



Western Australia

Road Traffic Act 1974

Road Traffic (Vehicle Standards) Regulations 2002

Reprint 2: The regulations as at 11 January 2007

Guide for using this reprint

What the reprint includes



Endnotes, Compilation table, and Table of provisions that have not come into operation

1. Details about the original regulations and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the regulations being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

Notes amongst text (italicised and within square brackets)

1. If the reprint includes a regulation that was inserted, or has been amended, since the regulations being reprinted were made, editorial notes at the foot of the regulation give some history of how the regulation came to be as it is. If the regulation replaced an earlier regulation, no history of the earlier regulation is given (the full history of the regulations is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
 - removed (because it was repealed or deleted from the law); or
 - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

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1. The reprint number (in the footer of each page of the document) shows how many times the regulations have been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3rd reprint since the regulations were published. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the regulations are reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Western Australia

Road Traffic (Vehicle Standards) Regulations 2002

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Western Australia

Reprinted under the
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at 11 January 2007

Road Traffic Act 1974

Road Traffic (Vehicle Standards) Regulations 2002

Part 1 — Preliminary

1. Citation

These regulations may be cited as the *Road Traffic (Vehicle Standards) Regulations 2002*¹.

2. Commencement

These regulations come into operation on 1 November 2002.

3. Interpretation

- (1) These regulations are to be read together with the *Road Traffic (Vehicle Standards) Rules 2002* as if they formed a single written law.
- (2) The Glossary at the end of these regulations defines or affects the meaning of some words and expressions used in these regulations.

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4. Exemptions in emergencies

- (1) In an emergency such as a fire, an explosion or a natural disaster, the Commissioner of Main Roads may exempt a vehicle, or the driver or operator of a vehicle, from a provision of these regulations if —
 - (a) the vehicle is being used, or is intended to be used, to protect life or property, or to restore communications or the supply of energy or water or services such as sewage disposal; and
 - (b) the exemption does not present an unreasonable danger to other road users.
- (2) The Commissioner of Main Roads may make an exemption subject to conditions.
- (3) The Commissioner of Main Roads must make a written record of the exemption, and any conditions to which it is subject, but the exemption may be communicated orally to the driver or operator of the vehicle.

5. Application

- (1) These regulations and the Vehicle Standards do not apply to —
 - (a) a vehicle used only on a railway or tramway;
 - (b) a vehicle designed to be controlled by a person walking next to it;
 - (c) a vehicle propelled by a motor with a maximum power output of not over 200 W;
 - (d) a motorised wheelchair that cannot travel at over 10 km/h;
 - [(e), (f) deleted]*
 - (g) a vehicle used for the purpose of road maintenance or road construction if it is —
 - (i) situated between traffic signs on a road maintenance or road construction site;

- (ii) operated for, by or under the control of a government department, government instrumentality, statutory authority or local government; and
 - (iii) fitted with a light displaying intermittent yellow flashes (or flashes of another colour or colours approved by the Director General);
 - (h) a bicycle; or
 - (i) an animal drawn vehicle.
- (2) When there is an inconsistency between —
- (a) a provision of these regulations or the Vehicle Standards; and
 - (b) a provision of the *Road Traffic (Towed Agricultural Implements) Regulations 1995*,

the latter provision prevails to the extent of that inconsistency.

[Regulation 5 amended in Gazette 3 Jan 2003 p. 5.]

Part 2 — Maintenance, emission control and Vehicle Standards

6. Motor vehicles and trailers to be properly maintained

- (1) This regulation —
 - (a) applies to a motor vehicle or trailer whether or not it forms part of a combination;
 - (b) does not apply to an agricultural implement.
- (2) A person must not drive a motor vehicle on a road unless the vehicle is maintained —
 - (a) in a condition that enables it to be driven safely;
 - (b) in a condition that is unlikely to occasion unreasonable annoyance to any person or damage to any property; and
 - (c) so that every part of the vehicle is in a serviceable condition.

Penalty: 16 PU.

Modified penalty: 2 PU.

- (3) A person must not drive the first or only motor vehicle forming part of a combination on a road unless each other vehicle forming part of the combination is maintained —
 - (a) in a condition that enables it to be towed safely;
 - (b) in a condition that is unlikely to occasion unreasonable annoyance to any person or damage to any property; and
 - (c) so that every part of the vehicle is in a serviceable condition.

Penalty: 16 PU.

Modified penalty: 2 PU.

- (4) A person must not permit a motor vehicle to be driven on a road unless the vehicle is maintained —
 - (a) in a condition that enables it to be driven safely;

- (b) in a condition that is unlikely to occasion unreasonable annoyance or injury to any person or damage to any property; and
- (c) so that every part of the vehicle is in a serviceable condition.

Penalty: 16 PU.

Modified penalty: 2 PU.

- (5) A person must not permit a trailer to be towed on a road unless the trailer is maintained —
 - (a) in a condition that enables it to be towed safely;
 - (b) in a condition that is unlikely to occasion unreasonable annoyance or injury to any person or damage to any property; and
 - (c) so that every part of the trailer is in a serviceable condition.

Penalty: 16 PU.

Modified penalty: 2 PU.

- (6) For this regulation, a vehicle is not in a condition that enables it to be driven or towed safely if driving or towing the vehicle would endanger the person driving or towing the vehicle, anyone else in or on the vehicle (or the combination of which it forms part) or other road users.

7. Emission control systems to be fitted and properly maintained

- (1) This regulation —
 - (a) applies to a motor vehicle or trailer whether or not it forms part of a combination;
 - (b) does not apply to an agricultural implement.

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- (2) A person must not drive a motor vehicle on a road unless each emission control system of the vehicle remains fitted to the vehicle.
Penalty: 16 PU.
Modified penalty: 2 PU.
- (3) A person must not drive a motor vehicle on a road unless each emission control system fitted to the vehicle is maintained in a condition that ensures that the system continues operating essentially in accordance with the system's original design.
Penalty: 16 PU.
Modified penalty: 2 PU.
- (4) A person must not drive the first or only motor vehicle forming part of a combination on a road unless each emission control system of any other vehicle forming part of the combination remains fitted to the vehicle.
Penalty: 16 PU.
Modified penalty: 2 PU.
- (5) A person must not drive the first or only motor vehicle forming part of a combination on a road unless each emission control system fitted to any other vehicle forming part of the combination is maintained in a condition that ensures that the system continues operating essentially in accordance with the system's original design.
Penalty: 16 PU.
Modified penalty: 2 PU.
- (6) A person must not permit a motor vehicle to be driven on a road unless each emission control system of the vehicle remains fitted to the vehicle.
Penalty: 16 PU.
Modified penalty: 2 PU.
- (7) A person must not permit a motor vehicle to be driven on a road unless each emission control system fitted to the vehicle is

maintained in a condition that ensures that the system continues operating essentially in accordance with the system's original design.

Penalty: 16 PU.

Modified penalty: 2 PU.

- (8) This regulation does not apply in relation to a vehicle if the vehicle is exempt —
- (a) under the Act, these regulations or another law of this jurisdiction, from this regulation; or
 - (b) from the provision of the law of another jurisdiction corresponding to this regulation.
- (9) However, the vehicle is exempt from this regulation only if all conditions of the exemption (if any) are being complied with.

8. Motor vehicles not complying with the Vehicle Standards

- (1) This regulation applies to a motor vehicle whether or not it forms part of a combination.
- (2) A person must not drive a motor vehicle on a road unless the vehicle complies with the Vehicle Standards applying to the vehicle (other than as a vehicle forming part of a combination).

Penalty: 16 PU.

Modified penalty: 2 PU.

- (3) A person must not permit a motor vehicle to be driven on a road unless the vehicle complies with the Vehicle Standards applying to the vehicle (other than as a vehicle forming part of a combination).

Penalty: 16 PU.

Modified penalty: 2 PU.

9. Trailers not complying with Vehicle Standards

- (1) This regulation applies to a trailer whether or not it forms part of a combination.

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- (2) A person must not drive the first or only motor vehicle towing a trailer on a road unless the trailer complies with the Vehicle Standards applying to the trailer (other than as a vehicle forming part of a combination).

Penalty: 16 PU.

Modified penalty: 2 PU.

- (3) A person must not permit a trailer to be towed on a road unless the trailer complies with the Vehicle Standards applying to the trailer (other than as a vehicle forming part of a combination).

Penalty: 16 PU.

Modified penalty: 2 PU.

10. Combinations not complying with Vehicle Standards

- (1) A person must not drive the first or only motor vehicle forming part of a combination on a road unless the combination complies with the Vehicle Standards applying to the combination.

Penalty: 16 PU.

Modified penalty: 2 PU.

- (2) A person must not permit a combination to be on a road unless the combination complies with the Vehicle Standards applying to the combination.

Penalty: 16 PU.

Modified penalty: 2 PU.

- (3) A person must not drive the first or only motor vehicle forming part of a combination on a road unless each vehicle forming part of the combination complies with the Vehicle Standards applying to the vehicle as a vehicle forming part of a combination.

Penalty: 16 PU.

Modified penalty: 2 PU.

- (4) A person must not permit a combination to be on a road unless each vehicle forming part of the combination complies with the Vehicle Standards applying to the vehicle as a vehicle forming part of a combination.

Penalty: 16 PU.

Modified penalty: 2 PU.

10A. Permissible movement of defective vehicles

- (1) This regulation applies in relation to a vehicle if it —
- (a) does not comply with a particular provision of this Part or the Vehicle Standards; and
 - (b) is not exempt from compliance with the provision under another provision of these regulations or the Vehicle Standards.
- (2) Despite the vehicle's failure to comply with the provision, a person is not guilty of an offence under this Part in relation to driving the vehicle on a road if the vehicle —
- (a) is being driven in accordance with a compliance notice issued in respect of its failure to comply with that provision;
 - (b) cannot be moved, but arrangements for it to be removed from the road are made as soon as practicable;
 - (c) is being or has been, as far as practicable, removed from the carriageway for the purpose of repairing it or arranging for it to be removed from the road, and the vehicle is repaired or removed from the road as soon as practicable;
 - (d) is being driven directly to a place where it is to be repaired, and driving it on the road is unlikely to endanger any person or property; or
 - (e) is being tested for the purpose of repairing it, and driving it on the road is unlikely to endanger any person or property.

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- (3) Subsection (2) does not prevent a person —
- (a) from examining the vehicle or giving a direction in relation to the vehicle under regulation 62;
 - (b) from issuing a compliance notice for the vehicle in respect of its failure to comply with the provision referred to in this subregulation, if the person considers it necessary to give further directions in respect of the vehicle in the interests of the safety of persons or property; or
 - (c) from issuing a compliance notice for the vehicle in respect of a failure to comply with any other provision of these regulations or the Vehicle Standards.

[Regulation 10A inserted in Gazette 3 Jan 2003 p. 5-6.]

10B. Registered write-offs

For the purposes of these regulations, a vehicle is taken not to comply with the Vehicle Standards if —

- (a) the vehicle is registered as a statutory write-off or a repairable write-off in the Written-Off Vehicle Register, and the registration has not been cancelled; or
- (b) the vehicle's identifier is the same number as a number that is registered in the Written-Off Vehicle Register as the identifier of a vehicle that is a statutory write-off or a repairable write-off, and the registration has not been cancelled.

[Regulation 10B inserted in Gazette 31 Oct 2003 p. 4568.]

Part 3 — Mass and loading requirements

11. Application

- (1) Schedule 1 Divisions 1 and 3 apply to —
 - (a) a vehicle with a GVM exceeding 4.5 t;
 - (b) a combination that includes a vehicle with a GVM exceeding 4.5 t; and
 - (c) a load on a vehicle described in paragraph (a) or (b).
- (2) Schedule 1 Divisions 2 and 4 apply to a vehicle not described in subregulation (1).
- (3) Schedule 1 Division 5 applies to any vehicle.

12. Compliance with requirements: motor vehicles

- (1) This regulation applies to a motor vehicle whether or not it forms part of a combination.
- (2) A person must not drive a motor vehicle on a road unless the vehicle complies with the requirements in Schedule 1 applying to the vehicle (other than as a vehicle forming part of a combination).
Penalty: *see regulation 16.*
- (3) A person must not permit a motor vehicle to be driven on a road unless the vehicle complies with the requirements in Schedule 1 applying to the vehicle (other than as a vehicle forming part of a combination).
Penalty: *see regulation 16.*

13. Compliance with requirements: trailers

- (1) This regulation applies to a trailer whether or not it forms part of a combination.

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- (2) A person must not drive the first or only motor vehicle towing a trailer on a road unless the trailer complies with the requirements in Schedule 1 applying to the trailer (other than as a vehicle forming part of a combination).

Penalty: *see regulation 16.*

- (3) A person must not permit a trailer to be towed on a road unless the trailer complies with the requirements in Schedule 1 applying to the trailer (other than as a vehicle forming part of a combination).

Penalty: *see regulation 16.*

14. Compliance with requirements: combinations

- (1) A person must not drive the first or only motor vehicle forming part of a combination on a road unless the combination complies with the requirements in Schedule 1 applying to the combination.

Penalty: *see regulation 16.*

- (2) A person must not permit a combination to be on a road unless the combination complies with the requirements in Schedule 1 applying to the combination.

Penalty: *see regulation 16.*

- (3) A person must not drive the first or only motor vehicle forming part of a combination on a road unless each vehicle forming part of the combination complies with the requirements in Schedule 1 applying to the vehicle as a vehicle forming part of a combination.

Penalty: *see regulation 16.*

- (4) A person must not permit a combination to be on a road unless each vehicle forming part of the combination complies with the requirements in Schedule 1 applying to the vehicle as a vehicle forming part of a combination.

Penalty: *see regulation 16.*

15. Proof of loading offences

- (1) In proceedings for a failure to comply with Schedule 1 clause 12 (relating to loading a vehicle), it is sufficient for the prosecution to prove that the load on the vehicle was not placed, secured or restrained (as the case requires) in a way that met the performance standards recommended in the “Load Restraint Guide – Second Edition” —
 - (a) published by the National Transport Commission in April 2004; and
 - (b) available from the Department and on the National Transport Commission’s internet website.
- (1a) In proceedings for a failure to comply with Schedule 1 clause 12 (relating to loading a vehicle) before the *Road Traffic (Vehicle Standards) Amendment Regulations (No. 2) 2005* come into operation¹, it is sufficient for the prosecution to prove that the load on the vehicle was not placed, secured or restrained (as the case requires) in a way that met the performance standards recommended in the “Load Restraint Guide” published by the Australian Government Publishing Service on 12 December 1994.
- (2) In proceedings for a failure to comply with Schedule 1 clause 12 a document purporting to be —
 - (a) the “Load Restraint Guide – Second Edition” referred to in subregulation (1) is, in the absence of any evidence to the contrary, to be taken to be the “Load Restraint Guide – Second Edition”; and
 - (b) the “Load Restraint Guide” referred to in subregulation (1a) is, in the absence of any evidence to the contrary, to be taken to be the “Load Restraint Guide”.
- (3) If the prosecution in proceedings for a failure to comply with Schedule 1 clause 12(2) (relating to securing a load on a vehicle) proves that the load, or part of the load, had fallen off the vehicle, the burden of proof is on the defendant to show compliance.

- (4) In this regulation —

“National Transport Commission” means the body corporate established by section 5 of the *National Transport Commission Act 2003* of the Commonwealth.

[Regulation 15 amended in Gazette 27 May 2005 p. 2313-14.]

16. Penalty for an offence under regulation 12, 13 or 14

- (1) A person convicted of an offence under regulation 12, 13 or 14 for a failure to comply with a requirement in Schedule 1 clause 1, 2(6), 3, 4(1) or 4(3) is liable to the relevant penalty set out in Schedule 1 Division 7 Table 1.
- (2) A person convicted of an offence under regulation 12, 13 or 14 for a failure to comply with a requirement in Schedule 1 clause 2(3) in respect of an axle group is liable to the relevant penalty set out in Schedule 1 Division 7 Table 2.
- (3) A person convicted of an offence under regulation 12, 13 or 14 for a failure to comply with a requirement in Schedule 1 clause 2(3) in respect of a single axle is liable to the relevant penalty set out in Schedule 1 Division 7 Table 3.
- (4) A person convicted of an offence under regulation 12, 13 or 14 for a failure to comply with a requirement in Schedule 1 clause 2(1), 2(2) or 4(2) or Schedule 1 Division 3, 5 or 6 is liable to the following penalty:
Maximum penalty: 16 PU.
Minimum penalty: 8 PU.
Modified penalty: 8 PU.
- (5) A person convicted of an offence under regulation 12, 13 or 14 for a failure to comply with a requirement in Schedule 1 Division 2 or 4 is liable to the following penalty:
Maximum penalty: 16 PU.
Minimum penalty: 2 PU.
Modified penalty: 2 PU.

[Regulation 16 amended in Gazette 13 Dec 2005 p. 5989.]

17. Failure to comply with certain exemption conditions

If —

- (a) a person is prosecuted for an offence under these regulations;
- (b) the offence relates to the failure of a vehicle to comply with a mass or dimension limit specified in these regulations;
- (c) an exemption has been given under any regulations made under the Act that is subject to the condition that the vehicle complies with a greater mass or dimension limit than the mass or dimension limit referred to in paragraph (b); and
- (d) at the time of the alleged offence, the vehicle was travelling —
 - (i) on a route other than a route on which the vehicle was permitted to travel under a condition of the exemption;
 - (ii) at a time other than a time at which the vehicle was permitted to travel under a condition of the exemption;
 - (iii) accompanied by fewer than the number of pilot or escort vehicles required under a condition of the exemption; or
 - (iv) with an aggregate mass that is more than 10% in excess of the limit allowed under a condition of the exemption,

the exemption must be disregarded for the purposes of the prosecution.

18. Ascertainment of masses

- (1) The mass of a vehicle and any load or the mass supported on any part of a vehicle may be ascertained —
 - (a) by weighing the vehicle or part of the vehicle on a registered public weighbridge or any weighbridge that

has been verified under the provisions of the *Weights and Measures Act 1915*; or

- (b) by use of one or more loadmeters.
- (2) If one or more loadmeters are used to ascertain the mass of a vehicle and any load, then for the purpose of determining whether or not the vehicle and load comply with these regulations, the mass of the vehicle and load is taken to be the mass ascertained by aggregating the relevant readings of the loadmeter or loadmeters.
 - (3) If a loadmeter is used to ascertain the mass supported on a particular part of a vehicle, then for the purpose of determining whether or not the vehicle and any load carried by it comply with these regulations, the mass supported on the part is taken to be the mass as ascertained less 2%.
 - (4) If the mass of a vehicle and any load, or the mass supported on any part of a vehicle cannot be, or cannot conveniently be, ascertained under subregulation (1) to (3) —
 - (a) if the load comprises only equipment, the mass of the equipment, ascertained by reference to the manufacturer's specification (if any) relating to the equipment, is taken to be the mass of the load;
 - (b) the unloaded mass of the vehicle ascertained by reference to the manufacturer's specification (if any) relating to the vehicle, is taken to be the mass of the vehicle; and
 - (c) the aggregate of the masses ascertained under paragraphs (a) and (b), together with the mass of 10 L of fuel, is taken to be the mass of the vehicle and its load.
 - (5) For the purposes of subregulation (4), any printed matter purporting to be a manufacturer's specification is, in the absence of evidence to the contrary, taken to be the manufacturer's specification.

