



New South Wales

# Road Transport Legislation (Repeal and Amendment) Bill 2013

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.  
This Bill is cognate with the *Road Transport Bill 2013*.

## Overview of Bill

The proposed *Road Transport Act 2013* will provide for the consolidation of a number of existing Acts dealing with road transport into a single Act. The proposed *Road Transport (Statutory Rules) Act 2013* makes consequential amendments to certain statutory rules under the existing road transport legislation that will continue in force under the new *Road Transport Act 2013* and also sets out the terms of the proposed *Road Transport (General) Regulation 2013* which will be taken to have been made under the new Act.

The object of this Bill is to repeal certain existing road transport legislation and make consequential amendments to certain Acts and other legislation as a result of the enactment of the proposed *Road Transport Act 2013* and proposed *Road Transport (Statutory Rules) Act 2013*.

## 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 a day or days to be appointed by proclamation.

## **Schedule 1      Repeal of certain existing road transport legislation**

**Schedule 1** repeals the following Acts and Regulation, all of which constitute part of the existing road transport legislation to be replaced by the proposed *Road Transport Act 2013*:

- (a) the *Road Transport (Driver Licensing) Act 1998*,
- (b) the *Road Transport (Safety and Traffic Management) Act 1999*,
- (c) the *Road Transport (Safety and Traffic Management) Regulation 1999*,
- (d) the *Road Transport (Vehicle Registration) Act 1997*.

## **Schedule 2      Renaming and other amendment of Road Transport (General) Act 2005 No 11**

**Schedule 2:**

- (a) renames the *Road Transport (General) Act 2005* as the *Road Transport (Vehicle and Driver Management) Act 2005*, and
- (b) makes amendments so as to confine the operation of the Act to mass, dimension, load restraint and access requirements for heavy vehicles and other vehicles and to the regulation of certain other matters relating to heavy vehicles (such as driver fatigue management and heavy vehicle speeding compliance) pending the future adoption of the proposed *Heavy Vehicle National Law* in New South Wales.

The Schedule also extends the application of Part 3.5 (Additional sanctions for heavy vehicle offences) to any offence under an applicable road law involving a heavy vehicle. Currently, the Part is limited to offences by heavy vehicles relating to a mass, dimension or load restraint requirement.

## **Schedule 3      Amendments replacing general references to existing or former road transport Acts with “Road Transport Act 2013”**

**Schedule 3** updates references in certain Acts and statutory rules to existing road transport Acts to be repealed by Schedule 1, the *Road Transport (General) Act 2005* and the repealed *Road Transport (General) Act 1999* with references to the proposed *Road Transport Act 2013*.

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## **Schedule 4      Other consequential amendments of Acts and statutory rules**

**Schedule 4** makes other amendments to certain Acts and statutory rules that are consequential on the enactment of the proposed *Road Transport Act 2013* and the proposed *Road Transport (Statutory Rules) Act 2013*, the repeal of the existing road transport legislation by Schedule 1 and the renaming and amendment of the *Road Transport (General) Act 2005* by Schedule 2.