

Queensland



*Transport Operations (Road Use Management) Act 1995*

# **TRANSPORT OPERATIONS (ROAD USE MANAGEMENT) REGULATION 1995**

**Reprinted as in force on 1 November 2002  
(includes amendments up to SL No. 285 of 2002)**

**Reprint No. 4D**

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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—**

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## **TRANSPORT OPERATIONS (ROAD USE MANAGEMENT) REGULATION 1995**

[as amended by all amendments that commenced on or before 1 November 2002]

### **PART 1—PRELIMINARY**

#### **1 Short title**

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

#### **2 Commencement**

This regulation commences on 1 July 1995.

#### **3 Definitions**

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

#### **4 Acts that are transport Acts**

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

#### **4A Approval of random inspection program**

(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 checkpoint; and

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- (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.

#### **4B Regulation and control of powers of certain authorised officers**

(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.

#### **4C Requirement to remain at a place**

(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.

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(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.

**4CA Way to require vehicles to stop or move in preparation for stopping**

(1) For section 31(2) or 32(2) of the Act, an authorised officer may require the person in control of a motor vehicle to stop the vehicle or for section 32(3) to move the vehicle in preparation for stopping it—

- (a) by signalling in a way stated in schedule 1A; or
- (b) by a sign displayed—
  - (i) by the authorised officer; or
  - (ii) on or in the vicinity of the road.

*Examples of paragraph (b)(ii)—*

- A sign indicating that trucks must stop at a weighbridge when it is open
- A sign indicating that trucks must use left lane
- A sign indicating that trucks must exit

(2) To help in attracting the attention of the person in control of the motor vehicle to the authorised officer's signal or sign, an authorised officer who is not a police officer may, on the officer's vehicle—

- (a) display flashing magenta coloured lights; or
- (b) operate a horn.

**4CB Moving loads before weighing**

(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

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- (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

### 4F Fees generally

The fees payable under this regulation are in schedule 1.

### 9 Indivisible load permit fees

(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.

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



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*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  $4.6 \times 7$ ).

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

## **10 Axles**

(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.

## **11 Measurement of distance between axles**

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**

## **11A Guidelines and permits for vehicles**

(1) The chief executive may issue—

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

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

### **11AA Statutory condition on guidelines and permits for oversized vehicles**

(1) A guideline for a type of oversize vehicle or a permit for a particular oversize vehicle or type of oversize vehicle mentioned in section 11A is granted on the conditions stated in schedule 3AA for the guideline or permit.

(2) A condition imposed under subsection (1) applies despite any other provision of the guideline or permit.

### **11B Permit contents and conditions**

(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.

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- (4) The chief executive must, within 28 days after the permit ends—
- (a) calculate the costs incurred by the State; and
  - (b) if the costs incurred are less than the amount deposited as security for costs, refund the difference to the permit holder.

### **11BA Alternative arrangements for permits**

(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.

### **11C Driving under guideline or permit**

- (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.

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(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**

### **11CA Meaning of “rear overhang” and “rear overhang line” for pt 2B**

(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—

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- (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.

### **11D Load and other things are part of vehicle's dimensions for pt 2B**

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

### **11E Length—motor vehicles**

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.

### **11F Width**

(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.

### **11G Height**

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

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- (b) for a vehicle built with at least 2 decks for carrying vehicles, when 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.

### **11H Height—ground clearance**

(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).

### **11I Length—trailers**

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

Maximum penalty—30 penalty units.

(2) On a semitrailer 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 semitrailer or anything attached to a semitrailer in front of the trailer’s front articulation point (other than another vehicle) must not protrude beyond the prescribed limit.

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(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 semitrailer 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 semitrailers 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.

### **11J Length—rear overhang**

(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 semitrailer 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 semitrailer 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.



### **11K Length—trailer drawbars**

(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 semitrailer) 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.

### **11KA Limits on projections of loads on vehicles**

(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
  - (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—

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- (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 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

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- (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.

## **11L Information and extended liability offences**

An offence against this part involving a heavy vehicle is—

- (a) an information offence for the Act, section 50;<sup>1</sup> and
- (b) an extended liability offence for the Act, section 57B.<sup>2</sup>

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1 Section 50 (Power to require information) of the Act

2 Section 57B (Further liability provisions for extended liability offences) of the Act

## **PART 3—MASS**

### **12 Application of part**

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.

### **13 Performance standards for mass**

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.

### **14 Compliance with requirements—vehicles**

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.

### **15 Compliance with requirements—trailers**

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.

### **16 Compliance with requirements—combinations**

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

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Maximum penalty—

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

## **17 Vehicle tare**

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.

## **18 Tyre mass**

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

## **19 Axle mass**

(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
- (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.

## **19A Axle mass—complying buses**

(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

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- (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
- (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

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- (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.

### **19B Axle mass for ultra-low floor route bus**

- (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.