- (6) The driver or person in charge of a motor vehicle must comply with any reasonable direction, given by a police officer, for the purpose of ascertaining any mass mentioned in this regulation.
Maximum penalty: 72 PU.
Minimum penalty: 12 PU.
Modified penalty: 12 PU.
- (7) If the driver or person in charge of a motor vehicle fails to comply with a direction of a police officer to drive that vehicle for the purposes of enabling a mass to be ascertained, a police officer may drive that vehicle for that purpose and any ancillary purpose.
- (8) If a loadmeter is used to ascertain the mass of a vehicle and its load, this section does not prevent a person charged with an offence related to the mass of the vehicle and load as calculated in accordance from adducing evidence of the actual mass of the vehicle and load at the material time.

19. Declaring buses to be complying buses

- (1) This regulation applies to a bus with 2 or 3 axles and a single steer axle that —
 - (a) is not fitted with a compliance plate in accordance with the *Motor Vehicle Standards Act 1989* of the Commonwealth; or
 - (b) is fitted with a compliance plate in accordance with that Act but the compliance plate indicates that the bus was manufactured before 1 July 1994.
- (2) The Director General may declare that a bus equipped with an approved air suspension system is a complying bus for the purposes of these regulations if the Director General is satisfied that the bus meets —
 - (a) the emergency exit specifications in ADR 44;
 - (b) the rollover strength specifications in ADR 59; and
 - (c) the occupant protection specifications in ADR 68.

Part 4 — Restricted access vehicles

Division 1 — General

20. Application and delegation

- (1) This Division applies to those restricted access vehicles in respect of which a notice or permit may be issued under this Part.
- (2) Division 2 applies to class 1 vehicles.
- (3) Division 3 applies to class 2 vehicles.
- (4) Division 4 applies to class 3 vehicles.

21. Exemptions under RAV notice or RAV permit

- (1) A person may drive, or cause or permit to be driven, a restricted access vehicle on a road if the vehicle is driven in accordance with an RAV notice or RAV permit.
- (2) A person must not drive, or cause or permit to be driven, a class 1 vehicle on a road unless it is driven in accordance with a class 1 notice or class 1 permit and the conditions (if any) in the notice or permit.

Penalty for failure to comply with a mass limit where the aggregate mass is not more than 10% in excess of the limit: 60 PU.

Modified penalty for failure to comply with a mass limit where the aggregate mass is not more than 10% in excess of the limit: 8 PU.

Penalty for failure to comply with a mass limit where the aggregate mass is more than 10% in excess of the limit: *see regulation 17*.

Penalty for any other failure to comply with the notice or permit: 40 PU.

Modified penalty for any other failure to comply with the notice or permit: 8 PU.

- (3) A person must not drive, or cause or permit to be driven, a class 2 vehicle on a road unless it is driven in accordance with a class 2 notice or class 2 permit and the conditions (if any) in the notice or permit.

Penalty: 40 PU.

Modified penalty: 8 PU.

- (4) A person must not drive, or cause or permit to be driven, a class 3 vehicle on a road unless it is driven in accordance with a class 3 notice or class 3 permit and the conditions (if any) in the notice or permit.

Penalty for failure to comply with a mass limit where the aggregate mass is not more than 10% in excess of the limit: 60 PU.

Modified penalty for failure to comply with a mass limit where the aggregate mass is not more than 10% in excess of the limit: 8 PU.

Penalty for failure to comply with a mass limit where the aggregate mass is more than 10% in excess of the limit: *see regulation 17*.

Penalty for any other failure to comply with the notice or permit: 40 PU.

Modified penalty for any other failure to comply with the notice or permit: 8 PU.

- (5) Where a class 1 vehicle is required under a class 1 notice or class 1 permit to be accompanied by a pilot vehicle or escort vehicle, the driver of the pilot vehicle or escort vehicle must ensure that the pilot vehicle or escort vehicle complies with the notice or permit.

Penalty: 10 PU.

Modified penalty: 8 PU.

22. Notice or permit to be carried in vehicle and produced on request

- (1) The driver of a restricted access vehicle must carry in the driving compartment a copy of an RAV notice or RAV permit under which the vehicle is being driven.

Penalty: 20 PU.

Modified penalty: 2 PU.

- (2) However, instead of carrying an RAV notice, a driver may carry an information sheet issued by the exempting authority, which sets out the obligations imposed under the notice.

- (3) Subregulation (1) does not apply if the notice or permit states that this regulation does not apply.

- (4) A person driving a restricted access vehicle to which an RAV notice or RAV permit applies must produce the notice or permit for inspection at the request of a police officer.

Penalty: 20 PU.

Modified penalty: 2 PU.

23. Accreditation conditions on notice or permit

- (1) An RAV notice or RAV permit may be issued subject to the condition that the responsible person for, or operator of, a vehicle to which the notice or permit applies —

- (a) holds an accreditation certificate; or
(b) obtains an accreditation certificate on or before the date specified in the notice or permit.

- (2) The Commissioner of Main Roads may issue an accreditation certificate, on payment of the relevant fee prescribed in the *Road Traffic (Charges and Fees) Regulations 2006*, if the Commissioner is satisfied that the applicant for the certificate has in place systems that comply with the following standards —

- (a) the *Western Australian Heavy Vehicle Accreditation Process Maintenance Management Module Standards* published by Main Roads Western Australia on 28 February 2002;

(b) the *Western Australian Heavy Vehicle Accreditation Process Fatigue Management Module Standards* published by Main Roads Western Australia on 28 February 2002.

- (3) An accreditation certificate is valid for 36 months from the date of issue.
- (4) The Commissioner may renew an accreditation certificate on payment of the relevant fee prescribed in the *Road Traffic (Charges and Fees) Regulations 2006* if satisfied that the certificate holder continues to have in place systems that comply with the standards referred to in subsection (2).
- (5) The Commissioner of Main Roads may revoke an accreditation certificate if the Commissioner is no longer satisfied that the person to whom it was issued has in place systems that comply with the standards referred to in subsection (2).

[(6)-(8) repealed]

- (9) The Commissioner of Main Roads may delegate to an officer of the Commissioner or a police officer the Commissioner's power to issue, renew or revoke an accreditation certificate.

[Regulation 23 amended in *Gazette* 19 Apr 2005 p. 1302-3; 23 Dec 2005 p. 6282; 28 Nov 2006 p. 4895.]

Division 2 — Class 1 vehicles

24. Class 1 notices

The Commissioner of Main Roads may, by notice published in the *Gazette*, exempt a specified category of class 1 vehicles from —

- (a) a mass or dimension requirement of Part 3, other than a requirement that relates to a GVM, GCM or manufacturer's limit; or
- (b) a dimension limit in the Vehicle Standards.

25. Class 1 permits

- (1) The Commissioner of Main Roads may issue a permit exempting one or more class 1 vehicles from —
 - (a) a mass or dimension requirement of Part 3, other than a requirement that relates to a GVM, GCM or manufacturer's limit; or
 - (b) a dimension limit in the Vehicle Standards.
- (2) Despite subregulation (1)(a), a class 1 permit may exempt a combination consisting of more than one prime mover or motor vehicle from compliance with the individual GCMs of the prime movers or motor vehicles on condition that the sum of the individual GCMs is not exceeded.
- (3) A person may apply to the Commissioner of Main Roads for a class 1 permit.
- (4) An application must be in a form approved by the Commissioner.

[(5), (6) repealed]

- (7) The Commissioner of Main Roads may delegate to an officer of the Commissioner or a police officer the Commissioner's power to issue a class 1 permit.

*[Regulation 25 amended in Gazette 23 Jun 2006 p. 2226;
28 Nov 2006 p. 4895.]*

26. Conditions on a class 1 notice or class 1 permit

- (1) A class 1 notice —
 - (a) must be issued subject to the conditions set out in Schedule 2 that are applicable to the category of class 1 vehicles to which the notice applies; and
 - (b) may be issued subject to other conditions.

- (2) A class 1 permit —
 - (a) must be issued subject to the conditions set out in Schedule 2 Divisions 6 and 7; and
 - (b) may be issued subject to other conditions.
- (3) The conditions in Schedule 2 may be incorporated into the notice or permit by referring to them rather than by setting them out in full.

27. What must be included in a class 1 notice or class 1 permit

A class 1 notice or class 1 permit must specify —

- (a) the vehicles to which it applies;
- (b) the areas or routes to which it applies;
- (c) the provisions of Part 3 or of the Vehicle Standards from which exemption is given;
- (d) the conditions subject to which it is issued;
- (e) the period for which it is to remain in force; and
- (f) in the case of a class 1 permit —
 - (i) the name and address of the person to whom it is issued; and
 - (ii) the registration number of each vehicle for which it is issued.

28. Areas and roads

For the purposes of a class 1 notice or class 1 permit, the Commissioner of Main Roads may —

- (a) designate categories of areas and roads; and
- (b) determine that an area, road or part of a road is in category 1, 2 or 3 for the purposes of Schedule 2 Table 7.

Division 3 — Class 2 vehicles

29. Class 2 notices

The Commissioner of Main Roads may, by notice published in the *Gazette*, specify roads on which all, or specified categories of, class 2 vehicles may be driven.

30. Class 2 permits

- (1) The Commissioner of Main Roads may issue a permit allowing one or more class 2 vehicles to be driven on a road or route for which a class 2 notice is not in force.
- (2) A person may apply to the Commissioner of Main Roads for a class 2 permit.
- (3) An application must be in a form approved by the Commissioner.

[(4) repealed]

- (5) The Commissioner of Main Roads may delegate to an officer of the Commissioner or a police officer the Commissioner's power to issue a class 2 permit.

*[Regulation 30 amended in Gazette 23 Jun 2006 p. 2226;
28 Nov 2006 p. 4895.]*

31. Conditions of a class 2 notice or class 2 permit

A class 2 notice or class 2 permit may be issued subject to conditions relating to any or all of the following —

- (a) the roads specified in the notice or permit;
- (b) the time or day, or the times and days, during or on which a vehicle may be driven under the notice or permit; or
- (c) the maximum speed at which a vehicle may be driven under the notice or permit.

[Regulation 31 amended in Gazette 19 Apr 2005 p. 1303.]

32. What must be included in a class 2 notice or class 2 permit

A class 2 notice or class 2 permit must specify —

- (a) the vehicles to which it applies;
- (b) the conditions subject to which it is issued;
- (c) the period for which it is to remain in force; and
- (d) in the case of a class 2 permit —
 - (i) the name and address of the person to whom it is issued; and
 - (ii) the registration number of each vehicle for which it is issued.

Division 4 — Class 3 vehicles

33. Class 3 notices

The Commissioner of Main Roads may, by notice published in the *Gazette*, exempt a specified category of class 3 vehicles from —

- (a) a mass or dimension requirement of Part 3, other than a requirement that relates to a GVM, GCM or manufacturer's limit; or
- (b) a dimension limit in the Vehicle Standards.

34. Class 3 permits

- (1) The Commissioner of Main Roads may issue a permit exempting one or more class 3 vehicles from —
 - (a) a mass or dimension requirement of Part 3, other than a requirement that relates to a GVM, GCM or manufacturer's limit; or
 - (b) a dimension limit in the Vehicle Standards.
- (2) A person may apply to the Commissioner of Main Roads for a class 3 permit.

- (3) An application must be in a form approved by the Commissioner.

[(4) repealed]

- (5) The Commissioner of Main Roads may delegate to an officer of the Commissioner or a police officer the Commissioner's power to issue a class 3 permit.

[Regulation 34 amended in Gazette 23 Jun 2006 p. 2226; 28 Nov 2006 p. 4895.]

35. Conditions on a class 3 notice or class 3 permit

A class 3 notice or class 3 permit may be issued subject to conditions, including conditions as to the roads on which vehicles in the categories specified in the notice may be driven.

36. What must be included in a class 3 notice or class 3 permit

A class 3 notice or class 3 permit must specify —

- (a) the vehicles to which it applies;
- (b) the provisions of Part 3 or of the Vehicle Standards from which exemption is given;
- (c) the conditions subject to which it is issued;
- (d) the period for which it is to remain in force; and
- (e) in the case of a class 3 permit —
 - (i) the name and address of the person to whom it is issued; and
 - (ii) the registration number of each motor vehicle to which it relates.

Part 5 — Ministerial exemptions under section 103B(1)

37. Circumstances in which exemptions may be made

- (1) For the purposes of section 103B(1) of the Act, the Minister may declare that a provision of these regulations or the Vehicle Standards does not apply to a person or vehicle if —
 - (a) complying with the provision would prevent the vehicle from operating in the way in which, or for the purpose for which, the vehicle was built or modified;
 - (b) the vehicle is an experimental vehicle, a prototype, or another vehicle, that could not reasonably be expected to comply with the provision; or
 - (c) before the provision commenced —
 - (i) the vehicle was registered, or otherwise authorised, by the Director General or a corresponding authority, to be driven or towed on a road; and
 - (ii) was not required to comply with a similar provision before that commencement.
- (2) A Ministerial exemption may be expressed to apply to a single person or vehicle, or to all persons or vehicles of a kind specified in the exemption.
- (3) The Minister may grant a Ministerial exemption on his or her own initiative or on receiving an application under subregulation (6).
- (4) When deciding whether to give a Ministerial exemption, the Minister must take into account the likelihood and significance of any adverse effect on safety or the environment if the exemption were given.
- (5) A person or vehicle specified in a Ministerial exemption is exempt from the provision of these regulations or the Vehicle Standards specified in the exemption while the exemption is in force.

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- (6) A person may apply for a Ministerial exemption by lodging with the Director General an application in a form approved by the Director General.

38. When a Ministerial exemption may be amended

- (1) The Minister may amend a Ministerial exemption only if —
 - (a) since the exemption was given, a change has happened in relation to something the Minister considered in deciding to make the exemption; and
 - (b) the exemption would have been made as it is proposed to be amended if the change had happened before the exemption was given.
- (2) In deciding whether to amend a Ministerial exemption, the Minister must take into account the likelihood and significance of any adverse effect on safety or the environment if the amendment were made.
- (3) The Minister may amend a Ministerial exemption on the application of the person to whom the exemption was given or on his or her own initiative.

39. When a Ministerial exemption may be revoked

- (1) The Minister may revoke a Ministerial exemption only if —
 - (a) since the exemption was given, a change has happened in relation to something the Minister considered in deciding to make the exemption; and
 - (b) the exemption would not have been given if the change had happened before the exemption was made.
- (2) The Minister may revoke a Ministerial exemption on the application of the person to whom the exemption was given or on his or her own initiative.

40. Conditions on Ministerial exemptions

- (1) The Minister may make a Ministerial exemption subject to any conditions specified in the exemption.
- (2) A person to whom a Ministerial exemption applies, or who is in charge of a vehicle to which a Ministerial exemption applies, must not contravene a condition to which the exemption is subject.

Penalty: 16 PU.

Part 6 — Director General's exemptions under section 103B(2)

Division 1 — Giving, amending and revoking exemptions on application

41. Director General's exemptions

- (1) For the purposes of section 103B(2) of the Act, the Director General may grant an exemption from any provision of these regulations or the Vehicle Standards that is made under section 111(2)(d) of the Act —
 - (a) in respect of all persons or vehicles of a kind specified in the exemption; or
 - (b) in the circumstances set out in regulation 43.
- (2) The Director General may grant, amend or revoke a departmental exemption on an application under regulation 42 or on his or her own initiative.

42. Applications for exemption, amendment or revocation

- (1) A person may apply for —
 - (a) a departmental exemption for —
 - (i) a particular motor vehicle or trailer for which the person is an owner;
 - (ii) all vehicles for which the person is an owner;
 - (iii) a particular combination if the person is an owner of the first or only motor vehicle forming part of the combination; or
 - (iv) all combinations for which the person is in charge;
 - or
 - (b) amendment or revocation of a departmental exemption granted to the person under paragraph (a).

- (2) An application must —
- (a) be made to the Director General in a form approved by the Director General;
 - (b) be dated and signed by the applicant;
 - (c) state the applicant's name and address; and
 - (d) be accompanied by the relevant fee prescribed in the *Road Traffic (Charges and Fees) Regulations 2006*.
- (3) An application for a departmental exemption must —
- (a) state whether the exemption is sought for —
 - (i) a particular motor vehicle or trailer;
 - (ii) all vehicles for which the applicant is a responsible person;
 - (iii) a particular combination; or
 - (iv) all combinations for which the applicant is in charge;
 - (b) for an exemption for a particular motor vehicle or trailer — describe the vehicle and the applicant's interest in the vehicle;
 - (c) for an exemption for a particular combination — describe each vehicle forming part of the combination and the applicant's interest in the first or only motor vehicle forming part of the combination;
 - (d) state the provision of these regulations or the Vehicle Standards from which exemption is sought; and
 - (e) state clearly the exemption sought by the application and outline why the exemption should be given.
- (4) An application for a departmental exemption may state the period for which the exemption is sought and any conditions to which the exemption is sought to be subject.

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Division 1 Giving, amending and revoking exemptions on application

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- (5) An application for amendment or revocation of a departmental exemption must —
- (a) outline why the exemption should be amended or revoked;
 - (b) in the case of an application for amendment — state clearly the amendment sought; and
 - (c) be accompanied by the exemption.
- (6) The Director General may, by written notice, require the applicant to give the Director General additional information necessary to decide the application.

[Regulation 42 amended in Gazette 13 Dec 2005 p. 5989; 23 Dec 2005 p. 6282; 28 Nov 2006 p. 4896.]

43. Making decisions on application

- (1) The Director General must decide an application under regulation 42 as soon as practicable after receiving the application.
- (2) A departmental exemption may exempt a vehicle from a provision of these regulations or the Vehicle Standards only if —
- (a) complying with the provision would prevent the vehicle from operating in the way in which, or for the purpose for which, the vehicle was built or modified, and non-compliance with the provision would not be likely to have an adverse effect on the safety of the vehicle or of road-users;
 - (b) the vehicle is an experimental vehicle, a prototype, or another vehicle, that could not reasonably be expected to comply with the provision;
 - (c) the vehicle —
 - (i) was registered, or otherwise authorised, to be driven or towed on a road by the Director General (or an authority of another State or a

Territory whose functions correspond to those of the Director General) before the commencement of the provision; and

- (ii) was not required to comply with a similar provision before that commencement;
 - (d) the vehicle has been constructed, equipped or adapted so as to enable it to be driven by a person with a physical disability who cannot safely drive a vehicle that has not been so constructed, equipped or adapted; or
 - (e) it would be unreasonable to require the vehicle to comply with the provision.
- (3) A departmental exemption may exempt all vehicles for which a person is responsible from a provision of these regulations or the Vehicle Standards if it would be unreasonable to require the vehicle to comply with the provision.
- (4) A departmental exemption may exempt a combination from a provision of these regulations or the Vehicle Standards only if —
- (a) complying with the provision would prevent the combination from operating for the purpose for which the combination is, or is proposed to be, used;
 - (b) the combination is an experimental combination, or prototype, or another combination, that could not reasonably be expected to comply with the provision; or
 - (c) it would be unreasonable to require the combination to comply with the provision.
- (5) A departmental exemption may exempt, under subregulation (4), all combinations in the charge of a particular person from a provision of these regulations or the Vehicle Standards if it would be unreasonable to expect all the combinations to comply with the provision.

