

2013

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

---

(As presented)

(Attorney-General)

# Heavy Vehicle National Law (Consequential Amendments) Bill 2013

## Contents

---

		Page
<b>Part 1</b>	<b>Preliminary</b>	
1	Name of Act	2
2	Commencement	2
3	Legislation amended	2
4	Legislation repealed	3
<b>Part 2</b>	<b>Freedom of Information Regulation 1991</b>	
5	New section 2B	4

---

J2013-322

Authorised by the ACT Parliamentary Counsel—also accessible at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)

	Page
<b>Part 3</b>	<b>Legislation Act 2001</b>
6	Dictionary, part 1, new definition of <i>Heavy Vehicle National Law (ACT)</i> 5
<b>Part 4</b>	<b>Magistrates Court Act 1930</b>
7	Meaning of <i>prescribed offence</i> for pt 3.7 New section 116AA (1) (ab) 6
8	Section 116AA (2), definition of <i>road transport legislation</i> , paragraph (c) 6
<b>Part 5</b>	<b>Road Transport (Alcohol and Drugs) Act 1977</b>
9	Name of Act Section 1, note 2 7
10	Section 1, note 3 7
11	Meaning of <i>special driver</i> Section 4B (3), definition of <i>heavy vehicle</i> 7
<b>Part 6</b>	<b>Road Transport (Driver Licensing) Act 1999</b>
12	Name of Act Section 1, note 2 8
13	Section 1, note 3 8
14	Driver must be licensed Section 31 (10), notes 9
<b>Part 7</b>	<b>Road Transport (Driver Licensing) Regulation 2000</b>
15	Vehicles authorised to be driven by licence classes Section 9 (3) (b) 10
16	Heavy vehicle learners Section 23, notes 3 and 4 10
17	When authority may vary, suspend or cancel driver licences Section 87, note 2 11
<b>Part 8</b>	<b>Road Transport (General) Act 1999</b>
18	Name of Act Section 1, note 2 12
19	Section 1, note 3 12
<hr/>	
contents 2	Heavy Vehicle National Law (Consequential Amendments) Bill 2013

## Contents

---

	Page	
20	What is the <i>road transport legislation</i> ? Section 6 (d)	12
21	Sections 20 (1) and 21, notes	12
22	Definitions—pt 3 Section 21A, new definition of <i>heavy vehicle infringement notice offence</i>	12
23	Infringement notices Section 24 (1) and (2)	13
24	New section 24 (5)	13
25	Infringement notice—payment of penalty etc Section 26, note 3	14
26	Action on service of reminder notice—payment of penalty etc Section 28, note 2	14
27	Time for beginning prosecution for infringement notice offence Section 31	14
28	Section 31, new note	15
29	Infringement notice—effect of penalty payment etc Section 39 (1) (a) (iii) (B)	15
30	Section 39 (1) (c) (iii) (B)	15
31	Suspension for nonpayment of infringement notice penalties Section 44 (1) (a)	15
32	Section 44 (1) (a), new note	15
33	Procedure if liability disputed Section 53 (2)	16
34	Section 53 (4)	16
35	Section 53 (5)	16
36	Section 53 (6) and note	17
37	Authorised people for infringement notice offences Section 53A (1)	17
38	Section 53A (1), new note	17
39	Section 53A (2)	17
40	Section 53A (3)	18
41	Delegation of administering authority's functions New section 54 (1) (d)	19

	Page	
42	Police officer or authorised person may require name, date of birth, address and driver licence—driver or rider Section 58 (1), new note	19
43	Police officer or authorised person may require people to disclose identity of driver Section 60 (1), new note	19
44	Court may order disqualification for other offences Section 64, note	19
45	Determination of fees, charges and other amounts Section 96 (5), new definition of <i>road transport legislation</i>	20
46	Dictionary, new definition of <i>heavy vehicle infringement notice offence</i>	20
47	Dictionary, definition of <i>infringement notice</i>	20
<b>Part 9</b>	<b>Road Transport (General) Regulation 2000</b>	
48	Internally reviewable decisions Schedule 1, parts 1.6A and 1.6B	21
<b>Part 10</b>	<b>Road Transport (Offences) Regulation 2005</b>	
49	<i>Identifying particulars</i> for authorised person for infringement notice offence—pt 2 New section 4D, definition of <i>identifying particulars</i> , paragraph (c)	22
50	Infringement notice penalties—Act, dict, def <i>infringement notice penalty</i> , par (a) Section 6 (2)	22
51	Administering authority—Act, dict, def <i>administering authority</i> Section 8 (1) (c) (i) and (ii)	22
52	New section 8 (3) and (4)	23
53	Sections 9 to 11	23
54	Infringement notices—service—Act, s 24 (2) Section 12 (2) (b) (ii) and (3) (b) (ii)	24
55	Infringement notices—contents—Act, s 25 Section 14A (2) (f)	24
56	Section 14A (2) (g)	25
57	Reminder notices—contents—Act, s 27 (3) Section 14B (1) (p)	25
58	Section 14B (1) (q)	25

	Page	
59	Short descriptions, penalties and demerit points Schedule 1, new parts 1.2A and 1.2B	26
60	Schedule 1, parts 1.8A and 1.8B	61
<b>Part 11</b>	<b>Road Transport (Public Passenger Services) Act 2001</b>	
61	Name of Act Section 1, note 2	62
62	Section 1, note 3	62
<b>Part 12</b>	<b>Road Transport (Safety and Traffic Management) Act 1999</b>	
63	Name of Act Section 1, note 2	63
64	Section 1, note 3	63
<b>Part 13</b>	<b>Road Transport (Safety and Traffic Management) Regulation 2000</b>	
65	General Division 2.2.1 heading, note 3, table, item 8, column 3	64
66	ARR dict—definitions for dictionary Section 33 (1), definition of <i>oversize vehicle</i> , paragraph (a)	64
<b>Part 14</b>	<b>Road Transport (Third-Party Insurance) Act 2008</b>	
67	Name of Act Section 1, note 2	65
68	Section 1, note 3	65

**Part 15**                      **Road Transport (Vehicle Registration)  
Act 1999**

69	Name of Act	
	Section 1, note 2	66
70	Section 1, note 3	66
71	Dictionary, definition of <i>vehicle standard</i>	66

2013

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

---

(As presented)

(Attorney-General)

# **Heavy Vehicle National Law (Consequential Amendments) Bill 2013**

---

## **A Bill for**

An Act to amend legislation because of the enactment of the *Heavy Vehicle National Law (ACT) Act 2013*, and for other purposes

---

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 **Part 1 Preliminary**

2 **1 Name of Act**

3 This Act is the *Heavy Vehicle National Law (Consequential*  
4 *Amendments) Act 2013*.

5 **2 Commencement**

6 This Act commences on the commencement of the *Heavy Vehicle*  
7 *National Law (ACT) Act 2013*, section 7 (Application of Heavy  
8 Vehicle National Law).