## **20 Vehicle mass**

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

- (a) by weighing all axles simultaneously on a weighing device; or
- (b) by totalling the axle mass of each axle of the vehicle or vehicle combination.

## **21 Other ways of determining mass may be used**

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

### **21A Way of stating GVM**

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—

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- (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.

### **21B Proof of GCM or GVM**

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.

### **21C Proof of mass**

(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*.

## **24 Transport of livestock**

(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—



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- (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.<sup>3</sup>

(7) This section expires on 30 June 2003.

## **25 Phasing out of semitrailers used as livestock vehicles**

(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.

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<sup>3</sup> To aid readers, the section is included in an attachment to this regulation. The attachment does not form part of the regulation.

## **26 Information and extended liability offences**

An offence against this part is—

- (a) an information offence for the Act, section 50;<sup>4</sup> and
- (b) an extended liability offence for the Act, section 57B.<sup>5</sup>

## **PART 4—LOADING**

### **27 Application of part**

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

### **28 Performance standards for loading**

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.

### **29 Compliance with requirements—vehicles**

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.

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<sup>4</sup> Section 50 (Power to require information) of the Act

<sup>5</sup> Section 57B (Further liability provisions for extended liability offences) of the Act

### **30 Compliance with requirements—trailers**

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.

### **31 Compliance with requirements—combinations**

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.

### **32 Proof of loading offences**

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;<sup>6</sup> 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.

### **33 Information and extended liability offences**

An offence against this part involving a heavy vehicle is—

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<sup>6</sup> The Load Restraint Guide is published by the Australian Government Publishing Service and may be purchased from the Commonwealth Government Bookshop, Brisbane.

- (a) an information offence for the Act, section 50;<sup>7</sup> and
- (b) an extended liability offence for the Act, section 57B.<sup>8</sup>

## **PART 4A—ACCREDITED PERSONS**

### *Division 1—Accredited persons generally*

#### **33A Applying to be appointed as an accredited person**

(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.

#### **33B Deciding application**

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.

#### **33C Granting application**

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.

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7 Section 50 (Power to require information) of the Act

8 Section 57B (Further liability provisions for extended liability offences) of the Act

### **33D Refusing application**

(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.<sup>9</sup>

(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.

### **33DA Statutory conditions on appointment**

The conditions on which an approved examiner holds office include the conditions stated in schedule 3A for the accreditation.

### **33E Accreditation documents and identity cards**

(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.

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<sup>9</sup> 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.

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(2) The accreditation document must—

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

### **33F Display of accreditation document or identity card**

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.

### **33G Replacement of accreditation document or identity card**

(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.

### **33H Resignation from appointment**

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.

### **33I Surrender of accreditation document or identity card**

(1) A person who stops being an accredited person<sup>10</sup> 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.

### **33J Accreditation prescribed for the Act, ss 17B(2) and 18(c)(ii)**

An accreditation under this part is prescribed for sections 17B(2) and 18(c)(ii)<sup>11</sup> of the Act.

### **33K Employer's duty**

(1) The employer of an accredited person must ensure the accredited person complies with the conditions stated in schedule 3A for the accreditation (“**statutory conditions**”) and with the conditions of appointment stated in the person's instrument of appointment (“**appointment conditions**”).

Maximum penalty—80 penalty units.

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10 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 chapter 3, part 1A of the Act.

11 Sections 17B (Granting, renewing or refusing approval) and 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 statutory conditions and appointment conditions.

### **33L Powers of accredited persons**

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***

### **33M Functions**

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.

### **33N Necessary expertise for appointment**

(1) For section 21<sup>12</sup> 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 knowledge to perform the function of an accredited person who is a pilot vehicle driver.

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



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***Division 3—Escort vehicle drivers***

**33O Functions**

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.

**33P Necessary expertise for appointment**

(1) For section 21<sup>13</sup> 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.

***Division 4—Vehicle safety inspections***

**33Q Function**

(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.

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

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(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” see the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 1998*.

**33R Necessary expertise—Act, s 21(1)**

(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 *Training and Employment Act 2000*; 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 *Training and Employment Act 2000*; or
  - (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 *Training and Employment Act 2000*; or
    - (B) the *Tradesmen’s Rights Regulation Act 1946* (Cwlth); and

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- (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 *Training and Employment Act 2000*; 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—

- (a) holds a certificate that the chief executive considers to be at least equal to a certificate for motor mechanics issued under—
  - (i) the *Training and Employment Act 2000*; 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—

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- (i) holds a certificate that the chief executive considers to be at least equal to a certificate—
  - (A) for motor mechanics issued under the *Training and Employment Act 2000*; 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 4B—ACCREDITING DRIVER TRAINERS AND RIDER TRAINERS**

### *Division 1—Definitions and basic concepts*

#### **34 Definitions for pt 4B**

In this part—

**“council”** means the Training Recognition Council established under the *Training and Employment Act 2000*.

**“pre-licence driver training”** means driver training for a learner who holds a driver licence authorising the learner to learn to drive the class of motor vehicle for which the training is being given.

