



Australian Capital Territory

Road Transport (Offences) Amendment Regulation 2019 (No 1)

Subordinate Law SL2019-13

The Australian Capital Territory Executive makes the following regulation under the *Road Transport (General) Act 1999*.

Dated 26 June 2019.

SHANE RATTENBURY
Minister

CHRIS STEEL
Minister



Australian Capital Territory

Road Transport (Offences) Amendment Regulation 2019 (No 1)

Subordinate Law SL2019-13

made under the

[Road Transport \(General\) Act 1999](#)

1 Name of regulation

This regulation is the *Road Transport (Offences) Amendment Regulation 2019 (No 1)*.

2 Commencement

This regulation commences on 1 July 2019.

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

3 Legislation amended

This regulation amends the *Road Transport (Offences) Regulation 2005*.

4 Schedule 1, parts 1.2A and 1.2B*substitute***Part 1.2A Heavy Vehicle National Law (ACT)**

Note Offence penalties (other than penalties for s 567A and s 567B) are set under the [Heavy Vehicle National Law \(ACT\)](#), s 737 and the [Heavy Vehicle \(General\) National Regulation](#) (NSW), s 70. A summary of the penalties may be found on the [National Heavy Vehicle Regulator](#) website.

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
1	25A (1)	keeping copy of PBS vehicle approval while driving			
2	25A (2)	keeping copy of PBS vehicle approval while driving			

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column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
3	26D (1)	duty of executive of legal entity			
4	26E (1)	prohibited requests and contracts			
5	26E (2)	prohibited requests and contracts			
6	26F (1)	category 1 offence			
7	26G	category 2 offence			
8	26H	category 3 offence			
9	60 (1)				
9.1	<ul style="list-style-type: none"> if heavy vehicle standard relates to speed limiter 	compliance with heavy vehicle standards—speed limiter		674	
9.2	<ul style="list-style-type: none"> in any other case 	compliance with heavy vehicle standards—other		336	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
10	79 (2)	return of permit		447	
11	80 (1)	replacement of defaced etc permit			
12	81 (1)	contravening condition of vehicle standards exemption		447	
13	81 (2)	contravening condition of vehicle standards exemption		447	
14	81 (3)	contravening condition of vehicle standards exemption		447	
15	82 (2)	keeping relevant document while driving under vehicle standards exemption (notice)		336	
16	82 (3)	keeping relevant document while driving under vehicle standards exemption (notice)		336	

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column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
17	83 (1)	keeping copy of permit while driving under vehicle standards exemption (permit)		336	
18	83 (2)	keeping copy of permit while driving under vehicle standards exemption (permit)		336	
19	83 (3)	keeping copy of permit while driving under vehicle standards exemption (permit)		336	
20	85 (1)	modifying heavy vehicle requires approval		336	
21	85 (2)	modifying heavy vehicle requires approval		336	
22	86 (2)	approval of modifications by approved vehicle examiners		336	
23	87A (1)	person must not tamper with plate or label		336	
24	89 (1)	safety requirement		674	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
25	90 (1)	requirement about properly operating emission control system		336	
26	90 (2)	requirement about properly operating emission control system		336	
27	90 (3)	requirement about properly operating emission control system		336	
28	91 (1)	person must not tamper with emission control system fitted to heavy vehicle			
29	91 (2)	person must not tamper with emission control system fitted to heavy vehicle			
30	92 (2)	display of warning signs required by heavy vehicle standards on vehicles to which the requirement does not apply		336	

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column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
31	93 (1)	person must not tamper with speed limiter fitted to heavy vehicle			
32	93 (2)	person must not tamper with speed limiter fitted to heavy vehicle			
33	93 (3)	person must not tamper with speed limiter fitted to heavy vehicle			
34	96 (1)				
34.1	• minor risk breach	compliance with mass requirements— minor risk breach		447	
34.2	• substantial risk breach	compliance with mass requirements— substantial risk breach		674	
34.3	• severe risk breach	compliance with mass requirements— severe risk breach			