9 *Note* The naming and commencement provisions automatically commence on  
10 the notification day (see [Legislation Act](#), s 75 (1)).

11 **3 Legislation amended**

12 This Act amends the following legislation:

- 13 • [Freedom of Information Regulation 1991](#)
- 14 • [Legislation Act 2001](#)
- 15 • [Magistrates Court Act 1930](#)
- 16 • [Road Transport \(Alcohol and Drugs\) Act 1977](#)
- 17 • [Road Transport \(Driver Licensing\) Act 1999](#)
- 18 • [Road Transport \(Driver Licensing\) Regulation 2000](#)
- 19 • [Road Transport \(General\) Act 1999](#)
- 20 • [Road Transport \(General\) Regulation 2000](#)
- 21 • [Road Transport \(Offences\) Regulation 2005](#)
- 22 • [Road Transport \(Public Passenger Services\) Act 2001](#)
- 23 • [Road Transport \(Safety and Traffic Management\) Act 1999](#)
- 24 • [Road Transport \(Safety and Traffic Management\)](#)  
25 [Regulation 2000](#)

- 1                   • *Road Transport (Third-Party Insurance) Act 2008*  
2                   • *Road Transport (Vehicle Registration) Act 1999.*

3           **4           Legislation repealed**

- 4           (1) The following legislation is repealed:  
5                   • *Road Transport (Mass, Dimensions and Loading) Act 2009*  
6                    (A2009-22)  
7                   • *Road Transport (Mass, Dimensions and Loading)*  
8                    *Regulation 2010* (SL2010-4)  
9                   • *Road Transport (General) (Restricted Access Vehicle Route*  
10                  *Access Permit Fees) Determination 2010 (No 1)* (DI2010-23).  
11           (2) All other legislative instruments under the *Road Transport (Mass,*  
12                  *Dimensions and Loading) Act 2009* are repealed.

1 **Part 2** **Freedom of Information**  
2 **Regulation 1991**

3 **5** **New section 2B**

4 *insert*

5 **2B** **Regulator and Board not prescribed authorities—Act,**  
6 **dict, def *prescribed authority*, par (a) (ii)**

7 (1) The Regulator and Board are not prescribed authorities.

8 (2) In this section:

9 ***Board***—see the *Heavy Vehicle National Law (ACT)*, section 5.

10 ***Regulator***—see the *Heavy Vehicle National Law (ACT)*, section 5.

1 **Part 3** **Legislation Act 2001**

2 **6** **Dictionary, part 1, new definition of *Heavy Vehicle***  
3 ***National Law (ACT)***

4 *insert*

5 *Heavy Vehicle National Law (ACT)* means the provisions applying  
6 in the ACT because of the *Heavy Vehicle National Law (ACT)*  
7 *Act 2013*, section 7 (Application of Heavy Vehicle National Law).

1 **Part 4 Magistrates Court Act 1930**

2 **7 Meaning of *prescribed offence* for pt 3.7**  
3 **New section 116AA (1) (ab)**

4 *insert*

5 (ab) for an offence against the *Heavy Vehicle National*  
6 *Law (ACT)*—the maximum fine that can be imposed on the  
7 person for the offence is \$3 000 or another amount prescribed  
8 by regulation; or

9 **8 Section 116AA (2), definition of *road transport legislation*,**  
10 **paragraph (c)**

11 *omit*

1 **Part 5** **Road Transport (Alcohol and**  
2 **Drugs) Act 1977**

3 **9** **Name of Act**  
4 **Section 1, note 2**

5 *omit*

- 6 • [Road Transport \(Mass, Dimensions and Loading\) Act 2009](#)

7 **10** **Section 1, note 3**

8 *substitute*

9 *Note 3* Other laws dealing with road transport include the [Dangerous Goods](#)  
10 [\(Road Transport\) Act 2009](#) and the [Heavy Vehicle National Law \(ACT\)](#).

11 *Note 4* A reference to an Act includes a reference to the statutory instruments  
12 made or in force under the Act, including any regulation (see  
13 [Legislation Act](#), s 104).

14 **11** **Meaning of *special driver***  
15 **Section 4B (3), definition of *heavy vehicle***

16 *substitute*

17 ***heavy vehicle***—see the [Heavy Vehicle National Law \(ACT\)](#),  
18 section 5.

1 **Part 6** **Road Transport (Driver**  
2 **Licensing) Act 1999**

3 **12** **Name of Act**  
4 **Section 1, note 2**

5 *omit*

- 6 • *Road Transport (Mass, Dimensions and Loading) Act 2009*

7 **13** **Section 1, note 3**

8 *substitute*

9 *Note 3* Other laws dealing with road transport include the *Dangerous Goods*  
10 *(Road Transport) Act 2009* and the *Heavy Vehicle National Law (ACT)*.

11 *Note 4* A reference to an Act includes a reference to the statutory instruments  
12 made or in force under the Act, including any regulation (see  
13 *Legislation Act*, s 104).

---

1 **14 Driver must be licensed**  
2 **Section 31 (10), notes**

3 *substitute*

4 *Note 1* The offences in this section do not apply to an authorised officer  
5 (including a police officer) or authorised assistant who drives a heavy  
6 vehicle under the *Heavy Vehicle National Law (ACT)*, s 519 (Moving  
7 unattended heavy vehicle on road if causing harm etc.).

8 *Note 2* The offences in this section do not apply to an authorised officer  
9 (including a police officer) or authorised assistant who starts or stops a  
10 heavy vehicle's engine under the *Heavy Vehicle National Law (ACT)*,  
11 s 523 (Starting or stopping heavy vehicle engine). Under that section,  
12 an authorised officer or assistant may start or stop a heavy vehicle's  
13 engine to assist with the exercise of powers under that Law.

14 *Note 3* The offences in this section do not apply to a person who is required by  
15 an authorised officer (including a police officer) under the *Heavy*  
16 *Vehicle National Law (ACT)*, s 577 (Power to require reasonable help)  
17 to start or stop a heavy vehicle's engine.

1 **Part 7** **Road Transport (Driver**  
2 **Licensing) Regulation 2000**

3 **15** **Vehicles authorised to be driven by licence classes**  
4 **Section 9 (3) (b)**

5 *substitute*

6 (b) to drive a motor vehicle in contravention of the *Heavy Vehicle*  
7 *National Law (ACT)*; or

8 **16** **Heavy vehicle learners**  
9 **Section 23, notes 3 and 4**

10 *substitute*

11 *Note 3* However, the offences in relation to s (3) (a) to (d) do not apply to an  
12 authorised officer (including a police officer) or authorised assistant  
13 who drives a heavy vehicle under the *Heavy Vehicle National Law*  
14 *(ACT)*, s 519 (Moving unattended heavy vehicle on road if causing  
15 harm etc.).

