

Queensland



Transport Operations (Road Use Management) Act 1995

TRANSPORT OPERATIONS (ROAD USE MANAGEMENT) REGULATION 1995

**Reprinted as in force on 8 December 2000
(includes amendments up to SL No. 297 of 2000)**

Reprint No. 3B

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy

Information about this reprint

This regulation is reprinted as at 8 December 2000. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**



TRANSPORT OPERATIONS (ROAD USE MANAGEMENT) REGULATION 1995

TABLE OF PROVISIONS

Section	Page
PART 1—PRELIMINARY	
1 Short title	9
2 Commencement	9
3 Definitions	9
4 Acts that are transport Acts	9
4A Approval of random inspection program	9
4B Regulation and control of powers of certain authorised officers	10
4C Requirement to remain at a place	11
4CA Way to require vehicles to stop	11
4CB Moving loads before weighing	11
PART 2—FEES	
4F Fees generally	12
9 Indivisible load permit fees	12
10 Axles	13
11 Measurement of distance between axles	13
PART 2A—GUIDELINES AND PERMITS	
11A Guidelines and permits for vehicles	13
11B Permit contents and conditions	15
11BA Alternative arrangements for permits	16
11C Driving under guideline or permit	16
PART 2B—VEHICLE DIMENSIONS	
11CA Meaning of “rear overhang” and “rear overhang line” for pt 2B	17
11D Load and other things are part of vehicle’s dimensions for pt 2B	18

*Transport Operations (Road Use
Management) Regulation 1995*

11E	Length—motor vehicles	18
11F	Width	18
11G	Height	18
11H	Height—ground clearance	19
11I	Length—trailers	19
11J	Length—rear overhang	20
11K	Length—trailer drawbars	21
11KA	Limits on projections of loads on vehicles	21
11KB	Agricultural vehicles	24
11L	Information and liability offences	27

PART 3—MASS

12	Application of part	27
13	Performance standards for mass	27
14	Compliance with requirements—vehicles	27
15	Compliance with requirements—trailers	27
16	Compliance with requirements—combinations	28
17	Vehicle tare	28
18	Tyre mass	28
19	Axle mass	28
19A	Axle mass—complying buses	29
19B	Axle mass for ultra-low floor route bus	30
20	Vehicle mass	30
21	Other ways of determining mass may be used	31
21A	Way of stating GVM	31
21B	Proof of GCM or GVM	31
21C	Proof of mass	32
24	Transport of livestock	32
25	Phasing out of semitrailers used as livestock vehicles	33
26	Information and liability offences	33

PART 4—LOADING

27	Application of part	34
----	---------------------------	----

*Transport Operations (Road Use
Management) Regulation 1995*

28	Performance standards for loading	34
29	Compliance with requirements—vehicles	34
30	Compliance with requirements—trailers	34
31	Compliance with requirements—combinations	34
32	Proof of loading offences	35
33	Information and liability offences	35

PART 4A—ACCREDITED PERSONS

Division 1—Accredited persons generally

33A	Applying to be appointed as an accredited person	36
33B	Deciding application	36
33C	Granting application	36
33D	Refusing application	37
33E	Accreditation documents and identity cards	37
33F	Display of accreditation document or identity card	38
33G	Replacement of accreditation document or identity card	38
33H	Resignation from appointment	39
33I	Surrender of accreditation document or identity card	39
33J	Accreditation prescribed for the Act, ss 17B(2) and 18(c)(ii)	39
33K	Employer's duty	39
33L	Powers of accredited persons	40

Division 2—Pilot vehicle drivers

33M	Functions	40
33N	Necessary expertise for appointment	40

Division 3—Escort vehicle drivers

33O	Functions	41
33P	Necessary expertise for appointment	41

Division 4—Vehicle safety inspections

33Q	Function	42
33R	Necessary expertise—Act, s 21(1)	42

PART 5—ACCREDITING DRIVER TRAINERS

Division 1—General

34	Definitions	45
35	Meaning of driver trainer and driver training	46

Division 2—Driver trainer accreditation

36	Accrediting driver trainers	46
37	Applying for accreditation	47
38	Deciding application for accreditation	47
39	Granting of accreditation	47
40	Refusing to grant accreditation	47
41	Statutory conditions in accreditation	48
42	Grant of accreditation on conditions	49
43	Duration of accreditation	49
44	Renewal of accreditation	49
45	Application of ss 37 to 42 for renewal of accreditation	49
46	Duration of renewal of accreditation	49
47	Replacement of accreditation etc.	50
48	Surrender of accreditation	50
49	Accreditation dependent on driver's licence	50

Division 3—Giving pre-licence driver training

50	Driver trainer giving pre-licence driver training to be accredited	51
----	--	----

Division 4—Driver training vehicle standards

51	Requirements for driver training vehicle	51
----	--	----

Division 6—Miscellaneous

53	Accredited driver trainer's identity card	52
54	Display of identity card	53
55	Records for driver training	53
57	Accreditation prescribed for ss 17B(2) and 18(c)(ii) of Act	54

PART 5A—ALTERNATIVE COMPLIANCE SCHEMES

58	Mass	54
----	------------	----

*Transport Operations (Road Use
Management) Regulation 1995*

PART 6—MISCELLANEOUS

Division 1—Review of decisions

62A	Review of decisions	55
-----	-------------------------------	----

Division 1A—Lights or signs creating danger to traffic

62AA	Light or sign creating danger to traffic	55
------	--	----

Division 2—Pilot and escort vehicles

62B	Offence to drive pilot or escort vehicle	56
-----	--	----

Division 2A—Protection of roads and structures

62C	Damage to road transport infrastructure	56
62D	Restriction of loads on structures	57

Division 2B—Special event permits

62E	Definitions for div 2B	58
62F	Meaning of “special event” for div 2B	59
62G	Authority of special event permit	59
62H	Issuing a special event permit	60
62I	Responsibility of permittee	61

Division 2C—Special circumstances permits

62J	Definitions for div 2C	61
62K	Authority of special circumstances permit	62
62L	Issuing a special circumstances permit	62

Division 3—Continuation of certain subordinate legislation

63	Subordinate legislation continuing to have effect—Act, s 93	63
----	---	----

PART 7—TRANSITIONAL PROVISIONS

Division 1—Oversize and overmass vehicles

64	Existing guidelines and permits continue	64
----	--	----

Division 2—Pilot vehicle drivers

65	Existing licences continue	65
----	--------------------------------------	----

Division 3—Motor Vehicle Driving Instruction School Act 1969

66	Definitions	65
67	Duration of provisional accreditation of licensed driving instructors	66
68	Renewal of provisional accreditation for licensed driving instructors	66

*Transport Operations (Road Use
Management) Regulation 1995*

69	Interim accreditation of new driver trainers	66
70	Application of ss 47 to 51 and 55 for this division	67
	SCHEDULE 1	68
	FEES	
	SCHEDULE 2	70
	EQUIVALENT STANDARD AXLES	
	SCHEDULE 3	72
	AXLE LOAD LIMITS	
	SCHEDULE 4	74
	MASS REQUIREMENTS	
1	Mass limits for tyres, wheels and axles	74
2	Mass limits relating to axle spacing	75
3	Mass limit for a single vehicle	77
4	Mass limits for combinations	77
5	Load sharing suspension	77
6	Non-complying vehicles	77
	SCHEDULE 5	78
	MASS LIMITS FOR SINGLE AXLES AND AXLE GROUPS	
	SCHEDULE 6	80
	MASS LIMITS RELATING TO AXLE SPACING	
	SCHEDULE 7	82
	MASS LIMITS FOR NON-CONFORMING VEHICLES WITH SINGLE AXLES OR AXLE GROUPS	
1	Mass limits for single axles and axle groups	82
2	Mass limits for vehicles and vehicle combinations	82
	SCHEDULE 8	83
	MASS LIMITS FOR NONCONFORMING SINGLE AXLES AND AXLE GROUPS	
	SCHEDULE 9	85
	NON-CONFORMING VEHICLE LOADED MASS	

*Transport Operations (Road Use
Management) Regulation 1995*

	SCHEDULE 10	88
	LOADING REQUIREMENTS	
1	Loading obligations	88
2	Trailers	88
	SCHEDULE 11	89
	REVIEW OF AND APPEALS AGAINST DECISIONS	
	SCHEDULE 13	90
	DICTIONARY	
	ATTACHMENT NOT FORMING PART OF THE REGULATION	100
	SECTION 3.05 OF TRANSPORT INFRASTRUCTURE (ROADS) REGULATION 1991 AS IN FORCE IMMEDIATELY BEFORE 1 JULY 1996	
	ENDNOTES	
1	Index to endnotes	104
2	Date to which amendments incorporated	104
3	Key	105
4	Table of earlier reprints	105
5	List of legislation	106
6	List of annotations	108

TRANSPORT OPERATIONS (ROAD USE MANAGEMENT) REGULATION 1995

[as amended by all amendments that commenced on or before 8 December 2000]

PART 1—PRELIMINARY

Short title

1. This regulation may be cited as the *Transport Operations (Road Use Management) Regulation 1995*.

Commencement

2. This regulation commences on 1 July 1995.

Definitions

3. The dictionary in schedule 13 defines particular words used in this regulation.

Acts that are transport Acts

4. The *Tow Truck Act 1973* is a transport Act.

Approval of random inspection program

4A.(1) The chief executive may only approve a program for stopping private vehicles for the Act, section 47, if the program—

- (a) states that only an authorised officer who has successfully finished a particular course of training may exercise the powers of an authorised officer at a checkpoint; and
- (b) requires an authorised officer to wear a uniform approved by the chief executive when the authorised officer is on duty at the

*Transport Operations (Road Use
Management) Regulation 1995*

checkpoint; and

- (c) requires a police officer in uniform to be present at the checkpoint at night; and
- (d) establishes particular objective criteria for the random selection of motor vehicles for stopping at checkpoints.

Examples of objective criteria for random selection of motor vehicles—

1. Every fifth motor vehicle passing the checkpoint is to be checked.
2. Every second motor vehicle passing the checkpoint that appears to the authorised officer to be older than 5 years.

(2) The program may include other matters the chief executive considers appropriate.

(3) The exercise of a power under the Act, section 31(2)(a) is not invalid only because the authorised officer did not tell the driver the particular objective criterion used to select the driver's vehicle for stopping the vehicle at a checkpoint.

(4) A training course mentioned in subsection (1) must educate authorised officers about the powers and duties of authorised officers under the Act and the appropriate way of exercising the powers and duties.

Regulation and control of powers of certain authorised officers

4B.(1) This section applies to an authorised officer, who is not a police officer, when exercising powers to stop a private vehicle.

(2) An authorised officer may only require the driver of a private vehicle to stop the vehicle during daylight.

(3) In addition, an authorised officer who is not wearing a uniform approved by the chief executive may only exercise the powers of an authorised officer in relation to a private vehicle that the authorised officer reasonably believes is so dangerous as to be likely to cause loss of life or bodily injury to a person.

Requirement to remain at a place

4C.(1) This section applies if the person in control of a vehicle is required to—

- (a) stop the vehicle under section 31 or 32 of the Act; or
- (b) move the vehicle to a place under section 33 of the Act.

(2) The person must ensure it remains at the place where the vehicle is stopped or moved to, for the time reasonably necessary to enable the authorised officer to perform a function or exercise a power under those sections.

Maximum penalty—

- (a) for a private vehicle—60 penalty units; or
- (b) for a heavy vehicle—80 penalty units.

Way to require vehicles to stop

4CA. For section 31(3) or 32(2) of the Act, an authorised officer may require the person in control of a motor vehicle to stop the vehicle—

- (a) by signalling in a way prescribed under the Queensland Road Rules, schedule 5, figure 1; or
- (b) by a sign displayed—
 - (i) by the authorised officer; or
 - (ii) on or in the vicinity of the road.

Example of paragraph (b)(ii)—

A sign that indicates that heavy vehicles must stop at a weighbridge when it is open.

Moving loads before weighing

4CB.(1) This section applies if the person in control of a heavy vehicle is required to—

- (a) stop the vehicle under section 32 of the Act; or
- (b) move the vehicle to a place, under section 33 of the Act, to enable

the vehicle to be weighed.

(2) The person must not unload or alter the position of any part of the load on the vehicle, for the time reasonably necessary to enable the authorised officer to perform a function or exercise a power under those sections.

Maximum penalty—80 penalty units.

PART 2—FEES

Fees generally

4F. The fees payable under this regulation are in schedule 1.

Indivisible load permit fees

9.(1) This section applies to a motor vehicle with at least 1 trailer (a “**vehicle combination**”) that—

- (a) is loaded with an indivisible load; and
- (b) has a loaded mass of more than 125 t.

(2) The fee for the grant of a permit to operate the vehicle combination is worked out using the formula—

$$\text{journey length} \times \text{total esa} \times \$0.04$$

(3) In this section—

“**average load per row**” means the mass (in tonnes) of the loaded trailer that is transmitted to the ground through its tyres, divided by the number of rows of tyres on the trailer.

“**equivalent standard axles**” means the number shown in schedule 2 opposite the number for the average load per row.

“**journey length**” means the number of kilometres involved in the journey for which the permit is granted.

*Transport Operations (Road Use
Management) Regulation 1995*

“total esa” means the equivalent standard axles multiplied by the number of rows of tyres on the trailer.

Example—

For a trailer with a loaded mass of 129.5 t and 7 rows of tyres, the average load per row is 18.5 t (ie $129.5 \text{ t} \div 7$).

According to schedule 2, the equivalent standard axles of a trailer that has an average load per row of 18.5 t is 4.6.

The total esa for a trailer with equivalent standard axles of 4.6 and having 7 rows of tyres is 32.2 (ie 4.6×7).

So the fee for a journey of 100 km for a vehicle with a total esa of 32.2 is \$128.80 (ie $100 \times 32.2 \times \$0.04$).

Axles

10.(1) Schedule 3 sets out the axle load limits for each type of axle or axle group.

(2) Two axles less than 1 m apart are to be regarded as 1 axle.

(3) Three axles not more than 2 m apart are to be regarded as 2 axles.

(4) Four axles not more than 3.2 m apart are to be regarded as 3 axles.

Measurement of distance between axles

11. For this regulation, the distance between axles is measured between the centres of the wheels mounted on the axles and parallel to the length of the vehicle.

PART 2A—GUIDELINES AND PERMITS

Guidelines and permits for vehicles

11A.(1) The chief executive may issue—

(a) a guideline, in an approved form, for the safe movement on a

*Transport Operations (Road Use
Management) Regulation 1995*

road of a type of vehicle; or

- (b) a permit for the safe movement on a road of a particular vehicle or type of vehicle.

(2) The commissioner may issue only a permit for the safe movement on a road of a particular oversize vehicle.

(3) The chief executive or commissioner may issue a permit by phone, fax, radio or another form of communication if the chief executive or commissioner considers it necessary because of urgent circumstances.

(4) A guideline or permit can not allow a combination to be more than—

- (a) for a combination consisting of 1 motor vehicle—the motor vehicle's GCM; or
- (b) for a combination consisting of more than 1 motor vehicle—the total of each motor vehicle's GCM.

(5) The matters a guideline or permit may relate to include the following—

- (a) the roads on which the vehicle may be driven;
- (b) the maximum permissible dimensions of the vehicle together with any load;
- (c) the maximum permissible mass of—
 - (i) the vehicle together with any load; or
 - (ii) parts of the vehicle;
- (d) any permissible or requisite modifications to the vehicle;

Example of paragraph (d)—

Extra lighting may be required to be added to the side of a vehicle carrying a wide load.

- (e) the times when the vehicle may be driven;
- (f) signs and warning devices to be displayed on the vehicle;
- (g) when the vehicle must travel with a pilot vehicle or escort vehicle;
- (h) requirements for pilot vehicles and pilot vehicle drivers, and escort vehicles and escort vehicle drivers;

*Transport Operations (Road Use
Management) Regulation 1995*

- (i) the maximum speeds at which the vehicle may be driven;
- (j) other matters relevant to the safe movement of the vehicle.

(6) The roads on which the vehicle may be driven may be shown on a map in the guideline.

Permit contents and conditions

11B.(1) A permit, other than a permit issued under alternative arrangements under section 11BA, must state——

- (a) if the permit relates to a particular vehicle, the registration number of the vehicle it relates to; and
- (b) the name and address of the person the permit is issued to; and
- (c) how long the permit is in force for; and
- (d) the conditions of the permit.

(2) The conditions of a permit may include a condition requiring the permit holder——

- (a) to pay the reasonable costs incurred by the State in relation to the issue of the permit, including for example, the costs of—
 - (i) assessing the roads the vehicle is to be driven on; or
 - (ii) preparing any relevant plans and cost estimates; or
 - (iii) preparing or strengthening road transport infrastructure; or
 - (iv) repairing, replacing or reconstructing road transport infrastructure; or
 - (v) ensuring the permit conditions are observed; or
- (b) to deposit an amount reasonably required by the chief executive as security for the costs mentioned in paragraph (a).

(3) If, no later than 28 days after the permit ends, the chief executive decides an amount deposited as a condition of the permit is not sufficient security for the costs, the chief executive may require a further amount to be deposited within a reasonable stated time.

(4) The chief executive must, within 28 days after the permit ends——

*Transport Operations (Road Use
Management) Regulation 1995*

- (a) calculate the costs incurred by the department; and
- (b) if the costs incurred are less than the amount deposited as security for costs, refund the difference to the permit holder.

Alternative arrangements for permits

11BA.(1) The chief executive may enter into arrangements with persons for the issue to them of permits other than in accordance with the requirements of sections 11A and 11B.

(2) The arrangements—

- (a) may only be made in circumstances in which it is impracticable for the requirements of sections 11A and 11B to be fully complied with; and
- (b) must provide for compliance with sections 11A and 11B to the greatest practicable extent.

Example of arrangements under subsections (1) and (2)—

The issue of a permit for a particular journey using a 2 stage process for the issue of the permit that involves—

- (a) the identification, in a document of general application, of the contents of permits to apply for all journeys of a particular type; and
- (b) completing the issue of the permit for the particular journey by the electronic issue of a ticket.

Driving under guideline or permit

11C.(1) A person who is—

- (a) driving a vehicle in accordance with a current guideline, or a permit, issued for the vehicle; and
- (b) if a permit has been issued for the vehicle, carrying the permit in the vehicle;

is exempt from complying with the provisions of this regulation for which the guideline or permit states it is a means of alternative compliance.