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
35	102 (1)				
35.1	<ul style="list-style-type: none"> heavy vehicle without goods or passengers 	compliance with dimension requirements		336	
35.2	<ul style="list-style-type: none"> heavy vehicle with goods or passengers—minor risk breach 	compliance with dimension requirements—minor risk breach		336	
35.3	<ul style="list-style-type: none"> heavy vehicle with goods or passengers—substantial risk breach 	compliance with dimension requirements—substantial risk breach		562	
35.4	<ul style="list-style-type: none"> heavy vehicle with goods or passengers—severe risk breach 	compliance with dimension requirements—severe risk breach			
36	109 (2)	warning signals required for rear projection of loads		336	

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column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
37	111 (1)				
37.1	• minor risk breach	compliance with loading requirements— minor risk breach		336	
37.2	• substantial risk breach	compliance with loading requirements— substantial risk breach		562	
37.3	• severe risk breach	compliance with loading requirements— severe risk breach			
38	129 (1)	contravening condition of mass or dimension exemption generally		674	
39	129 (2)	contravening condition of mass or dimension exemption generally		674	
40	129 (3)	contravening condition of mass or dimension exemption generally		674	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
41	130 (2)	contravening condition of mass or dimension exemption relating to pilot or escort vehicle		674	
42	130 (3)	contravening condition of mass or dimension exemption relating to pilot or escort vehicle			
43	131 (1)	using pilot vehicle with a heavy vehicle that contravenes certain conditions of mass or dimension exemption		674	
44	132 (2)	keeping relevant document while driving under mass or dimension exemption (notice)		336	

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column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
45	132 (3)	keeping relevant document while driving under mass or dimension exemption (notice)		336	
46	133 (1)	keeping copy of permit while driving under mass or dimension exemption (permit)		336	
47	133 (2)	keeping copy of permit while driving under mass or dimension exemption (permit)		447	
48	133 (3)	keeping copy of permit while driving under mass or dimension exemption (permit)		336	
49	134 (1)	displaying warning signs on vehicles if not required by dimension exemption		336	
50	134 (2)	displaying warning signs on vehicles if not required by dimension exemption		336	
51	137	using class 2 heavy vehicle		674	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
52	150 (1)	contravening condition of class 2 heavy vehicle authorisation		674	
53	151 (2)	keeping relevant document while driving under class 2 heavy vehicle authorisation (notice)		336	
54	151 (3)	keeping relevant document while driving under class 2 heavy vehicle authorisation (notice)		336	
55	152 (1)	keeping copy of permit while driving under class 2 heavy vehicle authorisation (permit)		336	
56	152 (2)	keeping copy of permit while driving under class 2 heavy vehicle authorisation (permit)		447	
57	152 (3)	keeping copy of permit while driving under class 2 heavy vehicle authorisation (permit)		336	

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column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
58	153A (1)	using restricted access vehicle		674	
59	181 (3)	return of permit		447	
60	182 (1)	replacement of defaced etc permit			
61	184 (1)	towing restriction		336	
62	185 (1)	requirements about coupling trailers		674	
63	185 (2)	requirements about coupling trailers		674	
64	186 (2)	false or misleading transport documentation for goods			
65	186 (3)	false or misleading transport documentation for goods			
66	186 (4)	false or misleading transport documentation for goods			

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
67	186 (5)	false or misleading transport documentation for goods			
68	187 (2)	false or misleading information in container weight declaration			
69	187 (3)	false or misleading information in container weight declaration			
70	190 (1)	duty of responsible entity		674	
71	191 (1)	duty of operator		674	
72	191 (3)	duty of operator		674	
73	192 (1)	duty of driver		674	
74	192 (2)	duty of driver		336	

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column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
75	193 (2)	weight of freight container exceeding weight stated on container or safety approval plate			
76	228 (1)	duty of driver to avoid driving while fatigued			3 (NS)
77	250 (1)				
77.1	• minor risk breach	operating under standard hours—solo drivers—minor risk breach		447	
77.2	• substantial risk breach	operating under standard hours—solo drivers—substantial risk breach		674	
77.3	• severe risk breach	operating under standard hours—solo drivers—severe risk breach			3 (NS)
77.4	• critical risk breach	operating under standard hours—solo drivers—critical risk breach			4 (NS)