**“qualifications”** includes experience.

**“registered training organisation”** means a registered training organisation under the *Training and Employment Act 2000*.

### **35 Who is a “driver trainer”**

A **“driver trainer”** is a person who, for reward (whether as a self-employed person or as an employee for somebody else), gives a learner driver training.

### **36 What is “driver training”**

**“Driver training”** is advice, demonstration, instruction or training for driving a motor vehicle.

### **37 Who is an “accredited rider trainer”**

An **“accredited rider trainer”** is a person who—

- (a) is granted accreditation as a rider trainer under this part; and
- (b) may, either as a registered service provider or as an employee of a registered service provider, give a learner Q-Ride training.

### **38 What is “Q-Ride training”**

**“Q-Ride training”** is—

- (a) advice, demonstration, instruction or training in the competencies for riding a class RE or R motorbike; and
- (b) an assessment of the attainment of the competencies;

provided by a registered service provider.

***Division 2—Accrediting driver trainers and rider trainers***

**39 Accrediting driver trainers**

(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, and has held for at least 1 year, an O type licence authorising the applicant to drive the type or types of motor vehicles stated in the application as the type or types of motor vehicles for which the applicant proposes to give training; and
- (b) satisfies the chief executive the applicant is competent to give driver training by having successfully completed at least 1 of the following—
  - (i) a driver trainer course accredited by the council and conducted by a registered training organisation;
  - (ii) a driver trainer competency assessment conducted by a registered training organisation;
  - (iii) a driver trainer course accredited by a training authority under a corresponding law to the *Training and Employment Act 2000*.

(3) Despite subsection (2)(b), the chief executive may be satisfied the applicant is competent to give driver training 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 subsection (2)(b).

(4) Without limiting subsection (2) or (3), the chief executive may refuse to grant the accreditation 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.

(5) In this section—

**“O type licence”** see the *Transport Operations (Road Use Management—Driver Licensing) Regulation 1999*.

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#### **40 Accrediting rider trainers**

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

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

- (a) is an accredited driver trainer who is accredited to give driver training for a class R motorbike; and
- (b) satisfies the chief executive the applicant is competent to give Q-Ride training by having successfully completed at least 1 of the following—
  - (i) a certificate IV in assessment and workplace training issued by a registered training organisation;
  - (ii) a certificate corresponding to a certificate mentioned in subparagraph (i) issued under a corresponding law to the *Training and Employment Act 2000*.

(3) Despite subsection (2)(b), the chief executive may be satisfied the applicant is competent to give Q-Ride training if the applicant has other qualifications in training and assessment that the chief executive is satisfied are equivalent to, or better than, those mentioned in subsection (2)(b).

(4) Without limiting subsection (2) or (3), the chief executive may refuse to grant the accreditation 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.

#### ***Division 3—Applying for accreditation***

#### **41 Definition for div 3**

In this division—

“**accreditation**” means accreditation as a driver trainer or rider trainer.

#### **42 Applying for accreditation**

An application for accreditation must be—

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- (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.

#### **43 Deciding application for accreditation**

(1) The chief executive must consider an application for accreditation within 14 days after it is made and decide either—

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

(2) The chief executive may grant an accreditation on conditions the chief executive considers reasonable and relevant.

#### **44 Statutory conditions on accreditation**

(1) The conditions on which the accreditation of a driver trainer or rider trainer is granted include the conditions stated in schedule 3B.

(2) This section does not limit section 43(2).

#### **45 Notice of granting of accreditation**

(1) If the chief executive decides to grant the accreditation, the chief executive must give the applicant a signed notice of the decision (“**accreditation notice**”) within 14 days after making the decision.

(2) If the chief executive imposes a condition on the accreditation, the chief executive must—

- (a) state the condition in the accreditation notice; and
- (b) give the applicant an information notice for the condition.

#### **46 Issue of identity card**

(1) If the chief executive decides to grant the accreditation, the chief executive must issue an identity card in the approved form to the applicant within 14 days after making the decision.



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**(2) The identity card must—**

- (a) contain a recent photo of the person; and
- (b) contain a copy of the person's signature; and
- (c) identify the person as—
  - (i) an accredited driver trainer; or
  - (ii) an accredited driver trainer and rider trainer; and
- (d) state—
  - (i) the person's accreditation number; and
  - (ii) the day the accreditation ends.

**47 Notice of refusal to grant accreditation**

If the chief executive decides to refuse to grant the accreditation, the chief executive must give the applicant an information notice within 14 days after making the decision.

**48 Duration of accreditation**

**(1)** An accreditation as a driver trainer is granted for 1 year.

**(2)** An accreditation as a rider trainer is granted for the term of the applicant's unexpired accreditation as a driver trainer.

