



New South Wales

Road Transport Amendment (Driving Through Floodwaters) Bill 2024 (No 2)

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 *Road Transport Act 2013* to—

- (a) prohibit a person deliberately and recklessly driving through floodwaters, and
- (b) require penalties for breach of the prohibition to be paid into the New South Wales State Emergency Service Fund.

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 to the proposed Act.

Schedule 1 Amendment of Road Transport Act 2013 No 18

Schedule 1 gives effect to the object described in the overview.



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This PUBLIC BILL, originated in the LEGISLATIVE ASSEMBLY and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly

Clerk of the Legislative Assembly



New South Wales

Road Transport Amendment (Driving Through Floodwaters) Bill 2024 (No 2)

No , 2024

A Bill for

An Act to amend the *Road Transport Act 2013* to prohibit deliberately or recklessly driving through floodwaters; and to require penalties for breach of the prohibition to be paid into the New South Wales State Emergency Service Fund.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with/without amendment.

Legislative Council

Clerk of the Parliaments

Tabling copy

The Legislature of New South Wales enacts—

1

1 Name of Act

2

This Act is the *Road Transport Amendment (Driving Through Floodwaters) Act 2024*.

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4

2 Commencement

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This Act commences on the date of assent to this Act.

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Schedule 1	Amendment of Road Transport Act 2013 No 18	1
Section 118A		2
Insert after section 118—		3
118A	Driving through floodwaters	4
(1)	A person is guilty of an offence if the person—	5
(a)	deliberately drives a motor vehicle on a part of a road covered by floodwaters, and	6 7
(b)	is reckless as to the risk of death or injury to the person or another person that arises from that conduct.	8 9
	Maximum penalty—5 penalty units.	10
(2)	The following must be paid into the New South Wales State Emergency Service Fund—	11 12
(a)	a penalty paid or recovered for an offence against this section,	13
(b)	an amount paid under a penalty notice issued for an alleged offence against this section.	14 15