

Local councils in NSW can nominate its enforcement officers to become authorised under the Road Transport Act 2013 to carry out compliance functions relating to the mass, length, loading and dimension of heavy and light vehicles. Carrying out these functions can help to protect roads as council assets.

This Authorisation enables council officers to conduct basic enforcement activity under the Road Rules NSW and other local Regulations, and provides officers with the necessary powers to enforce those rules. The Authorisation is useful for councils who are not partnered with the National Heavy Vehicle Regulator to perform the full range of mass and dimension compliance activity under the Heavy Vehicle National Law.

This Authorisation also enables limited enforcement of mass, loading and dimension requirements of light vehicles, such as small goods vans and utilities.



Background

Prior to August 2022, Transport for NSW (TfNSW) was responsible for carrying out the administration of the Heavy Vehicle National Law in NSW (HVNL). That function has now been transferred to the National Heavy Vehicle Regulator (NHVR). Previously, all councils wishing to engage in enforcement of mass and length requirements received appointments from the NHVR under the HVNL, and this facilitated the dual purposing of that appointment with the ability to also conduct basic road rule heavy vehicle compliance.

As the functions have now been split between TfNSW and NHVR, councils must now elect to either be a full HVNL enforcing council (known as a WOLG council), or a basic NSW road rule enforcing council.

The former will continue to be authorised under the HVNL by the NHVR, and in receiving those authorisations, officers will automatically also be able to conduct all NSW road rule compliance. The latter may choose not to engage in full HVNL compliance duties, and receive only the NSW road rule compliance authorisations from Transport for NSW.

Under the basic NSW road rule enforcement authorisation, council's authorised officers will have the powers to issue official cautions and penalty notices for breaches of the following rules and regulations:

Load Limit Signs (Road Rule 103)	
No Trucks signs (whether displaying a mass limit or length limit - Road Rule 104)	
No Buses signs (Road Rule 106)	
Light vehicles in breach of mass, dimension or load restraint requirements (Road Transport (General) Regulation 2021 – Regulation 52)	
Bridge Load Limit and Road Load Limit signage in a form other than Road Rule 103 (Road Transport (General) Regulation 2021 – Regulation 163)	

Who can be nominated for authorisation?

Transport for NSW requires that:

- Officers are currently employed in an enforcement officer role by a local council and have been determined by council to be fit and proper for this employment
- Officers have the relevant experience in enforcement, in particular issuing penalty notices and official cautions
- Officers have formal training in investigation and legal proceedings, such as a Certificate IV in Local Government (Regulatory Services) or a Certificate IV in Government Investigations or relevant diplomas.

How are officers nominated?

When one or more eligible officers have been identified, the General Manager of the council must:

- i. Write a letter recommending each nominated officer, outlining their:
 - a. experience and training, including formal certification

- b. suitability of character and outcome of Criminal History Check
 - c. awareness of privacy and access information legislation
 - d. understanding of their responsibilities and obligations to the community
- ii. Provide a Staff Information Request with the officer's personal information and signature
- iii. Provide an electronic passport size photo.

The application must be emailed to

Compliance.Operations.Authorisations@transport.nsw.gov.au

How many officers can a council nominate?

There is no limit on how many enforcement officers are authorised under the Road Transport Act 2013 as long as they meet the eligibility criteria.

Is additional training required?

Transport for NSW has developed an online training and assessment package to support the authorisation process. Council employees that are eligible for authorisation will be contacted by email by Transport for NSW and provided with a link to access the online learning package. They will be provided with a user name and password to log on. The package consists of a module which should take approximately 45 minutes to complete.

If you have queries relating to the training, please contact:

Compliance.Operations.Authorisations@transport.nsw.gov.au

An identification card will be issued once the nominee has successfully completed the online training and the authorisation has been approved and issued.

What powers will enforcement officers be authorised?

In order to be able to enforce the local road rules listed above, council officers will also be given powers under their authorisation. Use of these powers will require the officer to show their identification card either at the time of exercise of the powers, or as soon as practicable afterwards.

Authorised officers will have the powers to:

- Stop a vehicle
- Direct a vehicle not to be moved, or a load or equipment altered
- Require a driver to produce their driver licence for inspection

- Require a driver to state their name and address
- Require a responsible person for a vehicle to nominate the driver of the vehicle or provide as much information as possible to allow the driver to be identified
- Issue official cautions and penalty notices.

Authorised officers exercising the above powers will be categorised as *Class 11* officers under the Road Transport (General) Regulation 2021 – Schedule 4.