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
78	251 (1)				
78.1	• minor risk breach	operating under standard hours—two-up drivers—minor risk breach		447	
78.2	• substantial risk breach	operating under standard hours—two-up drivers—substantial risk breach		674	
78.3	• severe risk breach	operating under standard hours—two-up drivers—severe risk breach			3 (NS)
78.4	• critical risk breach	operating under standard hours—two-up drivers—critical risk breach			4 (NS)
79	254 (1)				
79.1	• minor risk breach	operating under BFM hours—solo drivers—minor risk breach		447	

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column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
79.2	<ul style="list-style-type: none"> substantial risk breach 	operating under BFM hours—solo drivers—substantial risk breach		674	
79.3	<ul style="list-style-type: none"> severe risk breach 	operating under BFM hours—solo drivers—severe risk breach			3 (NS)
79.4	<ul style="list-style-type: none"> critical risk breach 	operating under BFM hours—solo drivers—critical risk breach			4 (NS)
80	256 (1)				
80.1	<ul style="list-style-type: none"> minor risk breach 	operating under BFM hours—two-up drivers—minor risk breach		447	
80.2	<ul style="list-style-type: none"> substantial risk breach 	operating under BFM hours—two-up drivers—substantial risk breach		674	
80.3	<ul style="list-style-type: none"> severe risk breach 	operating under BFM hours—two-up drivers—severe risk breach			3 (NS)

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
80.4	<ul style="list-style-type: none"> critical risk breach 	operating under BFM hours—two-up drivers—critical risk breach			4 (NS)
81	258 (1)				
81.1	<ul style="list-style-type: none"> minor risk breach 	operating under AFM hours—minor risk breach		447	
81.2	<ul style="list-style-type: none"> substantial risk breach 	operating under AFM hours—substantial risk breach		674	
81.3	<ul style="list-style-type: none"> severe risk breach 	operating under AFM hours—severe risk breach			3 (NS)
81.4	<ul style="list-style-type: none"> critical risk breach 	operating under AFM hours—critical risk breach			4 (NS)

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column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
82	260 (1)				
82.1	• minor risk breach	operating under exemption hours—minor risk breach		447	
82.2	• substantial risk breach	operating under exemption hours—substantial risk breach		674	
82.3	• severe risk breach	operating under exemption hours—severe risk breach			3 (NS)
82.4	• critical risk breach	operating under exemption hours—critical risk breach			4 (NS)
83	263 (1)	operating under new work and rest hours option after change		447	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
84	264 (2)	duty of employer, prime contractor, operator and scheduler to ensure driver compliance			
85	284 (2)	return of permit		674	
86	285 (1)	replacement of defaced etc permit			
87	286 (1)	contravening condition of work and rest hours exemption		674	
88	287 (2)	keeping relevant document while operating under work and rest hours exemption (notice)		336	
89	287 (3)	keeping relevant document while operating under work and rest hours exemption (notice)		336	

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column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
90	288 (1)	keeping copy of permit while driving under work and rest hours exemption (permit)		336	
91	288 (2)	keeping copy of permit while driving under work and rest hours exemption (permit)		447	
92	288 (3)	keeping copy of permit while driving under work and rest hours exemption (permit)		336	
93	293 (1)	driver of fatigue-regulated heavy vehicle must carry work diary		674	
94	296 (1)	recording information under the national regulations—general		168	
95	297 (2)	information required to be recorded immediately after starting work		674	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty <small>(see pt 1.2A, note)</small>	column 5 infringement penalty (\$)	column 6 demerit points
96	298 (1)	failing to record information about odometer reading		168	
97	299	two-up driver to provide details		336	
98	301	recording information in written work diary		168	
99	302	recording information in electronic work diary		168	
100	303	time zone of driver's base must be used		168	
101	305 (1)	driver must make supplementary records in particular circumstances		674	