16 *Note 4* Also, the offences in relation to s (3) (a) to (d) do not apply to a person  
17 who starts or stops a heavy vehicle's engine under the *Heavy Vehicle*  
18 *National Law (ACT)*, s 523 (Starting or stopping heavy vehicle engine).  
19 Under that section, an authorised officer or authorised assistant may  
20 start or stop a heavy vehicle's engine to assist with the exercise of  
21 powers under that Law.

22 *Note 5* Also, the offences in relation to s (3) (a) to (d) do not apply to a person  
23 who is required by an authorised officer under the *Heavy Vehicle*  
24 *National Law (ACT)*, s 577 (Power to require reasonable help) to start or  
25 stop a heavy vehicle's engine.

1 **17** **When authority may vary, suspend or cancel driver**  
2 **licences**  
3 **Section 87, note 2**

4 *substitute*

5 *Note 2* A court may also order licence variation, suspension and cancellation  
6 under the *Heavy Vehicle National Law (ACT)*, s 598A.

1 **Part 8 Road Transport (General)**  
2 **Act 1999**

3 **18 Name of Act**  
4 **Section 1, note 2**

5 *omit*

- 6 • [Road Transport \(Mass, Dimensions and Loading\) Act 2009](#)

7 **19 Section 1, note 3**

8 *substitute*

9 *Note 3* Other laws dealing with road transport include the [Dangerous Goods](#)  
10 [\(Road Transport\) Act 2009](#) and the [Heavy Vehicle National Law \(ACT\)](#).

11 *Note 4* A reference to an Act includes a reference to the statutory instruments  
12 made or in force under the Act, including any regulation (see  
13 [Legislation Act](#), s 104).

14 **20 What is the road transport legislation?**  
15 **Section 6 (d)**

16 *omit*

17 **21 Sections 20 (1) and 21, notes**

18 *omit*

19 **22 Definitions—pt 3**  
20 **Section 21A, new definition of heavy vehicle infringement**  
21 **notice offence**

22 *insert*

23 *heavy vehicle infringement notice offence* means an infringement  
24 notice offence against the [Heavy Vehicle National Law \(ACT\)](#).

---

1 **23**      **Infringement notices**  
2            **Section 24 (1) and (2)**

3            *substitute*

4            (1) Subsection (2) applies if an authorised person reasonably believes  
5            that a person has committed an infringement notice offence (other  
6            than a heavy vehicle infringement notice offence).

7            (2) A notice for the offence may be served on the person.

8            *Note*      An authorised officer under the *Heavy Vehicle National Law (ACT)*  
9            may serve a person with a notice if the officer reasonably believes the  
10           person has committed a heavy vehicle infringement notice offence (see  
11           *Heavy Vehicle National Law (ACT)*, s 591 (1)).

12           (2A) An infringement notice must be served in the way prescribed by  
13           regulation.

14           *Note*      The *Heavy Vehicle National Law (ACT)*, s 591 (2) provides that the  
15           procedures to be followed in connection with a heavy vehicle  
16           infringement notice are to be the procedures prescribed under the  
17           Infringement Notice Offences Law for the territory (see also s 5, def  
18           *Infringement Notice Offences Law* and *Heavy Vehicle National Law*  
19           *(ACT) Act 2013*, s 13).

20 **24**      **New section 24 (5)**

21            *insert*

22            (5) In this section:

23            *infringement notice* means—

24            (a) a notice mentioned in subsection (2); and

25            (b) a notice mentioned in the *Heavy Vehicle National Law (ACT)*,  
26            section 591 (1) (Infringement Notices).

1 **25 Infringement notice—payment of penalty etc**  
2 **Section 26, note 3**

3 *substitute*

4 *Note 3* If a person disputes liability for an infringement notice offence (other  
5 than a heavy vehicle infringement notice offence), the administering  
6 authority may lay an information in the Magistrates Court against the  
7 person for the offence (see s 53). For proceedings for heavy vehicle  
8 infringement notice offences, see the *Heavy Vehicle National*  
9 *Law (ACT)*, s 707.

10 **26 Action on service of reminder notice—payment of penalty**  
11 **etc**  
12 **Section 28, note 2**

13 *substitute*

14 *Note 2* If a person disputes liability for an infringement notice offence (other  
15 than a heavy vehicle infringement notice offence), the administering  
16 authority may lay an information in the Magistrates Court against the  
17 person for the offence (see s 53). For proceedings for heavy vehicle  
18 infringement notice offences, see the *Heavy Vehicle National*  
19 *Law (ACT)*, s 707.

20 **27 Time for beginning prosecution for infringement notice**  
21 **offence**  
22 **Section 31**

23 *after*

24 infringement notice offence

25 *insert*

26 (other than a heavy vehicle infringement notice offence)

**28 Section 31, new note**

*insert*

*Note* For proceedings for heavy vehicle infringement notice offences, see the *Heavy Vehicle National Law (ACT)*, s 707.

**29 Infringement notice—effect of penalty payment etc  
Section 39 (1) (a) (iii) (B)**

*substitute*

(B) a proceeding had not been brought against the person for the offence; or

**30 Section 39 (1) (c) (iii) (B)**

*substitute*

(B) a proceeding had not been brought against a responsible person for the vehicle for the offence.

**31 Suspension for nonpayment of infringement notice penalties  
Section 44 (1) (a)**

*after*

part

*insert*

or the *Heavy Vehicle National Law (ACT)*

**32 Section 44 (1) (a), new note**

*insert*

*Note* A notice may be served on a person by an authorised officer for a heavy vehicle infringement notice offence (see *Heavy Vehicle National Law (ACT)*, s 591 (1)).

1 **33 Procedure if liability disputed**  
2 **Section 53 (2)**

3 *substitute*

4 (2) The administering authority may—

5 (a) for a heavy vehicle infringement notice offence—bring a  
6 proceeding against the person under the *Heavy Vehicle*  
7 *National Law (ACT)* within 60 days after being given the  
8 notice; or

9 *Note* For proceedings for heavy vehicle infringement notice offences,  
10 see the *Heavy Vehicle National Law (ACT)*, s 707.

11 (b) in any other case—lay an information in the Magistrates Court  
12 against the person for the offence within 60 days after being  
13 given the notice.

14 **34 Section 53 (4)**

15 *omit everything after*

16 after

17 *substitute*

18 a proceeding or information mentioned in subsection (2) had been  
19 brought or laid against the person for the offence.

20 **35 Section 53 (5)**

21 *omit*

22 lay an information in the Magistrates Court

23 *substitute*

24 bring a proceeding or lay an information mentioned in  
25 subsection (2)

---

**36 Section 53 (6) and note**

*substitute*

- (6) To remove any doubt, subsection (2) does not permit the administering authority to bring a proceeding or lay an information against a person for an offence after the end of the time within which, apart from this section, a prosecution may be brought against the person for the offence.

*Note* For the time within which a prosecution for an infringement notice offence other than a heavy vehicle infringement notice offence must be begun, see s 31. For proceedings for heavy vehicle infringement notice offences, see the *Heavy Vehicle National Law (ACT)*, s 707.