(Note: when carrying out native council enforcement under the Road Rules, such as parking, officers are categorised as Class 10 officers)

In what circumstances can officers exercise their power?

Each Authorised Officer may exercise a power only in the following circumstances:

- As long as the Authorised Officer remains a council enforcement officer subject to the direction and control of the council, constituted under the Local Government Act 1993, which appointed the person as an enforcement officer
- Within the area of the council which appointed the person as an enforcement officer
- In connection with the enforcement of the listed rules and regulations
- For the purposes of roadside compliance
- In respect of a driver or operator.

How would the community know about this?

It is important that councils communicate to operators and the community that road side enforcement of signage such as truck mass limits on local roads, bridge mass limit signage, and load restraint on light vehicles and trailers may be enforced by council officers. This can be done through your Council's website and newsletters.

List of Councils not involved in the NHVR Scheme to administer the Heavy Vehicle National Law

Albury City Council	Cootamundra Shire Council	City of Lake Macquarie Council	Shellharbour City Council
Ashfield Council	Corowa Shire Council	Lane Cove Municipal Council	Singleton Council
Auburn Municipal Council	Cowra Shire Council	Leeton Shire Council	Snowy River Shire Council
Balranald Shire Council	Deniliquin Council	Leichhardt Municipal Council	Strathfield Municipal Council
Bankstown City Council	Dubbo City Council	Lismore City Council	Sutherland Shire Council
Bathurst Regional Council	Eurobodalla Shire Council	City of Lithgow Council	City of Sydney Council
Bega Valley Shire Council	Fairfield City Council	Liverpool City Council	Tamworth Regional Council
Bellingen Shire Council	Forbes Shire Council	Liverpool Plains Shire Council	Temora Shire Council
Berrigan Shire Council	Gilgandra Shire Council	Lockhart Shire Council	Tenterfield Shire Council
Blacktown City Council	Glen Innes Severn Council	Maitland City Council	Tumbarumba Shire Council
Bland Shire Council	Gloucester Shire Council	Manly Council	Tumut Shire Council
Blayney Shire Council	Gosford City Council	Marrickville Municipal Council	Upper Lachlan Shire Council
Blue Mountains City Council	Goulburn Mulwaree Council	Mid-Western Regional Council	Uralla Shire Council
Bogan Shire Council	Greater Hume Shire Council	Moree Plains Shire Council	Urana Shire Council
Bombala Council	Griffith City Council	Mosman Municipal Council	Wagga Wagga City Council
Boorowa Council	Gundagai Shire Council	Murray Shire Council	The Council of the Shire of Wakool
Botany Bay City Council	Gunnedah Shire Council	Murrumbidgee Shire Council	Walcha Council
Bourke Shire Council	Guyra Shire Council	Muswellbrook Shire Council	Walgett Shire Council
Brewarrina Shire Council	Gwydir Shire Council	Nambucca Shire Council	Warren Shire Council
Broken Hill City Council	Harden Shire Council	Narrandera Shire Council	Warringah Council
Burwood Council	Hawkesbury City Council	Narromine Shire Council	Warrumbungle Shire Council
Cabonne Council	Hay Shire Council	Newcastle City Council	Waverley Council
Camden Council	The Hills Shire Council	North Sydney City Council	Weddin Shire Council
Campbelltown City Council	Holroyd City Council	Oberon Council	Wellington Council
City of Canada Bay Council	Hornsby Shire Council	Parkes Shire Council	Wentworth Shire Council
City of Canterbury Council	Hunters Hill Council	Parramatta City Council	Willoughby City Council
Carrathool Shire Council	Hurstville City Council	Penrith City Council	Wingecarribee Council
Central Darling Shire Council	Inverell Shire Council	Pittwater Council	Wollondilly Shire Council
Cessnock City Council	Jerilderie Shire Council	Port Macquarie-Hastings Council	Wollongong City Council
Clarence Valley Council	June Shire Council	Port Stephens Council	Woollahra Council
Cobar Shire Council	Kempsey Shire Council	Randwick City Council	Wyong Shire Council
Conargo Shire Council	Kiama Municipal Council	Richmond Valley Council	Young Shire Council
Coolamon Shire Council	Kogarah City Council	Rockdale City Council	
Cooma-Monaro Shire Council	Ku-ring-gai Council	City of Ryde	
Coonamble Shire Council	Kyogle Council		
	Lachlan Shire Council		

Further information

More fact sheets are available on the [Mass enforcement on local roads](#) page on our website.