

POLICE**PE301****ROAD TRAFFIC ACT 1974****ROAD TRAFFIC (TOWED AGRICULTURAL IMPLEMENTS)
REGULATIONS 1995**

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Road Traffic (Towed Agricultural Implements) Regulations 1995*.

Repeal

2. The *Road Traffic (Towed Agricultural Implements) Regulations 1990* are repealed.

Interpretation

3. (1) In these regulations, unless the contrary intention appears --
 “agricultural implement” has the meaning it has in the *Road Traffic Act 1974*;

“combination” means towing vehicle and towed implement or implements while attached to each other for the purpose of towing;

“escort vehicle” means a rigid vehicle to the rear of which is affixed a warning sign displaying the words **“OVERSIZE LOAD AHEAD”** to indicate to vehicles approaching from the rear that an oversize combination is preceding that vehicle;

“hours of darkness” means the hours between sunset on one day and sunrise the next;

“on a road” includes partly on a road;

“pilot vehicle” means a rigid vehicle to which is affixed a warning sign displaying the words **“OVERSIZE LOAD AHEAD”** to indicate to vehicles approaching from the front that an oversize combination is following that vehicle;

“tow” includes haul;

“towed implement” means an agricultural implement which is being towed by a motor vehicle or is attached to a motor vehicle for the purpose of being towed by it;

“towing vehicle” means a motor vehicle which is towing an agricultural implement or is attached to an agricultural implement for the purpose of towing it;

“used”, in relation to a motor vehicle or a combination, includes being driven, or towed, and being left stationary.

(2) Nothing in these regulations prevents the application to a towing vehicle, a pilot vehicle or an escort vehicle, of any other written law.

Lighting equipment generally

4. (1) If a towed implement is being towed on a road during the hours of darkness there must be fitted to the towed implement, and connected electrically to the towing vehicle, lighting equipment which complies with these regulations.

(2) Where the lighting equipment referred to in subregulation (1) is fitted by means of a light board, that light board —

- (a) must be securely installed; and
- (b) may —
 - (i) be installed with straps; and
 - (ii) incorporate a wiring harness connected to a suitable connector on the towing vehicle.

(3) In this regulation **“lighting equipment”** means lamps, reflectors and ancillary equipment.

Positioning of lighting equipment generally

5. All lamps and reflectors required by these regulations —

- (a) subject to paragraph (b), must be fitted not less than 400 mm and not more than 1.5 m above ground level;
- (b) where there is no suitable structure not more than 1.5 m above ground level to which those lamps and reflectors can be fitted, may be fitted higher than, but as near as possible to 1.5 m above ground level;

- (c) must be fitted symmetrically, to each side of the rear of the agricultural implement, and —
 - (i) wherever possible, horizontally and inwards in the sequence stop lamp, reflector, rear lamp and signalling lamp; or
 - (ii) where it is not possible to fit those lamps and reflectors in accordance with subparagraph (i), be fitted vertically, in the sequence referred to with the stop lamp on the top and the signalling lamp on the bottom;
- (d) must have the outer edge of their reflective or illuminated area not more than 400 mm from each of the lateral extremities of the agricultural implement; and
- (e) must diffuse or direct their emitted or reflected light so as not to cause glare adversely affecting the vision of a person.

Stop lamps

6. (1) Subject to subregulation (2), there must be fitted to each towed implement towed on a road 2 stop lamps —

- (a) each of which, when lighted, displays a red light clearly visible in sunlight at all distances up to 60 m to the rear of the towed implement; and
- (b) each of which is lighted when the foot brake of the towing vehicle is applied.

(2) Subregulation (1) does not apply if the combination is fitted with a flashing amber light in accordance with regulation 11 and that light is operating whenever the combination is being moved on a road.

Reflectors

7. (1) Where an agricultural implement is towed or left stationary on a road during the hours of darkness the driver of the towing vehicle or the person who left the implement stationary must ensure that the towed implement, or in the case of a combination consisting of more than 1 towed implement, the rear implement of that combination, is fitted with 2 reflectors —

- (a) each of which, during the hours of darkness, emits a red reflection of the light projected on to that reflector by a headlamp complying with the requirements of regulation 202 of the *Road Traffic (Vehicle Standards) Regulations 1977* so as to be visible clearly, at a distance of 100 m, to the driver of the vehicle from which that light is projected; and
- (b) each of which consists of —
 - (i) a reflective tape with an area of not less than 25 sq cm and a width of not less than 25 mm; or
 - (ii) a reflecting lens of not less than 25 mm in diameter fitted to a rear lamp.

(2) In addition to the reflectors required under subregulation (1) there may be fitted to an agricultural implement a third reflector which —

- (a) complies with the requirements of subregulation (1) (b) and (d); and
- (b) occupies a central position between the signalling lamps referred to in regulation 9.