**37 Authorised people for infringement notice offences  
Section 53A (1)**

*after*

infringement notice offence

*insert*

(other than a heavy vehicle infringement notice offence)

**38 Section 53A (1), new note**

*insert*

*Note 3* Infringement notices for heavy vehicle infringement notice offences are served by authorised officers within the meaning of the *Heavy Vehicle National Law (ACT)* (see Law, s 591 (1)).

**39 Section 53A (2)**

*after*

infringement notice offences

*insert*

, other than a heavy vehicle infringement notice offence

1 **40 Section 53A (3)**

2 *substitute*

3 (3) In this part:

4 *authorised person* means—

5 (a) for an infringement notice or a reminder notice for a heavy  
6 vehicle infringement notice offence—an authorised officer  
7 under the *Heavy Vehicle National Law (ACT)*; or

8 *Note* An *authorised officer* for the *Heavy Vehicle National Law (ACT)*  
9 means a police officer or any other person appointed under the  
10 Law, s 481 (see also Law, s 5, def *authorised officer*).

11 (b) in any other case—

12 (i) for an infringement notice for an infringement notice  
13 offence—

14 (A) the administering authority; or

15 (B) a person who is appointed under subsection (1) by  
16 the administering authority to serve an infringement  
17 notice for the offence; or

18 (C) anyone else who, under the regulations, may serve  
19 an infringement notice for the offence; or

20 (ii) for a reminder notice for an infringement notice  
21 offence—

22 (A) the administering authority; or

23 (B) a person who is appointed under subsection (1) by  
24 the administering authority to serve a reminder  
25 notice for the offence; or

26 (C) anyone else who, under the regulations, may serve a  
27 reminder notice for the offence.

1 **41 Delegation of administering authority's functions**  
2 **New section 54 (1) (d)**

3 *before the note, insert*

4 (d) an authorised officer under the *Heavy Vehicle National*  
5 *Law (ACT)*.

6 **42 Police officer or authorised person may require name,**  
7 **date of birth, address and driver licence—driver or rider**  
8 **Section 58 (1), new note**

9 *insert*

10 *Note* An authorised officer (within the meaning of the *Heavy Vehicle*  
11 *National Law (ACT)*) may require a driver of a heavy vehicle to produce  
12 the driver's driver licence (see Law, s 567A).

13 **43 Police officer or authorised person may require people to**  
14 **disclose identity of driver**  
15 **Section 60 (1), new note**

16 *after the penalty, insert*

17 *Note* The responsible person for, or possessor of, a heavy vehicle must  
18 disclose the identity of the driver of the heavy vehicle if required under  
19 the *Heavy Vehicle National Law (ACT)*, s 567B.

20 **44 Court may order disqualification for other offences**  
21 **Section 64, note**

22 *substitute*

23 *Note* A court may also order that a driver is disqualified from obtaining or  
24 holding an Australian driver licence under the *Heavy Vehicle National*  
25 *Law (ACT)*, s 598A.

- 1 **45** **Determination of fees, charges and other amounts**  
2 **Section 96 (5), new definition of *road transport legislation***
- 3 *insert*
- 4 *road transport legislation* includes the *Heavy Vehicle National*  
5 *Law (ACT)*.
- 6 **46** **Dictionary, new definition of *heavy vehicle infringement***  
7 ***notice offence***
- 8 *insert*
- 9 *heavy vehicle infringement notice offence*, for part 3 (Infringement  
10 notices for certain offences)—see section 21A.
- 11 **47** **Dictionary, definition of *infringement notice***
- 12 *omit*
- 13 section 24 (2)
- 14 *substitute*
- 15 section 24 (5)

1 **Part 9** **Road Transport (General)**  
2 **Regulation 2000**

3 **48 Internally reviewable decisions**  
4 **Schedule 1, parts 1.6A and 1.6B**

5 *omit*



**52 New section 8 (3) and (4)**

*insert*

(3) The Regulator under the *Heavy Vehicle National Law (ACT)* is the administering authority for heavy vehicle infringement notice offences.

(4) However, the Regulator is taken to have delegated the Regulator's functions in relation to the administration of infringement notice management plans (including applications for the plans) for heavy vehicle infringement notice offences to the road transport authority.

**53 Sections 9 to 11**

*substitute*

**9 Authorised people for infringement notices other than heavy vehicle infringement notices—Act, s 53A (2)**

A police officer may serve an infringement notice for any infringement notice offence (other than a heavy vehicle infringement notice offence).

*Note* A police officer may also serve infringement notices for heavy vehicle infringement notice offences (see *Heavy Vehicle National Law (ACT)*, s 5, def *authorised officer* and s 591 (1) and the Act, s 53A (3) (a)).

**10 Authorised people for reminder notices other than heavy vehicle infringement notices—Act, s 53A (2)**

A police officer may serve a reminder notice for any infringement notice offence (other than a heavy vehicle infringement notice offence).

*Note* A police officer may also serve reminder notices for heavy vehicle infringement notice offences (see *Heavy Vehicle National Law (ACT)*, s 5, def *authorised officer* and s 591 (1) and the Act, s 53A (3) (a)).

1 **11** **People authorised for infringement notices (other than**  
2 **heavy vehicle infringement notices) etc to have unique**  
3 **number**

4 The administering authority for an infringement notice offence  
5 (other than a heavy vehicle infringement notice offence) must give a  
6 unique number to each person who is authorised by the  
7 administering authority to serve infringement or reminder notices  
8 for the offence.

9 *Note* For heavy vehicle infringement notice offences, the Regulator under the  
10 *Heavy Vehicle National Law (ACT)* allocates an identification number  
11 to authorised officers under the Law, s 486.

12 **54** **Infringement notices—service—Act, s 24 (2)**  
13 **Section 12 (2) (b) (ii) and (3) (b) (ii)**

14 *after*

15 road transport legislation

16 *insert*

17 , *Heavy Vehicle National Law (ACT)*

18 **55** **Infringement notices—contents—Act, s 25**  
19 **Section 14A (2) (f)**

20 *substitute*

21 (f) a statement to the effect that, if the person wants to dispute  
22 liability for the offence—

23 (i) for a heavy vehicle infringement notice offence—a  
24 proceeding may be brought against the person under the  
25 *Heavy Vehicle National Law (ACT)*; or

26 *Note* For proceedings for heavy vehicle infringement notice  
27 offences, see the *Heavy Vehicle National Law (ACT)*,  
28 s 707.

- 1 (ii) in any other case—the issue may be referred to the  
2 Magistrates Court;

3 **56 Section 14A (2) (g)**

4 *omit everything before subparagraph (i), substitute*

- 5 (g) a statement to the effect that, if a proceeding or issue  
6 mentioned in paragraph (f) had been brought or referred, the  
7 person may be—

8 **57 Reminder notices—contents—Act, s 27 (3)**  
9 **Section 14B (1) (p)**

10 *substitute*

- 11 (p) a statement to the effect that, if the person wants to dispute  
12 liability for the offence—

- 13 (i) for a heavy vehicle infringement notice offence—a  
14 proceeding may be brought against the person under the  
15 *Heavy Vehicle National Law (ACT)*; or

16 *Note* For proceedings for heavy vehicle infringement notice  
17 offences, see the *Heavy Vehicle National Law (ACT)*,  
18 s 707.