**49 Renewal of accreditation**

**(1)** An accredited driver trainer or rider trainer may apply to the chief executive to renew the accreditation.

**(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.

## **50 Application of declared sections to renewal of accreditation**

(1) Each declared section applies with all necessary changes to the renewal of accreditation in the same way it applies to the grant of accreditation.

(2) Also, in applying the declared sections, the chief executive may refuse an application for renewal of accreditation if the accreditation was issued—

- (a) in error; or
- (b) because of a document or representation that is—
  - (i) false or misleading;
  - (ii) obtained or made in another improper way.

(3) In this section—

“**declared section**” means section 39(2) to (4), section 40(2) to (4) and sections 43 to 47.

## **51 Duration of renewal of accreditation**

The renewal of an accreditation is granted for 1 year.

## **52 Replacement of identity card**

(1) An accredited driver trainer or rider trainer may apply to the chief executive for the replacement of the trainer’s identity card if the card is damaged, destroyed, lost or stolen.

(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 card has been damaged, destroyed, lost or stolen, the chief executive must replace it.

***Division 4—Continuity of accreditation***

**53 Accreditation dependent on driver licence**

(1) This section applies if—

- (a) the driver licence held by an accredited driver trainer or rider trainer is suspended or cancelled; or
- (b) the trainer surrenders the licence.

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

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

**54 Accreditation as rider trainer dependent on continuation of accreditation as driver trainer**

(1) This section applies if an accredited rider trainer's driver trainer accreditation is—

- (a) amended so that the driver trainer is no longer accredited to give driver training for a class R motorbike; or
- (b) suspended; or
- (c) cancelled or surrendered.

(2) The rider trainer accreditation is—

- (a) if subsection (1)(a) happens—automatically cancelled on the day the driver trainer accreditation is amended; or
- (b) if the driver trainer accreditation is suspended—automatically suspended on the day the driver trainer accreditation is suspended and of no effect while the driver trainer accreditation is suspended; or
- (c) if the driver trainer accreditation is cancelled or surrendered—automatically cancelled or surrendered on the day the driver trainer accreditation is cancelled or surrendered.

## **55 Voluntary surrender of accreditation**

(1) An accredited driver trainer or rider trainer may surrender the trainer's accreditation by written notice given to the chief executive.

(2) To be effective, the notice must be accompanied by the trainer's identity card, unless the trainer has a reasonable excuse for not returning it.

(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—on the later day.

## **56 Return of identity card**

A person whose accreditation as a driver trainer or rider trainer is suspended, cancelled or surrendered under section 53 or 54 (“**event**”) must return the person's identity card to the chief executive immediately after the event, unless the person has a reasonable excuse.

Maximum penalty—40 penalty units.

### ***Division 5—Accreditation as a driver trainer necessary to give pre-licence driver training***

## **57 Driver trainer giving pre-licence driver training to be accredited**

(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 a driver trainer does not contravene subsection (1) if the driver trainer, 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 6—Recommending issue of competency declaration***

**57A Employed accredited rider trainer may recommend learner be given competency declaration**

(1) An accredited rider trainer who is an employee of a registered service provider may recommend to the provider that the provider give a learner who completes Q-Ride training with the provider a competency declaration for the class of motorbike for which the training is given.

(2) The recommendation has no effect unless the rider trainer makes it in writing (“**competency recommendation notice**”) and gives the competency recommendation notice to the provider.<sup>14</sup>

**57B Requirement to issue competency recommendation notice**

(1) This section applies if a learner—

- (a) completes Q-Ride training; and
- (b) is assessed as having attained the competencies by an accredited rider trainer who is an employee of the registered service provider.

(2) The rider trainer must, no later than 1 day after assessing the learner as having attained the competencies, give the provider a competency recommendation notice for the learner for the class of motorbike for which the training is given.

Maximum penalty—40 penalty units.

**57C Restriction on giving competency recommendation notice**

An accredited rider trainer who is an employee of a registered service provider must not give the provider a competency recommendation notice for a learner to whom the provider is providing Q-Ride training unless the learner—

- (a) completes the training; and

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<sup>14</sup> Section 57ZF provides for the giving of a competency declaration when an accredited rider trainer is a registered service provider.

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- (b) is assessed by the rider trainer as having attained the competencies.

Maximum penalty—40 penalty units.

***Division 7—Other provisions***

**57D Code of conduct**

(1) The chief executive may make a code (“**code of conduct**”) for the conduct for accredited driver trainers and rider trainers when giving learners driver training or Q-Ride training.

(2) The code may provide for any matter the chief executive considers appropriate.

*Examples of appropriate matters—*

1. What is inappropriate behaviour or misconduct by a driver trainer or rider trainer towards a learner.
2. The non-disclosure or inappropriate use by a driver trainer or rider trainer of a learner’s personal particulars.