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- (6) The Director General may amend a departmental exemption only if —
 - (a) since the exemption was given, a change has happened in relation to something the Director General considered in deciding to give the exemption; and
 - (b) the exemption would have been given as it is proposed to be amended if the change had happened before the exemption was given.
- (7) The Director General may revoke a departmental exemption only if the applicant has a sufficient interest in seeking the revocation.
- (8) In deciding whether to grant or amend a departmental exemption, the Director General must take into account the likelihood and significance of any adverse effect on safety or the environment if the exemption were given or amended.
- (9) In deciding whether to grant a departmental exemption on the basis that it would be unreasonable for the vehicle or combination to comply with the provision, the Director General must take into account —
 - (a) the use or proposed use of the vehicle or combination;
 - (b) the nature of the exemption;
 - (c) whether or not the vehicle or combination can be operated safely despite not complying with the provision; and
 - (d) the public interest in the vehicle or combination not complying with the provision.

[Regulation 43 amended in Gazette 3 Jan 2003 p. 6-7; 13 Dec 2005 p. 5989-90; 23 Dec 2005 p. 6282.]

44. Applicants to be told about decisions

- (1) As soon as practicable after the Director General decides an application, the Director General must tell the applicant in

writing of the Director General's decision, including when any departmental exemption, amendment or revocation takes effect.

- (2) The Director General must also give the applicant written reasons for the decision, and tell the applicant that the applicant may apply to have the decision reconsidered, if —
- (a) the decision is to give an exemption for a period stated in the exemption and the applicant did not seek an exemption for a period or sought an exemption for a longer period;
 - (b) the decision is to give the exemption subject to a condition not sought by the applicant; or
 - (c) the decision is to refuse the application.

45. When decisions take effect

A departmental exemption, or an amendment or revocation of a departmental exemption made under this Division, takes effect —

- (a) when the applicant for the exemption, amendment or revocation is told in writing by the Director General of the Director General's decision to give, amend or revoke the exemption; or
- (b) if the Director General tells the person that the exemption, amendment or revocation takes effect at a later time — at the later time.

46. Replacement exemptions

If a departmental exemption is amended under this Division, the Director General must give a replacement exemption to the applicant.

Division 2 — Provisions about departmental exemptions

47. Form of a departmental exemption

A departmental exemption must be in writing.

48. Effect of a departmental exemption

- (1) If a departmental exemption exempts a particular motor vehicle or trailer from a provision of these regulations or the Vehicle Standards, the provision does not apply to the vehicle (irrespective of who is a responsible person for the vehicle or in charge of it) while the exemption is in force.
- (2) If a departmental exemption exempts from a provision of these regulations or the Vehicle Standards all vehicles for which a person is responsible, the provision does not apply to any vehicle for which the person is responsible (irrespective of who is in charge of it) while the exemption is in force.
- (3) If a departmental exemption exempts a particular combination from a provision of these regulations or the Vehicle Standards, the provision does not apply to the combination (irrespective of who is a responsible person for any vehicle forming part of the combination or in charge of the combination) while the exemption is in force.
- (4) If a departmental exemption exempts all combinations for which a person is in charge from a provision of these regulations or the Vehicle Standards, the provision does not apply to any combination of which the person is in charge (irrespective of who is a responsible person for any vehicle forming part of the combination) while the exemption is in force.

[Regulation 48 amended in Gazette 23 Dec 2005 p. 6282.]

49. Duration of a departmental exemption

A departmental exemption remains in force for the period stated in it.

50. Conditional departmental exemptions

- (1) A departmental exemption may be subject to a condition stated in it.

- (2) A person who is, or is in charge of a vehicle that is, exempt, under a departmental exemption, from a provision of these regulations or the Vehicle Standards must not contravene a condition of the exemption.

Penalty: 16 PU.

51. Replacement exemptions

If the Director General is satisfied that a departmental exemption has been defaced, destroyed, lost or stolen, the Director General must give a replacement exemption to the exemption holder on payment of the relevant fee prescribed in the *Road Traffic (Charges and Fees) Regulations 2006*.

[Regulation 51 amended in Gazette 28 Nov 2006 p. 4896.]

52. Driver to produce exemption on request

A person driving a vehicle to which a departmental exemption granted on an application under regulation 42 applies must produce the exemption for inspection at the request of a police officer.

Penalty: 16 PU.

Modified penalty: 4 PU.

[Regulation 52 amended in Gazette 3 Jan 2003 p. 7.]

**Division 3 — Amending and revoking departmental exemptions
other than on application**

53. Grounds for amending a departmental exemption

The grounds for amending a departmental exemption, other than on application, are —

- (a) that the application for the exemption was false or misleading in a material respect but the circumstances do not require its revocation; or

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- (b) that —
 - (i) since the exemption was given, a change has happened in relation to something the Director General considered in deciding to give the exemption; and
 - (ii) the exemption would have been given as it is proposed to be amended if the change had happened before the exemption was given.

54. Grounds for revoking a departmental exemption

The grounds for revoking a departmental exemption, other than on application, are —

- (a) that the application for the exemption was false or misleading in a material respect; or
- (b) that —
 - (i) since the exemption was given, a change has happened in relation to something the Director General considered in deciding to give the exemption; and
 - (ii) the exemption would not have been given if the change had happened before the exemption was given.

55. Amending or revoking a departmental exemption in urgent circumstances

- (1) This regulation applies if the Director General is reasonably satisfied that —
 - (a) a ground exists to amend or revoke a departmental exemption, other than on application; and
 - (b) it is necessary to amend or revoke the exemption immediately to avoid, eliminate or minimise the risk of personal injury or death, property damage or harm to the environment.

- (2) If this regulation applies in relation to a departmental exemption the Director General must amend or revoke the exemption.
- (3) The Director General must tell the exemption holder in writing of the decision, give the exemption holder written reasons for the decision, and tell the exemption holder that the exemption holder may apply to have the decision reconsidered.

56. Amending or revoking a departmental exemption other than in urgent circumstances

- (1) This regulation applies if —
 - (a) the Director General considers that a ground exists to amend or revoke an exemption, other than on application; and
 - (b) the Director General is not satisfied as to the matters mentioned in regulation 55(1)(b).
- (2) If this regulation applies in relation to a departmental exemption the Director General must give the exemption holder a written notice that —
 - (a) tells the exemption holder of the proposed amendment or revocation;
 - (b) states the ground for the proposed amendment or revocation;
 - (c) outlines the facts and other circumstances forming the basis for the Director General's view that the ground exists; and
 - (d) invites the exemption holder to state in writing to the Director General, within a stated time of at least 28 days after the notice is given to the exemption holder, why the exemption should not be amended or revoked as proposed by the Director General (the “**proposed action**”).
- (3) If, after considering any written statement made to the Director General by the exemption holder within the stated time, the

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Director General is reasonably satisfied that a ground exists to take the proposed action, the Director General may —

- (a) if the proposed action is to amend the exemption in a stated way — amend the exemption in that way; or
 - (b) if the proposed action is to revoke the exemption — revoke the exemption or amend it in any way.
- (4) If the Director General amends or revokes the exemption, the Director General must tell the exemption holder in writing of the decision, give the exemption holder written reasons for the decision, and tell the exemption holder that the exemption holder may apply to have the decision reconsidered.

57. When amendment or revocation takes effect

The amendment or revocation of a departmental exemption under this Division takes effect —

- (a) when the exemption holder is told in writing by the Director General of the Director General's decision to amend or revoke the exemption and given reasons for the decision; or
- (b) if the Director General tells the exemption holder that the amendment or revocation takes effect at a later time — at the later time.

58. Return of an amended or revoked departmental exemption

- (1) If a departmental exemption is amended or revoked under this Division, the Director General may, by written notice, ask the exemption holder to return the exemption to the Director General within a time stated in the notice.
- (2) The time stated in the notice must be a reasonable time (of at least 7 days) after the notice is given to the exemption holder.
- (3) The exemption holder must comply with the notice.

Penalty: 16 PU.

- (4) If an exemption holder returns a departmental exemption that has been amended under this Division, the Director General must give the amended exemption to the exemption holder.

Division 4 — Reconsideration and review of decisions about departmental exemptions

59. Decisions may be reconsidered

- (1) The following decisions of the Director General are decisions to which this regulation applies —
- (a) a decision under regulation 43(1) to refuse an application;
 - (b) a decision under regulation 43(1) to give an exemption for a period if the applicant did not seek the exemption for a period or sought the exemption for a longer period;
 - (c) a decision under regulation 43(1) to give an exemption subject to a condition not sought by the applicant for the exemption;
 - (d) a decision under regulation 55(1) to amend or revoke an exemption in urgent circumstances, other than on application;
 - (e) a decision under regulation 56(3) to amend or revoke an exemption, other than in urgent circumstances or on application.
- (2) A person affected by a decision to which this regulation applies (the “**initial decision**”) may ask the Director General in writing to reconsider the decision.
- (3) The request must be made within —
- (a) 28 days after the person or someone else was told in writing of the initial decision, and given written reasons for the decision, by the Director General; or
 - (b) any longer period allowed by the Director General.

Road Traffic (Vehicle Standards) Regulations 2002

Part 6 Director General's exemptions under section 103B(2)

Division 4 Reconsideration and review of decisions about departmental exemptions

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- (4) A request for reconsideration must state the decision that the person wants the Director General to make after reconsideration of the initial decision and outline why the Director General should make that decision.
- (5) Within 28 days after receiving the request, the Director General must reconsider the initial decision and —
 - (a) confirm the decision;
 - (b) amend the decision; or
 - (c) set aside the decision and substitute a new decision.
- (6) The Director General must tell the person who made the request in writing —
 - (a) the result of the reconsideration; and
 - (b) if the Director General does not make the decision sought by the person —
 - (i) the reasons for the reconsidered decision; and
 - (ii) that the person may apply to the Magistrates Court² to have the decision reviewed by the Magistrates Court².

60. Review of decisions

Application may be made to the Magistrates Court² for review of a decision that has been reconsidered by the Director General under regulation 59.

Part 7 — Ordering vehicles off the road

61. Compliance notices

- (1) A police officer may issue a compliance notice for a vehicle if, in the police officer's opinion, the vehicle does not comply, and is not exempt from compliance, with these regulations or the Vehicle Standards.
- (2) A compliance notice may do any one or more of the following —
 - (a) direct that the vehicle is not to be driven at all;
 - (b) direct that the vehicle is to be driven by a specified route to the nearest police station, inspection station, place where repairs can be carried out or other suitable place;
 - (c) direct that the vehicle is not to be driven except at a time or during a period specified in the notice;
 - (d) in the case of a restricted access vehicle — direct that the vehicle is to be driven by a specified route until it reaches a road on which it is permitted to be driven under an RAV notice or RAV permit;
 - (e) direct that the vehicle is not to be driven except in accordance with any reasonable conditions set out in the notice.
- (3) If a police officer issues a compliance notice, the police officer may, where appropriate, give reasonable directions to the driver of the vehicle about moving the vehicle to a safer or more convenient place until the vehicle can be removed from the road or otherwise dealt with in accordance with the notice.

62. Police inspection powers

- (1) For the purpose of deciding whether to issue a compliance notice for a vehicle, a police officer may do any or all of the following —
 - (a) direct the driver to stop the vehicle;

- (b) direct the driver to move the vehicle to the nearest convenient place to permit the police officer to examine the vehicle;
 - (c) direct that the vehicle is not to be driven, for a reasonable time, until the police officer makes a decision;
 - (d) examine the vehicle and any equipment or load carried on it;
 - (e) give reasonable directions to the driver about rearranging or removing, under the supervision of the police officer, all or part of the load (if any) carried on the vehicle so that the vehicle complies with these regulations and the Vehicle Standards;
 - (f) give any other reasonable directions to the driver about making minor alterations to the vehicle, its equipment or load under the supervision of the police officer so that the vehicle complies with these regulations and the Vehicle Standards;
 - (g) give reasonable directions about detaching a vehicle from a combination to permit the remainder of the combination to be driven.
- (2) For the purpose of examining the vehicle or its equipment or load, a police officer may do any or all of the following —
- (a) inspect and handle the vehicle, equipment or load;
 - (b) test, or require the driver to test, any equipment on the vehicle that is required to comply with these regulations or the Vehicle Standards;
 - (c) test drive the vehicle, or accompany the driver while it is being test driven;
 - (d) weigh the vehicle and any equipment and load carried by it;

- (e) direct the driver to take the vehicle to the nearest place where it can be weighed;
- (f) measure the vehicle and any equipment and load carried by the vehicle.

63. Form of compliance notice

A compliance notice must —

- (a) be in writing in a form approved by the Director General;
- (b) if the vehicle has a defect that requires rectification — specify the defect;
- (c) in any other case — state the reason for issuing the notice;
- (d) set out each direction given in respect of the vehicle under regulation 61(2);
- (e) state the time and day on which the notice comes into force (which may be a later time and day than the time and day that the notice is issued); and
- (f) set out any directions given under regulation 61(3).

[Regulation 63 amended in Gazette 3 Jan 2003 p. 7.]

64. Service of compliance notices

- (1) A person who issues a compliance notice for a vehicle must serve the notice —
 - (a) by serving a copy of it personally on the driver of the vehicle; or
 - (b) by affixing a copy of it, in a conspicuous place, to the vehicle or, in the case of a notice relating to a combination or to a vehicle in a combination, to the first or only motor vehicle in the combination.

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- (1a) A person who issues a compliance notice for a vehicle may, in addition to serving the notice, affix in a conspicuous place on the vehicle, a sticker in a form approved by the Director General indicating that a compliance notice is in force for the vehicle.
- (2) While a compliance notice is in force, a person must not —
 - (a) damage or destroy the notice or a copy of it;
 - (b) if a copy of the notice is affixed to the vehicle under subregulation (1), remove the copy from the vehicle except for the purpose of ensuring that the notice is complied with; and
 - (c) if a sticker is affixed to the vehicle under subregulation (1a), remove the sticker from the vehicle.

Penalty:

- (a) for a first offence: 24 PU;
- (b) for a subsequent offence: 40 PU.

Modified penalty: 8 PU.

- (3) If a compliance notice is issued in respect of a defect that requires rectification, subregulation (2)(c) does not apply to a person who is repairing that defect if —
 - (a) it is reasonably necessary to remove the sticker in order to repair the defect;
 - (b) the person re-affixes the sticker to the vehicle when the defect has been repaired; and
 - (c) the vehicle is not driven on a road until the sticker has been re-affixed.

[Regulation 64 amended in Gazette 3 Jan 2003 p. 7-8.]

65. Duration of compliance notice

- (1) A compliance notice comes into force at the time and on the day stated in the notice.

- (2) If a compliance notice specifies a defect in a vehicle that requires rectification, the notice stops being in force when one of the following happens —
 - (a) a vehicle examiner, or an authorised police officer, finds that the defect has been rectified; or
 - (b) a vehicle examiner issues a further compliance notice in respect of the defect.
- (3) If, under regulation 63(c) a compliance notice states a reason for issuing it, the notice stops being in force when the reason no longer exists.
- (4) In this regulation —
“authorised police officer”, in relation to a defect in a vehicle, means a police officer, or a police officer of a class, authorised by the Director General to examine defects of that type.

[Regulation 65 amended in Gazette 13 Dec 2005 p. 5990-1.]

66. Contravention of compliance notice or direction

- (1) While a compliance notice is in force for a vehicle, a person must not drive the vehicle on a road, or cause or permit the vehicle to be driven on a road, otherwise than in accordance with the notice.
Maximum penalty:
 - (a) for a first offence: 24 PU;
 - (b) for a subsequent offence: 48 PU.Minimum penalty: 12 PU.
Modified penalty: 12 PU.
- (2) However, if a compliance notice specifies a defect in a vehicle that requires rectification, a person does not commit an offence under subregulation (1) if the vehicle is driven solely for the purpose of taking the vehicle directly from the place where the

defect was rectified to the nearest vehicle examiner or inspection station.

- (3) The driver of a vehicle must comply with a direction given in respect of the vehicle in a compliance notice or under regulation 61(3) or 62.

Penalty for an offence under subregulation (3), if the direction is given for a purpose referred to in section 111(2)(m)(i) or (ii) of the Act:

- (a) for a first offence —
 - (i) minimum penalty: 12 PU;
 - (ii) maximum penalty: 24 PU;
- (b) for a subsequent offence —
 - (i) minimum penalty: 48 PU;
 - (ii) maximum penalty: 144 PU.

Penalty for an offence under subregulation (3), if the direction is given for any other purpose:

- (a) for a first offence: 24 PU;
- (b) for a subsequent offence: 48 PU.

Modified penalty in either case: 12 PU.

- (4) The minimum penalty for a subsequent offence under subregulation (3) in respect of a direction given for a purpose referred to in section 111(2)(m)(i) or (ii) of the Act is irreducible in mitigation notwithstanding the provisions of any other Act.

67. Exercise of powers under this Part

- (1) A vehicle examiner has, in relation to a vehicle submitted for examination by the owner of the vehicle or a police officer, all the powers that a police officer has under this Part.
- (2) The powers given to a police officer under this Part are in addition to any other powers given to a police officer under these regulations or any other written law.

- (3) A person must not obstruct a police officer or vehicle examiner in the exercise of any of his or her powers under this Part.

Penalty:

- (a) for a first offence: 24 PU;
- (b) for a subsequent offence —
 - (i) minimum penalty: 48 PU;
 - (ii) maximum penalty: 144 PU.

[Regulation 67 amended in Gazette 13 Dec 2005 p. 5991.]

Part 8 — Miscellaneous

68. Tampering with a speed limiting device

If under Part 12 of the Vehicle Standards a vehicle is required to be fitted with a speed limiting device, any person who tampers with or modifies that device so as to cause the vehicle to be capable of being driven at a speed that exceeds 100 km/hour commits an offence.

Penalty: 20 PU.

Modified penalty: 5 PU.

69. Alteration of vehicles

- (1) A person must not, without the approval of the Director General, alter a car or a derivative of a car from —
- (a) the manufacturer's specifications; or
 - (b) its form when it was first licensed, in regard to any part of its construction, equipment or fittings that was effected, manufactured or constructed in accordance with an ADR by making an alteration referred to in the Table to this subregulation.

Penalty: 16 PU.

Modified penalty: 2 PU.

Table of alterations requiring approval

Alteration

1. Fitting an engine of greater displacement volume than an engine that was available as an option for the vehicle with the same braking system.
2. Making modifications to braking systems which include the fitting of smaller diameter brake drums, or narrower brake drums or brake shoes which reduce the swept area of braking surface or which reduce the weight of the brake drum or disc.

