

Heavy Vehicle (Adoption of National Law) Regulation 2013

under the

Heavy Vehicle (Adoption of National Law) Act 2013

1 Name of Regulation

This Regulation is the *Heavy Vehicle (Adoption of National Law) Regulation 2013*.

2 Definitions

- (1) In this Regulation:
the Act means the *Heavy Vehicle (Adoption of National Law) Act 2013*.
- (2) Notes included in this Regulation do not form part of this Regulation.

3 Prescribed offences and penalties for infringement notices

- (1) For the purposes of section 591 of the *Heavy Vehicle National Law (NSW)*:
 - (a) each offence created by a provision specified in Column 1 of Schedule 1 is prescribed, and
 - (b) the penalty prescribed for each such offence is the amount specified opposite the provision in Column 2 of the Schedule.
- (2) If the reference to a provision in Column 1 of Schedule 1 is qualified by words that restrict its operation to specified kinds of offences, an offence created by the provision is a prescribed offence only if it is an offence of a kind so specified or committed in the circumstances so specified.
- (3) A reference in Column 2 of Schedule 1 to a minor risk breach or substantial risk breach in relation to an offence against a provision specified in Column 1 is a reference to a minor risk breach or substantial risk breach in relation to the offence within the meaning of the *Heavy Vehicle National Law (NSW)*.

Schedule 1 Prescribed offences and penalties for section 591 of Heavy Vehicle National Law (NSW)

(Clause 3)

Column 1	Column 2
Provision	Penalty
Offences under Heavy Vehicle National Law (NSW)	
Section 60 (1) (in the circumstances referred to in paragraph (a) of the penalty provision)	\$300
Section 60 (1) (in the circumstances referred to in paragraph (b) of the penalty provision)	\$600
Section 79 (2)	\$400
Section 81 (1)	\$300
Section 81 (2)	\$300
Section 81 (3)	\$300
Section 82 (2)	\$300
Section 82 (3)	\$300
Section 83 (1)	\$300
Section 83 (2)	\$300
Section 83 (3)	\$300
Section 85 (1)	\$300
Section 85 (2)	\$300
Section 86 (2)	\$300
Section 89 (1)	\$600
Section 90 (1)	\$300
Section 90 (2)	\$300
Section 90 (3)	\$300
Section 92 (2)	\$300
Section 96 (1)	\$400 (for a minor risk breach) \$600 (for a substantial risk breach)
Section 102 (1) (a)	\$300
Section 102 (1) (b)	\$300 (for a minor risk breach) \$500 (for a substantial risk breach)
Section 109 (2)	\$300
Section 111 (1)	\$300 (for a minor risk breach) \$500 (for a substantial risk breach)
Section 129 (1)	\$600
Section 129 (2)	\$600
Section 129 (3)	\$600

Column 1	Column 2
Provision	Penalty
Section 130 (2)	\$600
Section 130 (3)	\$600
Section 131 (1)	\$600
Section 132 (2)	\$300
Section 132 (3)	\$300
Section 133 (1)	\$300
Section 133 (2)	\$400
Section 133 (3)	\$300
Section 134 (1)	\$300
Section 134 (2)	\$300
Section 137	\$600
Section 150 (1)	\$600
Section 151 (2)	\$300
Section 151 (3)	\$300
Section 152 (1)	\$300
Section 152 (2)	\$400
Section 152 (3)	\$300
Section 153 (1)	\$300
Section 153 (2)	\$300
Section 181 (3)	\$400
Section 183 (2) (in relation to an offence against section 96)	\$400 (for a minor risk breach) \$600 (for a substantial risk breach)
Section 183 (2) (in relation to an offence against section 102)	\$300 (for a heavy vehicle that does not have goods or passengers) \$300 (for a minor risk breach) \$500 (for a substantial risk breach)
Section 183 (2) (in relation to an offence against section 111)	\$300 (for a minor risk breach) \$500 (for a substantial risk breach)
Section 184 (1)	\$300
Section 185 (1)	\$600
Section 185 (2)	\$600
Section 190 (1)	\$600
Section 191 (1)	\$600
Section 191 (3)	\$600
Section 192 (1)	\$600
Section 192 (2)	\$300