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column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
102	305 (2)	driver must make supplementary records in particular circumstances		336	
103	305 (3)	driver must make supplementary records in particular circumstances		168	
104	306	driver must notify regulator if written work diary filled up etc		336	
105	307 (2)	driver who is record keeper must notify regulator if electronic work diary filled up etc		336	
106	307 (3)	driver who is record keeper must notify regulator if electronic work diary filled up etc		336	
107	308 (1)	what driver must do if lost or stolen written work diary found or returned		336	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
108	309 (2)	driver must notify record keeper if electronic work diary filled up etc		336	
109	310 (2)	intelligent access program reporting entity must notify record keeper if approved electronic recording system malfunctioning		674	
110	311 (2)	what record keeper must do if electronic work diary filled up			
111	312 (2)	what record keeper must do if electronic work diary destroyed, lost or stolen			
112	312 (3)	what record keeper must do if electronic work diary destroyed, lost or stolen		674	
113	313 (2)	what record keeper must do if electronic work diary not in working order or malfunctioning			

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column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
114	313 (3)	what record keeper must do if electronic work diary not in working order or malfunctioning			
115	314 (2)	how electronic work diary must be used			
116	314 (3)	how electronic work diary must be used			
117	315 (1)	ensuring driver complies with sdivs 1–4			
118	319 (1)	records record keeper must have		674	
119	319A (2)	general requirements about driver recording and giving information to record keeper		336	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
120	319A (5)	general requirements about driver recording and giving information to record keeper			
121	321 (1)	records record keeper must have		674	
122	321 (3)	records record keeper must have		674	
123	322 (2)	general requirements about driver giving information to record keeper		336	
124	322 (4)	general requirements about driver giving information to record keeper			
125	323 (2)	requirements about driver giving information to record keeper if driver changes record keeper		336	

Section 4

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
126	323 (3)	requirements about driver giving information to record keeper if driver changes record keeper			
127	324 (2)	record keeper must give information from electronic work diary		336	
128	324A (2)	record keeper must give record to driver if requested		168	
129	325 (1)	false or misleading entries			
130	326 (1)	when possessing, or recording information in, more than 1 work diary relating to the same period is prohibited			
131	326 (2)	when possessing, or recording information in, more than 1 work diary relating to the same period is prohibited			

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
132	327	possession of purported work records etc prohibited			
133	328	false representation about work records prohibited			
134	329	defacing or changing work records etc prohibited			
135	330 (1)	making entries in someone else's work records prohibited			
136	331	destruction of particular work records prohibited			
137	332	offence to remove pages from written work diary			

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column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
138	335 (1)	person must not tamper with approved electronic recording system			
139	336 (1)	person using approved electronic recording system must not permit tampering with it			
140	336A (1)	reporting tampering or suspected tampering with electronic work diary			
141	337 (2)	intelligent access program reporting entity must not permit tampering with approved electronic recording system			
142	341 (1)	period for which, and way in which, records must be kept		674	
143	341 (2)	period for which, and way in which, records must be kept		674	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
144	341 (3)	period for which, and way in which, records must be kept		336	
145	341 (4)	period for which, and way in which, records must be kept		336	
146	341 (5)	period for which, and way in which, records must be kept		674	
147	341 (7)	period for which, and way in which, records must be kept		168	
148	347	prohibition on using electronic work diary if it is not, and is not a part of, an approved electronic recording system			
149	354 (3)	requirements if approval amended		674	
150	354 (5)	requirements if approval amended		674	

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column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
151	355 (2)	requirements if approval cancelled		674	
152	355 (4)	requirements if approval cancelled		674	
153	355 (6)	requirements if approval cancelled		674	
154	373 (2)	return of permit		674	
155	374 (1)	replacement of defaced etc permit			
156	375	contravening condition of work diary exemption		674	
157	376 (2)	keeping relevant document while operating under work diary exemption (notice)		336	
158	376 (3)	keeping relevant document while operating under work diary exemption (notice)		336	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
159	377	keeping permit or copy while operating under work diary exemption (permit)		336	
160	392 (2)	return of permit		674	
161	393 (1)	replacement of defaced etc permit			
162	395	contravening condition of fatigue record keeping exemption		674	
163	396 (2)	owner must maintain odometer		674	
164	397 (2)	driver must report malfunctioning odometer			
165	398 (2)	what owner must do if odometer malfunctioning			
166	399 (2)	what employer or operator must do if odometer malfunctioning		674	

