

TR303

ROAD TRAFFIC ACT 1974

ROAD TRAFFIC (LICENSING) AMENDMENT REGULATIONS 1996

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Road Traffic (Licensing) Amendment Regulations 1996*.

Commencement

2. (1) Subject to subregulation (2) these regulations come into operation on 1 June 1996.

(2) Regulations 6, 7 and 13 come into operation on 1 July 1996.

Principal regulations

3. In these regulations the *Road Traffic (Licensing) Regulations 1975** are referred to as the principal regulations.

[* Reprinted as at 5 October 1994.

For amendments to 15 May 1996 see 1995 Index to Legislation of Western Australia, Table 4, pp. 242-3.]

Regulation 3 amended

4. Regulation 3 of the principal regulations is amended —

- (a) in subregulation (1) by inserting, in the appropriate alphabetical positions, the following definitions —

“

“**axle**” means the axis of rotation of a row of tyres;

“**heavy trailer**” means a semi-trailer, converter dolly trailer or trailer, other than a plant trailer, with an MRC exceeding 4 500 kilograms;

“**heavy vehicle**” means —

- (a) a vehicle with an MRC exceeding 4 500 kilograms that is —

- (i) a motor car;
(ii) a motor wagon;
(iii) an omnibus; or
(iv) a tractor (prime mover type);

or

- (b) a heavy trailer;

“**MRC**” (which stands for “mass rating for charging”) means —

- (a) the mass recorded on the compliance plate as —

- (i) the aggregate trailer mass;
(ii) the gross trailer mass rating;
or
(iii) the gross vehicle mass;

or

- (b) in relation to a vehicle where there is no compliance plate, the maximum permissible loaded mass of the vehicle as determined by the Board;

and

”;

- (b) by inserting after subregulation (2) the following subregulations —

“

- (3) On a vehicle’s compliance plate —

“**ATM**” refers to “aggregate trailer mass”;

“**GTMR**” refers to “gross trailer mass rating”;

"GVM" refers to "gross vehicle mass".

(4) For the purposes of these regulations —

- (a) 2 axles not more than one metre apart shall be regarded as one axle;
- (b) 3 axles, where the outside axles are not more than 2 metres apart, shall be regarded as 2 axles; and
- (c) 4 axles, where the outside axles are not more than 3.2 metres apart, shall be regarded as 3 axles.

”.

Regulation 9A inserted

5. After regulation 9 of the principal regulations the following regulation is inserted —

“

Classes of licences for heavy vehicles

9A. (1) Without limiting regulation 9, the Board shall grant or renew a vehicle licence for a heavy vehicle as of one of the classes listed in Schedule 3.

(2) The Board shall license a heavy vehicle as of a particular class according to —

- (a) the description of the vehicle;
- (b) the number of axles that the vehicle has; and
- (c) the MRC of the vehicle,

as indicated in Schedule 3.

(3) If more than one class is appropriate for a vehicle —

- (a) of that description;
- (b) with that number of axles; and
- (c) with that MRC,

the licence shall be of whichever of those classes the owner of the vehicle nominates before the licence is granted or renewed.

(4) If in column 4 of Schedule 3 —

- (a) “nil” is indicated, a licence of the class described in column 1 includes a limitation that the vehicle shall not be used to haul a heavy trailer;
- (b) a number is indicated, a licence of the class described in column 1 includes a limitation that the vehicle shall not be used to haul more than that number of heavy trailers;
- (c) a number is indicated followed by a trailer description, a licence of the class described in column 1 includes a limitation that the vehicle shall not be used to haul more than that number of heavy trailers of that description but unless otherwise specified the hauling of trailers not of that description is not limited; or
- (d) “nil” is indicated followed by a trailer description, a licence of that class includes a limitation that the vehicle shall not be used to haul a heavy trailer of that description.

(5) A vehicle licence of class SR2, SR3, SR4 or SR5 in Schedule 3 includes a limitation that the vehicle shall not be used to haul a heavy trailer if the vehicle and trailer together have more than 6 axles.

(6) A person who uses, or permits a person to use, a heavy vehicle the subject of a licence that includes a limitation otherwise than in conformity with that limitation commits an offence.

”.

Regulation 11 amended

6. Regulation 11 of the principal regulations is amended —

(a) in subregulation (6) (b) by deleting subparagraph (i) and substituting the following subparagraph —

“

(i) the amount —

(A) assessed by dividing the relevant fee as set out in Part III of the Second Schedule to the Act by 12 then multiplying that sum by the number of months in respect of which the permit is requested; or

(B) the amount specified in item 8 of Schedule 2,

whichever is the greater; and

”.

and

(b) by repealing subregulation (7).