(2) However, a guideline or permit that is a means of alternative compliance for section 62B need not state that fact.

(3) A person must ensure a sign or warning device that is required under a guideline or permit is not displayed on a vehicle being driven by the person unless the person is driving the vehicle for the purpose for which the guideline or permit was issued.

Maximum penalty—30 penalty units.

PART 2B—VEHICLE DIMENSIONS

Meaning of “rear overhang” and “rear overhang line” for pt 2B

11CA.(1) This section defines “**rear overhang**” and “**rear overhang line**” for this part.

(2) The “**rear overhang**” of a vehicle is the distance between the rear of the vehicle and the rear overhang line of the vehicle.

(3) For a vehicle with an axle group at the rear comprising only 1 axle, the “**rear overhang line**” is a line running along the centre of the axle.

(4) For a vehicle with an axle group at the rear comprising 2 axles, 1 of which is fitted with twice the number of tyres as the other, the “**rear overhang line**” is a line running parallel to the axles that is—

- (a) closer to the axle carrying the greater number of tyres than it is to the other axle; and
- (b) located at one-third of the distance between the 2 axles.

(5) For a vehicle with an axle group at the rear that is not an axle group mentioned in subsection (3) or (4), the “**rear overhang line**” is a line running parallel to the axles down the centre of the axle group.

(6) For applying subsection (3), (4) or (5) to a vehicle—

- (a) an axle group is taken to comprise only the fixed and retractable axles in contact with the ground at the particular time the subsection is applied to the vehicle; and
- (b) an axle group is taken not to comprise any steerable axle unless—
 - (i) the group comprises only 1 axle and that axle is a steerable

axle; or

- (ii) all the axles in the group are steerable axles.

Load and other things are part of vehicle's dimensions for pt 2B

11D. In this part, a vehicle is taken to include anything on the vehicle, unless otherwise stated.

Length—motor vehicles

11E. A person must not drive a vehicle longer than—

- (a) for a combination (other than a B-double or road train)—19 m; or
- (b) for an articulated bus—18 m; or
- (c) for any other vehicle—12.5 m.

Maximum penalty—30 penalty units.

Width

11F.(1) A person must not drive a vehicle wider than 2.5 m.

Maximum penalty—30 penalty units.

(2) When measuring the width of a vehicle for subsection (1), any of the following items that may be fitted to the vehicle are to be disregarded—

- (a) anti-skid devices mounted on wheels;
- (b) central tyre inflation systems;
- (c) lights, mirrors, reflectors, signalling devices or tyre pressure gauges.

Height

11G. A person must not drive a vehicle higher than—

- (a) for a vehicle built to carry cattle, horses, pigs or sheep—4.6 m; or
- (b) for a vehicle built with at least 2 decks for carrying vehicles, when

*Transport Operations (Road Use
Management) Regulation 1995*

carrying a vehicle on the upper deck—4.6 m; or

(c) for a double-decker bus—4.4 m; or

(d) for another vehicle—4.3 m.

Maximum penalty—30 penalty units.

Height—ground clearance

11H.(1) A person must not drive a vehicle with a ground clearance of less than—

(a) at a point within 1 m of an axle—100 mm; and

(b) at the midpoint between adjacent axles—one-thirtieth of the distance between the centre of each axle; and

(c) at any other point—the distance that allows the vehicle to pass over a peak in the road if the gradient on either side of the peak is 1:15.

Maximum penalty—30 penalty units.

‘(2) In this section—

“**ground clearance**” of a vehicle means the minimum distance between the ground and the vehicle’s underside (other than its tyres, wheels, wheel hubs, brake backing plates, flexible mudguards and mudflaps).

Length—trailers

11I.(1) A person must not drive a vehicle towing a semi trailer or dog trailer if the semi trailer or dog trailer does not comply with this section.

Maximum penalty—30 penalty units.

(2) On a semi trailer or dog trailer, the distance from the front articulation point to—

(a) the rear overhang line must not be more than 9.5 m; and

(b) the rear of the trailer must not be more than 12.3 m.

(3) The part of a semi trailer or anything attached to a semi trailer in front of the trailer’s front articulation point (other than another vehicle) must not

*Transport Operations (Road Use
Management) Regulation 1995*

protrude beyond the prescribed limit.

(4) The prescribed limit is an imaginary line created by drawing a semicircle of 1.9 m radius from the centre of, and forward of, the front articulation point.

(5) A semi trailer with more than 1 front articulation point must comply with subsections (2) and (3) when measured at one of the points.

(6) A trailer built to carry cattle, horses, pigs or sheep (“**animals**”) on 2 or more partly or completely overlapping decks must not have more than 12.5 m of its length available to carry animals.

(7) In a B-double built to carry animals, the 2 semi-trailers must not have more than 18.8 m of their combined length available to carry animals.

(8) For subsection (6) and (7), the length available for the carriage of animals on a trailer is measured from the inside of the front wall or door of the trailer to the inside of the rear wall or door of the trailer, with any intervening partitions disregarded.

Length—rear overhang

11J.(1) A person must not drive a vehicle that does not comply with this section.

Maximum penalty—30 penalty units.

(2) The rear overhang of a vehicle must not be more than the lesser of 3.7 m and—

- (a) for a semi trailer or dog trailer—60% of the distance between the front articulation point and the rear overhang line; or
- (b) for any other trailer—the distance between the front of the body or load carrying area and the rear overhang line; or
- (c) for another vehicle—60% of the distance between the centre of the front axle and the rear overhang line.

(3) A semi trailer with more than 1 front articulation point must comply with subsection (2)(a) when measured at the same point that is used for measurement for compliance under section 11I(5).

(4) Despite subsection (2), if a vehicle built to carry vehicles has at least

2 decks and a vehicle it is carrying overhangs its rear, the rear overhang of the vehicle built to carry vehicles must not be more than 4.9 m.

Length—trailer drawbars

11K.(1) A person must not drive a vehicle towing a trailer if the trailer does not comply with this section.

Maximum penalty—30 penalty units.

(2) On a dog trailer, the distance between the coupling pivot point on the drawbar and the centre of the front axle group—

- (a) must not be more than 5 m; and
- (b) if the trailer is used in a road train that is longer than 19 m—must not be less than 3 m.

(3) On a trailer (other than a semi trailer) with only a single axle group, the distance between the coupling pivot point on the drawbar and the centre of the axle group must not be more than 8.5 m.

Limits on projections of loads on vehicles

11KA.(1) A person must not drive, park or stop a vehicle on a road if any load on the vehicle projects—

- (a) for a motorbike without a sidecar—
 - (i) more than 150 mm in front of the outer extremity of the motorbike's front wheel; or
 - (ii) more than 300 mm behind the outer extremity of the motorbike's back wheel; or
 - (iii) past the outer extremity of the motorbike on either side; or
- (b) for a motorbike with a sidecar—
 - (i) more than 600 mm in front of the outer extremity of the motorbike's front wheel; or
 - (ii) more than 900 mm behind the outer extremity of the motorbike's back wheel; or

*Transport Operations (Road Use
Management) Regulation 1995*

- (iii) past the outer extremity of the vehicle on either side; or
- (c) for a motorbike trailer—
 - (i) more than 300 mm behind the trailer; or
 - (ii) past the outer extremity of the trailer on either side; or
- (d) for a motor vehicle, other than a motorbike, without a trailer—
 - (i) more than 1.2 m in front of the motor vehicle's headlights;
or
 - (ii) more than 1.2 m behind the motor vehicle; or
 - (iii) more than 150 mm past the outer extremity of the motor vehicle on either side; or
- (e) for a motor vehicle, other than a motorbike, with a trailer—
 - (i) more than 1.2 m in front of the motor vehicle's headlights;
or
 - (ii) more than 1.2 m behind either the motor vehicle or the trailer; or
 - (iii) more than 150 mm past the outer extremity of either the motor vehicle or the trailer on either side; or
- (f) for a vehicle drawn by an animal—
 - (i) past the animal's head; or
 - (ii) if the vehicle is a 2 wheeled vehicle—more than 1 m behind the vehicle's body; or
 - (iii) if the vehicle is a 4 wheeled vehicle—more than 1 m behind the vehicle's body or the back wheels; or
 - (iv) if the vehicle is a pole type jinker—behind the back end of the pole; or
 - (v) more than 300 mm past the outer extremity of the vehicle's body or wheels on either side.

Maximum penalty—20 penalty units.

(2) Despite subsection (1)(d), (e) and (f), a load may project more than 1.2 m behind either a motor vehicle or a trailer, or more than 1 m behind a

*Transport Operations (Road Use
Management) Regulation 1995*

vehicle drawn by an animal, if—

- (a) a brightly coloured red, red and yellow, or yellow flag at least 450 mm by 450 mm is fixed to the extreme back of the load; and
- (b) at night—
 - (i) a light showing a clear red light to the back, visible under normal atmospheric conditions at a distance of at least 200 m, is fixed to the extreme back of the load; or
 - (ii) at least 2 reflectors, capable of projecting a red reflection of light from the headlight of any following vehicle, are fixed to the extreme back of the load.

(3) If part of the load on a motor vehicle, or on a trailer towed by a motor vehicle, projects in a way that it would not be readily visible to a person following immediately behind the vehicle, the driver of the vehicle must ensure—

- (a) a red, red and yellow, or yellow flag at least 450 mm by 450 mm is fixed to the extreme back of the load; and
- (b) at night—
 - (i) a light showing a clear red light to the back, visible under normal atmospheric conditions at a distance of at least 200 m, is fixed to the extreme back of the load; or
 - (ii) at least 2 reflectors, capable of projecting a red reflection of light from the headlight of any following vehicle, are fixed to the extreme back of the load.

Maximum penalty—20 penalty units.

(4) When measuring a vehicle's width for this section, a back-vision mirror, light or reflector attached to the vehicle is not to be taken into account.

(5) Nothing in subsections (1) to (4) authorises a person to drive a vehicle on a road other than in compliance with the requirements of sections 11E to 11K.

(6) In this section—

“load” includes equipment and the pole of a pole-type trailer or jinker.

Agricultural vehicles

11KB.(1) Sections 11F and 11G do not apply to a person driving an agricultural vehicle if—

- (a) the vehicle is not higher than 5 m; and
- (b) the vehicle is not wider than—
 - (i) for the Cairns police district north of Mossman, the Charleville, Longreach, Mareeba, Mount Isa or Roma police districts, or the Townsville police district west of Pentland—3.66 m; or
 - (ii) for anywhere else—3.5 m; and
- (c) the vehicle is not carrying a load, other than items used in performing the vehicle's function; and
- (d) the person ensures that subsections (2) to (6) are complied with.

(2) An oversize warning sign or slow vehicle warning sign must be—

- (a) attached to the back of the vehicle; and
- (b) fitted upright above the bumper bar, or if there is no bumper bar, at least 500 mm above the ground.

(3) An operating rotating flashing yellow light or strobe-type flashing yellow light must be attached to the top, or as near to the top as practicable, of the vehicle so it is visible from the front and back.

(4) A brightly coloured red, red and yellow, or yellow flag at least 450 mm by 450 mm must be fixed to each corner of the vehicle.

(5) The vehicle must not be driven or towed—

- (a) at night; or
- (b) in a local government area that, under the *Local Government Act 1993*, has been declared to be a city—between 7.00 a.m. and 9.00 a.m. or 4.00 p.m. and 6.00 p.m., Monday to Friday; or
- (c) in the area of the City of Brisbane—
 - (i) from 23 December in a year to 2 January in the following year; or

*Transport Operations (Road Use
Management) Regulation 1995*

- (ii) from the day before Good Friday to the day after Easter Monday; or
- (d) in the area bounded by an imaginary line from the point where the Queensland/New South Wales border meets the coast, then to Warwick, then to Toowoomba, then to Gympie, then due east to the coast, then along the coastline to the start—between 7 a.m. and sunset on a Saturday, Sunday or public holiday; or
- (e) on a part of the South East Arterial Road north of its intersection with the Gateway Arterial Road.

(6) Before an agricultural vehicle is driven or towed on the following roads, the driver must contact the following police to request a police escort—

- (a) a part of the Old Marlborough Sarina Road on the Sarina Range—Sarina police;
- (b) a part of the Peak Downs highway on the Eton Range—Mackay police;
- (c) the Burdekin River bridge—Home Hill police;
- (d) any road on the Kuranda Range—Cairns police.

(7) In this section—

“oversize warning sign” means a sign that—

- (a) displays the word ‘oversize’ in black, upper-case and non-reflecting letters that—
 - (i) are at least 200 mm high; and
 - (ii) are at least 125 mm from the top and bottom of the sign; and
 - (iii) comply with AS 1744 Forms of Letters and Numerals for Road Signs; and
 - (iv) are in typeface series C(N); and
- (b) is at least 450 mm high and at least 1200 mm long, whether or not it is split, and
- (c) has the sign manufacturer’s name or trademark permanently marked on a visible part of the sign in letters at least 3 mm but no

*Transport Operations (Road Use
Management) Regulation 1995*

more than 10 mm high; and

- (d) is not a split sign unless—
 - (i) it has ‘over’ on 1 part of the sign and ‘size’ on the other part; and
 - (ii) the parts are at the same height; and
 - (iii) there is no border between the parts; and
- (e) has a yellow background with a surface made of a material that complies with the requirements of AS 1906.1 Retroreflective Materials and Devices for Road Traffic Control Purposes, Part 1—Retroreflective Materials for class 1 or 2 materials; and
- (f) has a black non-reflective border that is—
 - (i) at least 20 mm wide; and
 - (ii) if the sign is not framed or does not have a raised rim—at least 10 mm from the edge of the sign; and
- (g) except for the part of its surface required under AS 1906.1 to be made of retroreflective material, is made of rigid, flat and weatherproof material unless, for a sign attached to the back of an vehicle, the vehicle’s load makes it impractical to have a rigid warning sign; and
- (h) is clean enough to be easily read by other road users.

“slow vehicle sign” means a sign that—

- (a) displays the words ‘slow vehicle’ in black, upper-case and non-reflective letters that—
 - (i) are at least 140 mm high; and
 - (ii) comply with AS 1744 Forms of Letters and Numerals for Road Signs; and
 - (iii) are in typeface series D; and
- (b) has a yellow background with a surface made of a material that complies with the requirements of AS 1906.1 for class 1 or 2 materials; and
- (c) is clean enough to be easily read by other road users.

Information and liability offences

- 11L.** An offence against this part involving a heavy vehicle is—
- (a) an information offence for the Act, section 50; and
 - (b) a liability offence for the Act, section 57.

PART 3—MASS

Application of part

- 12.** This part applies to the following when on a road—
- (a) a vehicle with a GVM of more than 4.5 t;
 - (b) a combination including a vehicle with a GVM of more than 4.5 t.

Performance standards for mass

13. The performance standard for mass is the mass (not more than the GVM or GCM) a vehicle and its load may achieve if the appropriate fees are paid.

Compliance with requirements—vehicles

14. The person in control of a vehicle must ensure the vehicle complies with a mass requirement applying to it.

Maximum penalty—

- (a) for an excessive overloading offence—50 penalty units; or
- (b) for a dangerous or extreme overloading offence—80 penalty units.

Compliance with requirements—trailers

15. The person in control of a vehicle towing a trailer must ensure the

trailer complies with a mass requirement applying to it.

Maximum penalty—

- (a) for an excessive overloading offence—50 penalty units; or
- (b) for a dangerous or extreme overloading offence—80 penalty units.

Compliance with requirements—combinations

16. The person in control of a combination must ensure it complies with a mass requirement applying to it.

Maximum penalty—

- (a) for an excessive overloading offence—50 penalty units; or
- (b) for a dangerous or extreme overloading offence—80 penalty units.

Vehicle tare

17. The tare of a vehicle may be determined—

- (a) by weighing the vehicle on a weighing device; or
- (b) from the certificate of registration in force for the vehicle under State or Commonwealth law.

Tyre mass

18. The tyre mass of a vehicle tyre may be determined by weighing on a weighing device.

Axle mass

19.(1) An axle mass of a vehicle may be determined—

- (a) for a single axle that is not part of a group of axles—by weighing with the tyres of the axle simultaneously on a weighing device; and

*Transport Operations (Road Use
Management) Regulation 1995*

- (b) for a group of axles—by weighing with the tyres of the group of axles simultaneously on a weighing device.

(2) However, the axle mass of an axle fitted with dual tyres may be determined by placing only the outside tyres on the weighing device.

Axle mass—complying buses

19A.(1) This section applies despite schedule 4, section 1(6).

(2) The total mass on the axles of a complying bus must not be more than—

- (a) for a bus with 2 axles—16 t; or
- (b) for a bus with a rear tandem axle group fitted with single tyres on 1 axle and dual tyres on the other axle—20 t; or
- (c) for a bus with a rear tandem axle group fitted with dual tyres on both axles—22.5 t.

(3) The total mass on the axles of a complying bus with a trailer must not be more than the total of—

- (a) the mass for the bus allowed under subsection (2); and
- (b) the mass for the trailer allowed under schedule 5.

(4) In this section—

“air suspension system” of 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 air pressure 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 air pressure in the air spring.

“complying bus” means a bus with 2 or 3 axles (including a single steer axle) that—

- (a) for a bus manufactured before 1 July 1994—has been issued with a complying bus approval; or

*Transport Operations (Road Use
Management) Regulation 1995*

- (b) for a bus manufactured on or after 1 July 1994 that does not have a compliance plate—has been issued with a complying bus approval; or
- (c) for a bus manufactured on or after 1 July 1994 that has a compliance plate—
 - (i) is fitted with an air suspension system; and
 - (ii) meets the occupant protection specifications in ADR 68.

“complying bus approval”, for a bus, means the chief executive’s approval under the *Transport Infrastructure (Roads) Regulation 1991*, section 44 that states the bus—

- (a) meets—
 - (i) the emergency exit specifications in ADR 44; and
 - (ii) the rollover strength specifications in ADR 59; and
 - (iii) the occupant protection specifications in ADR 68; and
- (b) is fitted with an air suspension system.

Axle mass for ultra-low floor route bus

19B.(1) This section applies despite schedule 4, section 1(6).

(2) The total mass on the axles of an ultra-low floor route bus must not be more than 16 t.

(3) The total mass on the axles of an ultra-low floor route bus with a trailer must not be more than the total of—

- (a) the mass for the bus allowed under subsection (2); and
- (b) the mass for the trailer allowed under schedule 5.