Section 4

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
167	404 (1)	offence to give false or misleading information to intelligent access program service provider			
168	404 (4)	offence to give false or misleading information to intelligent access program service provider			
169	405 (1)	advising vehicle driver of collection of information by intelligent access program service provider			
170	406 (1)	reporting system malfunctions to regulator			
171	406 (2)	reporting system malfunctions to regulator			
172	407 (1)	advising driver of driver's obligations about reporting system malfunctions			

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
173	408 (1)	reporting system malfunctions to operator			
174	408 (2)	reporting system malfunctions to operator			
175	410 (1)	collecting intelligent access program information			
176	410 (2)	collecting intelligent access program information			
177	411 (1)	keeping records of intelligent access program information collected			
178	412	protecting intelligent access program information			
179	413 (1)	making individuals aware of personal information held			

Section 4

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
180	413 (2)	making individuals aware of personal information held			
181	414 (1)	giving individuals access to their personal information			
182	415 (2)	correcting errors etc			
183	415 (4)	correcting errors etc			
184	416	general restriction on use and disclosure of intelligent access program information			
185	417	giving intelligent access program auditor access to records			
186	419 (1)	keeping record of use or disclosure of intelligent access program information			

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
187	419 (3)	keeping record of use or disclosure of intelligent access program information			
188	420 (2)	keeping noncompliance report etc			
189	421 (1)	destroying intelligent access program information etc			
190	422 (2)	reporting relevant contraventions to regulator			
191	423 (1)	reporting tampering or suspected tampering with approved intelligent transport system			
192	423 (2)	reporting tampering or suspected tampering with approved intelligent transport system			

Section 4

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
193	424 (1)	restriction on disclosing information about tampering or suspected tampering with approved intelligent transport system			
194	424 (3)	restriction on disclosing information about tampering or suspected tampering with approved intelligent transport system			
195	424 (4)	restriction on disclosing information about tampering or suspected tampering with approved intelligent transport system			
196	427 (1)	collecting intelligent access program information			
197	427 (2)	collecting intelligent access program information			

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
198	428	protecting intelligent access program information collected			
199	429 (1)	making individuals aware of personal information held			
200	429 (2)	making individuals aware of personal information held			
201	430 (1)	giving individuals access to their personal information			
202	431 (2)	correcting errors etc			
203	431 (5)	correcting errors etc			
204	432	general restriction on use and disclosure of intelligent access program information			

Section 4

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
205	434	restriction about intelligent access program information that may be used or disclosed			
206	435 (1)	keeping record of use or disclosure of intelligent access program information			
207	435 (3)	keeping record of use or disclosure of intelligent access program information			
208	436	keeping noncompliance reports			
209	437 (1)	destroying intelligent access program information or removing personal information from it			
210	438 (1)	reporting tampering or suspected tampering with, or malfunction or suspected malfunction of, approved intelligent transport system to regulator			

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
211	439 (1)	restriction on disclosing information about tampering or suspected tampering with approved intelligent transport system			
212	439 (3)	restriction on disclosing information about tampering or suspected tampering with approved intelligent transport system			
213	441 (1)	collecting intelligent access program information			
214	441 (2)	collecting intelligent access program information			
215	442	protecting intelligent access program information collected			
216	443 (1)	making individuals aware of personal information held			

Section 4

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
217	444 (1)	giving individuals access to their personal information			
218	445 (2)	correcting errors etc			
219	445 (4)	correcting errors etc			
220	446	general restriction on use and disclosure of intelligent access program information			
221	448	restriction about intelligent access program information that may be used or disclosed			
222	449 (1)	keeping record of use or disclosure of intelligent access program information			
223	449 (2)	keeping record of use or disclosure of intelligent access program information			