Regulation 21A amended

7. Regulation 21A of the principal regulations is amended by inserting after the definition of “load capacity” the following definition —

“ “stock” means cattle, sheep, goats or swine; ”.

Regulation 21C amended

8. Regulation 21C (1) (a) of the principal regulations is amended by inserting after “Crown” the following —

“ and has an MRC not exceeding 4 500 kilograms ”.

Regulation 21FA inserted

9. After regulation 21F of the principal regulations, the following regulation is inserted —

“

Heavy vehicles for intrastate use only

21FA. (1) This regulation applies to a heavy vehicle if —

(a) the vehicle is a motor wagon or tractor (prime mover type) the licence for which does not include a limitation preventing it from being used to haul a heavy trailer; and

(b) the Board is satisfied that the vehicle is to be used solely within this State.

(2) Subject to subregulation (3), the vehicle licence fee that, but for this regulation, would be payable for the vehicle is reduced by 25%.

(3) Subregulation (2) does not apply so as to reduce a vehicle licence fee to an amount less than the fee that would be applicable for the appropriate class of licence containing a limitation under regulation 9A (4).

”.

Regulation 21N amended

10. Regulation 21N of the principal regulations is amended —

(a) by repealing subregulation (1) and substituting the following —

“

(1) This regulation applies to a vehicle if the Board is satisfied that the vehicle is diesel engined and —

(a) is not used for carrying goods; or

(b) is a motor wagon with two axles.

”;

(b) by repealing subregulation (2); and

(c) in subregulation (3) by deleting “50%” and substituting the following —

“ 25% ”.

Regulation 21PA inserted

11. After regulation 21P of the principal regulations, the following regulation is inserted —

“

Caravans (motor propelled)

21PA. The vehicle licence fee that, but for this regulation, would be payable for a caravan (motor propelled) is reduced by 50%.

”.

Regulation 21Q amended

12. Regulation 21Q (3) of the principal regulations is amended by deleting “regulation 21N.” and substituting the following —

“ regulations 21FA, 21N and 21PA. ”.

Schedule 2 amended

13. Schedule 2 to the principal regulations is amended —

(a) in item 1 —

(i) by deleting “120” and substituting the following —

“ 124.50 ”; and

(ii) by deleting “50” and substituting the following —

“ 52 ”;

- (b) in item 2 —
 - (i) in paragraph (a) by deleting “61” and substituting the following —
“ 63.25 ”;
 - (ii) in paragraph (b) by deleting “26” and substituting the following —
“ 27 ”; and
 - (iii) in paragraph (c) by deleting “40” and substituting the following —
“ 41.50 ”;
- (c) in item 3 —
 - (i) in paragraph (a) by deleting “50” and substituting the following —
“ 52 ”; and
 - (ii) in paragraph (b) by deleting “100” and substituting the following —
“ 103.75 ”;
- (d) in item 4 —
 - (i) in paragraph (b) by deleting “6” and substituting the following —
“ 6.25 ”; and
 - (ii) in paragraph (c) by deleting “10” and substituting the following —
“ 10.25 ”;
- (e) in item 5 by deleting “12” and substituting the following —
“ 12.50 ”;
- (f) in item 6 by deleting “12” and substituting the following —
“ 12.50 ”;
- (g) in item 7 by deleting “6” and substituting the following —
“ 6.25 ”;
- (h) in item 8 —
 - (i) by deleting “11 (7)” and substituting the following —
“ 11 (6) (b) (i) (B) ”; and
 - (ii) by deleting “base fee” and substituting the following —
“ minimum permit fee ”;
- (i) in item 9 by deleting “6” and substituting the following —
“ 6.25 ”;
- (j) in item 10 —
 - (i) in paragraph (a) by deleting “12” and substituting the following —
“ 12.50 ”;

