



Western Australia

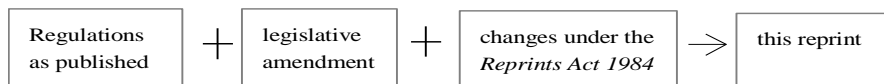
Road Traffic Act 1974

Road Traffic (Towed Agricultural Implements) Regulations 1995

Reprint 1: The regulations as at 9 May 2003

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 - removed (because it was repealed or deleted from the law); or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.

Reprint numbering and date

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 (Towed Agricultural Implements) Regulations 1995

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Reprinted under the
Reprints Act 1984 as
at 9 May 2003

Western Australia

Road Traffic Act 1974

Road Traffic (Towed Agricultural Implements) Regulations 1995

1. Citation

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

[2. *Omitted under the Reprints Act 1984 s. 7(4)(f).*]

3. Interpretation

- (1) In these regulations, unless the contrary intention appears —
- “**agricultural implement**” has the same meaning as it has in the Vehicle Standards;
 - “**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;

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“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;

“Vehicle Standards” means the *Road Traffic (Vehicle Standards) Regulations 2002*, the *Road Traffic (Vehicle Standards) Rules 2002* and the *Road Traffic (Animal Drawn Vehicles) Regulations 2002*.

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

[Regulation 3 amended in Gazette 1 Nov 2002 p. 5394.]

4. Lighting equipment generally

- (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 lights, reflectors and ancillary equipment.

[Regulation 4 amended in Gazette 1 Nov 2002 p. 5395.]

5. Positioning of lighting equipment generally

All lights 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 lights 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 light, reflector, rear light and signalling light; or
 - (ii) where it is not possible to fit those lights and reflectors in accordance with subparagraph (i), be fitted vertically, in the sequence referred to with the stop light on the top and the signalling light 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.

[Regulation 5 amended in Gazette 1 Nov 2002 p. 5395-6.]

6. Stop lights

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

[Regulation 6 amended in Gazette 1 Nov 2002 p. 5395-6.]

7. Reflectors

- (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 headlight complying with Part 8 Division 2 of the *Road Traffic (Vehicle Standards) Rules 2002* 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 light.

- (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 lights referred to in regulation 9.

[Regulation 7 amended in Gazette 1 Nov 2002 p. 5394 and 5395.]

8. Rear lights

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 lights —

- (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.

[Regulation 8 amended in Gazette 1 Nov 2002 p. 5395.]

9. Signalling lights

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 lights —

- (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;

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- (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.

[Regulation 9 amended in Gazette 1 Nov 2002 p. 5395-6.]

10. Clearance lights

- (1) Where an agricultural implement with a width exceeding 2.5 m is towed on a road during the hours of darkness, a clearance light must be fitted to each side of that implement.
- (2) In this regulation, “**clearance light**” means a light which, when lighted, gives an indication of the width of the towed implement from the front and from the rear of that implement.

[Regulation 10 amended in Gazette 1 Nov 2002 p. 5395.]

11. Flashing amber light

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.

12. Brakes

- (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.

13. Safety of components and attachments

- (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.

14. Safety chains

- (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.

15. Portable warning signs

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.

16. Towed mass ratios

- (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 unloaded mass of the towing vehicle.

- (2) In this regulation —

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

“**unloaded mass**” has the same meaning as it has in the Vehicle Standards.

[Regulation 16 amended in Gazette 1 Nov 2002 p. 5394-5; 3 Jan 2003 p. 11.]

17. Towing on a road during the hours of darkness

- (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.

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- (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.

18. Speed restrictions

A combination must not travel at a speed exceeding 20 km/h below the local speed limit or, where the local speed limit is 80 km/h or more, 80 km/h.

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

- (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.

20. Parking of combinations on a carriageway

- (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 lights;
 - (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.

[Regulation 20 amended in Gazette 1 Nov 2002 p. 5395-6.]

21. Head lights

- (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 headlights are on low beam within the meaning of the Vehicle Standards.

[Regulation 21 amended in Gazette 1 Nov 2002 p. 5395.]

22. Mirrors

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.

23. Warning flags

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.