Column 1	Column 2
Provision	Penalty
Section 219 (1):	
(a) in the circumstances referred to in paragraph (a) of the penalty provision, or	\$300
(b) in the circumstances referred to in paragraph (b) (i) of the penalty provision, or	\$300
(c) in the circumstances referred to in paragraph (b) (ii) of the penalty provision, or	\$500
(d) in the circumstances referred to in paragraph (c) (i) of the penalty provision, or	\$300
(e) in the circumstances referred to in paragraph (c) (ii) of the penalty provision, or,	\$500
(f) in the circumstances referred to in paragraph (d) (i) of the penalty provision, or	\$500
(g) in the circumstances referred to in paragraph (d) (ii) of the penalty provision.	\$500
Section 250 (1)	\$400 (for a minor risk breach) \$600 (for a substantial risk breach)
Section 251 (1)	\$400 (for a minor risk breach) \$600 (for a substantial risk breach)
Section 254 (1)	\$400 (for a minor risk breach) \$600 (for a substantial risk breach)
Section 256 (1)	\$400 (for a minor risk breach) \$600 (for a substantial risk breach)
Section 258 (1)	\$400 (for a minor risk breach) \$600 (for a substantial risk breach)
Section 260 (1)	\$400 (for a minor risk breach) \$600 (for a substantial risk breach)
Section 263 (1)	\$400
Section 284 (2)	\$600
Section 286 (1)	\$600
Section 287 (2)	\$300
Section 287 (3)	\$300
Section 288 (1)	\$300
Section 288 (2)	\$400
Section 288 (3)	\$300
Section 293 (1)	\$600
Section 296 (1)	\$150
Section 297 (2)	\$300
Section 298 (1)	\$150

Column 1	Column 2
Provision	Penalty
Section 299	\$300
Section 301	\$150
Section 302	\$150
Section 303	\$150
Section 305 (1)	\$600
Section 305 (2)	\$300
Section 305 (3)	\$150
Section 306	\$300
Section 307 (2)	\$300
Section 308 (1)	\$300
Section 309 (2)	\$600
Section 310 (2)	\$600
Section 319 (1)	\$600
Section 321 (1)	\$600
Section 321 (2)	\$600
Section 322 (2)	\$300
Section 323 (2)	\$300
Section 341 (1)	\$600
Section 341 (2)	\$600
Section 341 (3)	\$300
Section 341 (4)	\$300
Section 354 (3)	\$600
Section 354 (5)	\$600
Section 355 (2)	\$600
Section 355 (4)	\$600
Section 355 (6)	\$600
Section 373 (2)	\$600
Section 375	\$600
Section 376 (2)	\$300
Section 376 (3)	\$300
Section 377	\$300
Section 392 (2)	\$600
Section 395	\$600
Section 396 (2)	\$600
Section 399 (2)	\$600
Section 467	\$600

Column 1	Column 2
Provision	Penalty
Section 468 (1)	\$300
Section 468 (3)	\$300
Section 469 (2)	\$400
Section 470 (3)	\$600
Section 470 (8)	\$300
Section 471 (2)	\$600
Section 471 (3)	\$400
Section 476 (2)	\$600
Section 488	\$300
Section 513 (4)	\$600
Section 514 (3)	\$600
Section 516 (3)	\$600
Section 517 (4)	\$600
Section 522 (5)	\$600
Section 524 (5)	\$600
Section 526 (4)	\$300
Section 528 (3)	\$300
Section 529	\$300
Section 533 (7)	\$1000
Section 534 (5)	\$1000
Section 567 (4)	\$300
Section 568 (3) (for a failure to produce a work diary for inspection)	\$600
Section 568 (3) (for a failure to produce any other document, device or thing for inspection)	\$300
Section 568 (7)	\$300
Section 569 (2)	\$600
Section 569 (7)	\$300
Offences under Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)	
Section 11 (1)	\$300
Section 16 (2)	\$300
Section 28	\$300
Section 34 (2)	\$400
Section 36 (2)	\$300