- 19 (ii) in any other case—the issue may be referred to the  
20 Magistrates Court;

21 **58 Section 14B (1) (q)**

22 *omit everything before subparagraph (i), substitute*

- 23 (q) a statement to the effect that, if a proceeding or issue  
24 mentioned in paragraph (p) had been brought or referred, the  
25 person may be—

**59 Short descriptions, penalties and demerit points  
Schedule 1, new parts 1.2A and 1.2B**

*insert*

**Part 1.2A Heavy Vehicle National Law (ACT)**

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (\$)	column 5 infringement penalty (\$)	column 6 demerit points
1	60 (1)				
1.1	<ul style="list-style-type: none"><li>if heavy vehicle standard relates to speed limiter</li></ul>	use of heavy vehicle that contravenes heavy vehicle standard	6 000	600	
1.2	<ul style="list-style-type: none"><li>in any other case</li></ul>	use of heavy vehicle that contravenes heavy vehicle standard	3 000	300	

<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (\$)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
2	79 (2)	not return as required amended/cancelled vehicle standards exemption (permit)	4 000	400	
3	80 (1)	not apply as required for replacement for defaced/destroyed/lost/stolen permit for vehicle standards exemption (permit)	4 000		
4	81 (1)	contravene condition of vehicle standards exemption	3 000	300	
5	81 (2)	use/permit to be used/heavy vehicle that contravenes condition of vehicle standards exemption	3 000	300	
6	81 (3)	use/permit to be used/heavy vehicle in way that contravenes condition of vehicle standards exemption	3 000	300	

**Part 10**

## Road Transport (Offences) Regulation 2005

## Section 59

---

<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (\$)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
7	82 (2)	driver of heavy vehicle fail to comply with condition of vehicle standards exemption (notice) that must keep relevant document in driver's possession	3 000	300	
8	82 (3)	each relevant party for driver of heavy vehicle commits offence if driver commits offence against s 82 (2)	3 000	300	
9	83 (1)	driver of heavy vehicle not keep copy of permit for vehicle standards exemption (permit) in driver's possession	3 000	300	
10	83 (2)	driver of heavy vehicle not return copy of permit for vehicle standards exemption (permit) to relevant party for driver on stopping working for relevant party	3 000	300	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (\$)	column 5 infringement penalty (\$)	column 6 demerit points
11	83 (3)	each relevant party for driver of heavy vehicle commits offence if driver commits offence against s 83 (1)	3 000	300	
12	85 (1)	unapproved modification of heavy vehicle	3 000	300	
13	85 (2)	use/permit to be used unapproved modified heavy vehicle	3 000	300	
14	86 (2)	approved vehicle examiner who approves modification of heavy vehicle not give certificate approving modification as required and not ensure complying plate/label fitted/affixed to vehicle	3 000	300	
15	89 (1)	use/permit to be used unsafe heavy vehicle	6 000	600	
16	90 (1)	use/permit to be used heavy vehicle not fitted with emission control system if required by heavy vehicle standard	3 000	300	

**Part 10**

## Road Transport (Offences) Regulation 2005

## Section 59

---

<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (\$)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
17	90 (2)	use/permit to be used heavy vehicle fitted with emission control system not operating as designed	3 000	300	
18	90 (3)	use/permit to be used heavy vehicle fitted with emission control system and operate system in way causes non-compliance with heavy vehicle standard	3 000	300	
19	91 (1)	tamper with emission control system fitted to heavy vehicle	10 000		
20	91 (2)	operator of heavy vehicle use/permit to be used vehicle fitted with tampered emission control system	10 000		
21	92 (2)	use/permit to be used incorrect warning sign on heavy vehicle	3 000	300	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (\$)	column 5 infringement penalty (\$)	column 6 demerit points
22	93 (1)	tamper with speed limiter fitted to heavy vehicle	10 000		
23	93 (2)	fit tampered speed limiter to heavy vehicle	10 000		
24	93 (3)	operator of heavy vehicle use vehicle fitted with tampered speed limiter	10 000		
25	96 (1)				
25.1	<ul style="list-style-type: none"> <li>minor risk breach</li> </ul>	drive heavy vehicle if vehicle (with load) not comply with mass requirements applying to vehicle—minor risk breach	4 000	400	
25.2	<ul style="list-style-type: none"> <li>substantial risk breach</li> </ul>	drive heavy vehicle if vehicle (with load) not comply with mass requirements applying to vehicle—substantial risk breach	6 000	600	

**Part 10**

## Road Transport (Offences) Regulation 2005

## Section 59

<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (\$)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
25.3	<ul style="list-style-type: none"><li>severe risk breach</li></ul>	drive heavy vehicle if vehicle (with load) not comply with mass requirements applying to vehicle—severe risk breach	10 000-30 000		
26	102 (1)				
26.1	<ul style="list-style-type: none"><li>heavy vehicle not have goods or passengers</li></ul>	drive heavy vehicle if vehicle (with load) not comply with dimension requirements applying to vehicle without goods or passengers	3 000	300	
26.2	<ul style="list-style-type: none"><li>heavy vehicle has goods or passengers and minor risk breach</li></ul>	drive heavy vehicle if vehicle (with load) not comply with dimension requirements applying to vehicle with goods or passengers—minor risk breach	3 000	300	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (\$)	column 5 infringement penalty (\$)	column 6 demerit points
26.3	<ul style="list-style-type: none"> <li>heavy vehicle has goods or passengers and substantial risk breach</li> </ul>	drive heavy vehicle if vehicle (with load) not comply with dimension requirements applying to vehicle with goods or passengers—substantial risk breach	5 000	500	
26.4	<ul style="list-style-type: none"> <li>heavy vehicle has goods or passengers and severe risk breach</li> </ul>	drive heavy vehicle if vehicle (with load) not comply with dimension requirements applying to vehicle with goods or passengers—severe risk breach	10 000		
27	109 (2)	use heavy vehicle with stated projecting load without warning signal fixed to back of load	3 000	300	
28 28.1	111 (1) <ul style="list-style-type: none"> <li>minor risk breach</li> </ul>	drive heavy vehicle if vehicle not comply with loading requirements—minor risk breach	3 000	300	