(3) The chief executive must—

- (a) notify the making of the code by gazette notice; and
- (b) make the code available for inspection at offices of the department during normal office hours.

**57E Requirements for driver trainer car**

(1) An accredited driver trainer must ensure that a car the driver trainer provides to give pre-licence driver training is fitted with the following equipment when the car is 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 car;
- (b) L plates at the front and rear of the car;
- (c) a sign or plate displayed conspicuously on the car showing—
  - (i) the driver trainer’s name and accreditation number as a driver trainer; or
  - (ii) if the driver trainer—

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- (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 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 car.

Maximum penalty—20 penalty units.

(2) In this section—

**“L plate”** means a plate measuring at least 146 mm by 146 mm and showing a black upper case letter ‘L’ clearly marked on a yellow background.

**“training controls”**, for a car, means—

- (a) if the car has automatic transmission—dual footbrake and accelerator controls; or
- (b) if the car has manual transmission—dual foot brake and clutch controls.

### **57F Display of identity card**

When an accredited driver trainer is giving pre-licence driver training or an accredited rider trainer is giving Q-Ride training, the trainer must display the trainer’s identity card so as to be clearly visible to the learner.

Maximum penalty—20 penalty units.

### **57G Driver training records**

(1) An accredited driver trainer must keep a written record (**“driver training record”**) of the pre-licence driver training the driver trainer gives to a learner.

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Maximum penalty—20 penalty units.

(2) The driver trainer must—

- (a) make the driver training record within 1 day of giving the training; and
- (b) include in the record the following particulars about the training—
  - (i) the learner's name and address;
  - (ii) the date, time and duration of the training;
  - (iii) the registration number of the motor vehicle in which the training is given.

Maximum penalty—20 penalty units.

(3) In this section—

**“pre-licence driver training”** does not include Q-Ride training.

### **57H Q-ride training records**

(1) An accredited rider trainer who gives a learner Q-Ride training must keep a written record (**“Q-Ride training record”**) of the Q-Ride training the rider trainer gives to the learner.

Maximum penalty—20 penalty units.

(2) The rider trainer must—

- (a) make the record within 1 day of giving the training; and
- (b) include in the record the following particulars—
  - (i) the learner's name and address;
  - (ii) the registered service provider's name;
  - (iii) the date, time and duration of the training;
  - (iv) the class of motorbike for which the training is given;
  - (v) the registration number of the motorbike on which the learner is given the training;
  - (vi) the results of assessments of the learner's achievements towards attaining the competencies.

Maximum penalty—20 penalty units.



### **57I How long records to be kept**

An accredited driver trainer or an accredited rider trainer or a person who ceases to be so accredited must keep a learner's driver training records or Q-Ride training records for at least 2 years from the date the record was made.

Maximum penalty—20 penalty units.

### **57J Records for registered service provider**

(1) This section applies if an accredited rider trainer who is an employee of a registered service provider gives a learner Q-Ride training.

(2) The rider trainer must, within 1 day of making the learner's Q-Ride training record, give the provider a copy of the record.

Maximum penalty—20 penalty units.

### **57K Accreditation prescribed for ss 17B(2) and 18(c)(ii) of Act**

An accreditation of a person as a driver trainer or rider trainer is prescribed for sections 17B(2) and 18(c)(ii) of the Act.

## **PART 5—REGISTRATION OF SERVICE PROVIDERS**

### *Division 1—Basic concepts*

### **57L Who is an “eligible person” for Q-Ride training**

A person is an “eligible person” to receive Q-Ride training—

- (a) for a class RE motorbike, if the person holds a class RE learner licence or a driver licence granted outside Queensland that corresponds to that licence; or
- (b) for a class R motorbike, if the person—
  - (i) holds—

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- (A) a class RE provisional, probationary or an open licence; or
- (B) a driver licence granted outside Queensland that corresponds to a licence mentioned in paragraph (b)(i)(A);  
and has held the licence for at least 1 year; or
- (ii) holds a class RE licence granted by the chief executive because the person holds a competency declaration for a class RE motorbike; or
- (iii) holds—
  - (A) a class RE learner licence; and
  - (B) a class C, LR, MR, HR, HC or MC provisional, probationary or open licence or a driver licence granted outside Queensland that corresponds to that licence and has held the licence for at least 3 years.

**57M Who is a “registered service provider”**

A “registered service provider” is a person who—

- (a) under an arrangement for reward between the person and a learner, provides a program of Q-Ride training for the learner; and
- (b) is registered under this part.

***Division 2—Applying for registration***

**57N Applying for registration**

(1) A person may apply to the chief executive for the grant of registration as a registered service provider.

(2) The application must be—

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

### **57O Suitability for registration**

(1) The chief executive may register the applicant only if the chief executive is satisfied the applicant is able to conform with the registered service provider standards.

(2) Without limiting subsection (1), the chief executive may refuse to grant the registration if the applicant or, if the applicant is a corporation, an executive officer of 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.