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
224	449 (3)	keeping record of use or disclosure of intelligent access program information			
225	450 (1)	destroying intelligent access program information or removing personal information from it			
226	451	reporting contraventions by intelligent access program service providers to TCA			
227	452	reporting tampering or suspected tampering with approved intelligent transport system to regulator or TCA			
228	453 (1)	restriction on disclosing information about tampering or suspected tampering with approved intelligent transport system			

Section 4

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
229	453 (2)	restriction on disclosing information about tampering or suspected tampering with approved intelligent transport system			
230	454 (1)	offence to tamper with approved intelligent transport system			
231	454 (2)	offence to tamper with approved intelligent transport system			
232	466 (2A)	accreditation labels for maintenance management accreditation and mass management accreditation		336	
233	466 (2B)	accreditation labels for maintenance management accreditation and mass management accreditation		336	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
234	467	compliance with conditions of BFM accreditation or AFM accreditation		674	
235	468 (1)	driver operating under BFM accreditation or AFM accreditation must carry accreditation details		336	
236	468 (3)	driver operating under BFM accreditation or AFM accreditation must carry accreditation details		336	
237	469 (2)	driver must return particular documents if stops operating under BFM accreditation or AFM accreditation etc		447	
238	470 (2)	general requirements applying to operator with heavy vehicle accreditation			

Section 4

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
239	470 (3)	general requirements applying to operator with heavy vehicle accreditation		674	
240	470 (4)	general requirements applying to operator with heavy vehicle accreditation			
241	470 (5)	general requirements applying to operator with heavy vehicle accreditation			
242	470 (6)	general requirements applying to operator with heavy vehicle accreditation			
243	470 (8)	general requirements applying to operator with heavy vehicle accreditation		336	
244	471 (2)	operator must give notice of amendment, suspension or ending of heavy vehicle accreditation		674	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
245	471 (3)	operator must give notice of amendment, suspension or ending of heavy vehicle accreditation		447	
246	476 (2)	return of accreditation certificate		674	
247	477 (1)	replacement of defaced etc accreditation certificate			
248	478 (1)	offences relating to auditors			
249	478 (2)	offences relating to auditors			
250	478 (3)	offences relating to auditors			
251	478 (4)	offences relating to auditors			
252	488	return of identity card		447	

Section 4

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
253	513 (4)	direction to stop heavy vehicle to enable exercise of other powers		674	
254	514 (3)	direction not to move or interfere with heavy vehicle etc to enable exercise of other powers		674	
255	516 (3)	direction to move heavy vehicle to enable exercise of other powers		674	
256	517 (4)	direction to move heavy vehicle if causing harm etc		674	
257	522 (5)	power to order presentation of heavy vehicles for inspection		674	
258	524 (5)	direction to leave heavy vehicle		674	
259	526 (4)	issue of vehicle defect notice		336	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
260	528 (3)	defective vehicle labels		336	
261	529				
261.1	• minor defect	using defective heavy vehicles contrary to vehicle defect notice—minor defect		674	1 (NS)
261.2	• major defect	using defective heavy vehicles contrary to vehicle defect notice—major defect		674	3 (NS)
262	531 (4)	amendment or withdrawal of vehicle defect notices		336	
263	531A (4)	self-clearing defect notices		336	
264	531A (5)	self-clearing defect notices		336	

Section 4

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
265	533 (7)	powers for minor risk breach of mass, dimension or loading requirement		1 121	
266	534 (5)	powers for substantial risk breach of mass, dimension or loading requirement		1 121	
267	535 (5)	powers for severe risk breach of mass, dimension or loading requirement			
268	542 (1)	compliance with requirement under this division			
269	553 (3)	requirement of person in control of thing to be seized			
270	558 (1)	noncompliance with embargo notice			
271	558 (3)	noncompliance with embargo notice			
272	559 (3)	power to secure embargoed thing			