Vehicle mass

20. The mass of a vehicle or vehicle combination may be determined—

- (a) by weighing all axles simultaneously on a weighing device; or

*Transport Operations (Road Use
Management) Regulation 1995*

- (b) by totalling the axle mass of each axle of the vehicle or vehicle combination.

Other ways of determining mass may be used

21. This part does not limit the way a vehicle's tare or mass or a vehicle's tyre or axle mass may be determined.

Way of stating GVM

21A. For the definition "GVM" in schedule 3 of the Act, the maximum loaded mass of a vehicle may be—

- (a) if the GVM is not stated on the vehicle's compliance plate, the compliance plate is illegible, or the vehicle has no compliance plate—stated in writing by the vehicle's manufacturer; or
- (b) for a vehicle registered—
 - (i) in Queensland—stated in the vehicle's registration certificate issued under a transport Act; or
 - (ii) in another State—stated in writing by the State's registration authority; or
- (c) stated in a certificate of modification for the vehicle, or in a modification plate attached to the vehicle, issued under—
 - (i) a transport Act; or
 - (ii) a corresponding law.

Proof of GCM or GVM

21B. A certificate purporting to be signed by the chief executive or commissioner and stating the following matters for a vehicle is evidence of the matters—

- (a) a vehicle's GCM and the way it has been stated for the definition "GCM" in schedule 13;
- (b) a vehicle's GVM and the way it has been stated under the Act.

Proof of mass

21C.(1) In a proceeding under this regulation, a certificate of a servicing licensee or trade measurement inspector, stating that a weighing device was tested on a stated date, is (within 1 year after that date) evidence that the mass indicated by the weighing device is accurate to the extent stated in the certificate.

(2) In this section—

“servicing licensee” means a licensee under a servicing licence granted under the *Trade Measurement Act 1990*.

“trade measurement inspector” means an inspector under the *Trade Measurement Act 1990*.

Transport of livestock

24.(1) This section applies to livestock vehicles registered in Queensland immediately before 1 July 1996.

(2) However, this section applies to a vehicle only if—

- (a) a permit under the *Transport Infrastructure (Roads) Regulation 1991*, section 3.05 applying to the vehicle was in force immediately before 1 July 1996; and
- (b) the vehicle does not comply with guidelines under this regulation.

(3) The owner of a vehicle to which this section applies may continue to use the vehicle to carry livestock.

(4) However, to continue to use a semitrailer to which this section applies, the owner of the vehicle must, before 1 July 1996, give to the chief executive a weighbridge certificate obtained after the commencement of this section and stating the vehicle’s tare.

(5) The owner must comply with permit conditions applying to the use of the vehicle immediately before the commencement of this section.

Maximum penalty—80 penalty units.

(6) For this section, the *Transport Infrastructure (Roads) Regulation 1991*, section 3.05 continues to apply to a vehicle to which this section

applies as if it had not been repealed.¹

(7) This section expires on 30 June 2003.

Phasing out of semitrailers used as livestock vehicles

25.(1) This section applies to a semitrailer with a tare of more than 15 t (a “**prescribed livestock vehicle**”).

(2) Section 24 ceases to apply to a prescribed livestock vehicle on the day specified for the vehicle in subsection (3) (the “**phase-out day**”).

(3) The phase-out day for a prescribed livestock vehicle is—

- (a) for a vehicle with a tare of more than 19 t—1 July 2001; or
- (b) for a vehicle with a tare of more than 17 t but not more than 19 t—1 July 2002; or
- (c) for a vehicle with a tare of more than 15 t but not more than 17 t—30 June 2003.

(4) This section expires on 30 June 2003.

Information and liability offences

26. An offence against this part is—

- (a) an information offence for the Act, section 50; and
- (b) a liability offence for the Act, section 57; and
- (c) an extended liability offence for the Act, section 57B.

¹ To aid readers, the section is included in an attachment to this regulation. The attachment does not form part of the regulation.

PART 4—LOADING

Application of part

27. This part applies to a load on a vehicle or combination.

Performance standards for loading

28. A way of loading a vehicle that ensures the following is a performance standard—

- (a) risks to other road users are minimised;
- (b) the loading does not reduce the vehicle's stability;
- (c) the load is restrained to prevent it falling off the vehicle or dislodging when the vehicle is moving.

Compliance with requirements—vehicles

29. The person in control of a vehicle must ensure a load on it complies with a loading requirement applying to it.

Maximum penalty for a private vehicle—20 penalty units.

Maximum penalty for a heavy vehicle—35 penalty units.

Compliance with requirements—trailers

30. The person in control of a vehicle towing a trailer must ensure the trailer complies with a loading requirement applying to it.

Maximum penalty for a private vehicle—20 penalty units.

Maximum penalty for a heavy vehicle—35 penalty units.

Compliance with requirements—combinations

31. The person in control of a combination must ensure it complies with

a loading requirement applying to it.

Maximum penalty for a private vehicle—20 penalty units.

Maximum penalty for a heavy vehicle—35 penalty units.

Proof of loading offences

32. In a proceeding for an offence against a loading requirement—

- (a) evidence that a load on a vehicle was not placed, secured or restrained in a way that met a performance standard under the Load Restraint Guide is evidence of a contravention of a loading requirement;² and
- (b) evidence that a load, or part of a load, has fallen off a vehicle is evidence that the load was not properly secured, unless the contrary is proved; and
- (c) a court must presume a document purporting to be the Load Restraint Guide is the Load Restraint Guide, until the contrary is proved.

Information and liability offences

33. An offence against this part involving a heavy vehicle is—

- (a) an information offence for the Act, section 50; and
- (b) a liability offence for the Act, section 57.

² The Load Restraint Guide is published by the Australian Government Publishing Service and may be purchased from the Commonwealth Government Bookshop, Brisbane.

PART 4A—ACCREDITED PERSONS

Division 1—Accredited persons generally

Applying to be appointed as an accredited person

33A.(1) A person may apply to the chief executive to be appointed as an accredited person.

(2) The application must be—

- (a) made in the approved form; and
- (b) supported by enough information to enable the chief executive to decide the application; and
- (c) accompanied by the appropriate fee.

Deciding application

33B. The chief executive must consider the application within 28 days after receiving all necessary information relevant to the application and either—

- (a) grant the application; or
- (b) refuse the application.

Granting application

33C. If the chief executive decides to grant the application, the chief executive must, by written notice (the “**instrument of appointment**”) given to the applicant within 14 days after making the decision, appoint the applicant as an accredited person.³

³ The accredited person’s conditions of appointment are stated in the instrument of appointment—see s 23(1) of the Act.

Refusing application

33D.(1) The chief executive may refuse the application if the applicant has been—

- (a) convicted of a disqualifying offence; or
- (b) charged with a disqualifying offence and the charge has not been finally disposed of; or
- (c) convicted of an offence against this Act, or a corresponding law, within 5 years immediately before the application was made.

(2) Subsection (1) does not limit the grounds on which the chief executive may refuse the application.⁴

(3) If the chief executive decides to refuse the application, the chief executive must give the applicant written notice of the decision within 14 days after making the decision.

(4) The notice must state—

- (a) the reasons for the decision; and
- (b) the applicant may apply, within 28 days after the giving of the notice, to have the decision reviewed; and
- (c) how the applicant may apply for the review.

Accreditation documents and identity cards

33E.(1) On appointing a person as an accredited person, the chief executive must give the person—

- (a) an accreditation document; or
- (b) an identity card.

(2) The accreditation document must—

- (a) identify the person as an accredited person; and
- (b) state the person's accreditation number; and

⁴ The chief executive may also refuse the application if the applicant does not have the necessary expertise—see s 21(1) of the Act and sections 33N and 33P of this regulation.

*Transport Operations (Road Use
Management) Regulation 1995*

(c) state an expiry date.

(3) The identity card must—

- (a) contain a recent photograph of the person; and
- (b) identify the person as an accredited person; and
- (c) state the person's accreditation number; and
- (d) state an expiry date; and
- (e) be signed by the accredited person.

Display of accreditation document or identity card

33F. While performing the functions of an accredited person, the accredited person must display the accreditation document or identity card so it is clearly visible.

Examples of how document or card must be displayed—

1. Displaying the document on premises or in a vehicle being used by the person.
2. Wearing the card on the person's clothing.

Maximum penalty—20 penalty units.

Replacement of accreditation document or identity card

33G.(1) An accredited person may apply to the chief executive for the replacement of an accreditation document or identity card if the document or card is lost, damaged, destroyed or stolen.

(2) The application must—

- (a) be made in the approved form; and
- (b) be accompanied by the appropriate fee.

(3) If the chief executive is satisfied the accreditation document or identity card has been lost, damaged, destroyed or stolen, the chief executive must replace it.

Resignation from appointment

33H. If an accredited person resigns their appointment as an accredited person, the person stops being an accredited person—

- (a) on the day on which notice of resignation is given to the chief executive; or
- (b) if a later day is stated in the notice, the later day.

Surrender of accreditation document or identity card

33I.(1) A person who stops being an accredited person⁵ must return their accreditation document or identity card to the chief executive as soon as practicable (but within 7 days) after the person stops being an accredited person, unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

(2) If a person returns an accreditation document or identity card to the chief executive because the person's appointment is suspended, the chief executive must return it to the person at the end of the suspension term.

Accreditation prescribed for the Act, ss 17B(2) and 18(c)(ii)

33J. An accreditation under this part is prescribed for sections 17B(2) and 18(c)(ii)⁶ of the Act.

Employer's duty

33K.(1) The employer of an accredited person must ensure the accredited person complies with the conditions of appointment stated in the person's instrument of appointment.

Maximum penalty—80 penalty units.

⁵ In addition to resigning their appointment, an accredited person also stops being an accredited person if the person's appointment is suspended or cancelled under part 1A of the Act.

⁶ Section 17B (Granting, renewing or refusing approval) of the Act
Section 18 (Grounds for amending suspending or cancelling approvals) of the Act

(2) The employer does not commit an offence against subsection (1) if the employer exercised reasonable diligence and took reasonable steps to ensure the accredited person complied with the conditions.

Powers of accredited persons

33L. An accredited person has the power to do all things necessary or convenient to be done for, or in connection with, the performance of the accredited person's functions.

Division 2—Pilot vehicle drivers

Functions

33M. The function of an accredited person who is a pilot vehicle driver is to drive a pilot vehicle in order to warn other road users of the presence of an oversize vehicle.

Necessary expertise for appointment

33N.(1) For section 21⁷ of the Act, a person has the necessary expertise to be appointed as a pilot vehicle driver if the person—

- (a) holds, and has held for the entire 3 year period before the day of application, a provisional or open licence for a motor car; and
- (b) either—
 - (i) passes a written competency test for pilot vehicle drivers approved and conducted by the chief executive; or
 - (ii) has other qualifications that the chief executive is satisfied are equivalent to, or better than, those mentioned in subparagraph (i).

(2) The chief executive may approve a competency test for this section only if satisfied that a person who passes the test will have the skills and

⁷ Section 21 (Appointment of accredited persons) of the Act

knowledge to perform the function of an accredited person who is a pilot vehicle driver.

Division 3—Escort vehicle drivers

Functions

33O. The function of an accredited person who is an escort vehicle driver is to drive an escort vehicle in order to warn other road users of the presence of an oversize vehicle.

Necessary expertise for appointment

33P.(1) For section 21⁸ of the Act, a person has the necessary expertise to be appointed as an escort vehicle driver if the person—

- (a) holds, and has held for the entire 3 year period before the day of application, a provisional or open licence for a motor car; and
- (b) either—
 - (i) completes a training course for escort vehicle drivers approved by the chief executive; or
 - (ii) has other qualifications that the chief executive is satisfied are equivalent to, or better than, those mentioned in subparagraph (i).

(2) The chief executive may approve a training course for this section only if satisfied that a person who completes the course will have the skills and knowledge to perform the function of an accredited person who is an escort vehicle driver.

⁸ Section 21 (Appointment of accredited persons) of the Act

Division 4—Vehicle safety inspections

Function

33Q.(1) The function of an accredited person who is an approved examiner is to inspect a vehicle under the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 1998* to decide whether or not the vehicle is defective.

(2) The function of an accredited person who is an approved person is to inspect a modified vehicle under the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 1998* to decide whether or not the modification makes the vehicle defective.

(3) In this section—

“defective” has the meaning given the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 1998*.

Necessary expertise—Act, s 21(1)

33R.(1) A person has the necessary expertise to be accredited as an approved examiner to inspect a private vehicle if the person—

- (a) holds a certificate that the chief executive considers to be at least equal to a certificate for motor mechanics issued under—
 - (i) the *Vocational Education, Training and Employment Act 1991*; or
 - (ii) the *Tradesmen’s Rights Regulation Act 1946* (Cwlth); or
- (b) has successfully completed a motor mechanic’s apprenticeship.

(2) A person has the necessary expertise to be accredited as an approved examiner to inspect a motorcycle if—

- (a) the person holds a certificate that the chief executive considers to be at least equal to a certificate for motorcycle mechanics issued under—
 - (i) the *Vocational Education, Training and Employment Act 1991*; or

*Transport Operations (Road Use
Management) Regulation 1995*

- (ii) the *Tradesmen's Rights Regulation Act 1946* (Cwlth); or
- (b) the person has successfully completed a motorcycle mechanic's apprenticeship; or
- (c) the person—
 - (i) the person holds a certificate that the chief executive considers to be at least equal to a certificate for motor mechanics issued under—
 - (A) the *Vocational Education, Training and Employment Act 1991*; or
 - (B) the *Tradesmen's Rights Regulation Act 1946* (Cwlth); and
 - (ii) has at least 1 year's continuous experience in repairing or maintaining motorcycles.

(3) A person has the necessary expertise to be accredited as an approved examiner to inspect a heavy vehicle if—

- (a) the person holds a certificate that the chief executive considers to be at least equal to a certificate for motor mechanics issued under—
 - (i) the *Vocational Education, Training and Employment Act 1991*; or
 - (ii) the *Tradesmen's Rights Regulation Act 1946* (Cwlth); or
- (b) the person has successfully completed a motor mechanic's apprenticeship; or
- (c) the person—
 - (i) holds a certificate that the chief executive considers to be at least equal to a certificate of Engineering Trades Person (Heavy Commercial Vehicle); and
 - (ii) has at least 1 year's continuous experience in repairing or maintaining heavy vehicles.

(4) A person has the necessary expertise to be accredited as an approved examiner to inspect a light trailer if the person—

*Transport Operations (Road Use
Management) Regulation 1995*

- (a) holds a certificate that the chief executive considers to be at least equal to a certificate for motor mechanics issued under—
 - (i) the *Vocational Education, Training and Employment Act 1991*; or
 - (ii) the *Tradesmen's Rights Regulation Act 1946* (Cwlth); or
- (b) has successfully completed a motor mechanic's apprenticeship; or
- (c) holds a certificate that the chief executive considers to be at least equal to a certificate of competency to examine trailers approved by the National Training Board under the National Competency Standards.

(5) A person has the necessary expertise to be accredited as an approved examiner to inspect a heavy trailer if—

- (a) the person—
 - (i) holds a certificate that the chief executive considers to be at least equal to a certificate—
 - (A) for motor mechanics issued under the *Vocational Education, Training and Employment Act 1991*; or
 - (B) for motor mechanics issued under the *Tradesmen's Rights Regulation Act 1946* (Cwlth); or
 - (C) of Engineering Trades Person (Heavy Commercial Vehicle); or
 - (ii) has successfully completed a motor mechanic's apprenticeship; and
- (b) the person has at least 1 year's continuous experience in repairing or maintaining heavy trailers.

(6) A person has the necessary expertise to be accredited as an approved person to inspect and approve a type of modification to a vehicle if the person has successfully completed a training course approved by the chief executive for that type of modification.

(7) In this section—

“heavy trailer” means a trailer with an ATM of more than 3.5 t.

“light trailer” means a trailer with an ATM of more than 0.75 t but not more than 3.5 t.

PART 5—ACCREDITING DRIVER TRAINERS

Division 1—General

Definitions

34. In this part—

“accredited” means accredited under this part.

“commission” means the Vocational Education, Training and Employment Commission under the *Vocational Education, Training and Employment Act 1991*.

“convicted” includes being found guilty, and the acceptance of a plea of guilty, by a court, whether or not a conviction is recorded.

“driver trainer” see section 35.

“driver training” see section 35.

“pre-licence driver training” means driver training for a person who holds a learner’s permit for the type of vehicle for which the training is being given.

“qualifications” includes experience.

“reward” includes commission, fee, salary and wage.

“training controls” means the following motor vehicle controls—

- (a) for a motor vehicle with automatic transmission—dual footbrake and accelerator controls;
- (b) for a motor vehicle with manual transmission—dual foot brake and clutch controls.

Meaning of driver trainer and driver training

35. A “**driver trainer**” is a person who, for reward (whether as a self-employed person or as an agent or employee for somebody else), gives anyone advice, training or demonstration for driving a motor vehicle (“**driver training**”).

Division 2—Driver trainer accreditation

Accrediting driver trainers

36.(1) A person may apply to the chief executive for the grant of an accreditation as a driver trainer.

(2) The chief executive may grant the accreditation only if the applicant—

- (a)** holds an open licence authorising the applicant to drive the type or types of motor vehicles stated in the application as being the type or types of motor vehicles for which the applicant proposes to give training; and
- (b)** has successfully completed at least 1 of the following—
 - (i)** a driver trainer course—
 - (A)** accredited by the commission; and
 - (B)** conducted by a provider registered with the commission;
 - (ii)** a driver trainer competency assessment conducted by a provider registered with the commission;
 - (iii)** a driver trainer course accredited by a training authority under the law of the Commonwealth or another State.

(3) Despite subsection (2)(b), the chief executive may grant an accreditation if the applicant has other qualifications as a driver trainer that the chief executive is satisfied are equivalent to, or better than, those mentioned in paragraph (b).

(4) Without limiting subsections (2) and (3), the chief executive may refuse to grant the accreditation if the applicant has been convicted of a

disqualifying offence.

(5) The chief executive may—

- (a) grant the accreditation applied for or another accreditation; or
- (b) refuse the accreditation.

Applying for accreditation

37. An application for an accreditation must be—

- (a) made to the chief executive in the approved form; and
- (b) supported by enough information to enable the chief executive to decide the application; and
- (c) accompanied by the appropriate fee.

Deciding application for accreditation

38. The chief executive must consider an application for accreditation within 28 days after it is made and either—

- (a) grant the accreditation; or
- (b) refuse to grant the accreditation.