### **57P Deciding application**

(1) The chief executive must consider an application for registration within 28 days after it is made and decide either—

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

(2) The chief executive may grant a registration on conditions the chief executive considers reasonable and relevant.

### **57Q Granting registration**

(1) If the chief executive decides to grant the registration, the chief executive must give the applicant a signed notice of the decision (“**registration notice**”), within 14 days after making the decision.

(2) The registration notice must state the following—

- (a) the registered service provider’s name and place of business;
- (b) the registered service provider’s registration number;
- (c) the commencement and expiry date for the registration;
- (d) the place of business is required to be open to inspection by an authorised officer;
- (e) any conditions imposed by the chief executive on the registration.

(3) The registration notice may also include any other information the chief executive decides appropriate.

(4) If the chief executive imposes a condition on the registration, the chief executive must also give the applicant an information notice for the condition with the registration notice.

### **57R Notice of refusal to grant registration**

If the chief executive decides to refuse to grant the registration, the chief executive must give the applicant an information notice within 14 days after making the decision.

### **57S Statutory conditions on registration**

(1) The conditions on which the registration of a registered service provider is granted include the conditions stated in schedule 3C.

(2) This section does not limit section 57P(2).

### **57T Duration of registration**

The term of a registration is the term, not longer than 2 years, stated in the registration notice.

### **57U Renewal of registration**

(1) A registered service provider may apply to the chief executive to renew the registration.

(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 28 days before the registration ends.

### **57V Application of declared sections to renewal of registration**

(1) Each declared section applies to the renewal of a registration in the same way it applies to the grant of the registration.

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(2) Also, in applying the declared sections, the chief executive may refuse an application for renewal of a registration if the registration was issued—

- (a) in error; or
- (b) because of a document or representation that is—
  - (i) false or misleading; or
  - (ii) obtained or made in another improper way.

(3) In this section—

**“declared section”** means sections 57O to 57S.

### **57W Duration of renewal of registration**

The term of the renewal of a registration is the term, not longer than 5 years, stated in the registration notice.

### **57X Voluntary surrender of registration**

(1) A registered service provider may surrender the provider’s registration by written notice given to the chief executive.

(2) The surrender takes effect—

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

(3) The provider must, before the surrender takes effect, ensure that any competency declaration forms issued by the chief executive to the provider that are unused are returned to the chief executive.

Maximum penalty—40 penalty units.

### **57Y Registration not transferrable**

The registration of a registered service provider is not able to be assigned or transferred.

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### **57Z Immediate cancellation**

A registered service provider's registration is immediately cancelled on the happening of any of the following events—

- (a) if the provider is an individual—the individual dies or becomes an insolvent under administration;
- (b) if the provider is a body corporate—the corporation is being wound up.

### **57ZA Return of unused competency declarations**

(1) This section applies if the registration of a registered service provider is not renewed or is cancelled.

(2) The chief executive may, by signed notice to a responsible person require the person within the time stated in the notice, not less than 14 days, to return to the chief executive any competency declaration forms issued by the chief executive to the provider that are unused.

(3) The responsible person must not contravene the requirement unless the person has a reasonable excuse.

Maximum penalty—40 penalty units.

(4) In this section—

**“responsible person”** means a person who ceases to be a registered service provider, or if the person is a deceased individual, the person's personal representative.

## ***Division 3—Records***

### **57ZB Records registered service provider must keep**

(1) A registered service provider must keep a written record (**“registered service provider's learner record”**) of each learner to whom the provider provides Q-Ride training.

Maximum penalty—40 penalty units.

(2) The provider must include in the record the following particulars—

- (a) the learner's name and address;

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- (b) the learner's driver licence number and licence type, class and expiry date;
- (c) the documents or information the learner produced to the provider to verify the learner's eligibility as an eligible person for Q-Ride training;
- (d) the date the provider starts providing the training;
- (e) the date a competency recommendation notice for the learner was received;
- (f) the serial number of a competency declaration given to the learner.

**57ZC Where and how long training records to be kept**

(1) A registered service provider or a person who ceases to be a registered service provider must ensure that—

- (a) a learner's training records are kept for at least 2 years from the date the record was made or given to the provider; and
- (b) the training records are kept at—
  - (i) the provider's place of business; or
  - (ii) if the provider ceases to be a registered service provider—the place stated by the provider in a signed notice to the chief executive.

Maximum penalty—40 penalty units.

(2) In this section—

**“training records”**, for a learner, means the following—

- (a) the registered service provider's learner record for the learner;
- (b) the copy of the learner's Q-Ride training record given to the provider;
- (c) the competency recommendation notice for the learner given to the provider;
- (d) the copy of the competency declaration given to the learner.

***Division 4—Competency declarations***

**57ZD Registered service provider may give competency declarations**

(1) A registered service provider may give a learner who is undertaking Q-Ride training with the provider a competency declaration.