Rear lamps

8. Where an agricultural implement is towed on a road during the hours of darkness, there must be fitted to that implement, or, in the case of a combination consisting of more than 1 towed implement, the rear implement of that combination, 2 rear lamps —

- (a) each of which is of a power not exceeding 7 watts; and
- (b) each of which, when lighted, displays a red light clearly visible at night at all distances up to 200 m to the rear of the towed implement.

Signalling lamps

9. Where an agricultural implement is towed on a road during the hours of darkness, there must be fitted to that implement, or, in the case of a combination consisting of more than 1 towed implement, the rear implement of that combination, 2 signalling lamps —

- (a) each of which, when lighted, displays an amber light clearly visible in sunlight at all distances up to 60 m to the rear of the towed implement;
- (b) which are readily operated by the driver of the towing vehicle from his or her proper driving position;
- (c) the operation of which is indicated by means of a tell-tale indicator that is visible and audible to the driver of the towing vehicle;
- (d) the switching on of each of which is followed by the display of its light within a maximum period of one second and by the regular flashing of its light thereafter at a rate of not less than 60 times or more than 120 times, per minute;
- (e) each of which flashes in phase with its counterpart on the same side of the towing vehicle and is operated by the same control switch; and
- (f) which are capable of operating as flashing warning lights.

Clearance lamps

10. (1) Where an agricultural implement with a width exceeding 2.5 m is towed on a road during the hours of darkness, a clearance lamp must be fitted to each side of that implement.

(2) In this regulation, "clearance lamp" means a lamp which, when lighted, gives an indication of the width of the towed implement from the front and from the rear of that implement.

Flashing amber light

11. A flashing amber light referred to in regulations 6, 17, 22, 24, 25 (5), 26 (2) and 31 (1) must be —

- (a) a rotating amber light with a minimum 55 watt globe producing 120-200 light pulses per minute or an amber strobe light producing 120-200 light pulses per minute;
- (b) able to be clearly seen from a distance of 500 m by the driver of a vehicle approaching from any direction; and
- (c) fitted to the highest position practicable on the combination.

Brakes

12. (1) A combination being used on a road must be capable of stopping from —

- (a) a speed of 30 km/h; or
- (b) the maximum speed of which it is capable,

whichever is the lower, within a distance not exceeding 15 m.

(2) Any braking system on a towed implement which is capable of being connected to the towing vehicle must be connected to that vehicle while it and the towed implement are in motion on a road.

Safety of components and attachments

13. (1) Every component of a towed implement being towed on a road must be maintained in such a condition as to be unlikely to render the use of that towed implement unsafe.

(2) Any folded arm, mechanism or structure which —

- (a) forms part of a towed implement; and
- (b) is capable of moving so as to increase any of the dimensions of the towed implement,

must be prevented from moving in that manner by chains, pins or some other mechanical locking system.

(3) Any component or hopper, bin or other attachment of, or to, a towed implement which is capable of becoming loose or detached from that towed implement must be secured to prevent it from becoming loose or detached.

Safety chains

14. (1) Each agricultural implement forming part of a combination being towed on a road must be connected to the towing vehicle or, in the case of a combination consisting of more than one towed implement, to the implement in front of it, not only by a coupling but also by —

- (a) safety chains that conform with and are fitted in accordance with subregulations (3) and (4); or
- (b) a safe locking device that conforms with subregulation (2).

(2) The safe locking device referred to in subregulation (1) must consist of a spring clip, split pin or similar device which is designed to mechanically capture the coupling to prevent the accidental disconnection of the coupling.

(3) Safety chains referred to in subregulation (1) must —

- (a) consist of 2 chains;
- (b) be capable of keeping the agricultural implement in tow in the event of the failure or accidental disconnection of the coupling between that implement and the towing vehicle or the implement in front of that implement, as the case requires;
- (c) be fitted to the frame or other substantial portion of the agricultural implement and to a substantial portion of the towing vehicle or the implement in front of that implement, as the case requires;
- (d) not be liable to accidental disconnection; and
- (e) permit all normal angular movements of the coupling referred to in paragraph (b) without unnecessary slack in the chains referred to in paragraph (a).

- (4) The chains referred to in subregulation (3) (a) must —
- (a) be as short as practicable;
 - (b) be fitted in a crossed over position so as to prevent the forward end of the drawbar of the towed implement from striking the ground in the event of accidental disconnection of the coupling referred to in subregulation (3) (b);
 - (c) have their forward ends fitted to the towing vehicle or another towed implement, as the case requires, as close to the pivot of the coupling referred to in subregulation (3) (b) as practicable;
 - (d) each have links with the constituent metal thereof having a minimum diameter of 10 mm; and
 - (e) each be attached to each end by a ring or shackle which is made of steel with a minimum diameter of 10 mm.