Alteration

3. Fitting any wheel rim with more than a single weld around the circumference, or which does not conform to one of the dimensional standards for wheel rims set down in the Tyre and Rim Standards Manual issued by the Tyre and Rim Association.
 4. Widening the wheel track of front or rear wheels by more than 25 mm beyond the maximum specified by the vehicle manufacturer.
 5. Fitting spacers between wheels and hubs additional to any provided by the vehicle manufacturer.
 6. Fitting wheel nuts which do not engage the thread of the wheel studs for at least the same length as the nuts provided by the vehicle manufacturer, or wheel nuts which do not match with the taper on the wheel.
 7. Fitting tyres other than those appropriate to the wheel rim as specified in the Tyre and Rim Standards Manual issued by the Tyre and Rim Association.
 8. Making modifications to an axle, axles or suspension which reduces the available suspension travel from static conditions to full bump position to less than two-thirds of that provided by the vehicle manufacturer.
 9. Making modifications to an axle, axles or suspension such that any part of the vehicle other than the tyre or rim will contact a road surface in the case of the deflation of any tyre.
 10. Welding or heating any axle, stub axle, steering arm or steering knuckle support.
 11. Lengthening or shortening the chassis frame, or the body structure in the case of a vehicle of mono (chassis-less) construction.
-

- (2) A person must not, without the approval of the Director General, alter a motor vehicle or trailer not being a car or a derivative of a car from —
- (a) the manufacturer's specifications; or
 - (b) its form when it was first licensed, in regard to chassis, frame, wheels, suspension, steering, brakes, axles, engine, body structure or exhaust system.

Penalty: 16 PU.

Modified penalty: 2 PU.

- (3) Where the Director General approves of any modifications under subregulation (1) or (2), a vehicle modification permit is to be issued by the Director General, upon receipt by the Director General of the relevant fee prescribed in the *Road Traffic (Charges and Fees) Regulations 2006*.

- (4) A person must not change or alter the body or equipment of a motor vehicle in such a way as adversely to affect the safe operation of the vehicle.

Penalty: 16 PU.

Modified penalty: 2 PU.

- (5) A responsible person for a licensed vehicle must, whenever an alteration is made to the vehicle or its equipment affecting the accuracy of any particulars of the description in the licence, give notification of the alteration to the Director General as soon as practicable after the alteration is made.

Penalty: 16 PU.

Modified penalty: 2 PU.

- (6) A person must not, without the approval of the Director General, remove from a vehicle, deface or modify a plate referred to in rule 178 of the Vehicle Standards.

Penalty: 16 PU.

Modified penalty: 2 PU.

(7) In this regulation —

“derivative of a car” means a motor vehicle of the same make as a factory produced car and in which the forward part of the body form and the greater part of the mechanical equipment are the same as those in the car.

[Regulation 69 amended in Gazette 3 Jan 2003 p. 8; 20 May 2003 p. 1807; 28 May 2004 p. 1842; 27 May 2005 p. 2315; 23 Dec 2005 p. 6283; 26 May 2006 p. 1884; 28 Nov 2006 p. 4896.]

70. Particulars of vehicles to be supplied

A manufacturer or distributor of motor vehicles must, at the request of the Director General, supply to the Director General known particulars of —

- (a) the construction;
- (b) the unloaded mass;
- (c) the GVM; and
- (d) the GCM,

of any new type of motor vehicle imported into the State or manufactured within the State.

Penalty: 16 PU.

71. Infringement notice penalties

If the penalty specified for an offence against these regulations includes a modified penalty, then for the purposes of section 102 of the Act —

- (a) the offence is prescribed; and
- (b) the amount of the modified penalty is the amount prescribed for the offence if the offence is dealt with under that section.

Schedule 1 — Mass and loading requirements

[Part 3]

Division 1 — Mass limits for heavy vehicles

1. Mass limit for a single vehicle

The total mass of a vehicle and any load must not exceed the vehicle's GVM.

2. Mass limits for tyres, wheels and axles

- (1) The mass on a wheel or axle must not exceed the limit set by its manufacturer.
- (2) The mass on a tyre must not exceed the greatest load capacity determined for the tyre by the manufacturer at a cold inflation pressure that does not exceed —
 - (a) 825 kPa for a radial ply tyre; or
 - (b) 700 kPa for any other tyre.
- (3) The mass on an axle group or single axle must not exceed the limit provided for it in Table 1.
- (4) The mass limit in Table 1 that applies to an axle group that includes a retractable axle must be determined as if the axle did not exist, unless subclause (5) applies.
- (5) A retractable axle is part of an axle group for the purposes of Table 1 if, when the mass on the group exceeds —
 - (a) 6 t, in the case of a tandem axle group; or
 - (b) 11 t, in the case of a tri-axle group,the tyres on the axle are in contact with the ground and the load-sharing suspension system is operating on each axle (including the retractable axle) and tyre in the group.
- (6) The sum of the mass on the axle groups and single axles on a vehicle must not exceed —
 - (a) in the case of a complying bus without a trailer —
 - (i) if the complying bus has 2 axles — 16.0 t;

- (ii) if the complying bus has a rear tandem axle group fitted with single tyres on one axle and dual tyres on the other axle — 20.0 t; and
- (iii) if the complying bus has a rear tandem axle group fitted with dual tyres on both axles — 22.5 t;
- (b) in the case of a combination consisting of a complying bus and a trailer — the sum of the mass limit specified for the bus in paragraph (a) and the mass limits of the axle groups and single axles of the trailer as provided in Table 1; and
- (c) in any other case — the sum of the mass limits of the axle groups and single axles as provided in Table 1.

Table 1 — Mass limits for single axles and axle groups

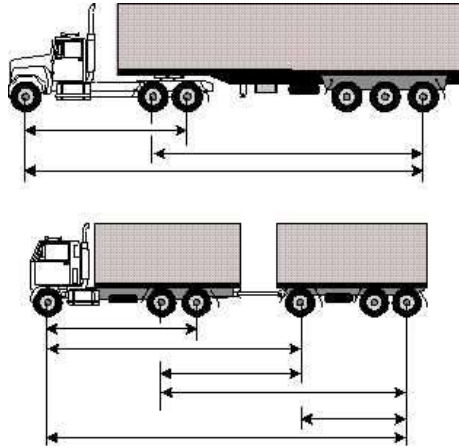
Description of single axle or axle group	Mass limit (t)
<i>Single axles and single axle groups</i>	
Single steer axle on —	
(a) a complying bus	6.5
(b) any other motor vehicle	6.0
Single axle or single axle group fitted with single tyres with section width of —	
(a) less than 375 mm	6.0
(b) at least 375 mm but less than 450 mm	6.7
(c) at least 450 mm	7.0
Single axle or single axle group fitted with dual tyres on —	
(a) a pig trailer	9.0
(b) a complying bus or a bus licensed to carry standing passengers	10.0
(c) any other vehicle	9.0
<i>Twinsteer axle groups</i>	
Twinsteer axle group without a load-sharing suspension system	10.0
Twinsteer axle group with a load-sharing suspension system	11.0

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Description of single axle or axle group	Mass limit (t)	
<i>Tandem axle groups</i>		
Tandem axle group fitted with single tyres with section width of —		
(a) less than 375 mm	11.0	
(b) at least 375 mm but less than 450 mm	13.3	
(c) at least 450 mm	14.0	
Tandem axle group fitted with single tyres on one axle and dual tyres on the other axle on —		
(a) a complying bus	14.0	
(b) any other vehicle	13.0	
Tandem axle group fitted with dual tyres on —		
(a) a pig trailer	16.5	
(b) any other vehicle	16.5	
<i>Tri-axle groups</i>		
Tri-axle group on a vehicle fitted with single tyres with section width of less than 375 mm on all axles, or single tyres on one or 2 axles and dual tyres on the other axle or axles		15.0
Tri-axle group on a pig trailer with either single tyres with section width of at least 375 mm, dual tyres on all axles, or a combination of those tyres		18.0
Tri-axle group, on a vehicle other than a pig trailer, with either single tyres with section width of at least 375 mm, dual tyres, or a combination of those tyres		20.0
<i>Quad-axle groups</i>		
Quad-axle group fitted with single tyres with section width of less than 375 mm		15.0
Quad-axle group fitted with single tyres with section width of at least 375 mm or dual tyres		20.0

3. Mass limits relating to axle spacing

- (1) If the total mass of a vehicle and any load cannot lawfully exceed 42.5 t, the mass limits in Table 2 must not be exceeded in relation to the distances set out in the Table that apply to the vehicle.
- (2) Each distance in Table 2 refers to —
 - (a) the distance from the centre of any single axle to the centre of any other single axle;
 - (b) the distance from the centre of any single axle to the centre of the furthest axle in any axle group; or
 - (c) the greatest distance between the centres of axles in any axle groups.



Measurement of distances for Table 2

- (3) The mass limits in Table 2 apply to the sum of the mass on each axle group or single axle in the distance referred to in the Table, including the axles between which the distance is measured.
- (4) The total mass of a vehicle and any load must not exceed 15 t if the distance between any 2 axles that are not part of the same axle group is less than 2.5 m.

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Table 2 — Mass limits relating to axle spacing

Distance (m)		Mass limit (t)
exceeding	not exceeding	
0	— 3.7	23.0
3.7	— 3.8	23.5
3.8	— 4.0	24.0
4.0	— 4.2	24.5
4.2	— 4.3	25.0
4.3	— 4.5	25.5
4.5	— 4.7	26.0
4.7	— 4.8	26.5
4.8	— 5.0	27.0
5.0	— 5.2	27.5
5.2	— 5.3	28.0
5.3	— 5.5	28.5
5.5	— 5.7	29.0
5.7	— 5.8	29.5
5.8	— 6.0	30.0
6.0	— 6.2	30.5
6.2	— 6.3	31.0
6.3	— 6.5	31.5
6.5	— 6.7	32.0
6.7	— 6.8	32.5
6.8	— 7.0	33.0
7.0	— 7.2	33.5
7.2	— 7.3	34.0
7.3	— 7.5	34.5
7.5	— 7.7	35.0
7.7	— 7.8	35.5
7.8	— 8.0	36.0
8.0	— 8.2	36.5
8.2	— 8.3	37.0

Distance (m)		Mass limit (t)
exceeding	not exceeding	
8.3	8.5	37.5
8.5	8.7	38.0
8.7	8.8	38.5
8.8	9.0	39.0
9.0	9.2	39.5
9.2	9.3	40.0
9.3	9.5	40.5
9.5	9.7	41.0
9.7	9.8	41.5
9.8	10.0	42.0
10.0	—	42.5

4. Mass limits for combinations

- (1) The total mass of a combination, other than a road train or B-double, and any load, must not exceed 42.5 t.
- (2) The loaded mass of a dog trailer or pig trailer must not exceed the loaded mass of the towing vehicle.
- (3) The total mass of a combination and any load must not exceed the towing vehicle's GCM.
- (4) If the manufacturer of a motor vehicle forming part of a road train or B-double has not determined the GCM of the vehicle, the total mass of the combination and any load must not exceed the amount, in kilograms, equal to A in the formula —

$$A = \frac{K \times M \times R \times T}{16}$$

where —

K is —

- (a) 0.055 if a single drive axle is fitted to the motor vehicle;
- (b) 0.053 if a single drive tandem axle group is fitted to the motor vehicle; or

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Schedule 1 Mass and loading requirements

Division 2 Mass limits for light vehicles

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(c) 0.051 if a dual drive tandem axle group is fitted to the motor vehicle;

M is the number of tyre revolutions per kilometre as specified by the tyre manufacturer for the tyres fitted to the driving axle or axles;

R is the overall gear reduction between engine and drive wheels;

T is the maximum engine net torque in newton-metres.

Division 2 — Mass limits for light vehicles

5. Maximum loaded mass

- (1) The total mass of a vehicle and any load must not exceed the vehicle's GVM.
- (2) Subject to clause 6(1), the loaded mass of a trailer or other vehicle that is being towed by a motor vehicle must not exceed —
 - (a) in the case of a trailer or vehicle equipped with brakes in accordance with Part 9 of the Vehicle Standards that is being towed by a motor vehicle other than a motor bike —
1 ½ times the unloaded mass of the motor vehicle by which it is being towed; or
 - (b) in a case to which paragraph (a) does not apply — the unloaded mass of the motor vehicle by which it is being towed.

[Clause 5 amended in Gazette 3 Jan 2005 p. 8.]

6. Loaded mass of a trailer

- (1) The loaded mass of a trailer that is being towed by a motor vehicle must not exceed the lesser of —
 - (a) the towing capacity of the towing apparatus fitted to the vehicle, as specified by the manufacturer of the towing apparatus; or
 - (b) the maximum loaded mass of a trailer that may be towed by the vehicle, as specified by the manufacturer of the vehicle.
- (2) If the towing capacity of the towing apparatus fitted to a motor vehicle is not specified by the manufacturer of the towing apparatus or otherwise cannot be determined, the maximum permitted loaded mass

referred to in subclause (1)(a) is taken to be less than the towing capacity of the towing apparatus fitted to the vehicle.

- (3) If the maximum trailer mass of a motor vehicle is not specified by the manufacturer of the vehicle or otherwise cannot be determined, the maximum permitted loaded mass referred to in subclause (1)(b) is taken to be —
- (a) if the trailer is equipped with brakes in accordance with Part 9 Division 3 of the Vehicle Standards — 1.5 times the unloaded mass of the vehicle; or
 - (b) if the trailer is not so equipped — the unloaded mass of the vehicle.

Division 3 — Size and projection of loads on heavy vehicles

7. Size limits

- (1) A vehicle and its load must not exceed a size limit set for the vehicle in Part 7 Division 2 of the Vehicle Standards.
- (2) The distance measured at right angles between the rear overhang line of a vehicle and the rear of any load it is carrying must not exceed the rear overhang that the vehicle is allowed under Part 7 Division 2 of the Vehicle Standards.

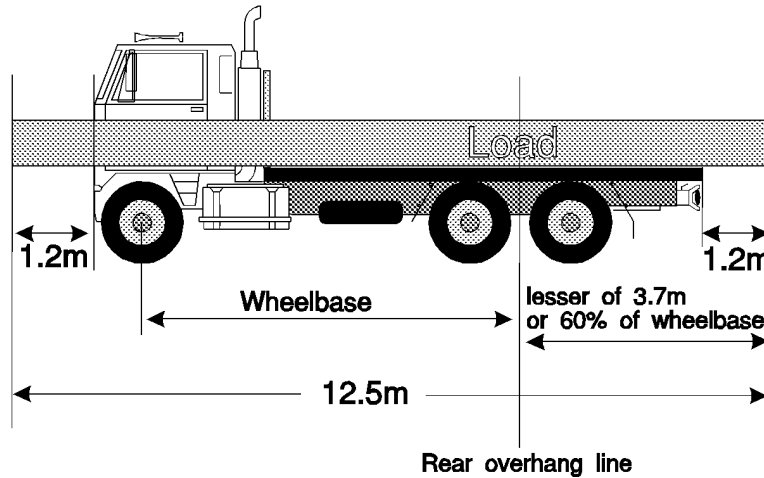


Illustration of —

- front projection limit;
- rear overhang limit from the Vehicle Standards; and
- maximum rear projection of load allowed without a warning signal.

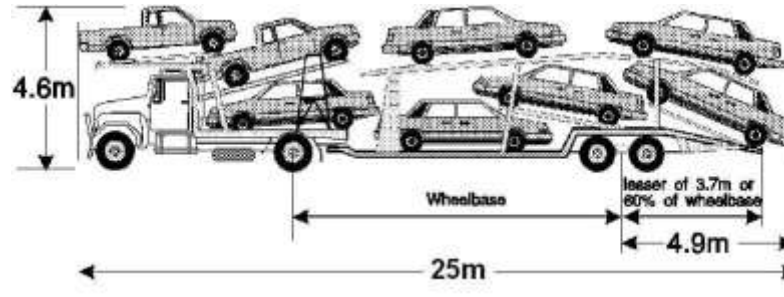
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Schedule 1 Mass and loading requirements

Division 3 Size and projection of loads on heavy vehicles

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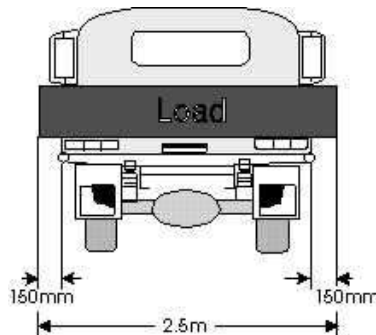
- (3) In spite of subclauses (1) and (2) —
- (a) the height of a vehicle that is carrying vehicles on more than one deck, and its load, must not exceed 4.6 m; and
 - (b) the distance measured at right angles between the rear overhang line of a trailer carrying vehicles on more than one deck and the rear of the rearmost vehicle on the trailer must not exceed 4.9 m.



Maximum allowable dimensions of a loaded car carrier

8. Front and side projections

A load on a vehicle must not project more than 1.2 m in front of the vehicle, or more than 150 mm from the outermost part of either side of it.



Vehicle loaded to width limits referred to in clause 7(1), with maximum side projection of load allowed under clause 8

9. Rear projections

- (1) The rear of a load on a vehicle must carry a warning signal if the load —
 - (a) projects more than 1.2 m behind the vehicle;
 - (b) projects to the rear of the vehicle so that the end of the load cannot be seen easily from behind; or
 - (c) is on a pole-type trailer.
- (2) In daytime, the warning signal must be a brightly coloured flag or piece of material, with each side at least 300 mm long.
- (3) At night-time, the warning signal must be a light showing a clear red light visible at a distance of 200 m.

10. Dangerous projections

A load on a vehicle must not project in a way that is dangerous to a person or to property, even if all dimension and warning requirements are met.

Division 4 — Size and projection of loads on light vehicles

11. Size and projection of loads

- (1) A vehicle and its load must not exceed a size limit set for the vehicle in Part 7 Division 2 of the Vehicle Standards.
- (1a) In the case of a vehicle other than a motor bike, the load and equipment on the vehicle must not project more than —
 - (a) 1.2 m in front of the vehicle; or
 - (b) 1.2 m to the rear of the vehicle.
- (2) In the case of a motor bike, the maximum longitudinal projection beyond the outer extremity of the wheels, of any part of the vehicle, or the load or equipment on the vehicle, must not exceed —
 - (a) for a motor bike only —
 - (i) 150 mm in the case of the front wheel; and
 - (ii) 300 mm in the case of the rear wheel;
 - (b) for a motor bike with an attached sidecar —
 - (i) 600 mm in the case of the front wheel; and
 - (ii) 900 mm in the case of the rear wheel.

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Schedule 1 Mass and loading requirements

Division 5 Placing and securing loads

cl. 12

- (3) In the case of a vehicle, the load and equipment on the vehicle, other than rear vision mirrors and approved signalling devices, must not project more than 150 mm beyond the extreme outer portion of the vehicle on either side.
- (4) Where any portion of the load or equipment on a vehicle projects in such a manner that it would not be readily visible to any person following immediately behind the vehicle, the driver of the vehicle must —
 - (a) mark the end of the load or equipment, by means of a brightly coloured flag or piece of material, with each side at least 300 mm long, so that it is clearly visible to persons in its vicinity; or
 - (b) at night-time, fit to the extreme end of the load or equipment a light showing a clear red light to the rear, visible at a distance of 200 m.