**Part 10**

## Road Transport (Offences) Regulation 2005

## Section 59

<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (\$)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
28.2	<ul style="list-style-type: none"><li>substantial risk breach</li></ul>	drive heavy vehicle if vehicle not comply with loading requirements—substantial risk breach	5 000	500	
28.3	<ul style="list-style-type: none"><li>severe risk breach</li></ul>	drive heavy vehicle if vehicle not comply with loading requirements—severe risk breach	10 000		
29	129 (1)	driver/operator of heavy vehicle contravene condition of mass or dimension exemption	6 000	600	
30	129 (2)	use/permit to be used heavy vehicle that contravenes condition of mass or dimension exemption	6 000	600	
31	129 (3)	use heavy vehicle in way that contravenes condition of mass or dimension exemption	6 000	600	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (\$)	column 5 infringement penalty (\$)	column 6 demerit points
32	130 (2)	driver of pilot/escort vehicle accompanying heavy vehicle not comply with conditions of mass or dimension exemption about use of pilot/escort vehicle	6 000	600	
33	130 (3)	operator of heavy vehicle commits offence if driver of pilot/escort vehicle commits offence against s 130 (2)	6 000	600	
34	131 (1)	driver of pilot vehicle accompanies heavy vehicle that contravenes condition of mass or dimension exemption	6 000	600	
35	132 (2)	driver of class 1/class 3 heavy vehicle fail to comply with condition of mass or dimension exemption (notice) that must keep relevant document in driver's possession	3 000	300	

**Part 10**

## Road Transport (Offences) Regulation 2005

## Section 59

<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (\$)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
36	132 (3)	each relevant party for driver of class 1/class 3 heavy vehicle commits offence if driver commits offence against s 132 (2)	3 000	300	
37	133 (1)	driver of class 1/class 3 heavy vehicle not keep copy of permit for mass or dimension exemption (permit) in driver's possession	3 000	300	
38	133 (2)	driver of class 1/class 3 heavy vehicle not return copy of permit for mass or dimension exemption (permit) to relevant party for driver on stopping working for relevant party	4 000	400	
39	133 (3)	each relevant party for driver of class 1/class 3 heavy vehicle commits offence if driver commits offence against s 133 (1)	3 000	300	

<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (\$)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
40	134 (1)	display heavy vehicle warning sign on heavy vehicle not under dimension exemption	3 000	300	
41	134 (2)	display pilot vehicle warning sign on pilot vehicle not being used as pilot vehicle for heavy vehicle used under dimension exemption	3 000	300	
42	137	not use class 2 heavy vehicle in accordance with class 2 heavy vehicle authorisation	6 000	600	
43	150 (1)	driver/operator of class 2 heavy vehicle contravene condition of class 2 heavy vehicle authorisation	6 000	600	

**Part 10**

## Road Transport (Offences) Regulation 2005

## Section 59

---

<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (\$)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
44	151 (2)	driver of class 2 heavy vehicle not comply with condition of class 2 heavy vehicle authorisation (notice) that must keep relevant document in driver's possession	3 000	300	
45	151 (3)	each relevant party for driver of class 2 heavy vehicle commits offence if driver commits offence against s 151 (2)	3 000	300	
46	152 (1)	driver of class 2 heavy vehicle not keep copy of class 2 heavy vehicle authorisation (permit) in driver's possession	3 000	300	
47	152 (2)	driver of class 2 heavy vehicle not return copy of permit for class 2 heavy vehicle authorisation (permit) to relevant party for driver on stopping working for relevant party	4 000	400	

<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (\$)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
48	152 (3)	each relevant party for driver of class 2 heavy vehicle commits offence if driver commits offence against s 152 (1)	3 000	300	
49	153 (1)	driver of class 2 PBS heavy vehicle not keep copy of PBS vehicle approval in driver's possession	3 000	300	
50	153 (2)	each relevant party for driver of class 2 PBS heavy vehicle commits offence if driver commits offence against s 153 (1)	3 000	300	
51	181 (3)	not return as required amended/cancelled mass or dimension authority permit	4 000	400	
52	182 (1)	not apply as required for replacement for defaced/destroyed/lost/stolen mass or dimension authority permit	4 000		
53	183 (2)				

## Section 59

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (\$)	column 5 infringement penalty (\$)	column 6 demerit points
53.1	by contravening: <ul style="list-style-type: none"> <li>96—mass requirements: minor risk breach</li> </ul>	employer/prime contractor/operator for heavy vehicle commits offence if driver of vehicle commits offence against s 96—minor risk breach	4 000	400	
53.2	by contravening: <ul style="list-style-type: none"> <li>96—mass requirements: substantial risk breach</li> </ul>	employer/prime contractor/operator for heavy vehicle commits offence if driver of vehicle commits offence against s 96—substantial risk breach	6 000	600	
53.3	by contravening: <ul style="list-style-type: none"> <li>96—mass requirements: severe risk breach</li> </ul>	employer/prime contractor/operator for heavy vehicle commits offence if driver of vehicle commits offence against s 96—severe risk breach	10 000-30 000		

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (\$)	column 5 infringement penalty (\$)	column 6 demerit points
53.4	by contravening: <ul style="list-style-type: none"> <li>102—dimension requirements: heavy vehicle without goods or passengers</li> </ul>	employer/prime contractor/operator for heavy vehicle commits offence if driver of vehicle commits offence against s 102—applying to vehicle without goods or passengers	3 000	300	
53.5	by contravening: <ul style="list-style-type: none"> <li>102—dimension requirements: minor risk breach</li> </ul>	employer/prime contractor/operator for heavy vehicle commits offence if driver of vehicle commits offence against s 102—minor risk breach	3 000	300	
53.6	by contravening: <ul style="list-style-type: none"> <li>102—dimension requirements: substantial risk breach</li> </ul>	employer/prime contractor/operator for heavy vehicle commits offence if driver of vehicle commits offence against s 102—substantial risk breach	5 000	500	

## Section 59

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (\$)	column 5 infringement penalty (\$)	column 6 demerit points
53.7	by contravening: <ul style="list-style-type: none"> <li>102—dimension requirements: severe risk breach</li> </ul>	employer/prime contractor/operator for heavy vehicle commits offence if driver of vehicle commits offence against s 102—severe risk breach	10 000		
53.8	by contravening: <ul style="list-style-type: none"> <li>111—loading requirements: minor risk breach</li> </ul>	employer/prime contractor/operator for heavy vehicle commits offence if driver of vehicle commits offence against s 111—minor risk breach	3 000	300	
53.9	by contravening: <ul style="list-style-type: none"> <li>111—loading requirements: substantial risk breach</li> </ul>	employer/prime contractor/operator for heavy vehicle commits offence if driver of vehicle commits offence against s 111—substantial risk breach	5 000	500	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (\$)	column 5 infringement penalty (\$)	column 6 demerit points
53.10	by contravening: <ul style="list-style-type: none"> <li>111—loading requirements: severe risk breach</li> </ul>	employer/prime contractor/operator for heavy vehicle commits offence if driver of vehicle commits offence against s 111—severe risk breach	10 000		
54	184 (1)	drive heavy vehicle towing more than 1 other vehicle	3 000	300	
55	185 (1)	use heavy combination with trailer in combination not securely coupled to vehicle in front	6 000	600	
56	185 (2)	use heavy combination with components of coupling not compatible/properly connected	6 000	600	
57	186 (2)	each consignor of goods commits offence if false/misleading transport documentation for mass, dimension or loading of goods	10 000		