Granting of accreditation

39.(1) If the chief executive decides to grant the accreditation applied for, the chief executive must give the accreditation in the approved form to the applicant within 14 days after making the decision.

(2) The accreditation must include a condition the chief executive imposes under section 42.

Refusing to grant accreditation

40.(1) If the chief executive decides to refuse to grant the accreditation applied for, the chief executive must give written notice to the applicant of the decision within 14 days after making the decision.

*Transport Operations (Road Use
Management) Regulation 1995*

(2) The notice must state—

- (a) the reasons for the refusal; and
- (b) the person may ask for the decision to be reviewed under section 52.

Statutory conditions in accreditation

41.(1) Every accreditation is issued on the following conditions, that throughout the accreditation—

- (a) irrespective of when it is granted, the holder of the accreditation must maintain at least the same level of driver trainer competence as is required before the chief executive may accredit an applicant for accreditation as a driver trainer under section 36(2)(b);
- (b) the chief executive may—
 - (i) by random selection of the holder and on giving the holder reasonable written notice, not less than 14 days—conduct an audit to assess the holder's competence as an accredited driver trainer; or
 - (ii) if the chief executive has received a written complaint from a person who has received driver training from the holder about the holder's competence as an accredited driver trainer—on giving the holder not less than 7 days written notice, conduct an audit to assess the holder's competence as an accredited driver trainer;
- (c) if given a notice under paragraph (b), the holder must—
 - (i) cooperate fully with the chief executive; and
 - (ii) give the chief executive every reasonable help requested by the chief executive;

in arranging and carrying out the audit.

(2) However unless subsection (1)(b)(ii) applies, the chief executive may not audit the same holders's competence as an accredited driver trainer more than once every 2 years.

(3) This section does not limit section 42.

Grant of accreditation on conditions

42. The chief executive may grant an accreditation on conditions the chief executive considers reasonable and relevant.

Duration of accreditation

43. An accreditation is issued for 1 year.

Renewal of accreditation

44.(1) The holder of an accreditation may apply to the chief executive for its renewal.

(2) The application must be—

- (a) made in the approved form; and
- (b) supported by enough information to enable the chief executive to decide the application; and
- (c) accompanied by the appropriate fee; and
- (d) made at least 14 days before the accreditation ends.

Application of ss 37 to 42 for renewal of accreditation

45.(1) Sections 37 to 42 apply to the renewal of an accreditation in the same way they apply to an accreditation.

(2) Also, the chief executive may refuse an application for renewal of an accreditation if the accreditation was—

- (a) issued in error or because of a document or representation that is false, misleading or omits a material particular; or
- (b) obtained or made in another improper way.

Duration of renewal of accreditation

46. The duration of a renewal of an accreditation is 1 year.

Replacement of accreditation etc.

47.(1) The holder of a lost, damaged or destroyed accreditation or identity card may apply to the chief executive for its replacement.

(2) The application must—

- (a) be made in the approved form; and
- (b) be accompanied by the appropriate fee for the application.

(3) If the chief executive is satisfied the accreditation or identity card has been lost, damaged or destroyed, the chief executive must replace it.

Surrender of accreditation

48.(1) The holder of an accreditation may surrender it by written notice given to the chief executive.

(2) The notice must be accompanied by the accreditation.

(3) The surrender of the accreditation takes effect—

- (a) on the day on which the notice is given; or
- (b) if a later day is stated in the notice—the later day.

Accreditation dependent on driver's licence

49.(1) This section applies if—

- (a) an accredited driver trainer's driver's licence is suspended or cancelled; or
- (b) the driver trainer surrenders the licence.

(2) The driver trainer's accreditation under this part is—

- (a) if the licence is suspended—automatically suspended and of no effect while the licence is suspended; or
- (b) if the licence is cancelled or surrendered—automatically cancelled or surrendered.

(3) A person whose accreditation as a driver trainer is cancelled, suspended or surrendered under subsection (2) must immediately—

*Transport Operations (Road Use
Management) Regulation 1995*

- (a) notify the chief executive of the cancellation, suspension or surrender in writing; and
- (b) return the person's accreditation to the chief executive.

Maximum penalty—40 penalty units.

(4) The chief executive must not return a suspended accreditation to the person before the suspension ends.

Division 3—Giving pre-licence driver training

Driver trainer giving pre-licence driver training to be accredited

50.(1) A driver trainer must not give pre-licence driver training unless the driver trainer is an accredited driver trainer.

Maximum penalty—40 penalty units.

(2) However subsection (1) does not apply to a driver trainer who, while engaged or employed in a business or calling, gives pre-licence driver training to another person—

- (a) so that the person may be engaged or employed in the business or calling; and
- (b) without receiving any reward from, or on behalf of, the person.

Division 4—Driver training vehicle standards

Requirements for driver training vehicle

51.(1) An accredited driver trainer must ensure that every vehicle the driver trainer provides to give pre-licence driver training is equipped with the following equipment when the vehicle is being used to give the training—

- (a) training controls that are easily accessible for immediate use by a driver trainer sitting in the front passenger seat of the vehicle;
- (b) signs or plates, not less than 146 mm square, displayed

*Transport Operations (Road Use
Management) Regulation 1995*

conspicuously at the front and rear of the vehicle clearly depicting the letter 'L' in black on a yellow background;

- (c) a sign or plate displayed conspicuously on the vehicle showing—
 - (i) the driver trainer's name and accreditation number as a driver trainer; or
 - (ii) if the driver trainer—
 - (A) carries on the business of driver training under a registered business name—the registered business name and the address of its principal place of business; or
 - (B) gives the training as an agent or employee of another person carrying on the business of driver training—the person's name and address or if the person carries on business under a registered business name, the registered business name and the address of its principal place of business;
- (d) an internal rear view mirror for the trainer as well as the driver's rear view mirror;
- (e) an external driving mirror on each side of the vehicle.

Maximum penalty—20 penalty units.

(2) However, subsection (1) does not apply to the following motor vehicles—

- (a) a motorcycle;
- (b) a motor vehicle for which an LR class or higher class licence is required to drive the vehicle.

Division 6—Miscellaneous

Accredited driver trainer's identity card

53.(1) The chief executive must give an identity card to a person who is an accredited driver trainer when the accreditation is granted or renewed.

*Transport Operations (Road Use
Management) Regulation 1995*

(2) The identity card must—

- (a) contain a recent photograph of the person; and
- (b) identify the person as an accredited driver trainer; and
- (c) state—
 - (i) the accreditation number; and
 - (ii) an expiry date; and
- (d) otherwise be in the approved form; and
- (e) be signed by the driver trainer.

(3) A person who stops being an accredited driver trainer must return the identity card to the chief executive immediately after the person stops being accredited, unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

Display of identity card

54. When an accredited driver trainer is giving pre-licence driver training, the driver trainer must display the driver trainer's identity card so as to be clearly visible to the person being trained—

- (a) by wearing the card on the driver trainer's clothing; or
- (b) displaying the card in a vehicle being used to give the training.

Maximum penalty—20 penalty units.

Records for driver training

55.(1) An accredited driver trainer must make a written record of the pre-licence driver training the driver trainer gives.

Maximum penalty—20 penalty units.

(2) The driver trainer must—

- (a) make the record daily; and
- (b) include in it the following particulars about the training—

- (i) the name and address of each person to whom the training is given;
- (ii) the date, time and duration of the training;
- (iii) the registration number of the motor vehicle in which the training is given; and
- (c) keep the record for at least 1 year; and
- (d) produce the record if asked to do so by an authorised officer.

Maximum penalty—20 penalty units.

Accreditation prescribed for ss 17B(2) and 18(c)(ii) of Act

57. An accreditation under division 2 is prescribed for sections 17B(2) and 18(c)(ii)⁹ of the Act.

PART 5A—ALTERNATIVE COMPLIANCE SCHEMES

Mass

58.(1) Sections 14 to 16¹⁰ are prescribed provisions for section 15(1)¹¹ of the Act.

(2) The purpose of a prescribed provision is to ensure that the mass of a vehicle, trailer or combination mentioned in the provision, and the mass placed on components of the vehicle, combination or trailer, is safe.

⁹ Section 17B (Granting, renewing or refusing approval) of the Act
Section 18 (Grounds for amending suspending or cancelling approvals) of the Act

¹⁰ Sections 14 (Compliance with requirements—vehicles), 15 (Compliance with requirements—trailers) and 16 (Compliance with requirements—combinations)

¹¹ Under the Act, section 15, an operator of a vehicle may apply to the chief executive for approval of an alternative compliance scheme for prescribed provisions.

PART 6—MISCELLANEOUS

Division 1—Review of decisions

Review of decisions

62A.(1) A person whose interests are affected by a decision stated in schedule 11 may apply, under chapter 4¹² of the Act, for a review of the decision as if the decision were stated in schedule 2A¹³ of the Act.

(2) A person who may seek a review of a decision is entitled to receive a statement of reasons for the decision.

(3) An appeal may be made against a reviewed decision to the court stated in schedule 11 for the decision.

(4) Chapter 4 of the Act applies to a review and an appeal under this section.

Division 1A—Lights or signs creating danger to traffic

Light or sign creating danger to traffic

62AA.(1) This section applies if the chief executive or commissioner considers a light or sign in, on, or near a road, or attached to a building or other structure in the vicinity of a road, may create a danger to traffic.

(2) The chief executive or commissioner may give the owner of the light or sign a written notice requiring the owner, within the time stated in the notice, to—

- (a)** remove the light or sign; or
- (b)** modify the light or sign, in the way stated in the notice, so it does not create a danger to traffic.

¹² Chapter 4 (Review of and appeals against decisions) of the Act

¹³ Schedule 2A (Reviewable decisions) of the Act has been renumbered as schedule 3 by 1999 No. 42 s 54(2) sch s 202.

*Transport Operations (Road Use
Management) Regulation 1995*

(3) The owner must comply with the notice unless the owner has a reasonable excuse.

Maximum penalty—40 penalty units.

(4) If the owner does not comply with the notice, the chief executive or commissioner may—

- (a) remove the light or sign; and
- (b) recover the removal costs from the owner as a debt.

Division 2—Pilot and escort vehicles

Offence to drive pilot or escort vehicle

62B. A person must not drive a pilot or escort vehicle other than in accordance with a guideline or permit under part 2A.

Maximum penalty—30 penalty units.

Division 2A—Protection of roads and structures

Damage to road transport infrastructure

62C.(1) A person must not use, or permit to be used, on a State-controlled road, whether with a gravel formation or sealed surface, a vehicle or other kind of equipment that may damage the road, except under a permit issued by the chief executive.

Maximum penalty—80 penalty units.

(2) A person must not use, or permit to be used, on a State-controlled road, a vehicle or other kind of equipment that is not fitted with pneumatic or rubber tyres, except—

- (a) under a permit issued by the chief executive; or
- (b) for the construction of works for, or the maintenance of, road transport infrastructure.

(3) A written application for a permit under subsection (1) or (2) must be

*Transport Operations (Road Use
Management) Regulation 1995*

made to the chief executive at least 10 business days before the vehicle or other equipment is used on the State-controlled road.

(4) A permit may include conditions about—

- (a) the State-controlled roads on which the vehicle or other equipment may be used; and
- (b) the period for which the vehicle or other equipment may be used on State-controlled roads; and
- (c) the maximum mass and dimensions for the vehicle or other equipment; and
- (d) preparing or strengthening road transport infrastructure; and
- (e) the repair, replacement or reconstruction of road transport infrastructure; and
- (f) other matters the chief executive considers necessary or appropriate.

(5) Before granting the permit, or as a condition of it, the chief executive may require the applicant to pay the chief executive's costs or estimated costs of the following—

- (a) assessing the vehicle's route and preparing the relevant plans and estimates;
- (b) preparing and strengthening road transport infrastructure on the route;
- (c) repairing, replacing or reconstructing road transport infrastructure on the route;
- (d) ensuring compliance with a condition or a proposed condition of the permit.

(6) A permit issued under this section is void if a condition included in the permit is contravened.

Restriction of loads on structures

62D.(1) The chief executive may—

- (a) decide the maximum loaded mass for a vehicle that may use a

*Transport Operations (Road Use
Management) Regulation 1995*

- bridge or culvert forming part of a State-controlled road; and
- (b) erect on or in the vicinity of the bridge or culvert a conspicuous notice stating—
 - (i) the maximum loaded mass for a vehicle that may use the bridge or culvert; and
 - (ii) any reasonable and relevant conditions the chief executive considers should apply for the safe use of the bridge or culvert by a vehicle.
- (2) A person must not drive a vehicle over a bridge or culvert if—
- (a) a notice has been erected under subsection (1)(b) in relation to the bridge or culvert; and
 - (b) at least 1 of the following applies—
 - (i) the loaded mass of the vehicle is greater than the mass stated on the notice as the maximum loaded mass for a vehicle that may use the bridge or culvert;
 - (ii) the vehicle is driven in a way that contravenes a condition stated in the notice as applying for the safe use of the bridge or culvert by a vehicle.

Maximum penalty—80 penalty units.

- (3) A person does not contravene subsection (2) if the person—
- (a) before driving the vehicle over the bridge or culvert, obtains the written consent of the chief executive to drive the vehicle over the bridge or culvert; and
 - (b) in driving the vehicle over the bridge or culvert, complies with all conditions to which the chief executive subjects the written consent.

Division 2B—Special event permits

Definitions for div 2B

62E. In this division—

“authorising officer” means the chief executive or the commissioner.

“event” includes a happening or activity.

“special event” see section 62F.

“special event permit” means a permit to conduct a special event described in the permit.

“take part in”, a special event, includes help with the running of the special event.

Meaning of “special event” for div 2B

62F.(1) For this division, an event is a **“special event”** if—

- (a) the event is wholly, or generally, of a public nature; and
- (b) the event requires the use of roads for its conduct; and
- (c) the conduct of the event involves, or may reasonably be expected to involve, some inconsistency with the requirements of this regulation or the Queensland Road Rules.

(2) Without limiting subsection (1), a “special event” would ordinarily, though not necessarily, be expected to be unique or occasional in nature.

Examples of special events—

Charity collections at traffic lights, fun runs, group bicycle rides for charity, walkathons.

Authority of special event permit

62G.(1) This section applies if a special event permit has been issued under this division for the conduct of a special event.

(2) A person taking part in the special event is not required to comply with a provision of this regulation or the Queensland Road Rules to the extent that compliance with the provision—

- (a) is excused under the special event permit; or
- (b) is inconsistent with the conduct of the special event described in the permit in the way required under the permit.

(3) However, subsection (2) applies to a person taking part in the special event only if the person is taking part in the special event, as described in the permit, in the way required under the permit, including in accordance with the conditions stated in the permit.

Issuing a special event permit

62H.(1) A person proposing to conduct a special event may apply to an authorising officer for a special event permit for the event.

(2) The authorising officer may issue the special event permit only if the authorising officer is satisfied—

- (a) generally, that the issuing of the permit will not compromise public safety; and
- (b) more particularly, that the person conducting the event will ensure that appropriate arrangements will be put in place—
 - (i) to minimise danger for persons taking part in the special event; and
 - (ii) to manage the impact of the special event on road users not taking part in the event.

(3) A special event permit must include the following—

- (a) a description of the special event to be conducted under the permit;
- (b) requirements about how the special event is to be conducted.

(4) The requirements about how the special event is to be conducted may include conditions that must be complied with in the conduct of the special event.

(5) Without limiting subsection (4), conditions included in a special event permit may impose requirements, if relevant, about any of the following—

- (a) advising persons about the special event, including for example emergency service organisations, local governments, passenger transport providers and members of the public likely to be affected by the special event;
- (b) liaison with relevant police officers before the special event takes

*Transport Operations (Road Use
Management) Regulation 1995*

- place, and obeying police directions during the conduct of the event;
- (c) having the permit available for inspection at the site of the special event;
 - (d) management and use of vehicles providing support for the special event;
 - (e) the display of warning signs and warning lights;
 - (f) what parts of roads may be used;
 - (g) limitations about where fundraising may be conducted;
 - (h) erecting and dismantling appropriate signs and barricading;
 - (i) available routes for emergency vehicles;
 - (j) minimising or avoiding obstruction of exits from and access to places where, or near where, the special event is to be conducted;
 - (k) the provision and placement of adequate marshals to supervise the special event with safety;
 - (l) the employment of police to monitor safety;
 - (m) advising persons taking part in the event of the conditions included in the special event permit.

Responsibility of permittee

62I. A person to whom a special event permit is issued must ensure that the conditions of the permit are complied with.

Maximum penalty—20 penalty units.

Division 2C—Special circumstances permits

Definitions for div 2C

62J. In this division—

“authorising officer” means the chief executive or the commissioner.

“special circumstances permit” means a permit under which the permittee is allowed to use roads in a particular way.

Authority of special circumstances permit

62K.(1) This section applies if a special circumstances permit has been issued under this division for a person’s use of roads.

(2) The person, when using a road, is not required to comply with a provision of this regulation or the Queensland Road Rules to the extent that compliance with the provision—

- (a) is excused under the special circumstances permit; or
- (b) is inconsistent with the person’s use of the road in the way permitted or required under the permit.

(3) However, subsection (2) applies to the person only if the person is using the road in the way required under the permit, including in accordance with the conditions stated in the permit.

Issuing a special circumstances permit

62L.(1) A person may apply to an authorising officer for a special circumstances permit.

(2) The authorising officer may issue the special circumstances permit only if the authorising officer is satisfied—

- (a) that special circumstances apply to the person; and
- (b) that it would be unreasonable if, because of the special circumstances, the person were to be excluded from using roads; and
- (c) it is reasonable that the person be permitted to use roads in a particular way that allows for the person’s special circumstances; and
- (d) generally, that the issuing of the permit will not compromise public safety; and
- (e) more particularly, that appropriate arrangements will be in place—

*Transport Operations (Road Use
Management) Regulation 1995*

- (i) to minimise danger for the permittee; and
- (ii) to manage the impact of permittee's use of roads, in the way permitted under the permit, on other road users.

Examples of special circumstances applying to a person—

The person has a disability, and use of the roads in a way that adequately allows for the disability would involve some inconsistency with the requirements of this regulation or the Queensland Road Rules.

The person has a particular task to perform, and performance of the task effectively would involve some inconsistency with the requirements of this regulation or the Queensland Road Rules.

(3) The permit must—

- (a) include a description of the particular way the permittee is to be permitted to use roads; and
- (b) state the period for which the permit applies.

(4) The permit must not be issued for a period lasting more than 2 years.