[Clause 11 amended in Gazette 3 Jan 2005 p. 8-9; 13 Dec 2005 p. 5991.]

Division 5 — Placing and securing loads

12. Loading obligations

- (1) A load on a vehicle must not be placed in a way that makes the vehicle unstable or unsafe.
- (2) A load on a vehicle must be secured so that it is unlikely to fall or be dislodged from the vehicle.
- (3) An appropriate method must be used to restrain the load on a vehicle.

13. Trailers

- (1) A trailer must be securely coupled to the vehicle in front of it.
- (2) The components of a coupling used between vehicles must be compatible and properly connected to each other.

Division 6 — Maximum numbers of omnibus passengers

14. Maximum passenger numbers

The maximum number of passengers that an omnibus is permitted to carry is the number calculated in accordance with Part 15 Division 1 of the Vehicle Standards.

Division 7 — Penalties for failure to comply with mass limits

Table 1 — Aggregate mass limits

[cl. 1, 2(6), 3, 4(1) and 4(3)]

Excess mass (%)			Penalties (PU)	
Exceeding	Not exceeding	Modified	Minimum	Maximum
0	11	2	2	10
11	15	4	4	16
15	18	6	6	22
18	21	8	8	28
21	25	10	10	36
25	28	12	12	42
28	31	14	14	48
31	35	16	16	60
35	38	18	18	70
38	41	20	20	78
41	44		22	86
44	47		24	94
47	50		26	102
50	53		28	110
53	56		30	118
56	59		32	120
59	62		34	120
62	65		36	120
65	68		38	120
68	71		40	120
71	74		42	120
74	77		44	120
77	80		46	120
80			48	120

[Table 1 amended in Gazette 3 Jan 2005 p. 9.]

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Schedule 1 Mass and loading requirements

Division 7 Penalties for failure to comply with mass limits

cl. 14

Table 2 — Axle group mass limits

[cl. 2(3)]

Excess mass (%)		Modified	Penalties (PU)	
Exceeding	Not exceeding		Minimum	Maximum
0	10	2	2	10
10	12	4	4	14
12	14	6	6	18
14	17	8	8	22
17	19	10	10	26
19	22	12	12	30
22	25	14	14	34
25	27	16	16	38
27	30	18	18	42
30	32	20	20	46
32	34		22	50
34	36		24	54
36	38		26	58
38	40		28	62
40	42		30	66
42	44		32	70
44	46		34	74
46	48		36	78
48	50		38	82
50	52		40	86
52	54		42	90
54	56		44	94
56	58		46	98
58	60		48	102
60	62		48	106
62	64		48	110
64	66		48	114
66	68		48	118
68			48	120

Table 3 — Single axle mass limits

[cl. 2(3)]

Excess mass (%)		Penalties (PU)		
Exceeding	Not exceeding	Modified	Minimum	Maximum
0	11	2	2	6
11	16	4	4	10
16	21	6	6	14
21	26	8	8	18
26	31	10	10	22
31	36	12	12	26
36	41	14	14	30
41	46	16	16	34
46	51	18	18	38
51	56	20	20	42
56	61		22	46
61	66		24	50
66	71		26	54
71	76		28	58
76	81		30	62
81	86		32	66
86	91		34	70
91	96		36	74
96	101		38	78
101	106		40	82
106	111		42	86
111	116		44	90
116	121		46	94
121	126		48	98
126	131		48	102
131	136		48	106
136	141		48	110
141	146		48	114
146	151		48	118
151			48	120

**Schedule 2 — Oversize and overmass vehicles —
conditions on exemptions**

[Part 4]

Division 1 — All vehicles travelling under a class 1 notice

1. Application of Division

This Division applies to all vehicles travelling under a class 1 notice.

2. Mass limits relating to tyre width

- (1) The mass on an axle fitted with tyres of a number and width described in Table 1 must not exceed the mass limit specified in the Table for that axle in relation to the narrowest tyre on the axle.

Table 1

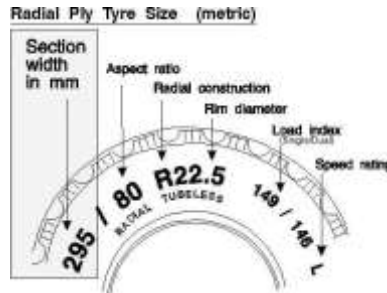
Width of narrowest tyre on axle (mm)		Mass limit (t)	
at least	less than	axle with 2 tyres	axle with 4 tyres
190	228	4.5	9.0
228	254	5.0	9.5
254	279	6.0	10.0
279	305	6.5	11.0
305	330	7.0	12.0
330	356	7.5	13.0
356	381	8.0	14.0
381	406	9.0	14.0
406	458	10.0	14.0
458	508	11.0	14.0
508		12.0	14.0

- (2) The mass on an axle group fitted with tyres of a number and width described in Table 2 must not exceed the mass limit specified in the Table for that axle group in relation to the narrowest tyre in the group.

Table 2

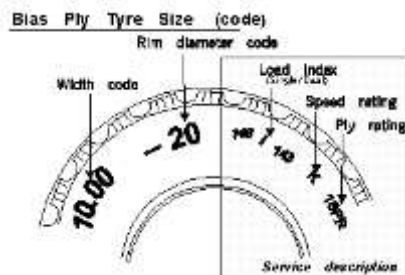
Width of narrowest tyre in the group (mm)		Mass limit (t)	
at least	less than	tandem axle group with 4 tyres	tri-axle group with 6 tyres
381	406	16.5	22.0
406	431	17.0	23.0
431	458	17.5	24.0
458	482	18.0	25.0
482	508	18.5	26.0
508		19.0	27.0

- (3) For the purposes of Tables 1 and 2, the tyre width of a radial ply tyre is the number of millimetres marked on the tyre in the position labelled “Section width in mm” on the diagram below.



Position of section width marking on radial ply tyre

- (4) For the purposes of Tables 1 and 2, the tyre width of a bias-type tyre is the number of millimetres equal to 25.4 times the number marked on the tyre in the position labelled “Width code in inches” on the diagram below.



Position of width code marking on diagonal or bias-type tyre

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Schedule 2 Oversize and overmass vehicles — conditions on exemptions

Division 1 All vehicles travelling under a class 1 notice

cl. 3

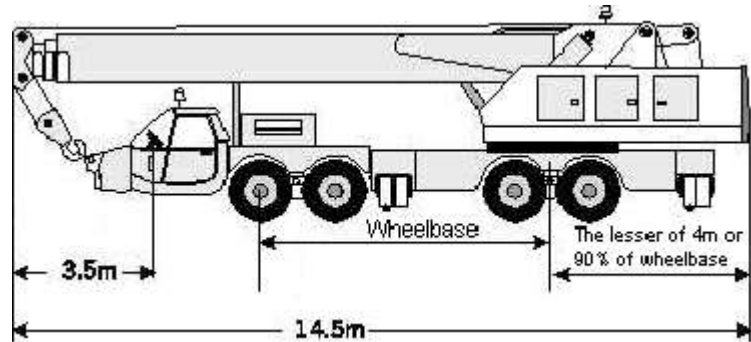
- (5) If no section width or width code is marked on a tyre, the tyre width for the purposes of Tables 1 and 2 may be determined by measuring the width of the part of the tyre that normally comes into contact with the road surface.

3. Dimension limits

- (1) A vehicle referred to in the first column of an item in Table 3 must not, together with any load, exceed the greater of the following —
- (a) the limit specified in column 3 of the item for the dimension of the vehicle and load specified in column 2 of the item;
 - (b) the limit provided for that dimension of the vehicle and load under Part 3 or under the Vehicle Standards.

Table 3

Type of vehicle	Dimension	Limit (m)
Any vehicle except an agricultural vehicle	Width	3.5
Any vehicle except an agricultural vehicle	Height	4.6
Any combination except an agricultural combination	Length	25.0
Special purpose vehicle	Length	14.5
Other rigid vehicle	Length	12.5
Special purpose vehicle	Distance from the rear overhang line to rear of the vehicle	Lesser of 4 m and 90% of the wheelbase
Semi-trailer	Distance from the rear overhang line to the rear of the vehicle (or load)	Lesser of 5.5 m and 25% of the vehicle's length
Special purpose vehicle	Projection in front of the centre of the steering wheel	3.5



Rigid mobile crane, showing dimension limits

- (2) Any flags, lights or mirrors on a vehicle or its load must be disregarded when measuring the dimensions of the vehicle for the purposes of this Schedule.
- (3) The centres of adjacent axles in an axle group on an overmass vehicle must be at least 1.2 m apart.

[Clause 3 amended in Gazette 3 Jan 2005 p. 9.]

4. Making an unloaded vehicle smaller

An oversize vehicle without a load must be reduced to the smallest practicable dimensions, with any booms fully retracted.

5. Warning devices for oversize vehicles

- (1) An oversize vehicle, together with any load, that is wider than 2.5 m, or longer than 25 m, must have —
 - (a) one warning sign at its front;
 - (b) one warning sign at its rear or, if it is carrying a rear-projecting load, at the rear of the load; and
 - (c) 4 brightly coloured flags or pieces of material, with each side at least 450 mm long.
- (2) One of the flags must be positioned at each side of the front and rear —
 - (a) of any projecting load; or
 - (b) if there is no projecting load — of the vehicle.

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Division 1 All vehicles travelling under a class 1 notice

cl. 6

- (3) An oversize vehicle that, together with any load, is not wider than 2.5 m, and whose length is more than 22 m but not more than 25 m, must have one warning sign at its rear or, if it is carrying a rear-projecting load, at the rear of the load.
- (4) Subclauses (1), (2) and (3) do not apply to —
 - (a) a road construction vehicle travelling within 1 km of a construction site, if the vehicle has a warning light;
 - (b) a tractor; or
 - (c) a rigid mobile crane less than 3 m wide.
- (5) If a load projects more than 150 mm beyond one side of an oversize vehicle, and the projection is less than 500 mm thick from top to bottom, there must be —
 - (a) a warning light attached to the vehicle; and
 - (b) at least 2 yellow, rigid pieces of material (known as “delineators”), one attached to the front and the other attached to the rear of the projection.
- (6) A delineator must —
 - (a) be at least 300 mm long and at least 300 mm wide;
 - (b) comply with Class 1 or 2 of Australian Standard AS 1906-1990 *Retro-reflective Materials and Devices for Road Traffic Control Purposes* as amended and in force at the commencement of these regulations;
 - (c) if at the front of the projection, be attached so that its reflective surface is facing forward of the vehicle; and
 - (d) if at the rear of the projection, be attached so that its reflective surface is facing rearward from the vehicle.
- (7) In the daytime, an oversize vehicle must display a warning light if the vehicle, together with any load, is wider than 3 m.

6. Additional warning devices at night-time

At night-time, an oversize vehicle must display —

- (a) lights showing yellow to the front and red to the rear (known as “side markers”) no more than 2 m apart along both sides of the vehicle and along any front or rear projection;

- (b) 2 red lights (known as “rear markers”) fixed to the rear of any rear-projecting load, within 400 mm of each side of the load, and at least 1 m but not more than 2.1 m above the ground; and
- (c) a warning light if the vehicle, together with any load, is wider than 2.5 m or longer than 22 m.

7. Headlights

An oversize vehicle, or the front vehicle in an oversize combination, must have its low-beam headlights on while travelling in the daytime, unless it is not required under the Vehicle Standards to have headlights.

8. Travel restrictions at night-time

At night-time, a vehicle that, together with any load, is wider than 3.1 m or longer than 22 m, must not —

- (a) travel outside an urban area; or
- (b) travel in an urban area without being accompanied by a pilot vehicle.

9. No travelling if low visibility

- (1) A vehicle must not begin to travel if, due to circumstances such as fog, heavy rain, smoke, dust or insect plague —
 - (a) visibility is less than 250 m during the daytime; or
 - (b) the headlights of a vehicle approaching within 250 m could not be seen at night-time.
- (2) If a vehicle is already travelling when visibility is reduced to the level described in subclause (1), the driver must drive it into the nearest safe parking area, and wait until visibility improves beyond that level before continuing to travel.

10. Minimum following distance

A person driving an oversize vehicle must maintain a distance of at least 200 m from an oversize vehicle travelling in front of it, unless —

- (a) it is overtaking the vehicle in front or the vehicle in front is stopping;

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Division 2 Load-carrying vehicles travelling under class 1 notice

cl. 11

- (b) there is a separate lane available for the use of overtaking traffic; or
- (c) it is in an urban area and it is not reasonably practicable to maintain a distance of 200 m.

11. Assessing routes

- (1) Before a vehicle is driven along any route, its driver and operator must be satisfied that the route has been assessed and that the vehicle can be driven along it without contravening subclause (2).
- (2) A vehicle must not be driven along a route if to do so would be likely to cause —
 - (a) disruption to telecommunication, electricity, rail, gas, water or sewage services; or
 - (b) damage to a road (including a bridge), structure, rail crossing or tree.
- (3) Subclause (2) does not apply if the authority responsible for the services or property has given permission for the vehicle to travel along the route, and the vehicle is driven in accordance with the permission.

Division 2 — Load-carrying vehicles travelling under class 1 notice

12. Application of Division

This Division applies only to load-carrying vehicles travelling under a class 1 notice.

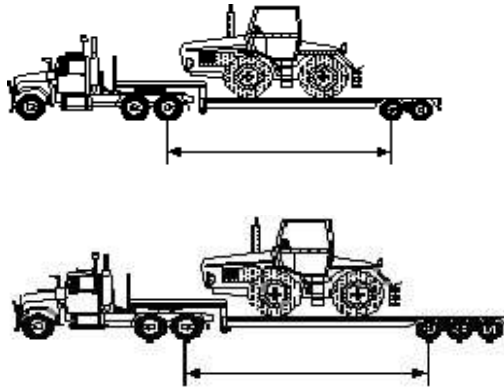
13. Mass limits for axles and axle groups

- (1) The mass on a single axle or axle group described in Table 4 must not exceed the mass limit specified opposite its description in the Table if it is in a combination consisting of a tandem drive prime mover towing —
 - (a) a low loader;
 - (b) a low loader dolly and a low loader;
 - (c) a jinker; or
 - (d) a low loader dolly and a jinker.

Table 4

Single axle or axle group	Mass limit (t)
Steer axle with 2 tyres	6.0
Twinsteer axle group without a load-sharing suspension system	10.0
Twinsteer axle group with a load-sharing suspension system	11.0
Single axle with 8 tyres	12.0
Tandem axle group with 8 or more tyres, not on a trailer	18.5
Tandem axle group with 16 or more tyres, on a trailer	21.0
Tri-axle group with 12 or more tyres	25.0
Tri-axle group with 12 or more tyres in which the horizontal distance between the centres of the outermost axles is more than 3.2 m or quad-axle group with 16 or more tyres	27.0

- (2) The sum of the mass on each of the combination's single axles and axle groups must not exceed the sum of the mass limits specified for each of them in Table 4.
- (3) In addition, the total mass of the combination and any load must not exceed —
 - (a) 49.5 t if the distance between the centre of the rearmost axle of the towing vehicle and the centre of the foremost axle of the combination's rear axle group is 6 m or more; or
 - (b) 49.5 t decreased by 1 t for every 0.3 m by which the distance referred to in paragraph (a) is less than 6 m.



Distance for the purpose of clause 13(3)

- (4) The mass on an axle group or single axle must not exceed the relevant limit under Part 3 if it is —
- (a) not described in Table 4; or
 - (b) on a load-carrying vehicle except one described in subclause (1).

14. Minimising width

- (1) If a load can be safely loaded in more than one way, it must be loaded in a way that minimises the width of the vehicle and its load.
- (2) An unloaded low loader, low loader dolly or jinker, with 4 tyres on each axle, must not be wider than 2.5 m.
- (3) An unloaded low loader, low loader dolly or jinker, with 8 tyres on each axle, must not be wider than 2.7 m.

15. Carrying goods in addition to a large indivisible item

- (1) A vehicle must not carry more than one large indivisible item unless —
 - (a) the vehicle and its load complies with the mass limits in Part 3; and

- (b) the carrying of additional large indivisible items does not cause the vehicle and its load to exceed a dimension limit in Part 3 that would not have been exceeded by the carrying of one of the large indivisible items.
- (2) A vehicle carrying one or more large indivisible items must not carry any other goods unless —
 - (a) the vehicle and its load complies with the mass limits in Part 3; and
 - (b) the other goods are contained within the dimension limits in Part 3.
- (3) Despite subclause (2), a vehicle carrying a special purpose vehicle or agricultural vehicle may also carry any equipment, tools, substances or detached parts to be used in conjunction with the vehicle being carried.

16. Towing a low loader dolly with an unloaded low loader

An unloaded low loader must not be towed in a combination with a low loader dolly unless —

- (a) the combination is 2.7 m wide or less; and
- (b) it would be unreasonable to require the dolly to be loaded onto the low loader because of the short distance to be travelled, or special difficulties in loading or unloading the dolly due to the nature of the site.

Division 3 — Special purpose vehicles travelling under a class 1 notice

17. Application of Division

This Division applies only to special purpose vehicles travelling under a class 1 notice.

18. Mass limits for axles and axle groups

- (1) The mass on a single axle or axle group described in Table 5 must not exceed the mass limit specified opposite its description in the Table.

Table 5

Type of axle or axle group	Mass limit (t)
Single axle or single axle group fitted with —	
(a) single tyres	7
(b) dual tyres	10
Twinsteer axle group —	
(a) without a load-sharing suspension system	10
(b) with a load-sharing suspension system	14
Tandem axle group fitted with single tyres	14
Tri-axle group fitted with single tyres	18

- (2) The mass on a tandem axle group fitted with dual tyres, where the centres of the axles are less than 1.35 m apart, must not exceed 20 t —
- (a) decreased by 1 t for each 100 mm by which the axle group's ground contact width is less than 2.4 m; or
 - (b) increased by 1 t for each 100 mm by which the axle group's ground contact width exceeds 2.5 m, but not increased to more than 27 t.
- (3) The mass on a tandem axle group fitted with dual tyres, where the centres of the axles are at least 1.35 m apart, must not exceed 23 t —
- (a) decreased by 1 t for each 100 mm by which the axle group's ground contact width is less than 2.4 m; or
 - (b) increased by 1 t for each 100 mm by which the axle group's ground contact width exceeds 2.5 m, but not increased to more than 27 t.
- (4) The mass on a tri-axle group fitted with dual tyres, where the centres of the axles are less than 1.35 m apart, must not exceed 25 t, decreased by 1 t for each 100 mm by which the axle group's ground contact width is less than 2.4 m.
- (5) The mass on a tri-axle group fitted with dual tyres, where the centres of the axles are at least 1.35 m apart, must not exceed 27 t, decreased by 1 t for each 100 mm by which the axle group's ground contact width is less than 2.4 m.