**Part 10**

## Road Transport (Offences) Regulation 2005

## Section 59

---

<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (\$)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
58	186 (3)	each packer of goods commits offence if goods packed for road transport and if false/misleading transport documentation for mass, dimension or loading of goods	10 000		
59	186 (4)	each loading manager/loader of goods commits offence if goods loaded for road transport and if false/misleading transport documentation for mass, dimension or loading of goods	10 000		
60	186 (5)	each receiver of goods commits offence if goods packed for road transport and if false/misleading transport documentation for mass, dimension or loading of goods	10 000		

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (\$)	column 5 infringement penalty (\$)	column 6 demerit points
61	187 (2)	responsible entity for freight container gives container to operator of heavy vehicle with false/misleading container weight declaration	10 000		
62	187 (3)	operator of heavy vehicle commits offence if freight container to be transported and false/misleading container weight declaration	10 000		
63	190 (1)	responsible entity permits operator/driver of heavy vehicle to transport freight container without complying container weight declaration	6 000	600	
64	191 (1)	operator permits driver of heavy vehicle to transport freight container without complying container weight declaration	6 000	600	

**Part 10**

## Road Transport (Offences) Regulation 2005

## Section 59

<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (\$)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
65	191 (3)	operator of heavy vehicle gives freight container to carrier without complying container weight declaration or prescribed particulars in complying container weight declaration	6 000	600	
66	192 (1)	drive heavy vehicle with freight container without complying container weight declaration	6 000	600	
67	192 (2)	driver of heavy vehicle not keep as required complying container weight declaration while transporting freight container	3 000	300	
68	193 (2)	each consignor/packer commits offence if weight of freight container exceeds maximum gross weight marked on container/container's safety approval plate	10 000		

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (\$)	column 5 infringement penalty (\$)	column 6 demerit points
69	194 (1)	consignee of goods by act or omission induces or rewards contravention of mass, dimension or loading requirement	10 000		
70	488	authorised officer not return identity card as required	3 000	300	
71	513 (4)	driver of heavy vehicle fail to comply with authorised officer's direction to stop	6 000	600	
72	514 (3)	driver of heavy vehicle fail to comply with authorised officer's direction not to move vehicle/interfere with vehicle or equipment/interfere with vehicle load	6 000	600	
73	516 (3)	driver/operator of heavy vehicle fail to comply with authorised officer's direction to move stationary/stopped vehicle	6 000	600	

**Part 10**

## Road Transport (Offences) Regulation 2005

## Section 59

<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (\$)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
74	517 (4)	driver/operator of heavy vehicle fail to comply with authorised officer's direction to move vehicle/or do anything else to avoid harm/obstruction	6 000	600	
75	522 (5)	person in charge/registered operator/owner of heavy vehicle not produce vehicle for inspection as required by authorised officer's notice	6 000	600	
76 76.1	524 (5) <ul style="list-style-type: none"><li>direction under s 524 (2)</li></ul>	driver of heavy vehicle fail to comply with authorised officer's direction to vacate/not occupy driver's seat or leave/not enter vehicle	6 000	600	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (\$)	column 5 infringement penalty (\$)	column 6 demerit points
76.2	<ul style="list-style-type: none"> <li>direction under s 524 (3)</li> </ul>	person accompanying driver fail to comply with authorised officer's direction to leave/not enter vehicle	3 000	300	
77	526 (4)	driver of heavy vehicle not give defect notice to operator as required	3 000	300	
78	528 (3)	remove/deface defective vehicle label attached to heavy vehicle	3 000	300	
79	529				
79.1	<ul style="list-style-type: none"> <li>minor defect</li> </ul>	use/permit to be used heavy vehicle in contravention of vehicle defect notice—minor defect	3 000	300	1 (NS)
79.2	<ul style="list-style-type: none"> <li>major defect</li> </ul>	use/permit to be used heavy vehicle in contravention of vehicle defect notice—major defect	3 000	300	3 (NS)

**Part 10**

## Road Transport (Offences) Regulation 2005

## Section 59

---

<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (\$)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
80	533 (7)	driver/operator of heavy vehicle fail to comply with authorised officer's direction in relation to stated minor risk breach of mass, dimension or loading requirements	10 000	1 000	
81	534 (5)	driver/operator of heavy vehicle fail to comply with authorised officer's direction in relation to stated substantial risk breach of mass, dimension or loading requirements	10 000	1 000	
82	535 (5)	driver/operator of heavy vehicle fail to comply with authorised officer's direction in relation to stated severe risk breach of mass, dimension or loading requirements	10 000		
83	553 (3)	fail to comply with authorised officer's requirement to enable seizure of thing	10 000		

<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (\$)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
84	558 (1)	fail to comply with embargo notice	10 000		
85	558 (3)	not take reasonable steps to stop someone else from contravening embargo notice	10 000		
86	559 (3)	fail to comply with authorised officer's requirement to seal/restrict access to/make inoperable embargoed thing	10 000		
87	559 (4)	tamper with restricted access/embargoed thing without authorised officer's approval	10 000		
88	559 (5)	enter restricted place/tamper with anything used to restrict access to place without authorised officer's approval	10 000		
89	567 (4)	not state/give evidence of name/address/date of birth when required by authorised officer	3 000	300	

**Part 10**

Road Transport (Offences) Regulation 2005

Section 59

---

<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (\$)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
90	567A	driver of heavy vehicle not give licence when required by authorised officer	20pu	135	
91	567B	responsible person/possessor not give particulars of driver/written signed statement required by authorised officer	20pu	203	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (\$)	column 5 infringement penalty (\$)	column 6 demerit points
92	568 (3)	driver of heavy vehicle not give document/device/other thing when required by authorised officer	an amount equal to amount of maximum penalty for offence of failing to keep document/device/other thing in driver's possession	300	
93	568 (7)	person responsible for keeping document not certify copy or entry in document when required by authorised officer	3 000	300	

**Part 10**

## Road Transport (Offences) Regulation 2005

## Section 59

---

<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (\$)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
94	569 (2)	responsible person for heavy vehicle not make available or produce stated document for inspection when required by authorised officer	6 000	600	
95	569 (7)	person responsible for keeping document not certify copy or entry in document when required by authorised officer	3 000	300	
96	570 (3)	responsible person for heavy vehicle fail to comply with authorised officer's requirement to give stated information/details to officer	6 000		
97	573 (1)	fail to comply with improvement notice	10 000		

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (\$)	column 5 infringement penalty (\$)	column 6 demerit points
98	577 (4)	occupier or person at place/driver of heavy vehicle fail to comply with authorised officer's requirement to give officer reasonable help	10 000		
99	584 (1)	obstruct authorised officer/helper/assistant exercising power	10 000		
100	585	impersonate authorised officer	10 000		
101	604	fail to comply with supervisory intervention order	10 000		
102	610	fail to comply with prohibition order	10 000		
103	697 (3)	make improper use of position/information because of exercise of functions under <i>Heavy Vehicle National Law (ACT)</i>	10 000		