(2) The declaration has no effect unless it is signed by—

- (a) if the provider is an individual—the individual; or
- (b) if the provider is a corporation—an executive officer of the provider nominated by signed notice by the provider (“**nominated executive officer**”) and given to the chief executive.

**57ZE Duration of competency declaration**

A competency declaration for a learner is valid only for 1 year from the day the registered service provider completes it for giving to the learner.

**57ZF Requirement to give competency declaration**

(1) This section applies if a registered service provider that provides Q-Ride training to a learner reasonably believes the learner has—

- (a) completed the training; and
- (b) attained the competencies.

(2) It is not a reasonable belief for subsection (1) unless the grounds for the belief include the happening of either of the following events—

- (a) an accredited rider trainer who is an employee of the provider gives the provider a competency recommendation notice for the learner;
- (b) the provider is also an accredited rider trainer and assesses the learner as having attained the competencies.

(3) The provider must promptly, but in any event within 3 days after an event mentioned in subsection (2)(a) or (b) happens, complete and give to the learner a competency declaration.

Maximum penalty—40 penalty units.



### **57ZG Restriction on giving competency declaration**

(1) A registered service provider that provides Q-Ride training to a learner must not give the learner a competency declaration the provider knows is false or misleading in a material particular.

Maximum penalty—80 penalty units.

*Example of how a competency declaration may be false or misleading in a material particular—*

The registered service provider gives the learner a competency declaration for a class of motorbike knowing that—

- (a) the learner has not attained the competencies to ride the class of motorbike; or
- (b) no assessment of the learner's competence to ride the class of motorbike has been made; or
- (c) the declaration is for a class of motorbike other than that for which the training has been provided.

(2) It is enough for a complaint against the provider for an offence against subsection (1) to state that the declaration was 'false or misleading'.

### **57ZH Destroyed, lost or stolen competency declaration not given to learner**

(1) This section applies if a competency declaration issued by the chief executive to a registered service provider but not given by the provider to a learner is destroyed, lost or stolen ("**loss event**").

(2) The provider must give the chief executive a signed notice of the loss event as soon as possible, but within 3 days, after becoming aware of the happening of the event.

Maximum penalty—40 penalty units.

(3) The notice must state the following particulars—

- (a) the provider's name and registration number;
- (b) the serial number of the declaration;
- (c) how and when the event happened.

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**57ZI Replacement of competency declaration given to learner**

(1) A registered service provider who gives a learner a competency declaration (“**original declaration**”) may give the learner a replacement declaration (“**replacement declaration**”) if the provider is satisfied the original declaration has been destroyed, lost or stolen.

(2) If the provider gives a learner a replacement declaration, the provider must give the chief executive a signed notice of the giving of the declaration as soon as possible, but within 3 days, after giving it to the learner.

Maximum penalty—40 penalty units.

(3) The notice must state the following particulars—

- (a) the provider’s name and registration number;
- (b) the serial numbers of the original declaration and the replacement declaration;
- (c) the learner’s name and driver licence number.

***Division 5—Other provisions***

**57ZJ False statements**

A person (“**first person**”) who is not a registered service provider must not state, either orally or in writing, anything to another person that is likely to induce the person to believe the first person—

- (a) is a registered service provider; or
- (b) may provide Q-Ride training; or
- (c) may give a person a competency declaration.

Maximum penalty—80 penalty units.

**57ZK False advertising**

A person who is not a registered service provider must not publish, or cause to be published, an advertisement stating or implying the person—

- (a) is a registered service provider; or
- (b) may provide Q-Ride training; or

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- (c) may give a person a competency declaration.

Maximum penalty—80 penalty units.

**57ZL Registration prescribed for ss 17B(2) and 18(c)(ii) of Act**

Registration of a person as a registered service provider is prescribed for sections 17B(2) and 18(c)(ii) of the Act.

**57ZM Registered service provider standards**

(1) The chief executive may make standards (“**registered service provider standards**”) for the provision of Q-Ride training by a registered service provider.

(2) The standards must relate to the following—

- (a) the provider developing its own code of practice for providing the training;
- (b) the provider’s management systems;
- (c) the equipment necessary for providing the training;
- (d) the training and assessment environment;
- (e) the provider’s employee training program;
- (f) the procedures and practices for determining the eligibility of learners to undertake the training;
- (g) procedures and practices the provider’s accredited rider trainers must conform with in giving the training;
- (h) the records the provider must keep for a matter mentioned in paragraph (a) to (g).

(3) The chief executive must—

- (a) notify the making of the standards by gazette notice; and
- (b) make the standards available for inspection at offices of the department during normal office hours.

### **57ZN Competency standards**

(1) The chief executive may make standards (“**competency standards**”) about—

- (a) the competencies that a learner must attain under Q-Ride training to ride a motorbike competently (“**competencies**”);
- (b) the level of performance that a learner must consistently achieve to attain the competencies; and
- (c) the assessment of the learner’s attainment of the competencies by an accredited rider trainer.