19. Total mass limits for special purpose vehicles

The total mass of a special purpose vehicle must not exceed the least of —

- (a) the sum of the mass allowed for each single axle and axle group on the vehicle;
- (b) 40 t; and
- (c) the amount, in tonnes, equal to M in the formula —

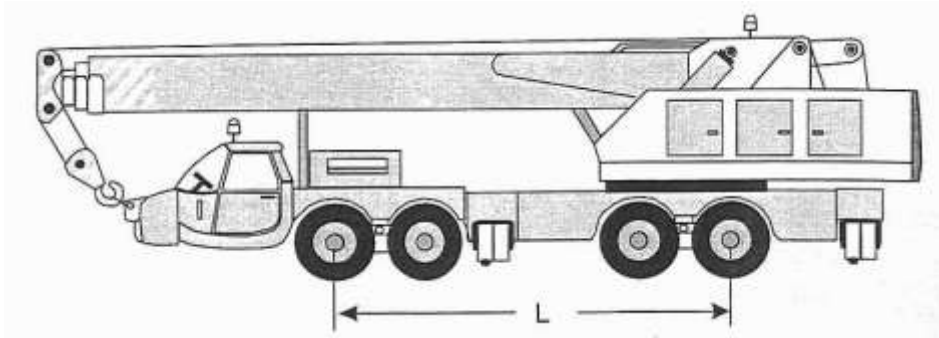
$$M = (3 \times L + 15 \pm G)$$

where —

L is the distance in metres between the centres of the vehicle's foremost and rearmost axles; and

G is a number of tonnes —

- (a) to be added at the rate of 1 t for each 100 mm by which the ground contact width of the rearmost axle exceeds 2.5 m; or
- (b) to be subtracted at the rate of 1 t for each 100 mm by which the ground contact width of the rearmost axle is less than 2.4 m.



Distance “L” for the purpose of the formula in clause 19

20. Side lights for travel at night-time

- (1) When travelling at night-time, a special purpose vehicle with a projection extending more than 1.2 m in front of the vehicle body must have a yellow light fixed on each side of the projection, mounted as far forward as possible, and shielded from the driver's view.

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Schedule 2 Oversize and overmass vehicles — conditions on exemptions

Division 4 Agricultural vehicles travelling under class 1 notices

cl. 21

- (2) Both lights must be visible to any traffic approaching the vehicle from the front, and at least one of the lights must be visible to any traffic approaching the vehicle from either side.

21. Markings for special purpose vehicles

- (1) Rear marker plates complying with ADR 13/00 as published in *Periodic Gazette* issue of the *Commonwealth of Australia Gazette* No. GN 48 of 13 December 1989, must be displayed at the rearmost part of the body of a special purpose vehicle.
- (2) A pattern covering an area of at least 0.16 m² and consisting of diagonal stripes at least 150 mm wide and alternately coloured —
- (a) red and white; or
 - (b) black and white,

must be displayed on the left and right sides of any rigid projection extending more than 1.2 m in front of the body of a special purpose vehicle, if it is practicable to do so.

22. Prohibition on towing other vehicles

A special purpose vehicle must not tow a vehicle.

Division 4 — Agricultural vehicles travelling under class 1 notices

23. Application of Division

This Division applies only to agricultural vehicles and agricultural combinations.

24. Mass limits

The mass on an axle described in Table 6, on an agricultural machine or implement with 2 axles, must not exceed the mass limit specified opposite its description in the Table.

Table 6

Number of tyres on an axle	Mass limit (t)
Axle fitted with 2 tyres	9.0
Axle fitted with 4 tyres and a ground contact width less than 2.51 m	9.0
Axle fitted with 4 tyres and a ground contact width at least 2.51 m but not more than 3.5 m	10.5
Axle fitted with 4 tyres and a ground contact width more than 3.5 m	12.0

25. Dimension limits

- (1) The height of an agricultural vehicle must not exceed 4.6 m.
- (2) On an agricultural vehicle, the distance from the rear overhang line to the rear of the vehicle must not exceed 4.5 m (except for augers or conveyors, on which the distance must not exceed 5.5 m).
- (3) The length of an agricultural machine must not exceed 12.5 m.
- (4) The length of an agricultural combination must not exceed 25 m.
- (5) The width of an agricultural machine alone or an agricultural machine or rigid vehicle towing an agricultural implement on a road in an area determined by the Commissioner of Main Roads to be in a category 1, 2 or 3 area for the purposes of Table 7, must not exceed the limit specified opposite that category in the Table.

Table 7

Area	Width limit (m)
Category 1	3.5
Category 2	5.0
Category 3	6.0

- (6) An agricultural vehicle or agricultural combination of any other type or on a road in any other area must not be wider than 2.5 m.

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26. Warning devices for agricultural vehicles

- (1) An agricultural vehicle or agricultural combination which is wider than 2.5 m, or an agricultural combination which is longer than 22 m, must have a warning light fixed to its highest practicable point when it is on a major road.
- (2) A warning sign must be displayed at the rear of an agricultural implement being towed by a tractor.
- (3) A pattern covering an area of at least 0.16 m² and consisting of diagonal stripes at least 150 mm wide and alternately coloured —
 - (a) red and white; or
 - (b) black and white,must be displayed at the sides of the rear of any auger, conveyor, or harvester comb carried on a comb trailer.
- (4) Any part of an axle extending more than 150 mm from the outside wall of a tractor's tyre must be painted fluorescent yellow or have yellow fluorescent or other high-visibility material wrapped around it.

27. Pilot vehicle requirements for agricultural vehicles

- (1) An agricultural vehicle or agricultural combination of a width described in Table 8 must be accompanied by pilot vehicles in accordance with the Table.

Table 8

Area of operation	Width	
	More than 3.7 m but less than 4.5 m	More than 4.5 m but less than 6 m
If the terrain limits a clear view of approaching traffic to less than 500 m	one pilot vehicle	2 pilot vehicles
A major road	one pilot vehicle	2 pilot vehicles
If there is a clear view of approaching traffic for at least 500 m, but not on a major road	nil	1 pilot vehicle

- (2) In spite of subclause (1), an agricultural vehicle or agricultural combination does not have to be accompanied by a pilot vehicle if it is travelling less than 500 m.

28. Agricultural vehicles not to use freeways

An oversize agricultural vehicle or agricultural combination must not be driven on a freeway.

29. Agricultural implements not to carry loads

An agricultural implement must not carry a load.

30. Speed limits for agricultural implements without brakes

An agricultural implement without brakes must not be towed at a speed greater than the lesser of —

- (a) 20 km an hour less than the speed limit set by the *Road Traffic Code 2000*; and
- (b) 50 km/hour.

31. Exemption from requirement for rear vision mirrors

A vehicle towing an agricultural implement wider than 3.5 m, which obscures the view to the rear of the vehicle, is exempt from any requirement under the Vehicle Standards to have a rear vision mirror fitted.

Division 5 — Pilot and escort vehicles

32. Application of Division

This Division applies to the operation of a pilot vehicle or escort vehicle that is accompanying a vehicle that is required by a class 1 notice or class 1 permit to be accompanied by a pilot vehicle or escort vehicle.

33. Requirements for a pilot vehicle

- (1) A pilot vehicle must have 4 or more wheels and a GVM of —
- (a) 6.5 t or less in the case of a rear pilot vehicle if 2 pilot vehicles are required; or
 - (b) 4.5 t or less in any other case.

- (2) A pilot vehicle must have a warning sign on its roof.
- (3) A pilot vehicle must only have a warning light attached —
 - (a) above or below the sign; or
 - (b) at each side of the sign.

34. Requirements for an escort vehicle

- (1) An escort vehicle, other than a police motor bike, must have —
 - (a) 4 or more wheels;
 - (b) a GVM of 4.5 t or less; and
 - (c) on its roof a light that flashes or 2 lights that flash when switched on.
- (2) A light referred to in subclause (1) must flash yellow (or another colour or colours approved by the Director General) unless the vehicle is a police vehicle.

35. Headlights on a pilot vehicle or escort vehicle

The low-beam headlights on a pilot vehicle or escort vehicle must be switched on when it is accompanying an oversize vehicle during the daytime.

36. What may a pilot vehicle or escort vehicle carry

A pilot vehicle or escort vehicle must not tow a trailer or carry a load, but it may carry tools, equipment or substances for use in connection with the oversize vehicle that it is accompanying or for restraining the load on that vehicle.

37. Where must a pilot vehicle be driven

- (1) When one pilot vehicle accompanies an oversize vehicle, the pilot vehicle must travel —
 - (a) behind the oversize vehicle if they are on a divided road; or
 - (b) in front of the oversize vehicle if they are on a road that is not divided.
- (2) When 2 pilot vehicles accompany an oversize vehicle, one pilot vehicle must travel in front of the oversize vehicle, and the other behind it.

- (3) A pilot vehicle must travel far enough away from the oversize vehicle it is accompanying to give adequate warning to other road users of the presence of the oversize vehicle, taking into account traffic speed, weather, visibility and other driving conditions.

38. Communication between drivers

- (1) An oversize vehicle and any accompanying pilot vehicle or escort vehicle must have an electronic device that allows the drivers to communicate effectively with each other.
- (2) Subclause (1) does not apply if —
- (a) the oversize vehicle is an oversize agricultural machine;
 - (b) the oversize vehicle is an oversize combination that includes an agricultural machine; or
 - (c) the escort vehicle is a police vehicle.

Division 6 — Warning lights

39. Characteristics of warning lights

When switched on, a warning light on an oversize vehicle or pilot vehicle must —

- (a) emit a rotating, flashing, yellow (or another colour or colours approved by the Director General) coloured light;
- (b) flash between 120 and 200 times a minute;
- (c) have a power of at least 55 watts; and
- (d) not be a strobe light.

40. Visibility of warning lights

- (1) A warning light on an oversize vehicle or a pilot vehicle or escort vehicle (other than a police vehicle) must be —
- (a) clearly visible at a distance of 500 m in all directions; or
 - (b) supplemented by one or more additional warning lights so that the light emanating from at least one of them is clearly visible at a distance of 500 m in any direction.
- (2) In spite of subclause (1), in the case of a pilot vehicle travelling in front of an oversize vehicle, a filter may be placed behind the warning

light on the pilot vehicle, to reduce the intensity of the light directed to the driver of the oversize vehicle.

41. Warning lights to be on if required, and off if not

- (1) Any warning light which an oversize vehicle is required to have must only be switched on when the vehicle is travelling or is stationary in a position that is likely to cause danger to other road users.
- (2) Any warning light which a pilot vehicle or escort vehicle is required to have must be switched on when the vehicle is travelling and accompanying an oversize vehicle.
- (3) If a vehicle is not required under this Schedule to have a warning light, it must not have one that is switched on.

Division 7 — Warning signs

Subdivision 1 — When this Division applies

42. What specifications must a warning sign comply with

A warning sign on an oversize vehicle, an oversize agricultural vehicle or a pilot vehicle, must comply with the specifications in this Division.

Subdivision 2 — Oversize vehicles and pilot vehicles

43. Face of a warning sign

- (1) The face of a warning sign must have a yellow surface which complies with Class 1 or 2 of Australian Standard AS 1906 — 1990 *Retro-reflective Materials and Devices for Road Traffic Control Purposes*, Divisions 1 to 4 (inclusive).
- (2) The face of the warning sign must have a black border at least 20 mm wide.
- (3) The outermost edge of the border must be set at least 10 mm in from the edge of the sign unless the sign has been made with a box edge.
- (4) The warning sign must display the manufacturer's name or logo, and the brand and class of retro-reflective material used in block letters at least 3 mm, but not more than 10 mm, high.

- (5) The marking may appear in any visible location on the sign, except in a bottom corner of a sign used on a pilot vehicle.

[Clause 43 amended in Gazette 3 Jan 2005 p. 9.]

44. Material for a warning sign

- (1) A warning sign must be made of stiff, flat, weatherproof material.
- (2) In spite of subclause (1), a warning sign may be made of flexible material if the sign is held taut, and is clearly visible and unlikely to become dislocated, furl or otherwise become difficult to read by other road users.
- (3) A flexible warning sign must comply with all the other requirements as if it were a stiff sign.
- (4) A flexible warning sign that is in such condition or state that its message cannot be easily read by other road users is deemed not to be a warning sign for the purposes of this Schedule.

45. Keeping warning signs clean

A warning sign on a vehicle must be kept clean enough so that it can be easily read by other road users.

46. Warning sign must not be displayed if not required

A warning sign must not be displayed on a vehicle that is not an oversize vehicle or a pilot vehicle.

Subdivision 3 — Oversize vehicles only

47. Size of a warning sign

- (1) A warning sign on an oversize vehicle must be at least 1200 mm long and at least 450 mm high.
- (2) The sign may be split into 2 parts, in which case the combined length of its parts must be at least 1200 mm.

48. Face of a warning sign

- (1) A warning sign on an oversize vehicle must show the word “OVERSIZE”, in black upper-case lettering, conforming with Australian Standard AS 1744 — 1975 *Forms of Letters and Numerals for Road Signs*, in typeface Series C(N).

- (2) The lettering must be at least 200 mm high.
- (3) The top and the bottom of the lettering must be at least 125 mm from the top and bottom of the sign, respectively.
- (4) If the sign is split into 2 parts —
 - (a) the part mounted on the left must show the letters “OVER” and the part mounted on the right must show the letters “SIZE”; and
 - (b) there must be no border between the 2 parts, in spite of clause 43(2) and (3).



Warning sign for an oversize vehicle

[Clause 48 amended in Gazette 3 Jan 2005 p. 9.]

49. Mounting a warning sign

- (1) A warning sign on an oversize vehicle must be mounted vertically.
- (2) The lower edge of the sign must be —
 - (a) above the bottom of the bumper bar; or
 - (b) if there is no bumper bar — at least 500 mm from the ground level.
- (3) If the sign is split into 2 parts, each part must be fitted at the same height as the other.

Subdivision 4 — Pilot vehicles only

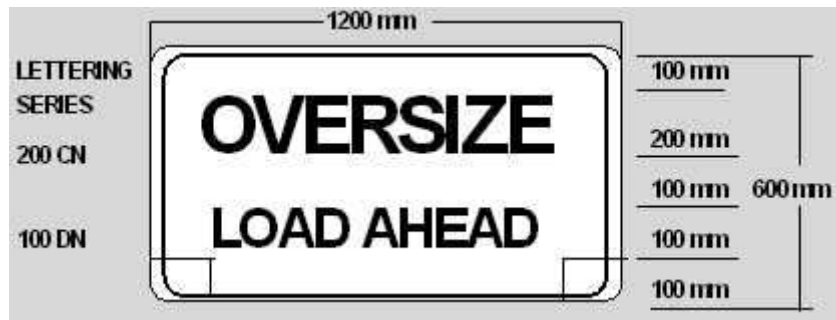
50. Size and shape of a warning sign

- (1) A warning sign on a pilot vehicle must be at least 1200 mm long and at least 600 mm high.

- (2) The sign may have bottom corner cut-outs not more than 150 mm wide and not more than 100 mm high if they are needed for mounting the warning lights.

51. Faces of a warning sign

- (1) Both faces of a warning sign on a pilot vehicle must show —
- (a) the word “OVERSIZE”, in black upper-case lettering at least 200 mm high, conforming with Australian Standard AS 1744 — 1975 *Forms of Letters and Numerals for Road Signs*, in typeface Series C(N); and
 - (b) the words “LOAD AHEAD”, in black upper-case lettering at least 100 mm high, conforming with Australian Standard AS 1744 — 1975 *Forms of Letters and Numerals for Road Signs*, in typeface Series D(N).
- (2) The bottom of the lettering of the word “OVERSIZE” must be at least 300 mm from the bottom of the sign.
- (3) The bottom of the lettering of the words “LOAD AHEAD” must be at least 100 mm from the bottom of the sign.

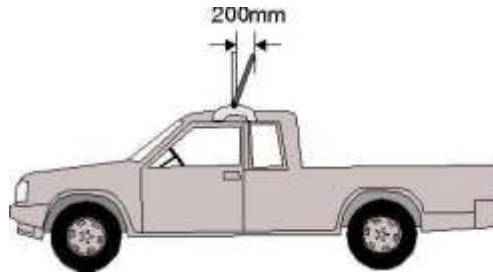


Warning sign for a pilot vehicle

[Clause 51 amended in Gazette 3 Jan 2005 p. 9.]

52. Mounting a warning sign

A warning sign on a pilot vehicle must not lean back so that there is more than 200 mm measured horizontally from the top of the sign to a vertical line running through the bottom of the sign.



Maximum slant of warning sign

Division 8 — Interpretation

53. Application to retractable axles

For the purposes of this Schedule, a retractable axle must be taken to be an axle when it is in the lowered position and must be taken not to be an axle when it is in the raised position.

54. Application of mass limits where more than one applies

If 2 or more mass limits apply to the same axle or axle group as a result of the application of provisions in Table 1, 2, 4, 5 or 6, or in any 2 or more of those Tables, the axle or axle group must comply with the lower or lowest of those limits.