(5) The permit may include conditions that must be complied with by the permittee.

(6) Without limiting subsection (5), conditions included in the permit may impose requirements, if relevant, about any of the following—

- (a) having the permit available for inspection when using roads under the authority of the permit;
- (b) the display of warning signs and warning lights;
- (c) what parts of roads may be used;
- (d) limitations about which roads may be used;
- (e) minimising or avoiding interference with other road users.

Division 3—Continuation of certain subordinate legislation

Subordinate legislation continuing to have effect—Act, s 93

63. All subordinate legislation made under the following Acts continue to have effect under the Act past the time they would otherwise cease to have

effect until 30 June 1999—

- (a) *Carriage of Dangerous Goods by Road Act 1984*;
- (b) *Motor Vehicles Control Act 1975*;
- (c) *Motor Vehicles Safety Act 1980*;
- (d) *State Transport Act 1960*;
- (e) *Transport Infrastructure (Roads) Act 1991*.

PART 7—TRANSITIONAL PROVISIONS

Division 1—Oversize and overmass vehicles

Existing guidelines and permits continue

64.(1) A guideline issued by the chief executive under the repealed section 23 and in force immediately before the commencement of this section is taken to be a guideline issued under part 2A as an alternative means of complying with sections 14 to 16.

(2) A performance guideline issued by the chief executive under the *Traffic Regulation 1962*, section 185 and in force immediately before the commencement of this section is taken to be a performance guideline issued under this regulation as an alternative means of complying with sections 11E to 11K.

(3) An excess dimension vehicle permit issued by the chief executive under the *Traffic Regulation 1962*, section 13 or 102 and in force immediately before the commencement is taken to be a permit issued under this regulation as an alternative means of complying with sections 14 to 16.

(4) A permit issued by the chief executive under the *Transport Infrastructure (Roads) Regulation 1991*, section 8 and in force immediately before the commencement is taken to be a permit issued under this regulation as an alternative means of complying with sections 11E to 11K.

(5) An excess dimension vehicle permit issued under the *Traffic*

*Transport Operations (Road Use
Management) Regulation 1995*

Regulation 1962, section 13 or 102 and in force immediately before the commencement of this subsection—

- (a) is taken to be a permit issued under this regulation as an alternative means of complying with sections 11E to 11K; and
- (b) expires on 1 July 2001.

Division 2—Pilot vehicle drivers

Existing licences continue

65.(1) The holder of a pilot vehicle driver’s licence issued under the *Traffic Regulation 1962* and in force immediately before the commencement of this section is taken to be an accredited person with the functions of a pilot vehicle driver for the unexpired term of the licence.

(2) If a condition applied to the holder under the pilot vehicle driver’s licence, the condition continues to apply to the accredited person to the greatest practicable extent.

(3) If the accredited person’s provisional or open licence for a motor car is suspended, the person automatically stops being an accredited person for the suspension term.

(4) If the accredited person’s provisional or open licence for a motor car is cancelled or surrendered, the person automatically stops being an accredited person.

Division 3—Motor Vehicle Driving Instruction School Act 1969

Definitions

66. In this division—

“licensed driving instructor” means a person who, immediately before the commencement of this division, held a current instructor’s licence issued under the repealed Act.

“repealed Act” means the *Motor Vehicle Driving Instruction School Act 1969*.

Duration of provisional accreditation of licensed driving instructors

67. The term of the provisional accreditation under section 92B of the Act of a licensed driving instructor is the unexpired term of the instructor’s licence under the repealed Act.¹⁴

Renewal of provisional accreditation for licensed driving instructors

68.(1) The holder of a provisional accreditation as a driver trainer under section 92B of the Act may apply to the chief executive for its renewal.

(2) Sections 37 to 40 apply to the renewal of the provisional accreditation in the same way as they apply to an application for the renewal of an accreditation under part 5, division 2.

(3) A provisional accreditation is prescribed for section 18(c)(ii) of the Act.

Interim accreditation of new driver trainers

69.(1) Despite the repeal of the repealed Act but subject to this Act, the applied provisions continue to apply for 6 months from the commencement, with all necessary changes, as if they were part of this regulation.

(2) If the chief executive grants an instructor’s licence (a **“licence”**) to a person under section 10 of the applied provisions, the licence is taken to be a grant of interim accreditation as a driver trainer under this division (an **“interim accreditation”**).

(3) Part 5, division 2, other than sections 36, 41(1)(b)(i) and 43 to 46 apply to the interim accreditation in the same way they apply to an accreditation.

¹⁴ Section 92B (Transitional provisions for Motor Vehicle Driving Instruction School Act 1969) has been renumbered as section 179 by 1999 No. 42 s 54(2) sch s 191.

*Transport Operations (Road Use
Management) Regulation 1995*

(4) An interim accreditation may not be renewed and ends 1 year after the licence is granted unless the licence is sooner cancelled, suspended or surrendered under this Act.¹⁵

(5) An interim accreditation is prescribed for section 18(c)(ii) of the Act.

(6) In this section—

“applied provisions” means part 3 of the repealed Act (other than sections 12(2), 13 and 14).

Application of ss 47 to 51 and 55 for this division

70. Sections 47 to 51 and 55 apply to a driver trainer with provisional or interim accreditation as if a reference in those sections to—

- (a) an accredited driver trainer included a reference to a driver trainer with provisional or interim accreditation; and
- (b) an accreditation included a reference to a provisional or interim accreditation or driving instructor’s licence.

¹⁵ See the Act, section 18 (Grounds for amending suspending or cancelling approvals) and section 48 (Surrender of accreditation).

SCHEDULE 1

FEEs

section 4F

PART 1—OVERMASS VEHICLES

1. Permit for an overmass vehicle—
 - (a) for a single trip \$56.35
 - (b) for a stated period \$214.05

PART 2—ACCREDITED PERSONS

1. Application for appointment as accredited person—
 - (a) driver trainer, escort vehicle driver or pilot vehicle
driver \$61.00
 - (b) approved examiner \$17.30
2. Application for replacement of accreditation document or
identity card \$13.65

PART 3—DRIVER TRAINERS

1. Application for grant, or renewal, of accreditation of driver
trainers \$132.20

SCHEDULE 1 (continued)

2. Application for replacement of accreditation document or identity card	\$13.65
3. Application for renewal of provisional accreditation	\$132.20
4. Application for grant of interim accreditation	\$132.20

PART 4—OTHER

1. Approval of an alternative compliance scheme (s 58) . . .	60.00
2. For each vehicle accredited to participate in an alternative complicate scheme (s 58)	20.00

SCHEDULE 2**EQUIVALENT STANDARD AXLES**

section 9

PART 1—TRAILERS WITH ROWS OF 8 TYRES

Average load per row (tonnes)	Equivalent standard axles per row
10 or more but less than 11	0.4
11 or more but less than 12	0.6
12 or more but less than 13	0.9
13 or more but less than 14	1.2
14 or more but less than 15	1.7
15 or more but less than 16	2.2
16 or more but less than 17	2.8
17 or more but less than 18	3.6
18 or more but less than 19	4.6
19 or more but less than 20	5.7
20 or more but less than 21	6.9
21 or more but less than 22	8.4
22 or more but less than 23	10.2
23 or more but less than 24	12.1
24 or more	14.4

SCHEDULE 2 (continued)

PART 2—TRAILERS WITH ROWS OF 4 TYRES

Average load per row (tonnes)	Equivalent standard axles per row
5 or more but less than 6	0.1
6 or more but less than 7	0.3
7 or more but less than 8	0.5
8 or more but less than 9	0.9
9 or more but less than 10	1.5
10 or more but less than 11	2.2
11 or more but less than 12	3.2
12 or more	4.6

SCHEDULE 3

AXLE LOAD LIMITS

section 10

Type of axle or axle group	Axle load limit (tonnes)
Single axles—	
(a) 2 tyres	6.0
(b) 2 wide profile tyres—	
(i) 375 mm to 450 mm	6.7
(ii) over 450 mm	7.0
(c) 4 or more tyres—	
(i) on pig trailers	8.5
(ii) on other vehicles	9.0
Twin steer axle groups (2 consecutive axles connected to the same steering mechanism)—	
(a) non-load sharing suspensions	10.0
(b) load sharing suspensions	11.0
Tandem axle groups (2 consecutive axles connected by a load sharing suspension)—	
(a) 4 tyres	11.0
(b) 4 wide profile tyres—	
(i) 375 mm to 450 mm	13.3
(ii) over 450 mm	14.0
(c) 6 tyres	13.0
(d) 8 or more tyres—	
(i) on pig trailers	15.0
(ii) on other vehicles	16.5
Tri-axle groups (3 consecutive axles connected by a load sharing suspension)—	
(a) 6, 8 or 10 tyres	15.0
(b) 6 wide profile tyres (375 mm or over)—	
(i) on pig trailers	18.0

*Transport Operations (Road Use
Management) Regulation 1995*

SCHEDULE 3 (continued)

(ii)	on other vehicles	20.0
(c)	12 or more tyres—	
(i)	on pig trailers	18.0
(ii)	on other vehicles	20.0

SCHEDULE 4

MASS REQUIREMENTS

schedule 13, definition “mass requirement”

Mass limits for tyres, wheels and axles

1.(1) The mass on a wheel or axle must not be more than the limit set by its manufacturer.

(2) The mass on a tyre must not be more than the highest load capacity determined for the tyre by the manufacturer at a cold inflation pressure of not more than—

- (a) for a radial ply tyre—825 kPa; or
- (b) for an other type of tyre—700 kPa.

(3) The mass on an axle group or single axle must not be more than the limit for the axle group or axle in schedule 5.

(4) For subsection (3), the mass limit for an axle group that includes a retractable axle must be determined as if the axle did not exist.

(5) However, a retractable axle is part of an axle group for schedule 5 if—

- (a) the mass on the group is more than—
 - (i) for a tandem axle group fitted with single tyres of a section width of—
 - (A) less than 375 mm—4 t; or
 - (B) at least 375 mm—6.5 t; or
 - (ii) for a tandem axle group fitted with dual tyres—6.5 t; or
 - (iii) for a triaxle axle group fitted with single tyres of a section width of—
 - (A) less than 375 mm—10 t; or

SCHEDULE 4 (continued)

- (B) at least 375 mm—13 t; or
 - (iv) for a triaxle axle group fitted with dual tyres—13 t; and
 - (b) 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 each tyre in the group.
- (6) The sum of the mass on the axle groups and single axles on a single vehicle or combination must not be more than the sum of the mass limits in schedule 5 for the axle groups and single axles.

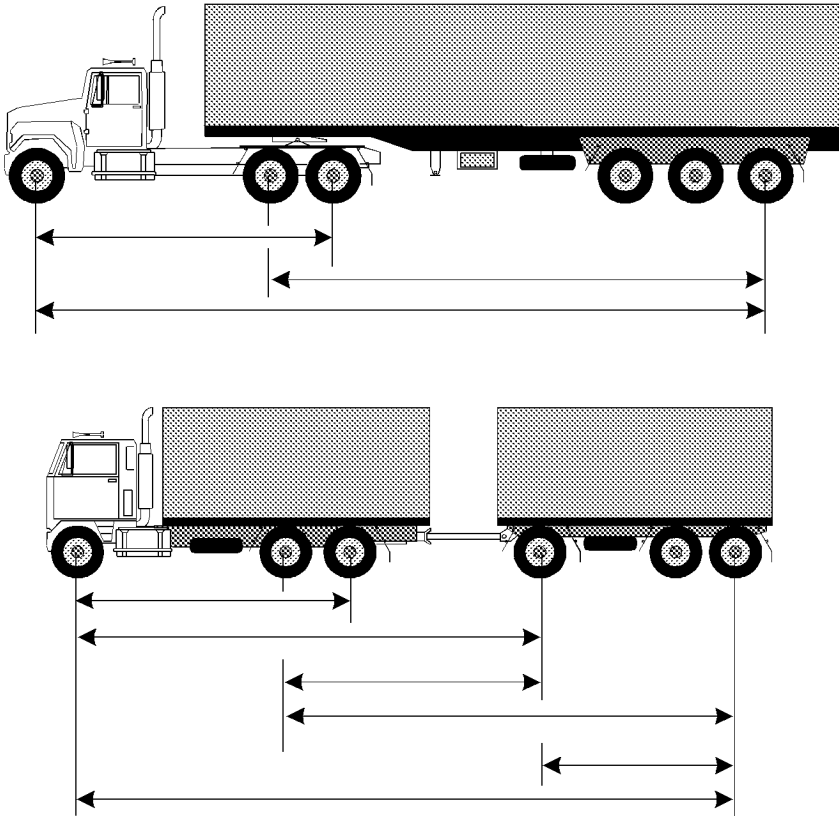
Mass limits relating to axle spacing

2.(1) If the total mass of a vehicle or combination and a load on it cannot lawfully be more than 42.5 t, the mass limit for the vehicle or combination must not be more than the mass limit in the table in schedule 6 for the axle spacing distance for the vehicle or combination.

(2) Each distance is—

- (a) the distance from the centre of a single axle to the centre of another single axle; or
- (b) the distance from the centre of a 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 2 axle groups.

SCHEDULE 4 (continued)



Measurement of distances for schedule 6

(3) The mass limits apply to the sum of the mass on each axle group or single axle in the distance in the table, including the axles between which the distance is measured.

(4) If the distance between any 2 axles that are not part of the same axle group is less than 2.5 m, the total mass of a vehicle or combination and any load on it must not be more than 15 t.

SCHEDULE 4 (continued)**Mass limit for a single vehicle**

3. The total mass of a single vehicle and a load on it must not be more than the vehicle's GVM.

Mass limits for combinations

4.(1) The total mass of a combination (other than a road train or B-double) and a load on it must not be more than 42.5 t.

(2) The loaded mass of a dog trailer or pig trailer must not be more than the loaded mass of the towing vehicle.

(3) The total axle mass of a tag trailer must not be more than the total axle mass of the towing vehicle.

(4) The total mass of a combination and a load on it must not be more than the towing vehicle's GCM.

Load sharing suspension

5. The axles in each axle group (other than a twin steer axle group) must relate to each other through a load sharing suspension system.

Non-complying vehicles

6. If an axle or axle group on a vehicle or combination does not otherwise comply with this schedule, schedule 7 applies to the axle or axle group.

SCHEDULE 5

MASS LIMITS FOR SINGLE AXLES AND AXLE GROUPS

schedule 4, section 1(3), (5) and (6)

Description of single axle or axle group	Mass limit (tonnes)
Single axles and single axle groups	
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	8.5
(b) a complying bus, or a bus allowed to carry standing passengers (other than an ultra-low floor route bus)	10.0
(c) an ultra-low floor route bus	11.0
(d) another vehicle	9.0
Twinsteer axle groups	
Twinsteer axle group without a load-sharing suspension system	10.0
Twinsteer axle group with a load-sharing suspension system	11.0
Tandem axle groups	
Tandem axle group fitted with single tyres with section width of—	
(a) less than 375 mm	11.0

SCHEDULE 5 (continued)

(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 1 axle and dual tyres on the other axle on—	
(a) a complying bus	14.0
(b) any other motor vehicle	13.0

Triaxle groups

Triaxle group on a vehicle fitted with single tyres with section width of less than 375 mm on all axles, or single tyres on 1 or 2 axles and dual tyres on the other axle or axles	15.0
Triaxle 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 the tyres	18.0
Triaxle 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 the tyres	20.0

Quad-axle groups

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

SCHEDULE 6

MASS LIMITS RELATING TO AXLE SPACING

schedule 4, section 2(1)

Distance (metres)		Mass limit (tonnes)
more than	not more than	
0.0	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

*Transport Operations (Road Use
Management) Regulation 1995*

SCHEDULE 6 (continued)

7.8	8.0	36.0
8.0	8.2	36.5
8.2	8.3	37.0
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

SCHEDULE 7

MASS LIMITS FOR NON-CONFORMING VEHICLES WITH SINGLE AXLES OR AXLE GROUPS

schedule 4, section 6

Mass limits for single axles and axle groups

1. The mass on a single axle or axle group must not be more than the limit for the axle or axle group in schedule 8.

Mass limits for vehicles and vehicle combinations

2.(1) The loaded mass of a vehicle or combination must not be more than the mass in schedule 9.

(2) The total mass of a single vehicle must not be more than the vehicle's GVM.

(3) The total mass of a combination and a load on it must not be more than the towing vehicle's GCM.

(4) The sum of the mass on the axle groups and single axles on a single vehicle or combination must not be more than the sum of the mass limits in schedule 8 for the axle groups and single axles.