24. Certain vehicles may be equipped with flashing amber light

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.

25. Oversize combinations

- (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 loaded mass (ascertained in accordance with the Vehicle Standards) that does not exceed 4.5 t; 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.

[Regulation 25 amended in Gazette 1 Nov 2002 p. 5395.]

26. Convoys

- (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.

27. Movement of excessively high combinations

- (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.

28. Movement of excessively wide or long combinations

- (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 Department², authorised 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 Department² 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.

29. Limit on combinations

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

29A. Director General may grant exemptions

- (1) Subject to subregulation (4), the Director General may, by notice published in the *Gazette* —
 - (a) exempt any agricultural implement or any class or classes of agricultural implement from the operation of any of these regulations; and

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- (b) vary or revoke a notice under paragraph (a).
- (2) An exemption is subject to any conditions specified by the Director General in the notice.
- (3) If a condition to which an exemption is subject is not complied with, the exemption ceases to have effect.
- (4) A notice published under this regulation cannot limit the operation of regulation 13, 14, 18, 19, 20, 27, 28 or 29.

[Regulation 29A inserted in Gazette 15 Jan 1999 p. 117-18.]

29B. Movements of combinations may be authorised by permits

- (1) If the Director General is satisfied that it is appropriate to do so in respect of a proposed movement of a combination, the Director General may, subject to subregulation (7), issue a permit under this regulation that authorises the combination to be moved on a road otherwise than in accordance with any of these regulations, as specified in the permit.
- (2) A permit issued under this regulation must be in a form approved by the Director General.
- (3) A permit issued under this regulation is subject to —
 - (a) the condition that it must be carried by the driver of the towing vehicle while the combination is being moved under the authority of the permit; and
 - (b) any conditions that the Director General considers necessary to ensure the combination is moved safely that are specified in the permit.
- (4) Without limiting paragraph (b) of subregulation (3), the conditions that may be specified under that paragraph include —
 - (a) any speed limit to be observed by the person driving the towing vehicle;
 - (b) the route to be followed by the combination;

- (c) the times during which the combination may be moved on a road; and
 - (d) whether the combination must be accompanied by a police escort when being moved on a road.
- (5) If a condition to which a permit issued under this regulation is subject is not complied with, the permit ceases to have effect.
- (6) A permit issued under this regulation may be obtained without payment of a fee and is valid for the period specified in the permit.
- (7) A permit issued under this regulation cannot limit the operation of regulation 13, 14, 18, 19, 20, 27, 28 or 29.

[Regulation 29B inserted in Gazette 15 Jan 1999 p. 118-19.]

30. General duty of drivers and offences and penalties

- (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: Eight penalty units (8 PU).

[Regulation 30 amended in Gazette 23 Dec 1997 p. 7460.]

[31. Omitted under the Reprints Act 1984 s. 7(4)(e).]



Notes

- ¹ This reprint is a compilation as at 9 May 2003 of the *Road Traffic (Towed Agricultural Implements) Regulations 1995* 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 (Towed Agricultural Implements) Regulations 1995</i>	12 May 1995 p. 1809-18	12 May 1995
<i>Road Traffic (Towed Agricultural Implements) Amendment Regulations 1997</i>	23 Dec 1997 p. 7459-60	1 Jan 1998 (see r. 2 and <i>Gazette</i> 23 Dec 1997 p. 7400)
<i>Road Traffic (Towed Agricultural Implements) Amendment Regulations 1999</i>	15 Jan 1999 p. 117-19	15 Jan 1999
<i>Road Traffic (Vehicle Standards) (Consequential Provisions) Regulations 2002 Pt. 5</i>	1 Nov 2002 p. 5388-400	1 Nov 2002 (see r. 2)
<i>Road Traffic (Vehicle Standards 2002) Amendment Regulations 2002 r. 13(2)</i>	3 Jan 2003 p. 5-11	3 Jan 2003
Reprint 1: The Road Traffic (Towed Agricultural Implements) Regulations 1995 as at 9 May 2003 (includes amendments listed above)		

- ² Under the *Alteration of Statutory Designations Order (No. 2) 1997* a reference in any law to the Police Department is read and construed as a reference to the Police Service.