Glossary

[r. 3(2)]

1. Definitions

- (1) Unless the contrary intention appears, in these regulations and the Vehicle Standards —

“**50 mm kingpin**” means a kingpin meeting the dimension requirements for a 50 mm kingpin in Australian Standard AS 2175-1990 *Articulated Vehicles — Kingpins*;

“**75 mm kingpin**” means a kingpin with the dimensions mentioned in rule 159(3) of the Vehicle Standards;

“**90 mm kingpin**” means a kingpin meeting the dimension requirements for a 90 mm kingpin in Australian Standard AS 2175-1990 *Articulated Vehicles — Kingpins*;

“**adopted standard**” has the meaning given by rule 18 of the Vehicle Standards;

“**ADR**” (which stands for “Australian Design Rule”) has the meaning given by rule 8 of the Vehicle Standards;

“**agricultural combination**” means a combination that includes at least one agricultural vehicle;

“**agricultural implement**” means a vehicle without its own motive power, built to perform agricultural tasks;

“**agricultural machine**” means a machine with its own motive power, built to perform agricultural tasks;

“**agricultural vehicle**” means an agricultural implement or agricultural machine;

“**air brake**” means an air-operated or air-assisted brake;

“**approved air suspension system**”, in relation to a vehicle, means a suspension system in which —

- (a) vertical movement between each axle and the body of the vehicle is controlled by variations in the pressure of air in an air spring; and
- (b) the proportion of the vehicle’s mass that is borne by the air spring remains substantially constant despite variations in the pressure of air in the air spring;

cl. 1

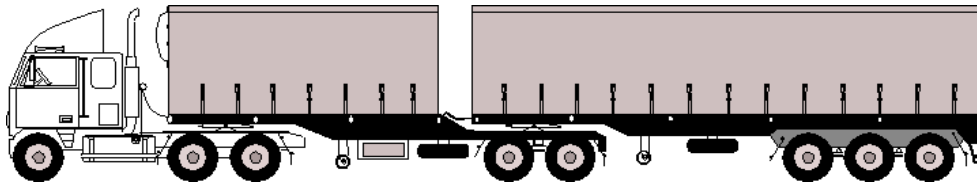
“articulated bus” means a bus with at least 2 rigid sections that allow passengers access between the sections and are connected to allow rotary movement between the sections;

“Australian Standard” means a standard approved for publication on behalf of the Standards Association International Limited (ACN 087 326 690);

“axle” means one or more shafts, positioned in a line across a vehicle, on which one or more wheels intended to support the vehicle turn;

“axle group” means a single axle group, tandem axle group, twinsteer axle group, tri-axle group or quad-axle group;

“B-double” means a combination consisting of a prime mover towing 2 semi-trailers;



B-double

“braking system”, of a vehicle, means all the brakes of the vehicle and all the components of the mechanisms by which they are operated;

“British Standard” means a standard approved for publication on behalf of the British Standards Institution, being an institution established under royal charter in the United Kingdom;

“bus” means a motor vehicle built mainly to carry people that seats more than 9 adults (including the driver);

“car” means a motor vehicle built mainly to carry people that —

- (a) seats not more than 9 adults (including the driver);
- (b) has a body commonly known as a sedan, station wagon, coupe, convertible or roadster; and
- (c) has 4 or more wheels;

“centre”, in relation to an axle, means —

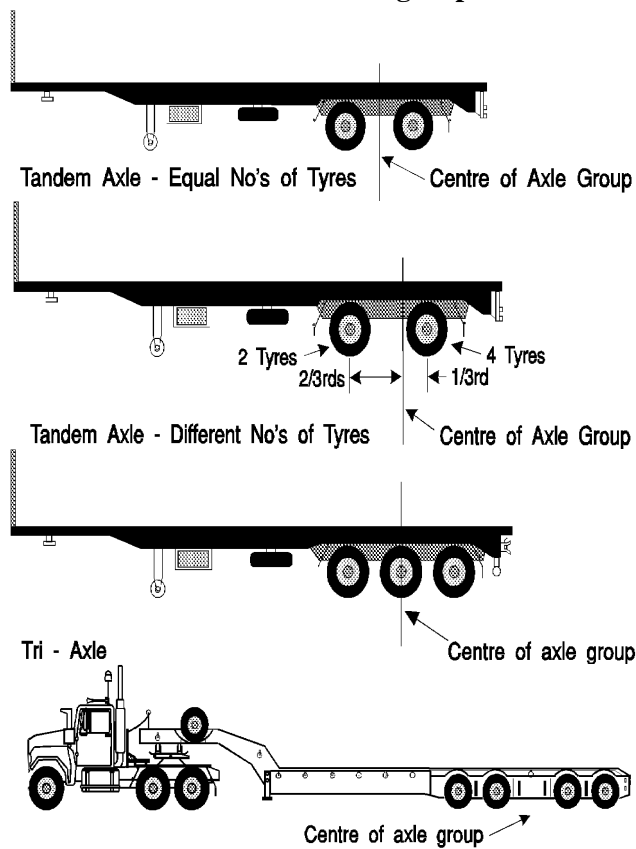
- (a) if the axle consists of one shaft — a line parallel to the length of the axle and passing through its centre; and

- (b) if the axle consists of 2 shafts — a line in the vertical plane passing through the centre of both shafts and through the centres of the wheels on those shafts;

“centre”, in relation to an axle group, means —

- (a) a line midway between the centres of the outermost axles of the group; or
- (b) if the axle group consists of 2 axles, one of which is fitted with twice as many tyres as the other — a line one-third of the way from the centre of the axle with more tyres to the centre of the axle with fewer tyres;

Centre of an axle group



Quad-axle group

cl. 1

“class 1 notice” means a notice issued under regulation 24;

“class 1 permit” means a permit granted under regulation 25;

“class 1 vehicle” means a restricted access vehicle —

- (a) that is —
 - (i) a special purpose vehicle;
 - (ii) an agricultural machine or agricultural implement;
or
 - (iii) designed to carry, or is carrying, a large indivisible item;
 - (b) that is not —
 - (i) a road train;
 - (ii) a B-double; or
 - (iii) carrying a freight container designed for multi-modal transport;
- and
- (c) that together with its load exceeds —
 - (i) a mass limit in Schedule 1 Division 1 or 2;
 - (ii) a dimension limit in the Vehicle Standards; or
 - (iii) a dimension limit in Schedule 1 Division 3 or 4;

“class 2 notice” means a notice published under regulation 29;

“class 2 permit” means a permit issued under regulation 30;

“class 2 vehicle” means a restricted access vehicle that complies with the mass and dimension limits prescribed in Part 3 and the Vehicle Standards, and is —

- (a) a B-double;
- (b) a road train;
- (c) a controlled access bus not more than 14.5 m long;
- (d) a combination carrying vehicles on more than one deck that, together with its load, meets one or both of the following criteria —
 - (i) its height exceeds 4.3 m but does not exceed 4.6 m;

(ii) its length exceeds 19 m;

or

(e) a vehicle that exceeds 4.3 m, but does not exceed 4.6 m, in height and is built to carry cattle, sheep, pigs or horses;

“class 3 notice” means a notice published under regulation 33;

“class 3 permit” means a permit issued under regulation 34;

“class 3 vehicle” means a restricted access vehicle other than a class 1 vehicle or a class 2 vehicle;

“combination” means a group of vehicles consisting of a motor vehicle connected to one or more vehicles;

“compliance notice” means a compliance notice issued under regulation 61;

“complying bus” means a bus —

(a) with 2 or 3 axles and a single steer axle that —

(i) is fitted with a compliance plate in accordance with the *Motor Vehicle Standards Act 1989* of the Commonwealth indicating that the bus was manufactured during or after July 1994;

(ii) meets the emergency exit specifications in ADR 44;

(iii) meets the rollover strength specifications in ADR 59;

(iv) meets the occupant protection specifications in ADR 68; and

(v) is equipped with an approved air suspension system;

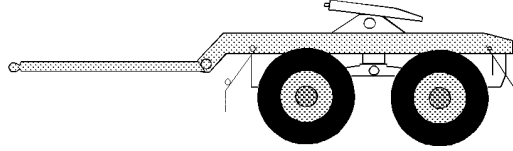
or

(b) that is the subject of a declaration under regulation 19 or under a law of the Commonwealth or another State or a Territory that corresponds with that regulation;

“controlled access bus” means a bus, except an articulated bus, over 12.5 m long;

cl. 1

“**converter dolly**” means a trailer with one axle group or single axle, and a fifth wheel coupling, designed to convert a semi-trailer into a dog trailer;



Converter dolly

“**dangerous goods**” has the meaning given by regulation 2.2 of *Dangerous Goods (Transport) (Road and Rail) Regulations 1999*;

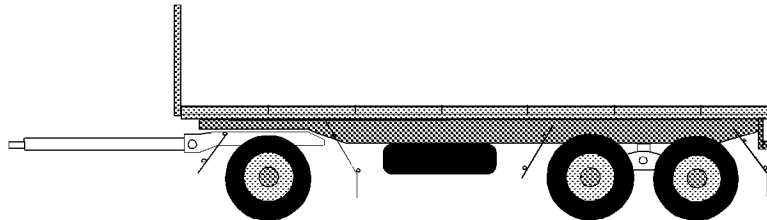
“**daytime**” means the period from sunrise to sunset;

“**Department**” means the department of the Public Service principally assisting in the administration of the Act;

“**departmental exemption**” means an exemption under section 103B of the Act granted by the Director General in accordance with Part 6;

“**dog trailer**” means a trailer (including a trailer consisting of a semi-trailer and converter dolly) with —

- (a) one axle group or single axle at the front that is steered by connection to the towing vehicle by a drawbar; and
- (b) one axle group or single axle at the rear;



Dog trailer

“**drawbar**” means a part of a trailer (except a semi-trailer) connecting the trailer body to a coupling for towing purposes;

“**drive**” includes be in control of;

“driver”, of a motor vehicle, means the person driving the vehicle;

“emergency brake” means a brake designed to be used if a service brake fails;

“emergency vehicle” means —

- (a) a vehicle operated by the police force and ordinarily used by police officers in the course of carrying out their duties;
- (b) a vehicle operated by —
 - (i) a fire brigade under the *Fire Brigades Act 1942*;
 - (ii) a bush fire brigade under the *Bush Fires Act 1954*;
or
 - (iii) the Fire and Emergency Services Authority of Western Australia under the *Fire and Emergency Services Authority of Western Australia Act 1998*,
and ordinarily used by members of the brigade or members of staff of that Authority in the course of carrying out their duties;
- (c) an ambulance;
- (d) an emergency vehicle within the meaning of a law of the Commonwealth or another State or a Territory that corresponds with these regulations or the Vehicle Standards;
or
- (e) a vehicle in respect of which a declaration under subclause (3)(a) is in force;

“emission control system”, for a vehicle, means an emission control system —

- (a) fitted to the vehicle when it was built; or
- (b) better than, or equivalent to, an emission control system fitted to the vehicle when it was built;

“escort vehicle” means a motor vehicle that is being used —

- (a) to transport a police officer, or other person authorised to direct traffic; and

cl. 1

- (b) to warn other road users of the presence of an oversize vehicle;

“fifth wheel coupling” means a device, except the upper rotating element and the kingpin (which are parts of a semi-trailer), used with a prime mover, semi-trailer, or converter dolly, to allow quick coupling and uncoupling and to provide for articulation;

“front fog light” means a light used to improve the illumination of the road in case of fog, snowfall, heavy rain or a dust storm;

“GCM” (which stands for “gross combination mass”), in relation to a motor vehicle, means the greatest possible sum of the maximum loaded mass of the motor vehicle and of any vehicles that may lawfully be towed by it at one time —

- (a) as specified by the motor vehicle’s manufacturer —

- (i) on a plate fixed to the vehicle by the manufacturer; or

- (ii) if the manufacturer has not specified the sum of the maximum loaded mass on a plate fixed to the vehicle — in another place;

or

- (b) as specified by the relevant authority if —

- (i) the manufacturer has not specified the sum of the maximum loaded mass;

- (ii) the manufacturer cannot be identified; or

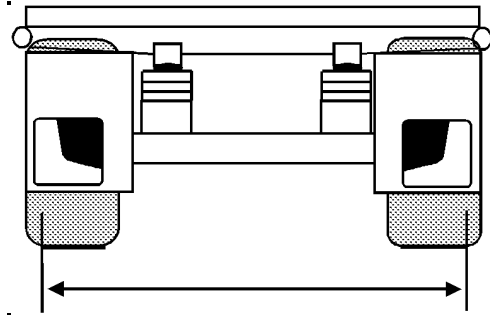
- (iii) the vehicle has been modified to the extent that the manufacturer’s specification is no longer appropriate;

“goods vehicle” means a motor vehicle built to be used primarily to carry goods or materials used in any trade, business or industry;

“ground contact width” —

- (a) in relation to an axle, means the distance between the outermost point of ground contact of the outside tyres on each end of the axle; and

- (b) in relation to an axle group, means the greatest ground contact width of all the axles in the group;



Ground contact width of an axle

“GTM” (which stands for “gross trailer mass”) means the mass transmitted to the ground by the axles of a trailer when the trailer is loaded to its GVM and connected to a towing vehicle;

“GVM” (which stands for “gross vehicle mass”) means the maximum loaded mass of a vehicle —

- (a) as specified by the manufacturer; or
- (b) as specified by the relevant authority if —
 - (i) the manufacturer has not specified a maximum loaded mass;
 - (ii) the manufacturer cannot be identified; or
 - (iii) the vehicle has been modified to the extent that the manufacturer’s specification is no longer appropriate;

“high-beam”, for a headlight or front fog light fitted to a vehicle, means that the light is built or adjusted so that, when the vehicle is standing on level ground, the top of the main beam of light projected is above the low-beam position;

“identifier”, in relation to a vehicle, has the same meaning as in regulation 2 of the *Road Traffic (Written-Off Vehicle Register) Regulations 2003*;

cl. 1

“inspection station” means premises established by a person authorised under regulation 3A(1)(b) of the *Road Traffic (Vehicle Licensing) Regulations 1975*³;

“jinker” means an axle or axle group which is built to support part of a load, and is connected to the vehicle in front of it by a pole or cable or the load itself, if any;

“large indivisible item” means an item that —

- (a) cannot be divided without extreme effort, expense or risk of damage to it; and
- (b) cannot be carried on any vehicle without exceeding a mass or dimension limit in these regulations or the Vehicle Standards;

“left”, for a vehicle, means to the left of the centre of the vehicle when viewed by a person in the vehicle who is facing to the front of the vehicle;

“load”, in relation to a vehicle, includes anything that is normally removed from the vehicle when the vehicle is not in use, but does not include —

- (a) tools, equipment or substances necessary for the vehicle or combination to function, or for any load to be restrained; or
- (b) personal items used by the driver;

“load-carrying”, in relation to a vehicle, means a vehicle that is carrying, or is built to carry, a load;

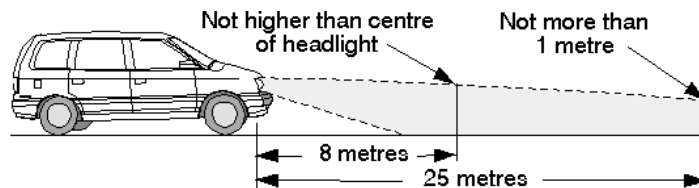
“load-sharing suspension system” means an axle group suspension system that —

- (a) is built to divide the load between the tyres on the group so that no tyre carries a mass more than 10% greater than the mass it would carry if the load were divided equally; and
- (b) has effective damping characteristics on all axles of the group;

“loaded mass”, of a vehicle, means the total mass of the vehicle and its load;

“low-beam”, for a headlight or front fog light fitted to a vehicle, means that the light is built or adjusted so that, when the vehicle is standing on level ground, the top of the main beam of light projected is —

- (a) not higher than the centre of the headlight or fog light, when measured 8 m in front of the vehicle; and
- (b) not more than 1 m higher than the level where the motor vehicle is standing, when measured 25 m in front of the vehicle;



A headlight in the low-beam position

“low loader” means a gooseneck semi-trailer with a loading deck no more than 1 m above the ground;

“low loader dolly” means a mass-distributing device that —

- (a) is usually coupled between a prime mover and a low loader;
- (b) consists of a gooseneck rigid frame;
- (c) does not directly carry any load on itself; and
- (d) is equipped with one or more axles, a kingpin and a fifth wheel coupling;

“Ministerial exemption” means a declaration under section 103B of the Act made by the Minister in accordance with Part 5;

“moped” means a motor bike or motor trike with an engine cylinder capacity of not over 50 mL and a maximum speed of not over 50 km/h;

“motor bike” means a motor vehicle with 2 wheels, and includes a 2 wheeled motor vehicle with a sidecar attached to it that is supported by a third wheel;

“motor trike” means a motor vehicle with 3 wheels, but does not include a 2 wheeled motor vehicle with a sidecar attached to it that is supported by a third wheel;

cl. 1

“**motor vehicle**” means a vehicle built to be propelled by a motor that forms part of the vehicle;

“**mudguard**” means a fitting or device, with or without a mudflap, that is built and fitted to a vehicle in a way that will, as far as practicable, catch or deflect downwards any stone, mud, water or other substance thrown up by the rotation of the wheel to which the fitting or device is fitted;

“**national standard**” has the meaning given by rule 9 of the Vehicle Standards;

“**night-time**” means the period between sunset and sunrise;

“**omnibus**” means a motor vehicle that is equipped to seat more than 8 adult persons (including the driver) and that is used for the carriage of passengers for hire or reward;

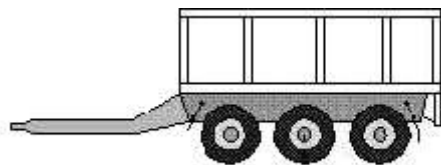
“**operator**” means a person who controls or directs the operations of a vehicle, or who is otherwise responsible for it;

“**overmass**”, in relation to a vehicle, means having a mass that, including the mass of any load, exceeds a relevant mass limit in Part 3 (whether or not the vehicle is also oversize);

“**oversize**”, in relation to a vehicle, means having a dimension that, including the dimension of any load, exceeds a relevant dimension limit in Part 3 or the Vehicle Standards (whether or not the vehicle is also overmass);

“**oversize tri-axle group**” means a group of 3 axles in which the horizontal distance between the centres of the outermost axles is more than 3.2 m;

“**pig trailer**” means a trailer with one axle group or a single axle near the middle of its load-carrying surface, and connected to the towing vehicle by a drawbar;

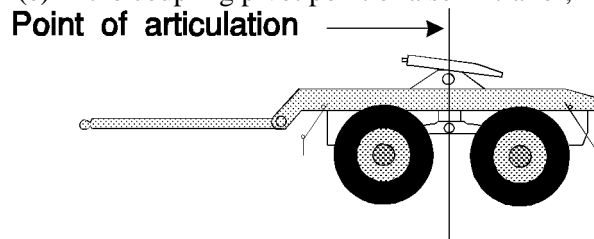


Pig trailer

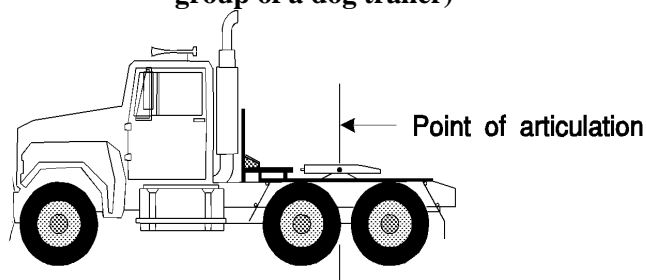
“pilot vehicle” means a motor vehicle, other than an escort vehicle, being used to warn other road users of the presence of an oversize vehicle;

“point of articulation” means —

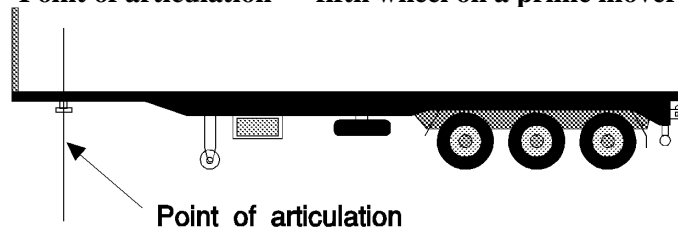
- (a) the axis of a kingpin for a fifth wheel;
- (b) the vertical axis of rotation of a fifth wheel coupling;
- (c) the vertical axis of rotation of a turntable assembly;
- (d) the vertical axis of rotation of the front axle group, or single axle, of a dog trailer; or
- (e) the coupling pivot point of a semi-trailer;



Point of articulation — fifth wheel coupling on a converter dolly (forming the front axle group of a dog trailer)



Point of articulation — fifth wheel on a prime mover

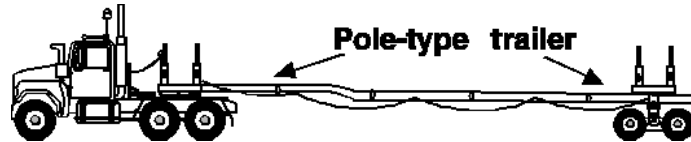


Point of articulation — kingpin for fifth wheel

cl. 1

“**pole-type trailer**” means a trailer that —

- (a) is attached to a towing vehicle by a pole, or an attachment fitted to the pole; and
- (b) is ordinarily used for transporting loads, such as logs, pipes, structural members, or other long objects, that can generally support themselves like beams between supports;



Pole-type trailer

“**prime mover**” means a motor vehicle built to tow a semi-trailer;