Portable warning signs

15. All combinations must carry and use portable warning signs in accordance with regulation 1204 of the *Road Traffic Code 1975*, as though a reference in that regulation to a "heavy vehicle" included a reference to a combination.

Towed mass ratios

16. (1) The mass of a towed implement being towed on a road by a towing vehicle other than a tractor must not exceed twice the tare of the towing vehicle.

(2) In this regulation —

"tare" has the same meaning as it has in the *Road Traffic (Vehicle Standards) Regulations 1977*; and

"tractor" means tractor (other than prime mover type) as described in the First Schedule to the *Road Traffic Act 1974*.

Towing on a road during the hours of darkness

17. (1) A combination must not be used on a road during the hours of darkness if it exceeds 3.5 m in width or 25 m in length.

(2) A combination, other than a combination referred to in subregulation (1), may be used on a road during the hours of darkness if it —

- (a) is fitted with a flashing amber light in accordance with regulation 11 and that light is operating whenever the combination is being moved on a road; and
- (b) complies with regulations 7, 8, 9 and 10.

Speed restrictions

18. A combination must not travel at a speed exceeding 20 km per hour below the local speed limit or, where the local speed limit is 80 kms per hour or more, 80 kms per hour.

Movements of combinations within the metropolitan area, during peak hours and on freeways

19. (1) A combination with a width not exceeding 2.5 m and a length not exceeding 25 m must not be used on a road within a radius of 30 km of the G.P.O. during peak hours.

(2) A combination with a width exceeding 2.5 m or a length exceeding 25 m must not be used on a road within a radius of 30 km of the G.P.O. without the approval of the Commissioner of Main Roads under the *Main Roads Act 1930*.

(3) A combination must not be used on a freeway.

(4) In this regulation —

“freeway” means a road or portion of a road that is designated as a freeway by signs erected thereon or adjacent thereto;

“peak hours” means 7.30 a.m. to 9.00 a.m. and 4.30 p.m. to 6.00 p.m. on a Monday, Tuesday, Wednesday, Thursday or Friday, other than a public holiday.

Parking of combinations on a carriageway

20. (1) A combination, or any component of a combination that exceeds 2.5 m in width must not be parked on a carriageway —

- (a) in a built-up area; or
- (b) outside a built-up area, except in a truck bay or other area set aside for the parking of vehicles.

(2) In this regulation “built-up area” means the territory contiguous to and including any road —

- (a) on which there is provision for lighting by means of street lamps;
- (b) which is built-up with structures devoted to business, industry or dwelling houses at intervals of less than one half kilometre; or
- (c) beyond a sign indicating “BUILT-UP AREA” erected at the roadside to face drivers approaching a development consisting of dwelling houses, business or industrial structures.

Head lamps

21. (1) A combination that exceeds 2.5 m in width must not be used on a road unless the headlights on the towing vehicle are kept lighted and, during daylight hours or when another vehicle is approaching, dipped.

(2) In this regulation “dipped” means that the headlamps are on low beam and comply with the requirements of regulation 204 of the *Road Traffic (Vehicle Standards) Regulations 1977* in respect of headlamps on low beam.

Mirrors

22. Unless a flashing amber light is fitted to a combination in accordance with regulation 11 and is operated whenever the combination is being moved on a road a towing vehicle must be equipped with mirrors which enable the driver to see vehicles approaching from the rear.

Warning flags

23. A combination that exceeds 2.5 m in width must not be used on a road unless warning flags, made of high visibility yellow or orange material and of at least 0.45 sq m in size are attached to each lateral extremity of the combination.

Certain vehicles may be equipped with flashing amber light

24. A towing vehicle, a pilot vehicle and an escort vehicle may be fitted with a flashing amber light in accordance with regulation 11 which may only be operated while —

- (a) the towing vehicle is towing, on a road, an agricultural implement —
 - (i) during the hours of darkness; or
 - (ii) exceeding 2.5 m in width and 25 m in length; or
 - (iii) the shape and dimensions of which are such as to obscure the driver's rearward view;
- (b) the pilot motor vehicle is piloting a combination which is being used on a road; or
- (c) the escort motor vehicle is escorting a combination which is being used on a road,

as the case requires.

Oversize combinations

25. (1) A combination which exceeds 3.5 m in width or 25 m in length must not be used on a road unless —

- (a) warning signs displaying the word "OVERSIZE" are affixed to the front of the towing vehicle and the rear of the towed implement or, in the case of a combination consisting of more than 1 towed implement, the rear towed implement; and
- (b) it is preceded, at a distance of not more than 500 m or less than 300 m, by a pilot vehicle and followed, at a distance of not more than 300 m or less than 200 m, by an escort vehicle.