- (ii) in paragraph (c) by deleting "75" and substituting the following —
 " 77.75 "; and
- (iii) by deleting paragraph (d) and substituting the following paragraphs —
 "
 (d) upon application for the issue
 of plates to replace ordinary
 plates bearing the same
 characters; 26
 (e) upon application for the issue
 of plates to replace
 personalised plates bearing
 the same characters without
 the letter "P" previously
 required by these regulations; 39.50
 ";
- (k) in item 11 by deleting "572" and substituting the following —
 " 593.50 ";
- (l) in item 12 —
 - (i) in paragraph (a) by deleting "5 725" and substituting the following —
 " 5 940 ";
 - (ii) in paragraph (b) by deleting "1 145" and substituting the following —
 " 1 188 ";
 - (iii) in paragraph (c) by deleting "572" and substituting the following —
 " 593.50 ";
 - (iv) in paragraph (d) by deleting "114" and substituting the following —
 " 118.25 ";
 - (v) in paragraph (e) by deleting "1 145" and substituting the following —
 " 1 188 "; and
 - (vi) in paragraph (f) by deleting "50" and substituting the following —
 " 52 ";
- (m) in item 13 by deleting "286" and substituting the following —
 " 296.75 ";
- (n) in item 14 by deleting "12" and substituting the following —
 " 12.50 ";
- (o) in item 15 (a) by deleting "130" and substituting the following —
 " 134.75 ";
- (p) in item 16 (b) by deleting "12" and substituting the following —
 " 12.50 ";

- (q) in item 17 by deleting "12" and substituting the following —
 " 12.50 ";
- (r) in item 18 (b) by deleting "17" and substituting the following —
 " 17.50 ";
- (s) in item 19 by deleting "68" and substituting the following —
 " 70.50 "; and
- (t) in item 20 by deleting "6" and substituting the following —
 " 6.25 ".

Schedule 3 added

14. After Schedule 2 to the principal regulations the following Schedule is added —

"

SCHEDULE 3

CLASSES OF LICENCES FOR HEAVY VEHICLES

[Regulation 9A]

Interpretation

1. In this Schedule a converter dolly trailer and a semi-trailer when used together shall be regarded as one trailer.

Column 1	Column 2	Column 3	Column 4
Class	No. of axles	MRC	Limitation as to heavy trailers hauled

Motor car and omnibus (not articulated)

1B2	2	12 000 kg or under	
2B2	2	over 12 000 kg	
2B3	3	any	

Motor car and omnibus (articulated)

AB3	3	any	
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Motor wagon or caravan (motor propelled)

1R2	2	12 000 kg or under	nil
2R2	2	over 12 000 kg	nil
1R3	3	16 500 kg or under	nil
2R3	3	over 16 500 kg	nil
1R4	4	20 000 kg or under	nil
2R4	4	over 20 000 kg	nil
1R5	5 or more	20 000 kg or under	nil
2R5	5 or more	over 20 000 kg	nil
SR2	2	any	1

Column 1	Column 2	Column 3	Column 4
Class	No. of axles	MRC	Limitation as to heavy trailers hauled
SR3	3	any	1
SR4	4	any	1
SR5	5	any	1
MR2	2	any	1
MR3	3	any	1
MR4	4	any	1
MR5	5 or more	any	1
LR2	2	any	
LR3	3	any	
LR4	4	any	
LR5	5 or more	any	

Tractor (prime mover type)

SP2	2	any	1 semi-trailer and nil other trailers
SP3	3	any	1 semi-trailer and nil other trailers
SP4	4	any	1 semi-trailer and nil other trailers
SP5	5 or more	any	1 semi-trailer and nil other trailers
MP2	2	any	2 semi-trailers and nil other trailers
MP3	3	any	2 semi-trailers and nil other trailers
MP4	4	any	2 semi-trailers and nil other trailers
MP5	5 or more	any	2 semi-trailers and nil other trailers
1LP2	2	any	1 semi-trailer and 1 other trailer
1LP3	3	any	1 semi-trailer and 1 other trailer
1LP4	4	any	1 semi-trailer and 1 other trailer
1LP5	5 or more	any	1 semi-trailer and 1 other trailer
2LP2	2	any	1 semi-trailer
2LP3	3	any	1 semi-trailer
2LP4	4	any	1 semi-trailer
2LP5	5 or more	any	1 semi-trailer

Column 1	Column 2	Column 3	Column 4
Class	No. of axles	MRC	Limitation as to heavy trailers hauled
Semi-trailer, converter dolly trailer or trailer, other than a plant trailer			
HT	any	any	"

Transitional

15. The principal regulations shall continue to apply in relation to —

- (a) the grant of a vehicle licence if that licence is granted before 1 July 1996; and
- (b) the renewal of a vehicle licence if, pursuant to section 18 (4) of the Act, that renewal has effect, or is deemed to have effect, on and from a day that precedes 1 July 1996,

as if regulations 4, 5, 8, 9, 10, 11, 12 and 14 of these regulations had not been made.

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.