SCHEDULE 8

MASS LIMITS FOR NONCONFORMING SINGLE AXLES AND AXLE GROUPS

schedule 7, section 2

Column 1	Column 2
Axle configuration	Axle mass (tonnes)
Single axles	
1. Single axle fitted with 2 tyres	4.6
2. Single axle fitted with dual tyres or 4 or more tyres (however arranged)	8.1
Axle groups without retractable axles	
3. A group of 2 axles with a load sharing system, both axles fitted with dual tyres or 4 or more tyres (however arranged), and a distance between axles of more than 2.4 m	15.0
4. A group of 2 axles with a load sharing system, both axles fitted with dual tyres or 4 or more tyres (however arranged), and a distance between axles of not more than 2.4 m	13.2
5. A group of 2 axles with a load sharing system, 1 axle fitted with dual tyres, the other axle with single tyres, and a distance between axles of more than 2.4 m	12.0
6. A group of 2 axles with a load sharing system, 1 axle fitted with dual tyres, the other axle with single tyres, and a distance between axles of not more than 2.4 m	11.2
7. Tandem axle group with both axles fitted with single tyres	9.0
8. Twin steer axle group with both axles fitted with single tyres	9.0

SCHEDULE 8 (continued)

9. Triaxle group with each axle fitted with dual tyres or 4 or more tyres (however arranged)	18.0
10. Triaxle group with 2 axles fitted with dual tyres and the other axle with single tyres	17.5
11. Triaxle group with 2 axles fitted with single tyres and the other axle with dual tyres	15.0
12. Triaxle group with each axle fitted with single tyres . . .	13.8
13. Quadaxle group or a group of more than 4 axles with each axle fitted with dual tyres or 4 or more tyres (however arranged)	18.0

Axle groups with retractable axles

14. Tandem axle group with 1 axle a retractable axle and the other axle is fitted with—	
(a) dual tyres	8.1
(b) single tyres	4.6
15. Triaxle group with 1 axle a retractable axle and the other axles are fitted with—	
(a) dual tyres	13.2
(b) single tyres	9.0
(c) dual tyres on 1 axle and single tyres on the other axle	11.2

SCHEDULE 9

NON-CONFORMING VEHICLE LOADED MASS

schedule 7, section 2

Column 1		Column 2				
Distance extreme (metres)	between axles	Loaded mass (tonnes)				
from	to less than	2 axles	3 axles	4 axles	5 axles	6 axles
3.0	3.3	16.4	18.6	..	..	..
3.3	3.6	16.7	19.0	21.3	..	..
3.6	3.9	..	19.3	21.6	..	..
3.9	4.2	..	19.7	21.9	..	..
4.2	4.5	..	20.0	22.2	..	..
4.5	4.8	..	20.3	22.5	24.9	24.9
4.8	5.1	..	20.6	22.8	25.1	25.1
5.1	5.4	..	21.0	23.1	25.4	25.4
5.4	5.7	..	21.3	23.4	25.7	25.7
5.7	6.0	..	21.6	23.7	26.0	26.0
6.0	6.3	..	21.9	24.0	26.3	26.3
6.3	6.6	..	22.3	24.3	26.6	26.6
6.6	6.9	..	22.6	24.6	26.8	26.8
6.9	7.2	..	23.0	24.9	27.1	27.1
7.2	7.5	..	23.3	25.2	27.4	27.4

*Transport Operations (Road Use
Management) Regulation 1995*

SCHEDULE 9 (continued)

7.5	7.8	..	23.6	25.6	27.7	27.7
7.8	8.1	..	..	25.9	27.9	27.9
8.1	8.4	..	..	26.2	28.2	28.2
8.4	8.7	..	..	26.5	28.5	28.5
8.7	9.0	..	..	26.8	28.8	28.8
9.0	9.3	..	..	27.1	29.1	31.5
9.3	9.6	..	..	27.4	29.4	31.8
9.6	9.9	..	..	27.7	29.6	32.1
9.9	10.2	..	..	28.0	29.9	32.2
10.2	10.5	..	..	28.3	30.2	32.6
10.5	10.8	..	..	28.6	30.5	32.9
10.8	11.1	..	..	28.9	30.7	33.1
11.1	11.4	..	..	29.2	31.0	33.4
11.4	11.7	..	..	29.5	31.3	33.7
11.7	12.0	..	..	29.8	31.6	33.9
12.0	12.3	..	..	30.1	31.9	34.2
12.3	12.6	..	..	30.4	32.2	34.5
12.6	12.9	..	..	30.7	32.4	34.7
12.9	13.2	..	..	..	32.7	35.1
13.2	13.5	..	..	..	33.0	35.3
13.5	13.8	..	..	..	33.3	35.6
13.8	14.1	..	..	..	33.5	35.9
14.1	14.4	..	..	..	33.8	36.0
14.4	14.7	..	..	..	34.1	36.0
14.7	15.0	..	..	..	34.4	36.0
15.0	15.3	..	..	..	34.7	36.0

*Transport Operations (Road Use
Management) Regulation 1995*

SCHEDULE 9 (continued)

15.3	15.6	..	..	..	35.0	36.0
15.6	15.9	..	..	..	35.3	36.0
15.9	16.2	..	..	..	35.5	36.0
16.2	16.5	..	..	..	35.8	36.0

SCHEDULE 10

LOADING REQUIREMENTS

schedule 13, definition “loading requirement”

Loading obligations

1.(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 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.¹⁶

Trailers

2.(1) A trailer in a combination 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.

¹⁶ See the Load Restraint Guide for examples of safe ways of loading vehicles.

SCHEDULE 11**REVIEW OF AND APPEALS AGAINST DECISIONS**

Section	Description of decision	Court
33D	Refusing application for appointment as accredited person	Magistrates
40	Refusing to grant accreditation	Magistrates
42	Granting accreditation on conditions	Magistrates
40, 44 and 45	Refusing to renew accreditation	Magistrates
42, 44 and 45	Renewing accreditation on conditions	Magistrates
40 and 60	Refusing to renew provisional accreditation	Magistrates
40, 42 and 61	Refusing to grant interim accreditation, or granting it on conditions	Magistrates

SCHEDULE 13

DICTIONARY

section 3

“ADR” means a national standard under the *Motor Vehicle Standards Act 1989* (Cwlth), section 7.

“agricultural implement” means a vehicle without its own automotive power, built to perform agricultural tasks.

Examples—

Augers, conveyors, empty field bins, harvester fronts, irrigating equipment and machinery fully carried on the three-point linkage of a tractor.

“agricultural machine” means a machine with its own automotive power built to perform agricultural tasks.

Examples—

Tractors and harvesters.

“agricultural vehicle” means an agricultural implement or agricultural machine.

“articulated bus” means a bus with 2 or more rigid sections that are connected to one another in a way that allows—

- (a) passenger access between the sections; and
- (b) rotary movement between the sections.

“authorising officer” see—

- (a) for part 6, division 2B—section 62E; and
- (b) for part 6, division 2C—section 62J.

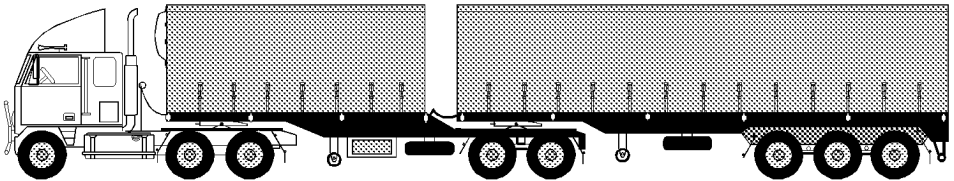
“average load per row” see section 9.

“axle” means the axis of rotation of a row of tyres across a vehicle.

SCHEDULE 13 (continued)

“axle group” means 1 axle or consecutive axles connected by a load sharing suspension system or steering mechanism.

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



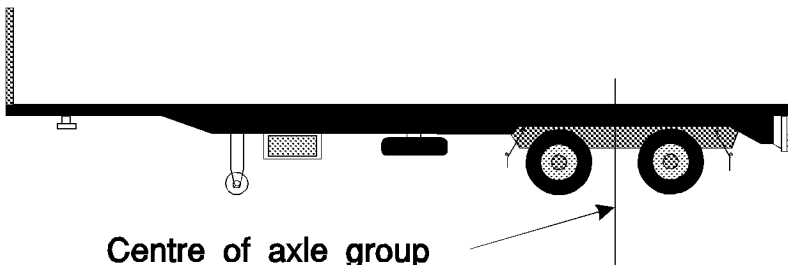
Typical B-double

“bus” means a motor vehicle built mainly to carry more than 12 seated adults.

“carrying capacity” of a vehicle means the vehicle’s GVM less the vehicle’s tare.

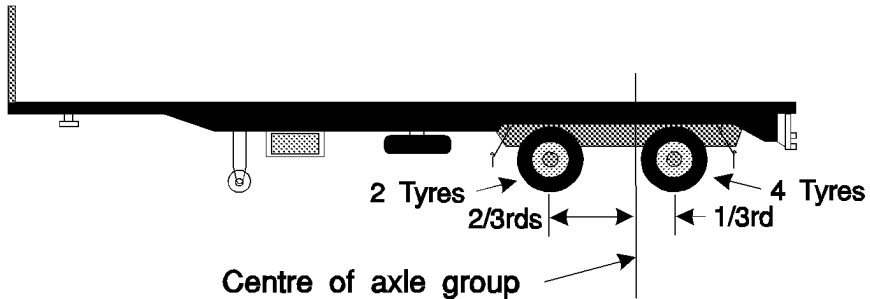
“centre of an axle group” means—

- (a) a line located midway between the centre-lines of the outermost axles of the group; or
- (b) if there are 2 axles in the group and one of them is fitted with twice the number of tyres as the other axle—a line located one third of the way from the centre-line of the axle with more tyres towards the centre-line of the axle with fewer tyres.

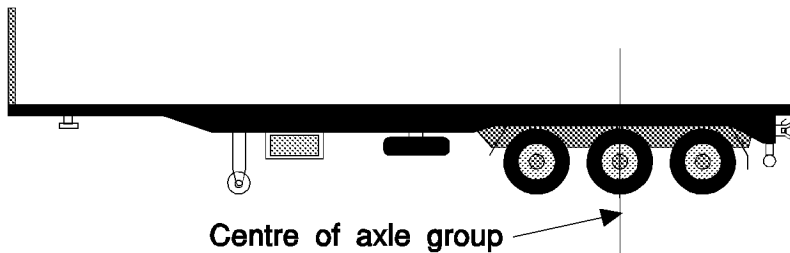


Centre of a typical tandem axle group fitted with an equal number of tyres on each axle

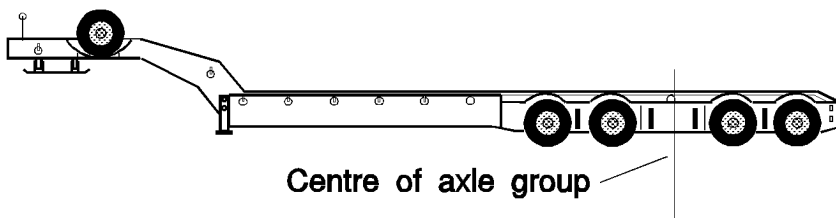
SCHEDULE 13 (continued)



Centre of a typical tandem axle group fitted with a different number of tyres on each axle



Centre of a typical triaxle group



Centre of a typical quad-axle group

“combination” means a motor vehicle connected to one or more trailers.

“commercial vehicle” means a motor vehicle built—

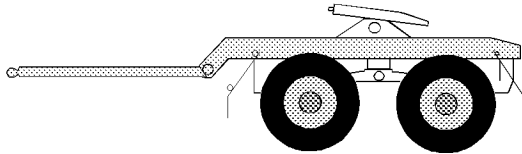
- (a) in accordance with an Australian Design Rule for Motor Vehicles and Trailers as endorsed by the Australian Transport Advisory Council and issued by the Commonwealth Department of Transport; and

SCHEDULE 13 (continued)

- (b) mainly to—
 - (i) carry goods; or
 - (ii) tow a trailer.

“compliance plate” see the *Motor Vehicle Standards Act 1989* (Cwlth).

“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.



Typical converter dolly

“dangerous overloading offence” means an offence committed when a vehicle is loaded to at least 120% but less than 160% of a mass requirement that applies to the vehicle.

“dog trailer” means a trailer that has 2 axle groups with the front axle group being steered by connection to the towing vehicle.

“dolly” means a specially designed pig trailer used to convert a semi trailer into a dog trailer.

“drawbar” means a part of a trailer (other than a semi-trailer) that connects the trailer body to a coupling for towing purposes.

“driver” means the person driving or in control of a motor vehicle.

“equipment trailer” means a vehicle built to transport machinery or equipment that forms an integral part of the vehicle.

“equivalent standard axles” see section 9.

“escort vehicle” means a vehicle that—

- (a) travels with an oversize vehicle to warn other road users of the oversize vehicle’s presence; and
- (b) is required to be driven by an escort vehicle driver under a

SCHEDULE 13 (continued)

guideline or permit under part 2A.

“escort vehicle driver” means a person who holds an appointment under part 4A as an accredited person with the functions of an escort vehicle driver.

“event”, for part 6, division 2B, see section 62E.

“excessive overloading offence” means an offence committed when a vehicle is loaded to more than 100% but less than 120% of a mass requirement that applies to the vehicle.

“extreme overloading offence” means an extreme overloading offence under section 163 of the Act.

“exempted vehicle” see section 8.

“fifth wheel coupling” means a device, other than the upper rotating element and the kingpin (which are parts of a semi-trailer), used with a prime mover, semi-trailer or a converter dolly to permit quick coupling and uncoupling and to provide for a point of rotation.

“front articulation point” of a trailer means the point of articulation at the front of the trailer.

“GCM” (gross combination mass) means the maximum loaded mass of a motor vehicle and any vehicles it may lawfully tow—

(a) stated by the vehicle’s manufacturer—

(i) on the vehicle’s compliance plate; or

(ii) if there is no compliance plate—in another place; or

(b) stated by the vehicle registration authority if—

(i) the manufacturer has not stated the vehicle’s maximum loaded mass; or

(ii) the manufacturer cannot be identified; or

(iii) the vehicle has been modified and the maximum loaded mass stated by the manufacturer is no longer appropriate.

“indivisible load” means a load that can not, without disproportionate

SCHEDULE 13 (continued)

effort, expense or risk of damage, be divided into 2 or more smaller loads for transportation.

“journey length” see section 9.

“livestock vehicle” means a single vehicle or a combination built to carry livestock.

“load”, of a vehicle, includes—

- (a) anything normally removed from the vehicle when it is not in use; and
- (b) anything that may fall from the vehicle when it is in motion.

“load carrying vehicle” means a vehicle designed and built to carry goods in addition to any fuel, water, lubricants, tools and any other equipment or accessories necessary for the vehicle’s normal operation.

“loaded mass” of a vehicle means the vehicle’s mass together with the mass of the vehicle’s load that is transmitted to the ground.

“loading requirement”, for a vehicle, means a provision of schedule 10 applying to it.

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

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

“mass requirement”, for a vehicle, means a provision of schedule 4 or 7 applying to it.

“motorised caravan” means a motor vehicle designed mainly for people to live in.

“nominated” means nominated by the person in an application for registration of a vehicle.

“overmass vehicle” means a vehicle that, together with any load, does not comply with part 3.

SCHEDULE 13 (continued)

“oversize vehicle” means a vehicle that, together with any load, does not comply with part 2B.

“pig trailer” means a trailer—

- (a) with 1 axle group near the middle of its load carrying surface; and
- (b) connected to the towing vehicle by a drawbar.

“pilot vehicle” means a vehicle that—

- (a) travels with an oversize vehicle to warn other road users of the oversize vehicle’s presence; and
- (b) is required to be driven by a pilot vehicle driver or an escort vehicle driver under a guideline or permit under part 2A.

“pilot vehicle driver” means a person who holds an appointment under part 4A as an accredited person with the functions of a pilot vehicle driver.

“pole type trailer” means a trailer—

- (a) attached to a towing vehicle by a pole or by something fitted to a pole; and
- (b) used to transport loads that are capable of supporting themselves as beams between supports.

Example of loads transported by pole type trailers—

Logs or pipes.

“primary producer” means a person engaged mainly in the production of—

- (a) tobacco; or
- (b) raw material for clothing or food derived from—
 - (i) agriculture; or
 - (ii) dairying; or
 - (iii) fishing; or

SCHEDULE 13 (continued)

- (iv) livestock production; or
- (v) viticulture.

“primary production vehicle” see section 6.

“prime mover” means a motor vehicle designed to tow a semi trailer.

“quadaxle group” means a group of 4 axles with a horizontal distance between the centre lines of the outermost axles of more than 3.2 m but not more than 4.9 m.

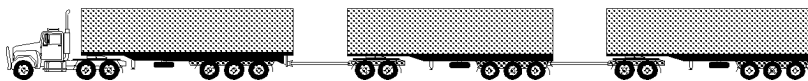
“rear overhang”, for part 2B, see section 11CA.

“rear overhang line”, for part 2B, see section 11CA.

“registration authority” means the authority that is responsible for registering vehicles.

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

“road train” means a combination (other than a B-double) consisting of a motor vehicle towing at least 2 trailers (counting as one trailer a converter dolly supporting a semi-trailer).



Typical triple road train

“road transport infrastructure” see the *Transport Infrastructure Act 1994*.

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

- (a) 1 axle group towards the rear; and
- (b) a way of attaching to a prime mover that results in some of the load being imposed on the prime mover.

“short combination truck” means a truck nominated to tow 1 trailer.

“single axle group” means a group of 2 or more axles with a horizontal distance between the centre-lines of the outermost axles of less than 1 m.

SCHEDULE 13 (continued)

“special circumstances permit”, for part 6, division 2C, see section 62J.

“special event”, for part 6, division 2B, see section 62F.

“special event permit”, for part 6, division 2B, see section 62E.

“State-controlled road” means a road or land, or part of a road or land, declared to be a State-controlled road under the *Transport Infrastructure Act 1994*, section 23.¹⁷

“tag trailer” means a semi-trailer that does not impose a load on the front axle or axle group of the towing vehicle.

“take part in”, for part 6, division 2B, see section 62E.

“tandem axle group” means a group of at least 2 axles with a horizontal distance between the centre-lines of the outermost axles of at least 1 m but not more than 2 m.

“tare” of a vehicle means the mass of—

- (a) the unloaded vehicle; and
- (b) any fuel, water, lubricants, tools and any other equipment or accessories necessary for the vehicle’s normal operation.

“total esa” see section 9.

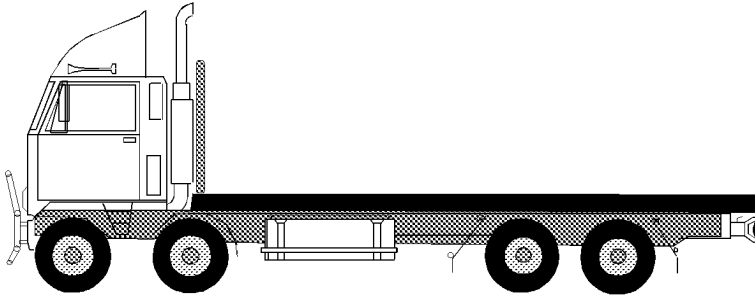
“trailer” does not include a vehicle that is not a load carrying vehicle.

“triaxle group” means a group of at least 3 axles with a horizontal distance between the centre-lines of the outermost axle of more than 2 m but not more than 3.2 m.

“twinsteer axle group” means a group of 2 axles connected to the same steering mechanism on a motor vehicle fitted with single tyres, and with a horizontal distance between the centre-lines of the axles of at least 1 m but not more than 2 m.

¹⁷ *Transport Infrastructure Act 1994*, section 23 (Declaration of State-controlled roads)

SCHEDULE 13 (continued)



Typical twinsteer axle group on a motor vehicle

“ultra-low floor route bus” means a bus with 2 axles that is specially designed to incorporate the following—

- (a) spaces for standing passengers;
- (b) stairless entry of passengers.

“vehicle” includes anything the vehicle carries that is essential for its operation.

“VIN”, of a vehicle, means the unique vehicle identification number assigned to the vehicle.