(2) On and from 1 January 1997 warning signs referred to in subregulation (1) and warning signs on pilot and escort vehicles must —

- (a) subject to subregulation (3), be made of a rigid material;
- (b) have lettering in upper case and at least —
 - (i) 200 mm high with a brush stroke of 28 mm wide for the word "OVERSIZE"; and
 - (ii) 100 mm high with a brush stroke of 15 mm wide for the words "LOAD AHEAD",in black on a yellow reflective background; and
- (c) be of the following dimensions —
 - (i) 1 200 mm long and 450 mm wide in the case of a single line of lettering; or
 - (ii) 1 200 mm long and 600 mm wide in the case of a double line of lettering.

(3) Where a rigid sign cannot adequately be mounted on the rear of a towed implement a flexible sign, not being made of paper or cloth, which otherwise complies with subregulation (2) may be used on that implement.

(4) A pilot vehicle and an escort vehicle may carry a load or tow a trailer or an agricultural implement as long as the vehicle, together with its load, if any —

- (a) has a laden mass which does not exceed 4.5 tonnes as calculated or determined in accordance with Part 14 of the *Road Traffic (Vehicle Standards) Regulations 1977*; and

- (b) together with the trailer or implement, if any, does not exceed 25 m in length or 2.5 m in width.

(5) Despite subregulation (1) (b), an escort vehicle is not required for a combination which exceeds 3.5 m in width or 25 m in length if the combination is fitted with a flashing amber light in accordance with regulation 11 and that light is operating whenever the combination is being moved on a road.

Convoys

26. (1) No more than 2 combinations may be moved in a convoy.

(2) Regulation 25 (1) (b) does not apply where a combination is moved in a convoy with another combination as long as the convoy is preceded by a pilot vehicle and followed by an escort vehicle each of which is fitted with an amber flashing light in accordance with regulation 11 which is operating whenever the convoy is being moved on a road.

Movement of excessively high combinations

27. (1) Where a combination exceeds 4.3 m in height or may come into contact with an electricity supply line while being used on a road it must not be used on that road unless written permission has been obtained from the Electricity Corporation established by the *Electricity Corporation Act 1994*.

(2) A written permission under subregulation (1) may be made subject to compliance with specified requirements including a requirement that the combination be escorted by a police officer while being used.

(3) A written permission under subregulation (1) is valid for 12 months from the day it is obtained.

Movement of excessively wide or long combinations

28. (1) Where a combination exceeds 7.5 m in width or 30 m in length it shall not be used on a road unless a permit issued under this regulation is in force in relation to that combination and any conditions to which that permit is subject are complied with.

(2) A permit issued under this regulation must be in a form approved by the Commissioner of Police and may be issued by a police officer or an employee, within the meaning of the *Public Sector Management Act 1994*, of the Police Department, authorized for that purpose.

(3) A permit issued under this regulation may be subject to such specified conditions as the person issuing the permit considers necessary to ensure the combination is moved safely, including —

- (a) any speed limit to be observed while moving the combination;
- (b) the route to be followed by the combination;
- (c) the times during which the combination may be used on a road; and
- (d) whether the combination must be accompanied by a police escort when being used on a road.

(4) A permit issued under this regulation may be obtained without payment of a fee and is valid for 12 months from the day on which it was issued.

(5) A police officer or employee of the Police Department must not refuse to issue a permit under this regulation unless the use of the combination on a road forming the whole or any part of the route to be followed by that combination would endanger safety.

Limit on combinations

29. No more than 3 agricultural implements may be towed in a combination.

General duty of drivers and offences and penalties

30. (1) Except where otherwise provided by these regulations the driver of a towing vehicle shall ensure that these regulations are complied with.

(2) A person who contravenes subregulation (1) or regulation 7 (1) commits an offence.

Penalty: \$400.

Transitional

31. (1) Despite regulation 25 (1) (b) a combination exceeding 3.5 m but not exceeding 4.1 m in width and not exceeding 30 m in length may be used on a road without a pilot vehicle or an escort vehicle for a distance of not more than 500 m if —

- (a) the driver of the towing vehicle has, at all times, a clear view of the road ahead for 200 m;
- (b) warning signs displaying the word "OVERSIZE" are affixed to the front of the towing vehicle and the rear of the towed implement or, in the case of a combination consisting of more than one towed implement, the rear towed implement; and
- (c) the combination is fitted with a flashing amber light in accordance with regulation 11 and that light is operating whenever the combination is being moved on a road.

(2) This regulation expires on 1 January 1997.

By Command of the Lieutenant-Governor and deputy of the Governor,

J. PRITCHARD, Clerk of the Council.