendment

No. 1 **Warning period for seatbelt offences detected by appropriate traffic enforcement devices**
Page 4, Schedule 1. Insert after line 29—

[12] Schedule 4 Savings, transitional and other provisions

Insert after clause 70—

**Part 12 Provision consequent on enactment of Road
Transport Legislation Amendment (Automated
Seatbelt Enforcement) Act 2023**

**71 Warning period for seatbelt offences detected by appropriate traffic
enforcement devices**

- (1) This clause applies if, during the warning period, a seatbelt offence is detected by an appropriate approved traffic enforcement device.
- (2) Despite anything else in this Act or the statutory rules—
 - (a) a penalty notice or court attendance notice must not be issued in relation to the seatbelt offence, and
 - (b) a notice must be given by TfNSW to the registered owner of the vehicle warning the registered owner that the driver of the vehicle committed a seatbelt offence but stating that no penalty notice or court attendance notice will be issued in relation to the offence.
- (3) TfNSW must, before starting to use appropriate approved traffic enforcement devices to detect seatbelt offences, declare, by notice published on a NSW Government website, that the devices are fully operational.
- (4) In this section—

appropriate approved traffic enforcement device has the same meaning as in Part 7.3, Division 2.

seatbelt offence has the same meaning as in Part 5.3, Division 5.

warning period means the period—

 - (a) starting on the date of assent to the *Road Transport Legislation Amendment (Automated Seatbelt Enforcement) Act 2023*, and

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- (b) ending on the later of the following—
- (i) the date that is 3 months after assent to the *Road Transport Legislation Amendment (Automated Seatbelt Enforcement) Act 2023*,
 - (ii) the date that is 3 months after the date on which the notice referred to in subclause (3) is published.