ATTACHMENT NOT FORMING PART OF THE REGULATION

SECTION 3.05 OF TRANSPORT INFRASTRUCTURE (ROADS) REGULATION 1991 AS IN FORCE IMMEDIATELY BEFORE 1 JULY 1996

Transport of livestock

3.05(1) The chief executive may issue a permit allowing a vehicle carrying only livestock to exceed the maximum mass permitted under this regulation.

(2) An application for a permit must be made to the chief executive in the approved form.

(3) A permit may be issued subject to such terms and conditions as the chief executive may determine, including, but not limited to, any of the following terms and conditions—

- (a) the permit must be carried in the motor vehicle whenever the vehicle or vehicle combination is on a road;
- (b) an inspection certificate under the *Motor Vehicles Safety Act 1980* for the vehicle or vehicle combination must be carried in the motor vehicle whenever the vehicle or vehicle combination is on a road;
- (c) livestock is not to be carried on an upper deck unless all lower decks are fully loaded;
- (d) the vehicle must comply with the *State Transport Act 1960* and the *Traffic Act 1949*;
- (e) a motor vehicle fitted at the rear with a tandem axle or a triaxle must be driven on at least 2 axles;
- (f) a semitrailer must be fitted with a dual wheel triaxle group and be hauled by a motor vehicle fitted with a dual wheel tandem drive axle group or dual wheel triaxle drive group;

ATTACHMENT NOT FORMING PART OF THE REGULATION
(continued)

- (g) a dog trailer must be fitted with a dual wheel tandem axle group at the front and a dual wheel triaxle group at the rear;
- (h) the axle mass of an axle group on a trailer, as evidenced by a certificate from the axle manufacturer or the manufacturer's agent, must be at least—
 - (i) 20 t for a tandem axle group; or
 - (ii) 25 t for a triaxle group;
- (i) the suspension and attachment systems on a trailer, as evidenced by a certificate from the suspension manufacturer or the manufacturer's agent, must be capable of carrying at least—
 - (i) 20 t for a tandem axle group; or
 - (ii) 25 t for a triaxle group;
- (j) each wheel on an axle on a trailer must be fitted with—
 - (i) a drum type brake assembly, capable of developing a torque of at least 13 500 Nm when supplied with air at 550 kPa and fitted with a 125 mm long actuation lever; or
 - (ii) a disc type brake assembly, capable of developing a torque of at least 13 500 Nm when supplied with air at 550 kPa;as evidenced by a certificate from the brake system manufacturer or the manufacturer's agent;
- (k) all tyre mass ratings, as set out in a recognised Tyre and Rim Association manual for a speed of 90 km/h, must be at least the tyre mass set out in column 2 of the following table that corresponds to the axle configuration set out in column 1 of the table—

ATTACHMENT NOT FORMING PART OF THE REGULATION
(continued)

Table
Tyre mass rating

Column 1	Column 2
Axle configuration	Tyre mass (tonnes)
1. Single axle fitted with 2 tyres	3.0
2. Twin steer axle group with or without a load sharing system	2.8
3. (a) Single axle fitted with dual tyres	2.5
(b) Tandem axle group with a load sharing system, where both axles are fitted with dual tyres	2.5
4. Triaxle group with a load sharing system, where each axle is fitted with dual tyres	2.1;
(l) the manufacturer's GVM rating for a motor vehicle, as evidenced by the compliance plate or by a certificate from the manufacturer or the manufacturer's agent, must be at least the GVM set out in the following table—	

Table
GVM rating

Front axle	Rear axle	GVM (tonnes)
1. Single axle fitted with 2 tyres	Single axle fitted with dual tyres	16
2. Single axle fitted with 2 tyres	Tandem axle group with a load sharing system, where both axles are fitted with dual tyres	26

ATTACHMENT NOT FORMING PART OF THE REGULATION
(continued)

3.	Twin steer axle group with a load sharing system, where both axles are fitted with single tyres	Tandem axle group with a load sharing system, where both axles are fitted with dual tyres	31
4.	Twin steer axle group without a load sharing system, where both axles are fitted with single tyres	Tandem axle group with a load sharing system, where both axles are fitted with dual tyres	30
5.	Single axle fitted with 2 tyres	Triaxle group with a load sharing system, where each axle is fitted with dual tyres	31
6.	Twin steer axle group with a load sharing system, where both axles are fitted with single tyres	Triaxle group with a load sharing system, where each is fitted with dual tyres	36
7.	Twin steer axle group without a load sharing system, where both axles are fitted with single tyres	Triaxle group with a load sharing system, where each axle is fitted with dual tyres	35

(4) A failure to comply with a term or condition of a permit renders the permit void.

ENDNOTES

1 Index to endnotes

	Page
2 Date to which amendments incorporated	104
3 Key	105
4 Table of earlier reprints	105
5 List of legislation	106
6 List of annotations	108

2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 8 December 2000. Future amendments of the Transport Operations (Road Use Management) Regulation 1995 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	(prev)	=	previously
amd	=	amended	proc	=	proclamation
amdt	=	amendment	prov	=	provision
ch	=	chapter	pt	=	part
def	=	definition	pubd	=	published
div	=	division	R[X]	=	Reprint No.[X]
exp	=	expires/expired	RA	=	Reprints Act 1992
gaz	=	gazette	reloc	=	relocated
hdg	=	heading	renum	=	renumbered
ins	=	inserted	rep	=	repealed
lap	=	lapsed	s	=	section
notfd	=	notified	sch	=	schedule
o in c	=	order in council	sdiv	=	subdivision
om	=	omitted	SIA	=	Statutory Instruments Act 1992
orig	=	original	SIR	=	Statutory Instruments Regulation 1992
p	=	page	SL	=	subordinate legislation
para	=	paragraph	sub	=	substituted
prec	=	preceding	unnum	=	unnumbered
pres	=	present			
prev	=	previous			

4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	none	2 July 1995
1A	to SL No. 106 of 1996	25 July 1996
1B	to SL No. 272 of 1996	18 December 1996
1C	to SL No. 124 of 1997	18 July 1997
2	to SL No. 486 of 1997	6 March 1998
2A	to SL No. 170 of 1998	3 June 1998
2B	to SL No. 254 of 1998	20 November 1998
2C	to SL No. 354 of 1998	19 February 1999
3	to SL No. 299 of 1999	1 December 1999
3A	to SL No. 195 of 2000	21 July 2000

5 List of legislation

Transport Operations (Road Use Management) Regulation 1995 SL No. 157

made by the Governor in Council on 1 June 1995
notfd gaz 2 June 1995 pp 1062–4
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 1995 (see s 2)
exp 1 September 2005 (see SIA s 54)

as amended by—

Transport and Traffic Amendment Regulation (No. 1) 1995 SL No. 401 pts 1–2

notfd gaz 22 December 1995 pp 1672–6
commenced on date of notification

Transport Legislation Amendment Regulation (No. 1) 1996 SL No. 29 pts 1, 3

notfd gaz 16 February 1996 pp 735–6
commenced on date of notification

Department of Transport (Variation of Fees) Regulation (No. 1) 1996 SL No. 106

ss 1–2, 3(c) sch 3
notfd gaz 24 May 1996 pp 715–16
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 1996 (see s 2)

Department of Transport (Variation of Fees) Regulation (No. 3) 1996 SL No. 240

ss 1–2, 3(c) sch 3
notfd gaz 13 September 1996 pp 166–7
ss 1–2 commenced on date of notification
remaining provisions commenced 8 October 1996 (see s 2)

Transport Operations (Road Use Management) Amendment Regulation (No. 1) 1996 SL No. 272

notfd gaz 11 October 1996 pp 543–4
commenced on date of notification

Department of Transport (Variation of Fees) Regulation (No. 1) 1997 SL No. 120

ss 1–2, 3(k) sch 11
notfd gaz 16 May 1997 pp 242–4
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 1997 (see s 2)

Transport Operations (Road Use Management) Amendment Regulation (No. 1) 1997 SL No. 124 ss 1–2(1), 3–6

notfd gaz 23 May 1997 pp 357–8
commenced on date of notification

Transport Operations (Road Use Management) Amendment Regulation (No. 2) 1997 SL No. 486

notfd gaz 19 December 1997 pp 1770–77
ss 1–2 commenced on date of notification
remaining provisions commenced 1 January 1998 (see s 2)

*Transport Operations (Road Use
Management) Regulation 1995*

Transport Legislation Amendment Regulation (No. 1) 1998 SL No. 170 pts 1, 3

notfd gaz 22 May 1998 pp 509–14

commenced on date of notification

Transport Legislation Amendment Regulation (No. 2) 1998 SL No. 254 ss 1–2, 3(g) sch 7

notfd gaz 18 September 1998 pp 239–40

ss 1–2 commenced on date of notification

remaining provisions commenced 1 November 1998 (see s 2)

Transport and Other Legislation Amendment Regulation (No. 1) 1998 SL No. 321 pts 1, 3

notfd gaz 4 December 1998 pp 1270–1

commenced on date of notification

Transport Operations (Road Use Management) Amendment Regulation (No. 1) 1998 SL No. 354 ss 1–2, 3(2)–23

notfd gaz 18 December 1998 pp 1551–7

ss 1–2 commenced on date of notification

remaining provisions commenced 22 January 1999 (see s 2)

Transport Operations (Road Use Management) Amendment Regulation (No. 1) 1999 SL No. 14

notfd gaz 5 March 1999 pp 950–53

commenced on date of assent

Transport Legislation Amendment Regulation (No. 1) 1999 SL No. 113 ss 1–2, 3(e) sch 5

notfd gaz 11 June 1999 pp 675–8

ss 1–2 commenced on date of assent

remaining provisions commenced 1 July 1999 (see s 2)

Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 1999 SL No. 213 ss 1–2 ch 7 pt 3

notfd gaz 10 September 1999 pp 180–3

ss 1–2 commenced on date of notification

remaining provisions commenced 1 October 1999 (see s 2)

Transport Operations (Road Use Management—Vehicle Registration) Regulation 1999 SL No. 225 ss 1–2(1), pt 14

notfd gaz 1 October 1999 pp 468–9

ss 1–2 commenced on date of notification

remaining provisions commenced 1 October 1999 (see s 2(1))

Road Transport Reform Regulation 1999 SL No. 286 ss 1–4, sch 1–2

notfd gaz 19 November 1999 pp 1149–52

s 3 sch 1 commenced 22 November 1999 (see s 2(1))

s 4 sch 2 commenced 1 December 1999 (see s 2(2))

remaining provisions commenced on date of notification

Traffic and Other Legislation Amendment Regulation (No. 1) 1999 SL No. 299 ss 1–2, 3(2) sch pt 2

notfd gaz 26 November 1999 pp 1268–70

ss 1–2 commenced on date of notification

remaining provisions commenced 1 December 1999 (see s 2)

Transport Legislation Amendment Regulation (No. 1) 2000 SL No. 89 pts 1, 9

notfd gaz 19 May 2000 pp 218–19

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2000 (see s 2)

Transport Legislation Amendment Regulation (No. 3) 2000 SL No. 195 pts 1–2

notfd gaz 14 July 2000 pp 946–7

commenced on date of notification

Transport Legislation Amendment Regulation (No. 4) 2000 SL No. 297 pts 1, 6

notfd gaz 24 November 2000 pp 1188–89

ss 1–2 commenced on date of notification

remaining provisions commenced 27 November 2000 (see s 2)

6 List of annotations

Definitions

- s 3 amd 1997 SL No. 486 s 4
 sub 1999 SL No. 225 s 91

Acts that are transport Acts

- s 4 sub 1995 SL No. 401 s 3
 amd 1997 SL No. 124 s 3
 sub 2000 SL No. 297 s 21

Approval of random inspection program

- s 4A ins 1995 SL No. 401 s 3

Regulation and control of powers of certain authorised officers

- s 4B ins 1995 SL No. 401 s 3

Requirement to remain at a place

- s 4C ins 1995 SL No. 401 s 3
 sub 1997 SL No. 124 s 4

Way to require vehicles to stop

- s 4CA ins 1997 SL No. 124 s 4
 amd 1999 SL No. 299 s 3(2) sch pt 2

Moving loads before weighing

- s 4CB ins 1997 SL No. 124 s 4

Function of traffic controllers

- s 4D ins 1996 SL No. 29 s 6
 om 1998 SL No. 354 s 4

*Transport Operations (Road Use
Management) Regulation 1995*

Definition for pt 2

- s 4E** ins 1996 SL No. 29 s 6
sub 1998 SL No. 354 s 5
om 1999 SL No. 225 s 92

Fees generally

- s 4F** ins 1998 SL No. 354 s 5
amd 1999 SL No. 225 s 93

Registration fees

- prov hdg** amd 1998 SL No. 354 s 6(1)
s 5 amd 1995 SL No. 401 s 4; 1996 SL No. 106 s 3(c) sch 3; 1996 SL No. 240
s 3(c) sch 3; 1997 SL No. 120 s 3(k) sch 11; 1997 SL No. 124 s 5; 1998
SL No. 254 s 3(g) sch 7; 1998 SL No. 354 s 6(2)–(4); 1999 SL No. 113
s 3(e) sch 5
om 1999 SL No. 225 s 94

Concessional registration fees—primary producers

- s 6** amd 1996 SL No. 106 s 3(c) sch 3; 1996 SL No. 240 s 3(c) sch 3;
1997 SL No. 120 s 3(k) sch 11; 1998 SL No. 254 s 3(g) sch 7
om 1999 SL No. 225 s 94

Concessional registration fees—eligible persons

- s 7** sub 1998 SL No. 321 s 12
om 1999 SL No. 225 s 94

Concessional registration fees—others

- s 8** amd 1996 SL No. 240 s 3(c) sch 3; 1998 SL No. 254 3(g) sch 7; 1999
SL No. 113 s 3(e) sch 5
om 1999 SL No. 225 s 94

Axles

- s 10** amd 1999 SL No. 213 s 69

Measurement of distance between axles

- s 11** sub 1999 SL No. 225 s 95

PART 2A—GUIDELINES AND PERMITS

- pt hdg** ins 1998 SL No. 354 s 7

Guidelines and permits for vehicles

- s 11A** ins 1998 SL No. 354 s 7
amd 1999 SL No. 225 s 96; 2000 SL No. 297 s 22

Permit contents and conditions

- s 11B** ins 1998 SL No. 354 s 7
amd 2000 SL No. 297 s 23

Alternative arrangements for permits

- s 11BA** ins 2000 SL No. 297 s 24

Driving under guideline or permit

- s 11C** ins 1998 SL No. 354 s 7

PART 2B—VEHICLE DIMENSIONS

pt hdg ins 1998 SL No. 354 s 7

Meaning of “rear overhang” and “rear overhang line” for pt 2B

s 11CA ins 2000 SL No. 297 s 25

Load and other things are part of vehicle’s dimensions for pt 2B

s 11D ins 1998 SL No. 354 s 7

Length—motor vehicles

s 11E ins 1998 SL No. 354 s 7

Width

s 11F ins 1998 SL No. 354 s 7
amd 1999 SL No. 213 s 70

Height

s 11G ins 1998 SL No. 354 s 7

Height—ground clearance

s 11H ins 1998 SL No. 354 s 7

Length—trailers

s 11I ins 1998 SL No. 354 s 7
amd 1999 SL No. 213 s 71

Length—rear overhang

s 11J ins 1998 SL No. 354 s 7
amd 1999 SL No. 213 s 72

Length—trailer drawbars

s 11K ins 1998 SL No. 354 s 7

Limits on projections of loads on vehicles

s 11KA ins 1999 SL No. 299 s 3(2) sch pt 2

Agricultural vehicles

s 11KB ins 1999 SL No. 299 s 3(2) sch pt 2

Information and liability offences

11L ins 1998 SL No. 354 s 7

PART 3—MASS

pt hdg prev pt hdg om R1 (see RA s 7(1)(k))
pres pt hdg ins 1995 SL No. 401 s 5

Application of part

s 12 prev s 12 om R1 (see RA s 40)
pres s 12 ins 1995 SL No. 401 s 5

Performance standards for mass

s 13 ins 1995 SL No. 401 s 5

Compliance with requirements—vehicles

s 14 ins 1995 SL No. 401 s 5
amd 1999 SL No. 286 s 3 sch 1

Compliance with requirements—trailers

- s 15** ins 1995 SL No. 401 s 5
amd 1999 SL No. 286 s 3 sch 1

Compliance with requirements—combinations

- s 16** ins 1995 SL No. 401 s 5
amd 1999 SL No. 286 s 3 sch 1

Vehicle tare

- s 17** ins 1995 SL No. 401 s 5

Tyre mass

- s 18** ins 1995 SL No. 401 s 5

Axle mass

- s 19** ins 1995 SL No. 401 s 5

Axle mass—complying buses

- s 19A** ins 1998 SL No. 354 s 8

Axle mass for ultra-low floor route bus

- s 19B** ins 2000 SL No. 297 s 26

Vehicle mass

- s 20** ins 1995 SL No. 401 s 5

Other ways of determining mass may be used

- s 21** ins 1995 SL No. 401 s 5

Way of stating GVM

- s 21A** ins 1996 SL No. 272 s 3

Proof of GCM or GVM

- s 21B** ins 1996 SL No. 272 s 3

Proof of mass

- s 21C** ins 1997 SL No. 124 s 6
amd 1998 SL No. 354 s 9

Livestock vehicles—use on roads

- s 22** ins 1995 SL No. 401 s 5
om 1998 SL No. 354 s 10

Guidelines

- s 23** ins 1995 SL No. 401 s 5
om 1998 SL No. 354 s 10

Transport of livestock

- s 24** ins 1995 SL No. 401 s 5
amd 1998 SL No. 354 s 11
exp 30 June 2003 (see s 24(7))

Phasing out of semitrailers used as livestock vehicles

- s 25** ins 1995 SL No. 401 s 5
exp 30 June 2003 (see s 25(4))