**Part 10**

## Road Transport (Offences) Regulation 2005

## Section 59

---

<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (\$)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
104	699 (1)	employer dismisses/prejudices employee for giving information/making complaint about contravention of <i>Heavy Vehicle National Law (ACT)</i>	10 000		
105	699 (2)	employer not offer employment/treat prospective employee less favourably for giving information/making complaint about contravention of <i>Heavy Vehicle National Law (ACT)</i>	10 000		
106	700 (4)	employer not comply with court order for reinstatement of employee or employment of prospective employee	10 000		
107	701 (1)	knowingly make false/misleading statement to official	10 000		

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (\$)	column 5 infringement penalty (\$)	column 6 demerit points
108	701 (2)	recklessly make false/misleading statement to official	8 000		
109	702 (1)	knowingly give official document containing false/misleading information	10 000		
110	702 (3)	recklessly give official document containing false/misleading information	8 000		
111	703 (1)	responsible person for heavy vehicle knowingly gives another responsible person false/misleading information	10 000		
112	703 (2)	responsible person for heavy vehicle recklessly gives another responsible person false/misleading information	8 000		
113	704 (1)	falsely represent heavy vehicle authority granted/operating under heavy vehicle authority	10 000		

**Part 10**

## Road Transport (Offences) Regulation 2005

## Section 59

---

<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (\$)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
114	704 (2)	represent operating under heavy vehicle authority no longer in force	10 000		
115	704 (3)	possess document that falsely purports to be accreditation certificate etc	10 000		
116	728 (1)	disclose protected information	20 000		
117	729 (1)	use protected information other than for authorised use	20 000		
118	729 (3)	use disclosed protected information other than for authorised use	20 000		

1 **Part 1.2B**                      **Heavy Vehicle (Mass, Dimension and Loading) National**  
 2 **Regulation**

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (\$)	column 5 infringement penalty (\$)	column 6 demerit points
1	11 (1)	drive CML heavy vehicle under concessional mass limit without relevant accreditation label maintained as required	3 000	300	
2	16 (2)	use/permit to be used/HML heavy vehicle in area/on route in contravention of condition of HML declaration	3 000	300	
3	28	driver/operator of HML heavy vehicle contravene condition of HML permit	3 000	300	

**Part 10**

## Road Transport (Offences) Regulation 2005

Section 59

---

<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (\$)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
4	34 (2)	not return amended/cancelled HML permit as required	4 000	400	
5	35 (1)	not apply for replacement for defaced/destroyed/lost/stolen HML permit as required	4 000		
6	36 (2)	drive HML heavy vehicle under higher mass limit without relevant accreditation maintained as required	3 000	300	

1 **60** **Schedule 1, parts 1.8A and 1.8B**

2 *omit*

1 **Part 11 Road Transport (Public**  
2 **Passenger Services) Act 2001**

3 **61 Name of Act**  
4 **Section 1, note 2**

5 *omit*

- 6 • *Road Transport (Mass, Dimensions and Loading) Act 2009*

7 **62 Section 1, note 3**

8 *substitute*

9 *Note 3* Other laws dealing with road transport include the *Dangerous Goods*  
10 *(Road Transport) Act 2009* and the *Heavy Vehicle National Law (ACT)*.

11 *Note 4* A reference to an Act includes a reference to the statutory instruments  
12 made or in force under the Act, including any regulation (see  
13 *Legislation Act*, s 104).

1 **Part 12** **Road Transport (Safety and**  
2 **Traffic Management) Act 1999**

3 **63** **Name of Act**  
4 **Section 1, note 2**

5 *omit*

- 6
  - [Road Transport \(Mass, Dimensions and Loading\) Act 2009](#)

7 **64** **Section 1, note 3**

8 *substitute*

9 *Note 3* Other laws dealing with road transport include the [Dangerous Goods](#)  
10 [\(Road Transport\) Act 2009](#) and the *Heavy Vehicle National Law (ACT)*.

11 *Note 4* A reference to an Act includes a reference to the statutory instruments  
12 made or in force under the Act, including any regulation (see  
13 [Legislation Act](#), s 104).

1 **Part 13** **Road Transport (Safety and**  
2 **Traffic Management)**  
3 **Regulation 2000**

4 **65** **General**  
5 **Division 2.2.1 heading, note 3, table, item 8, column 3**

6 *omit*

7 *Road Transport (Mass, Dimensions and Loading) Act 2009*

8 *substitute*

9 *Heavy Vehicle National Law (ACT)*

10 **66** **ARR dict—definitions for dictionary**  
11 **Section 33 (1), definition of *oversize vehicle*,**  
12 **paragraph (a)**

13 *substitute*

14 (a) *the Heavy Vehicle National Law (ACT); or*

1 **Part 14** **Road Transport (Third-Party**  
2 **Insurance) Act 2008**

3 **67** **Name of Act**  
4 **Section 1, note 2**

5 *omit*

- 6
  - [Road Transport \(Mass, Dimensions and Loading\) Act 2009](#)

7 **68** **Section 1, note 3**

8 *substitute*

9 *Note 3* Other laws dealing with road transport include the [Dangerous Goods](#)  
10 [\(Road Transport\) Act 2009](#) and the [Heavy Vehicle National Law \(ACT\)](#).

11 *Note 4* A reference to an Act includes a reference to the statutory instruments  
12 made or in force under the Act, including any regulation (see  
13 [Legislation Act](#), s 104).

1 **Part 15** **Road Transport (Vehicle**  
2 **Registration) Act 1999**

3 **69** **Name of Act**  
4 **Section 1, note 2**

5 *omit*

- 6 • *Road Transport (Mass, Dimensions and Loading) Act 2009*

7 **70** **Section 1, note 3**

8 *substitute*

9 *Note 3* Other laws dealing with road transport include the *Dangerous Goods*  
10 *(Road Transport) Act 2009* and the *Heavy Vehicle National Law (ACT)*.

11 *Note 4* A reference to an Act includes a reference to the statutory instruments  
12 made or in force under the Act, including any regulation (see  
13 *Legislation Act*, s 104).

14 **71** **Dictionary, definition of *vehicle standard***

15 *substitute*

16 ***vehicle standard***—

17 (a) includes a standard or other requirement relating to the  
18 construction, design or equipment of a registrable vehicle; but

19 (b) does not include a heavy vehicle standard within the meaning  
20 of the *Heavy Vehicle National Law (ACT)*.

---

## Endnotes

**1 Presentation speech**

Presentation speech made in the Legislative Assembly on 24 October 2013.

**2 Notification**

Notified under the [Legislation Act](#) on 2013.

**3 Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

---

© Australian Capital Territory 2013