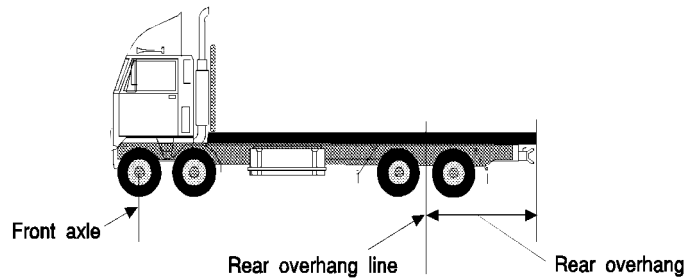
“**quad-axle group**” means a group of 4 axles in which the horizontal distance between the centres of the outermost axles is over 3.2 m, but not over 4.9 m;

“**RAV notice**” means a class 1 notice, class 2 notice or class 3 notice;

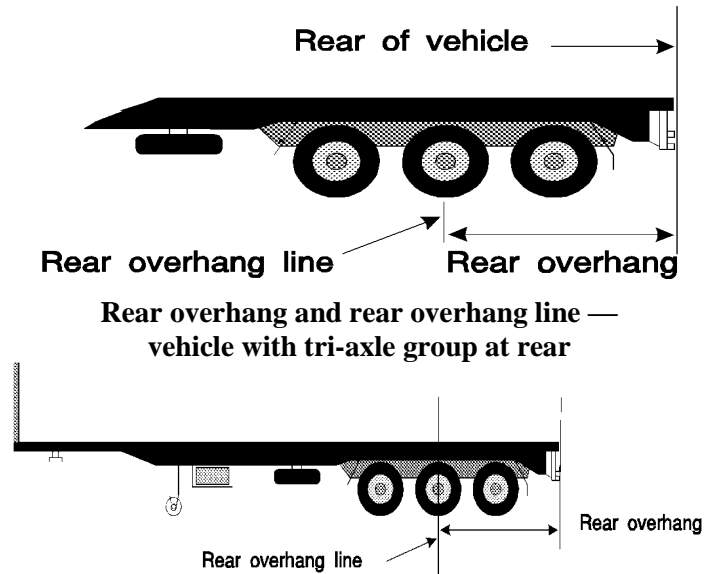
“**RAV permit**” means a class 1 permit, class 2 permit or class 3 permit;

“**rear fog light**” means a light used on a vehicle to make it more easily visible from the rear in dense fog;

“**rear overhang**”, of a vehicle, means the distance between the rear overhang line and the rear of the vehicle;



Rear overhang and rear overhang line



Rear overhang and rear overhang line — semi-trailer

“relevant authority”, in relation to a vehicle, means —

- (a) if the vehicle has never been licensed or registered but the vehicle is used or is intended to be used in this State — the Director General;
- (b) if the vehicle was last licensed in this State — the Director General; or
- (c) if the vehicle was last licensed or registered in another State or a Territory — the authority in that State or Territory whose functions most nearly correspond to those of the Director General;

“repairable write-off” has the same meaning as in regulation 2 of the *Road Traffic (Written-Off Vehicle Register) Regulations 2003*;

“restricted access vehicle” means a vehicle that alone, or together with any load, exceeds one or more of the following limits —

- (a) a mass limit prescribed in Part 3; or
- (b) one of the following dimension limits —
 - (i) a width of 2.5 m;
 - (ii) a height of 4.3 m;

cl. 1

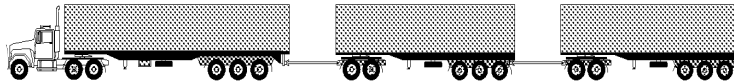
- (iii) a length of 12.5 m in the case of a motor vehicle that is not part of a combination, or 19 m in the case of a combination;
- (iv) any other dimension limit specified in these regulations or the Vehicle Standards;

“retractable axle” means an axle that can be raised so that the tyres on the axle do not touch the ground;

“right”, for a vehicle, means to the right of the centre of the vehicle when viewed by a person in the vehicle who is facing to the front of the vehicle;

“road tank vehicle” has the same meaning as in the sixth edition of the *Australian Code for the Transport of Dangerous Goods by Road and Rail*;

“road train” means a combination, except a B-double, consisting of a motor vehicle towing at least 2 trailers (counting as a single trailer a converter dolly supporting a semi-trailer);



Road train

“school bus” means a motor vehicle that —

- (a) is equipped to carry more than 8 adult persons;
- (b) is, at the material time, being used to pick up, transport and set down school children; and
- (c) is solely or principally used for the purpose referred to in paragraph (b);

“second edition ADR” has the meaning given by rule 11 of the Vehicle Standards;

“semi-trailer” means a trailer (including a pole-type trailer) that has —

- (a) one axle group or single axle to the rear; and
- (b) a means of attachment to a prime mover that results in some of the load being imposed on the prime mover;

“service brake”, for a vehicle, means the brake normally used to decelerate the vehicle;

“**single axle**” means an axle not forming part of an axle group;

“**single axle group**” means a group of at least 2 axles in which the horizontal distance between the centres of the outermost axles is under 1 m;

“**special purpose vehicle**” means a motor vehicle, other than a tow truck or an agricultural vehicle, built for a purpose other than carrying a load, except for water in the case of concrete pumps and fire trucks;

“**statutory write-off**” has the same meaning as in regulation 7 of the *Road Traffic (Written-Off Vehicle Register) Regulations 2003*;

“**tandem axle group**” means a group of at least 2 axles in which the horizontal distance between the centres of the outermost axles is at least 1 m, but not over 2 m;

“**third edition ADR**” has the meaning given by rule 12 of the Vehicle Standards;

“**trailer**” means a vehicle without its own motive power that is built to be towed, or is towed, by a motor vehicle, but does not include a motor vehicle that is being towed;

“**transport enforcement vehicle**” means a vehicle in respect of which a declaration under subclause (3)(b) is in force;

“**tri-axle group**” means a group of at least 3 axles in which the horizontal distance between the centres of the outermost axles is over 2 m, but not over 3.2 m;

“**turntable**” means a bearing built to carry vertical and horizontal loads, but does not allow quick separation of its upper and lower rotating elements, and that is used to connect and allow articulation between —

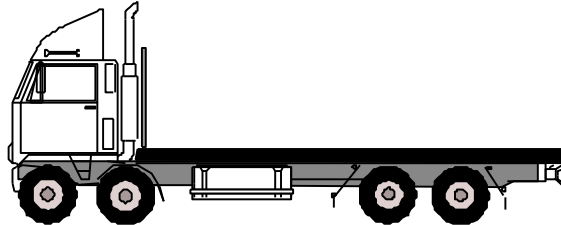
- (a) a prime mover and semi-trailer;
- (b) the steering axle or axle group of a dog trailer and the body of the trailer; or
- (c) a fifth wheel coupling and the vehicle to which it is mounted;

“**twinsteer axle group**” means a group of 2 axles —

- (a) with single tyres;
- (b) fitted to a motor vehicle and connected to the same steering mechanism; and

cl. 1

- (c) the horizontal distance between the centres of which is at least 1 m, but not over 2 m;



Twinsteer axle group

“unloaded mass” means the mass of the vehicle in running order, equipped with all standard equipment and with all fuel and other fluid reservoirs filled to nominal capacity, but unoccupied and without any other load;

“vacuum brakes” means vacuum-operated or vacuum-assisted brakes;

“vehicle” means a motor vehicle, trailer or combination, including —

- (a) the equipment fitted to, or forming part of, the vehicle; and
- (b) in Part 3, any substances that the vehicle is carrying that are essential for its operation;

“vehicle examiner” means —

- (a) an officer of the Department authorised by the Director General to examine and test vehicles for the purposes of the administration of the licensing provisions of the Act; or
- (b) a person authorised under regulation 3A(1)(a) of the *Road Traffic (Vehicle Licensing) Regulations 1975*³;

“vehicle for which a person is responsible” means a vehicle for which the person is a responsible person;

“vehicle registration authority” means —

- (a) the Director General; or
- (b) the authority of another State or a Territory whose functions most nearly correspond to those of the Director General;

“**Vehicle Standards**” means the *Road Traffic (Vehicle Standards) Rules 2002*;

“**warning light**” means a light that complies with the specifications in Schedule 2 Division 6;

“**warning sign**” means a sign that complies with the specifications in Schedule 2 Division 7;

“**wheelbase**”, in relation to a vehicle, means the distance from the centre of the vehicle’s foremost axle to the rear overhang line;

“**Written-Off Vehicle Register**” means the register maintained under regulation 13 of the *Road Traffic (Written-Off Vehicle Register) Regulations 2003*;

“**yellow**” includes amber.

- (2) Unless the contrary intention appears, a reference to a distance between 2 lines that are parallel is a reference to the distance measured at right angles between the lines.
- (3) The Director General may declare a vehicle, or each vehicle in a class of vehicles, to be —
 - (a) an emergency vehicle; or
 - (b) a transport enforcement vehicle,

for the purposes of these regulations and the Vehicle Standards.

[Clause 1 amended in Gazette 3 Jan 2003 p. 9-11; 31 Oct 2003 p. 4568-9; 16 Sep 2005 p. 4327; 13 Dec 2005 p. 5991-2; 23 Dec 2005 p. 6283.]

2. Diagrams

- (1) A diagram in a provision of these regulations or the Vehicle Standards is part of the regulations or rules.
- (2) A diagram of something (except the essential diagram in rule 159 of the Vehicle Standards) is an illustrative example of the thing in black and white, but does not represent its dimensions or the dimensions of any part of it.



Notes

- ¹ This reprint is a compilation as at 11 January 2007 of the *Road Traffic (Vehicle Standards) Regulations 2002* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>Road Traffic (Vehicle Standards) Regulations 2002</i>	9 Aug 2002 p. 3903-4020	1 Nov 2002 (see r. 2)
<i>Road Traffic (Vehicle Standards) Amendment Regulations 2002</i>	3 Jan 2003 p. 5-11	3 Jan 2003
<i>Road Traffic (Vehicle Standards) Amendment Regulations 2003</i>	20 May 2003 p. 1806-7	1 Jul 2003 (see r. 2)
<i>Road Traffic (Vehicle Standards) Amendment Regulations (No. 3) 2003</i>	31 Oct 2003 p. 4568-9	31 Oct 2003
<i>Road Traffic (Vehicle Standards) Amendment Regulations (No. 2) 2004</i>	28 May 2004 p. 1842	1 Jul 2004 (see r. 2)
<i>Road Traffic (Vehicle Standards) Amendment Regulations (No. 3) 2005</i>	19 Apr 2005 p. 1302-3	19 Apr 2005
<i>Road Traffic (Vehicle Standards) Amendment Regulations (No. 2) 2005</i>	27 May 2005 p. 2313-14	27 May 2005
<i>Road Traffic (Vehicle Standards) Amendment Regulations (No. 5) 2005</i>	27 May 2005 p. 2314-15	1 Jul 2005 (see r. 2)
<i>Road Traffic (Vehicle Standards) Amendment Regulations (No. 4) 2005</i>	16 Sep 2005 p. 4326-7	16 Sep 2005
Reprint 1: The Road Traffic (Vehicle Standards) Regulations 2002 as at 2 Dec 2005 (includes amendments listed above)		
<i>Road Traffic (Vehicle Standards) Amendment Regulations 2005</i>	13 Dec 2005 p. 5988-92	13 Dec 2005
<i>Road Traffic (Vehicle Standards) Amendment Regulations (No. 6) 2005</i>	23 Dec 2005 p. 6281-3	1 Jan 2006 (see r. 2 and <i>Gazette</i> 23 Dec 2005 p. 6244-5)
<i>Road Traffic (Vehicle Standards) Amendment Regulations (No. 2) 2006</i>	26 May 2006 p. 1883-4	1 Jul 2006 (see r. 2)
<i>Road Traffic (Vehicle Standards) Amendment Regulations (No. 3) 2006</i>	23 Jun 2006 p. 2225-6	1 Jul 2006 (see r. 2)
<i>Road Traffic (Vehicle Standards) Amendment Regulations 2006</i>	28 Nov 2006 p. 4895-6	4 Dec 2006 (see r. 2 and <i>Gazette</i> 28 Nov 2006 p. 4889)

Citation	Gazettal	Commencement
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Reprint 2: The Road Traffic (Vehicle Standards) Regulations 2002 as at 12 Jan 2007
(includes amendments listed above)

- ² Under the *Courts Legislation Amendment and Repeal Act 2004* s. 10 a reference in a written law to the Local Court is, unless the contrary intention appears, to be read as a reference to the Magistrates Court. The reference was changed under the *Reprints Act 1984* s. 7(5)(a).
- ³ Formerly referred to as the *Road Traffic (Licensing) Regulations 1975*, the citation of which was changed to the *Road Traffic (Vehicle Licensing) Regulations 1975* by the *Road Traffic (Licensing) Amendment Regulations 2006*. The reference was changed under the *Reprints Act 1984* s. 7(3)(gb).

Defined Terms

Defined Terms

*[This is a list of terms defined and the provisions where they are defined.
The list is not part of the law.]*

Defined Term	Provision(s)
50 mm kingpin	Gl. cl. 1(1)
75 mm kingpin	Gl. cl. 1(1)
90 mm kingpin	Gl. cl. 1(1)
adopted standard	Gl. cl. 1(1)
ADR	Gl. cl. 1(1)
agricultural combination	Gl. cl. 1(1)
agricultural implement	Gl. cl. 1(1)
agricultural machine	Gl. cl. 1(1)
agricultural vehicle	Gl. cl. 1(1)
air brake	Gl. cl. 1(1)
approved air suspension system	Gl. cl. 1(1)
articulated bus	Gl. cl. 1(1)
Australian Standard	Gl. cl. 1(1)
authorised police officer	65(4)
axle	Gl. cl. 1(1)
axle group	Gl. cl. 1(1)
B-double	Gl. cl. 1(1)
braking system	Gl. cl. 1(1)
British Standard	Gl. cl. 1(1)
bus	Gl. cl. 1(1)
car	Gl. cl. 1(1)
centre	Gl. cl. 1(1)
class 1 notice	Gl. cl. 1(1)
class 1 permit	Gl. cl. 1(1)
class 1 vehicle	Gl. cl. 1(1)
class 2 notice	Gl. cl. 1(1)
class 2 permit	Gl. cl. 1(1)
class 2 vehicle	Gl. cl. 1(1)
class 3 notice	Gl. cl. 1(1)
class 3 permit	Gl. cl. 1(1)
class 3 vehicle	Gl. cl. 1(1)
combination	Gl. cl. 1(1)
compliance notice	Gl. cl. 1(1)
complying bus	Gl. cl. 1(1)
controlled access bus	Gl. cl. 1(1)
converter dolly	Gl. cl. 1(1)
dangerous goods	Gl. cl. 1(1)
daytime	Gl. cl. 1(1)
Department	Gl. cl. 1(1)
departmental exemption	Gl. cl. 1(1)

Defined Terms

derivative of a car	69(7)
dog trailer	Gl. cl. 1(1)
drawbar	Gl. cl. 1(1)
drive	Gl. cl. 1(1)
driver	Gl. cl. 1(1)
emergency brake	Gl. cl. 1(1)
emergency vehicle	Gl. cl. 1(1)
emission control system	Gl. cl. 1(1)
escort vehicle	Gl. cl. 1(1)
fifth wheel coupling	Gl. cl. 1(1)
front fog light	Gl. cl. 1(1)
GCM	Gl. cl. 1(1)
goods vehicle	Gl. cl. 1(1)
ground contact width	Gl. cl. 1(1)
GTM	Gl. cl. 1(1)
GVM	Gl. cl. 1(1)
high-beam	Gl. cl. 1(1)
identifier	Gl. cl. 1(1)
initial decision	59(2)
inspection station	Gl. cl. 1(1)
jinker	Gl. cl. 1(1)
large indivisible item	Gl. cl. 1(1)
left	Gl. cl. 1(1)
load	Gl. cl. 1(1)
load-carrying	Gl. cl. 1(1)
load-sharing suspension system	Gl. cl. 1(1)
loaded mass	Gl. cl. 1(1)
low-beam	Gl. cl. 1(1)
low loader	Gl. cl. 1(1)
low loader dolly	Gl. cl. 1(1)
Ministerial exemption	Gl. cl. 1(1)
moped	Gl. cl. 1(1)
motor bike	Gl. cl. 1(1)
motor trike	Gl. cl. 1(1)
motor vehicle	Gl. cl. 1(1)
mudguard	Gl. cl. 1(1)
national standard	Gl. cl. 1(1)
National Transport Commission	15(4)
night-time	Gl. cl. 1(1)
omnibus	Gl. cl. 1(1)
operator	Gl. cl. 1(1)
overmass	Gl. cl. 1(1)
oversize	Gl. cl. 1(1)
oversize tri-axle group	Gl. cl. 1(1)
pig trailer	Gl. cl. 1(1)

Road Traffic (Vehicle Standards) Regulations 2002

Defined Terms

pilot vehicle.....	Gl. cl. 1(1)
point of articulation.....	Gl. cl. 1(1)
pole-type trailer.....	Gl. cl. 1(1)
prime mover.....	Gl. cl. 1(1)
proposed action.....	56(2)(d)
quad-type axle group.....	Gl. cl. 1(1)
RAV notice.....	Gl. cl. 1(1)
RAV permit.....	Gl. cl. 1(1)
rear fog light.....	Gl. cl. 1(1)
rear overhang.....	Gl. cl. 1(1)
relevant authority.....	Gl. cl. 1(1)
repairable write-off.....	Gl. cl. 1(1)
restricted access vehicle.....	Gl. cl. 1(1)
retractable axle.....	Gl. cl. 1(1)
right.....	Gl. cl. 1(1)
road tank vehicle.....	Gl. cl. 1(1)
road train.....	Gl. cl. 1(1)
school bus.....	Gl. cl. 1(1)
second edition ADR.....	Gl. cl. 1(1)
semi-trailer.....	Gl. cl. 1(1)
service brake.....	Gl. cl. 1(1)
single axle.....	Gl. cl. 1(1)
single axle group.....	Gl. cl. 1(1)
special purpose vehicle.....	Gl. cl. 1(1)
statutory write-off.....	Gl. cl. 1(1)
tandem axle group.....	Gl. cl. 1(1)
third edition ADR.....	Gl. cl. 1(1)
trailer.....	Gl. cl. 1(1)
transport enforcement vehicle.....	Gl. cl. 1(1)
tri-axle group.....	Gl. cl. 1(1)
turntable.....	Gl. cl. 1(1)
twinsteer axle group.....	Gl. cl. 1(1)
unloaded mass.....	Gl. cl. 1(1)
vacuum brakes.....	Gl. cl. 1(1)
vehicle.....	Gl. cl. 1(1)
vehicle examiner.....	Gl. cl. 1(1)
vehicle for which a person is responsible.....	Gl. cl. 1(1)
vehicle registration authority.....	Gl. cl. 1(1)
Vehicle Standards.....	Gl. cl. 1(1)
warning light.....	Gl. cl. 1(1)
warning sign.....	Gl. cl. 1(1)
wheelbase.....	Gl. cl. 1(1)
Written-Off Vehicle Register.....	Gl. cl. 1(1)
yellow.....	Gl. cl. 1(1)