Information and liability offences

s 26 ins 1995 SL No. 401 s 5
amd 1999 SL No. 286 s 3 sch 1

PART 4—LOADING

pt 4 (ss 27–33) ins 1995 SL No. 401 s 5

PART 4A—ACCREDITED PERSONS

pt hdg ins 1998 SL No. 354 s 12

Division 1—Accredited persons generally

div hdg ins 1998 SL No. 354 s 12

Applying to be appointed as an accredited person

s 33A ins 1998 SL No. 354 s 12

Deciding application

s 33B ins 1998 SL No. 354 s 12

Granting application

s 33C ins 1998 SL No. 354 s 12

Refusing application

s 33D ins 1998 SL No. 354 s 12
amd 1999 SL No. 213 s 73

Accreditation documents and identity cards

s 33E ins 1998 SL No. 354 s 12

Display of accreditation document or identity card

s 33F ins 1998 SL No. 354 s 12

Replacement of accreditation document or identity card

s 33G ins 1998 SL No. 354 s 12

Resignation from appointment

s 33H ins 1998 SL No. 354 s 12

Surrender of accreditation document or identity card

s 33I ins 1998 SL No. 354 s 12

Accreditation prescribed for the Act, ss 17B(2) and 18(c)(ii)

s 33J ins 1998 SL No. 354 s 12

Employer's duty

s 33K ins 1998 SL No. 354 s 12

Powers of accredited persons

s 33L ins 1998 SL No. 354 s 12

Division 2—Pilot vehicle drivers

div hdg ins 1998 SL No. 354 s 12

Functions

s 33M ins 1998 SL No. 354 s 12

Necessary expertise for appointment

s 33N ins 1998 SL No. 354 s 12

Division 3—Escort vehicle drivers

div hdg ins 1998 SL No. 354 s 12

Functions

s 33O ins 1998 SL No. 354 s 12

Necessary expertise for appointment

s 33P ins 1998 SL No. 354 s 12

Division 4—Vehicle safety inspections

div hdg ins 1999 SL No. 213 s 74

Function

s 33Q ins 1999 SL No. 213 s 74

Necessary expertise—Act, s 21(1)

s 33R ins 1999 SL No. 213 s 74

PART 5—ACCREDITING DRIVER TRAINERS

pt hdg ins 1997 SL No. 486 s 5

Division 1—General

div hdg ins 1997 SL No. 486 s 5

Definitions

s 34 ins 1997 SL No. 486 s 5
amd 1999 SL No. 286 s 4 sch 2

Meaning of driver trainer and driver training

s 35 ins 1997 SL No. 486 s 5

Division 2—Driver trainer accreditation

div hdg ins 1997 SL No. 486 s 5

Accrediting driver trainers

s 36 ins 1997 SL No. 486 s 5

Applying for accreditation

s 37 ins 1997 SL No. 486 s 5

Deciding application for accreditation

s 38 ins 1997 SL No. 486 s 5

Granting of accreditation

s 39 ins 1997 SL No. 486 s 5

Refusing to grant accreditation

s 40 ins 1997 SL No. 486 s 5

Statutory conditions in accreditation

s 41 ins 1997 SL No. 486 s 5

Grant of accreditation on conditions

s 42 ins 1997 SL No. 486 s 5

Duration of accreditation

s 43 ins 1997 SL No. 486 s 5

Renewal of accreditation

s 44 ins 1997 SL No. 486 s 5

Application of ss 37 to 42 for renewal of accreditation

s 45 ins 1997 SL No. 486 s 5

Duration of renewal of accreditation

s 46 ins 1997 SL No. 486 s 5

Replacement of accreditation etc.

s 47 ins 1997 SL No. 486 s 5

Surrender of accreditation

s 48 ins 1997 SL No. 486 s 5

Accreditation dependent on driver's licence

s 49 ins 1997 SL No. 486 s 5

Division 3—Giving pre-licence driver training

div hdg ins 1997 SL No. 486 s 5

Driver trainer giving pre-licence training to be accredited

s 50 ins 1997 SL No. 486 s 5

Division 4—Driver training vehicle standards

div hdg ins 1997 SL No. 486 s 5

Requirements for driver training vehicle

s 51 ins 1997 SL No. 486 s 5

Division 5—Review of decisions

div hdg ins 1997 SL No. 486 s 5
reloc and renum as pt 6 div 1 1998 SL No. 354 s 13

Review of decisions

s 52 ins 1997 SL No. 486 s 5
reloc and renum as s 62A 1998 SL No. 354 s 13

Division 6—Miscellaneous

div hdg ins 1997 SL No. 486 s 5

Accredited driver trainer's identity card

s 53 ins 1997 SL No. 486 s 5

Display of identity card

s 54 ins 1997 SL No. 486 s 5

Records for driver training

s 55 ins 1997 SL No. 486 s 5

Fees for this part

s 56 ins 1997 SL No. 486 s 5
om 1998 SL No. 354 s 14

Accreditation prescribed for ss 17B(2) and 18(c)(ii) of Act
s 57 ins 1997 SL No. 486 s 5

PART 5A—ALTERNATIVE COMPLIANCE SCHEMES

pt hdg ins 2000 SL No. 195 s 3

Mass

s 58 ins 2000 SL No. 195 s 3

Division 7—Motor Vehicle Driving Instruction School Act 1969

div hdg ins 1997 SL No. 486 s 5
sub 1998 SL No. 354 s 15(1)
reloc and renum as pt 7 div 3 1998 SL No. 354 s 15(4)

Definitions

s 58 ins 1997 SL No. 486 s 5
reloc and renum as s 66 1998 SL No. 354 s 15(4)

Duration of provisional accreditation of licensed driving instructors

s 59 ins 1997 SL No. 486 s 5
reloc and renum as s 67 1998 SL No. 354 s 15(4)

Renewal of provisional accreditation for licensed driving instructors

s 60 ins 1997 SL No. 486 s 5
amd 1998 SL No. 354 s 15(2)
reloc and renum as s 68 1998 SL No. 354 s 15(4)

Interim accreditation of new driver trainers

s 61 ins 1997 SL No. 486 s 5
amd 1998 SL No. 354 s 15(3)
reloc and renum as s 69 1998 SL No. 354 s 15(4)

Application of ss 47 to 51 and 55 for this division

s 62 ins 1997 SL No. 486 s 5
reloc and renum as s 70 1998 SL No. 354 s 15

PART 6—MISCELLANEOUS

pt hdg ins 1998 SL No. 170 s 5

Division 1—Review of decisions

div hdg (prev pt 5 div 5) reloc and renum 1998 SL No. 354 s 13

Review of decisions

s 62A (prev s 52) reloc and renum as s 62A 1998 SL No. 354 s 13

Division 1A—Lights or signs creating danger to traffic

div hdg ins 2000 SL No. 297 s 27

Light or sign creating danger to traffic

s 62AA ins 2000 SL No. 297 s 27

Division 2—Pilot and escort vehicles

div hdg ins 1998 SL No. 354 s 16

Offence to drive pilot or escort vehicle

s 62B ins 1998 SL No. 354 s 16

Division 2A—Protection of roads and structures

div hdg ins 1999 SL No. 225 s 97

Damage to road transport infrastructure

s 62C ins 1999 SL No. 225 s 97

Restriction of loads on structures

s 62D ins 1999 SL No. 225 s 97

Division 2B—Special event permits

div hdg ins 1999 SL No. 299 s 3(2) sch pt 2

Definitions for div 2B

s 62E ins 1999 SL No. 299 s 3(2) sch pt 2

Meaning of “special event” for div 2B

s 62F ins 1999 SL No. 299 s 3(2) sch pt 2

Authority of special event permit

s 62G ins 1999 SL No. 299 s 3(2) sch pt 2

Issuing a special event permit

s 62H ins 1999 SL No. 299 s 3(2) sch pt 2

Responsibility of permittee

s 62I ins 1999 SL No. 299 s 3(2) sch pt 2

Division 2C—Special circumstances permits

div hdg ins 1999 SL No. 299 s 3(2) sch pt 2

Definitions for div 2C

s 62J ins 1999 SL No. 299 s 3(2) sch pt 2

Authority of special circumstances permit

s 62K ins 1999 SL No. 299 s 3(2) sch pt 2

Issuing a special circumstances permit

s 62L ins 1999 SL No. 299 s 3(2) sch pt 2

Division 3—Continuation of certain subordinate legislation

div hdg ins 1998 SL No. 354 s 16

Subordinate legislation continuing to have effect—Act, s 93

s 63 ins 1998 SL No. 170 s 5

PART 7—TRANSITIONAL PROVISIONS

pt hdg ins 1998 SL No. 354 s 17

sub 2000 SL No. 297 s 28

Division 1—Oversize and overmass vehicles

div hdg ins 1998 SL No. 354 s 17

Existing guidelines and permits continue

s 64 ins 1998 SL No. 354 s 17
amd 2000 SL No. 297 s 29

Division 2—Pilot vehicle drivers

div hdg ins 1998 SL No. 354 s 17

Existing licences continue

s 65 ins 1998 SL No. 354 s 17

Division 3—Motor Vehicle Driving—Instruction School Act 1969

div hdg (prev pt 5 div 7) reloc and renum 1998 SL No. 354 s 15(4)

Definitions

s 66 (prev s 58) reloc and renum 1998 SL No. 354 s 15(4)

Duration of provisional accreditation of licensed driving instructors

s 67 (prev s 59) reloc and renum 1998 SL No. 354 s 15(4)

Renewal of provisional accreditation for licensed driving instructors

s 68 (prev s 60) reloc and renum 1998 SL No. 354 s 15(4)

Interim accreditation of new trainers

s 69 (prev s 61) reloc and renum 1998 SL No. 354 s 15(4)

Application of ss 47–51 and 55 for this division

s 70 (prev s 62) reloc and renum 1998 SL No. 354 s 15(4)

SCHEDULE 1—FEES

sch hdg sub 1998 SL No. 354 s 18(1)
amd 1998 SL No. 254 s 3(g) sch 7

CHAPTER 1—YEARLY REGISTRATION FEES

ch hdg ins 1998 SL No. 354 s 18(1)
om 1999 SL No. 225 s 98(1)

PART 1—TRUCKS AND PRIME MOVERS

pt hdg ins 1998 SL No. 354 s 18(2)
pt 1 om 1999 SL No. 225 s 98(1)

PART 2—TRAILERS

pt 2 om 1999 SL No. 225 s 98(1)

PART 3—BUSES

pt 3 om 1999 SL No. 225 s 98(1)

PART 4—SPECIAL PURPOSE VEHICLES

pt 4 sub 1999 SL No. 113 s 3(e) sch 5
om 1999 SL No. 225 s 98(1)

CHAPTER 2—OTHER FEES

ch hdg ins 1998 SL No. 354 s 18(3)
om 1999 SL No. 225 s 98(2)

PART 1—OVERMASS VEHICLES

- pt 1** ins 1998 SL No. 354 s 18(3)
sub 1999 SL No. 113 s 3(e) sch 5; 2000 SL No. 89 s 18

PART 2—ACCREDITED PERSONS

- pt 2** ins 1998 SL No. 354 s 18(3)
sub 1999 SL No. 213 s 75; 2000 SL No. 89 s 18

PART 3—DRIVER TRAINERS

- pt 3** ins 1998 SL No. 354 s 18(3); 2000 SL No. 89 s 18

PART 4—OTHER

- pt 4** ins 2000 SL No. 195 s 4

SCHEDULE 4—MASS REQUIREMENTS

- prev sch 4 om R1 (see RA s 40)
pres sch 4 (ss 1–6) ins 1995 SL No. 401 s 6
amd 1998 SL No. 354 s 19

Mass limits for tyres, wheels and axles

- s 1** amd 1998 SL No. 354 s 19

SCHEDULE 5—MASS LIMITS FOR SINGLE AXLES AND AXLE GROUPS

- prev sch 5 renum as sch 11 1995 SL No. 401 s 7
pres sch 5 ins 1995 SL No. 401 s 6
amd 1998 SL No. 354 s 20; 2000 SL No. 297 s 30

SCHEDULE 6—MASS LIMITS RELATING TO AXLE SPACING

- ins 1995 SL No. 401 s 6

SCHEDULE 7—MASS LIMITS FOR NON-CONFORMING VEHICLES WITH SINGLE AXLES OR AXLE GROUPS

- ins 1995 SL No. 401 s 6

SCHEDULE 8—MASS LIMITS FOR NONCONFORMING SINGLE AXLES AND AXLE GROUPS

- ins 1995 SL No. 401 s 6

SCHEDULE 9—NON-CONFORMING VEHICLE LOADED MASS

- ins 1995 SL No. 401 s 6

SCHEDULE 10—LOADING REQUIREMENTS

- ins 1995 SL No. 401 s 6

SCHEDULE 11—REVIEW OF AND APPEALS AGAINST DECISIONS

- ins 1997 SL No. 486 s 7
amd 1998 SL No. 354 s 21

SCHEDULE 12—FEES FOR PART 5

- ins 1997 No. 486 s 7
om 1998 SL No. 354 s 22

SCHEDULE 13—DICTIONARY

- sch hdg new sch 11 (prev sch 5) renum 1995 SL No. 401 s 7
new sch 13 (prev sch 11) renum 1997 SL No. 486 s 6

- def **“ADR”** ins 1998 SL No. 354 s 23
- def **“agricultural implement”** ins 1999 SL No. 299 s 3(2) sch pt 2
- def **“agricultural machine”** ins 1999 SL No. 299 s 3(2) sch pt 2
- def **“agricultural vehicle”** ins 1999 SL No. 299 s 3(2) sch pt 2
- def **“ATM”** om 1999 SL No. 225 s 99(1)
- def **“authorising officer”** ins 1999 SL No. 299 s 3(2) sch pt 2
- def **“B-double”** ins 1995 SL No. 401 s 7
- def **“bus (type 1)”** om 1999 SL No. 225 s 99(1)
- def **“bus (type 2)”** om 1999 SL No. 225 s 99(1)
- def **“caravan”** om 1999 SL No. 225 s 99(1)
- def **“centre of an axle group”** ins 1995 SL No. 401 s 7
- def **“combination”** ins 1995 SL No. 401 s 7
- def **“compliance plate”** ins 1998 SL No. 354 s 23
- def **“converter dolly”** ins 1995 SL No. 401 s 7
- def **“dangerous overloading offence”** ins 1999 SL No. 286 s 3 sch 1
- def **“drawbar”** ins 1995 SL No. 401 s 7
- def **“driver”** ins 1995 SL No. 401 s 7
- def **“escort vehicle”** ins 1998 SL No. 354 s 23
- def **“escort vehicle driver”** ins 1998 SL No. 354 s 23
- def **“event”** ins 1999 SL No. 299 s 3(2) sch pt 2
- def **“excessive overloading offence”** ins 1999 SL No. 286 s 3 sch 1
- def **“extreme overloading offence”** ins 1999 SL No. 286 s 3 sch 1
amd 1999 SL No. 286 s 4 sch 2
- def **“fifth wheel coupling”** ins 1995 SL No. 401 s 7
- def **“front articulation point”** ins 1998 SL No. 354 s 23
- def **“GCM”** ins 1995 SL No. 401 s 7
- def **“GTMR”** om 1999 SL No. 225 s 99(1)
- def **“livestock vehicle”** ins 1995 SL No. 401 s 7
- def **“load”** ins 1995 SL No. 401 s 7
- def **“loading requirement”** ins 1995 SL No. 401 s 7
- def **“load-sharing suspension”** ins 1995 SL No. 401 s 7
- def **“long combination prime mover (type 1)”** om 1999 SL No. 225
s 99(1)
- def **“long combination prime mover (type 2)”** om 1999 SL No. 225
s 99(1)
- def **“long combination truck”** om 1999 SL No. 225 s 99(1)
- def **“mass requirement”** ins 1995 SL No. 401 s 7
- def **“medium combination prime mover”** om 1999 SL No. 225 s 99(1)
- def **“medium combination truck”** om 1999 SL No. 225 s 99(1)
- def **“mobile machinery”** om 1999 SL No. 225 s 99(1)
- def **“MRC”** om 1999 SL No. 225 s 99(1)
- def **“overmass vehicle”** ins 1998 SL No. 354 s 23
- def **“oversize vehicle”** ins 1998 SL No. 354 s 23
amd 1999 SL No. 14 s 3
- def **“pensioner”** om 1999 SL No. 225 s 99(1)
- def **“pensioner concession card”** om 1999 SL No. 225 s 99(1)
- def **“pilot vehicle”** ins 1998 SL No. 354 s 23
- def **“pilot vehicle driver”** ins 1998 SL No. 354 s 23

*Transport Operations (Road Use
Management) Regulation 1995*

def **“quadaxle group”** ins 1995 SL No. 401 s 7
 def **“rear overhang”** ins 1998 SL No. 354 s 23
 sub 2000 SL No. 297 s 31
 def **“rear overhang line”** ins 1998 SL No. 354 s 23
 sub 2000 SL No. 297 s 31
 def **“retractable axle”** ins 1995 SL No. 401 s 7
 def **“road train”** ins 1995 SL No. 401 s 7
 def **“road transport infrastructure”** ins 1998 SL No. 354 s 23
 def **“single axle group”** ins 1995 SL No. 401 s 7
 def **“short combination prime mover”** om 1999 SL No. 225 s 99(1)
 def **“special circumstances permit”** ins 1999 SL No. 299 s 3(2) sch pt 2
 def **“special event”** ins 1999 SL No. 299 s 3(2) sch pt 2
 def **“special event permit”** ins 1999 SL No. 299 s 3(2) sch pt 2
 def **“special purpose vehicle”** om 1999 SL No. 225 s 99(1)
 def **“special purpose vehicle (type 1)”** om 1999 SL No. 225 s 99(1)
 def **“special purpose vehicle (type 2)”** om 1999 SL No. 225 s 99(1)
 def **“State-controlled road”** ins 1999 SL No. 225 s 99(2)
 def **“tag trailer”** ins 1995 SL No. 401 s 7
 def **“take part in”** ins 1999 SL No. 299 s 3(2) sch pt 2
 def **“tandem axle group”** ins 1995 SL No. 401 s 7
 def **“tractor”** om 1999 SL No. 225 s 99(1)
 def **“triaxle group”** ins 1995 SL No. 401 s 7
 def **“truck”** om 1999 SL No. 225 s 99(1)
 def **“truck (type 1)”** om 1999 SL No. 225 s 99(1)
 def **“truck (type 2)”** om 1999 SL No. 225 s 99(1)
 def **“twinsteer axle group”** ins 1995 SL No. 401 s 7
 def **“ultra-low floor route bus”** ins 2000 SL No. 297 s 31(2)
 def **“vehicle”** ins 1995 SL No. 401 s 7
 def **“vehicle coding manual”** om 1999 SL No. 225 s 99(1)
 def **“VIN”** ins 2000 SL No. 297 s 31(2)

**ATTACHMENT NOT FORMING PART OF THE
REGULATION—SECTION 3.05 OF TRANSPORT INFRASTRUCTURE
(ROADS) REGULATION 1991 AS IN FORCE IMMEDIATELY BEFORE
1 JULY 1996**

ins 1995 SL No. 401 s 8