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
273	559 (4)	power to secure embargoed thing			
274	559 (5)	power to secure embargoed thing			
275	567 (4)	power to require name, address and date of birth		336	
276	567A	power to require production of driver licence	20pu	200	
277	567B	power to require people to disclose identity of driver	20pu	292	
278	568 (3) (a)	power to require production of document etc required to be in driver's possession			

Section 4

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
279	568 (3) (b)	power to require production of document etc required to be in driver's possession		an amount equal to 10% of the amount of the maximum penalty for an offence of failing to keep the document device or other thing in the driver's possession	
280	568 (7)	power to require production of document etc required to be in driver's possession		336	
281	569 (2)	power to require production of documents etc generally		674	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
282	569 (7)	power to require production of documents etc generally		336	
283	570 (3)	power to require information about heavy vehicles			
284	570A (5)	requiring information			
285	573 (1)	contravention of improvement notice			
286	576C	compliance with prohibition notice			
287	577 (4)	power to require reasonable help			
288	584 (1)	obstructing authorised officer			
289	585	impersonating authorised officer			
290	590B (2)	effect of undertaking			

Section 4

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
291	604	contravention of supervisory intervention order			
292	610	contravention of prohibition order			
293	636 (1)	liability of executive officers of corporation			
294	637 (4)	treatment of unincorporated partnerships			
295	638 (4)	treatment of other unincorporated bodies			
296	697 (3)	general duties of persons exercising functions under this law			
297	699 (1)	discrimination against or victimisation of employees			
298	699 (2)	discrimination against or victimisation of employees			

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
299	700 (4)	order for damages or reinstatement			
300	701 (1)	false or misleading statements			
301	701 (2)	false or misleading statements			
302	702 (1)	false or misleading documents			
303	702 (3)	false or misleading documents			
304	703 (1)	false or misleading information given by responsible person to another responsible person			
305	703 (2)	false or misleading information given by responsible person to another responsible person			
306	704 (1)	offence to falsely represent that heavy vehicle authority is held etc			

Section 4

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2A, note)	column 5 infringement penalty (\$)	column 6 demerit points
307	704 (2)	offence to falsely represent that heavy vehicle authority is held etc			
308	704 (3)	offence to falsely represent that heavy vehicle authority is held etc			
309	728 (1)	duty of confidentiality for protected information			
310	728A (1)	duty of confidentiality for electronic work diary protected information			
311	729 (1)	protected information only to be used for authorised use			
312	729 (3)	protected information only to be used for authorised use			

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty <small>(see pt 1.2A, note)</small>	column 5 infringement penalty (\$)	column 6 demerit points
313	729A (1)	electronic work diary protected information only to be used for electronic work diary authorised use			
314	729A (2)	electronic work diary protected information only to be used for electronic work diary authorised use			

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

Note Offence penalties are set under the [Heavy Vehicle National Law \(ACT\)](#), s 737 and the [Heavy Vehicle \(General\) National Regulation](#) (NSW), s 70. A summary of the penalties may be found on the [National Heavy Vehicle Regulator](#) website.

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2B, note)	column 5 infringement penalty (\$)	column 6 demerit points
1	16 (2)	contravening conditions applying to HML heavy vehicles being used in an area or on a route declared by an HML declaration		336	
2	28	contravening conditions of HML permit		336	
3	34 (2)	return of HML permit		447	
4	35 (1)	replacement of defaced etc HML permit			

Part 1.2C Heavy Vehicle (Fatigue Management) National Regulation

Note Offence penalties are set under the [Heavy Vehicle National Law \(ACT\)](#), s 737 and the [Heavy Vehicle \(General\) National Regulation](#) (NSW), s 70. A summary of the penalties may be found on the [National Heavy Vehicle Regulator](#) website.

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (see pt 1.2C, note)	column 5 infringement penalty (\$)	column 6 demerit points
1	18A (1)	change between forms of work diary		168	

Endnotes

1 Notification

Notified under the [Legislation Act](#) on 27 June 2019.

2 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

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