(2) The standards must include provisions for the following units of competency—

- (a) preparing the motorbike for operation;
- (b) manoeuvring the motorbike at low speed;
- (c) controlling the motorbike at road speeds;
- (d) applying roadcraft for the safe and efficient operation of the motorbike.

(3) The chief executive must—

- (a) notify the making of the standards by gazette notice; and
- (b) make the standards available for inspection at offices of the department during normal office hours.

### **57ZO Auditor register**

(1) The chief executive may keep a register (“**auditor register**”) of auditors.

(2) The register may be kept in any way the chief executive considers appropriate.

(3) The chief executive must record a person’s name in the register as an auditor if the person—

- (a) is—
  - (i) registered with the Quality Society of Australasia; and
  - (ii) certified by the society as a quality auditor or senior quality auditor; and

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- (b) completes an information session, conducted by the chief executive, about the scheme; and
- (c) requests the chief executive in writing to record the person's name in the register.

(4) Despite subsection (3)(a), the chief executive must record the person's name in the register as an auditor if the person has another registration or certification that the chief executive is satisfied is equivalent to, or better than, that mentioned in subsection (3)(a).

### **57ZP Form of audit reports**

An audit report that a registered service provider must give to the chief executive under a statutory condition mentioned in schedule 3C must include the following particulars (“**mandatory particulars**”)—

- (a) the auditor's name;
- (b) the day the audit started;
- (c) the day the report was completed;
- (d) the provider's name, address and registration number;
- (e) the type of audit conducted;
- (f) details of the particular registered service provider standards examined by the auditor and the provider's compliance or non-compliance with those standards.

### **57ZQ Registration notice prescribed for Act s 26(1)(c)**

A registration notice is prescribed for the Act section 26(1)(c).

### **57ZR Reasonable excuse**

It is a reasonable excuse for a registered service provider to fail to comply with a requirement under schedule 3C, section 5(4) or (5) or section 6(1)(b) or (2) if the auditor's report or notice tends to incriminate the provider in an offence against this regulation.

## **PART 5A—ALTERNATIVE COMPLIANCE SCHEMES**

### **58 Mass**

(1) Sections 14 to 16<sup>15</sup> are prescribed provisions for section 15(1)<sup>16</sup> 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.

## **PART 6—MISCELLANEOUS**

### ***Division 1—Review of decisions***

#### **62A Review of decisions**

(1) A person whose interests are affected by a decision stated in schedule 11 may apply, under chapter 4<sup>17</sup> of the Act, for a review of the decision as if the decision were stated in schedule 3 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.

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

16 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.

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

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***Division 1A—Lights or signs creating danger to traffic***

**62AA Light or sign creating danger to traffic**

(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.

(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***

**62B Offence to drive pilot or escort vehicle**

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***

**62C Damage to road transport infrastructure**

(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 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—



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- (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.

## **62D Restriction of loads on structures**

(1) The chief executive may—

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

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- (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***

**62E Definitions for div 2B**

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.

**62F Meaning of “special event” for div 2B**

- (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, the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 1999* 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.

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*Examples of special events—*

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

## **62G Authority of special event permit**

(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, the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 1999* 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.

## **62H Issuing a special event permit**

(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—

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- (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 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.

## **62I Responsibility of permittee**

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***

## **62J Definitions for div 2C**

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.

## **62K Authority of special circumstances permit**

(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.

## **62L Issuing a special circumstances permit**

(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

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- (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—
  - (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;

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- (d) limitations about which roads may be used;
- (e) minimising or avoiding interference with other road users.

***Division 3—Continuation of certain subordinate legislation***

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

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***

**64 Existing guidelines and permits continue**

(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.

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(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 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***

**65 Existing licences continue**

(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.



## SCHEDULE 1

### FEES

section 4F

#### PART 1—OVERMASS VEHICLES

	\$
1. Permit for an overmass vehicle—	
(a) for a single trip. . . . .	60.15
(b) for a stated period . . . . .	228.60

#### PART 2—ACCREDITED PERSONS

	\$
1. Application for appointment as accredited person—	
(a) escort vehicle driver or pilot vehicle driver . . . . .	65.15
(b) approved examiner. . . . .	18.45
2. Application for replacement of accreditation document or identity card. . . . .	14.60

#### PART 3—DRIVER TRAINERS

	\$
1. Application for grant, or renewal, of accreditation of driver trainers. . . . .	141.20
2. Application for replacement of accreditation document or identity card. . . . .	14.60

## SCHEDULE 1 (continued)

**PART 4—OTHER**

	\$
1. Approval of an alternative compliance scheme (s 58) . .	62.00
2. For each vehicle accredited to participate in an alternative compliance scheme (s 58) . . . . .	20.65

## **SCHEDULE 1A**

### **STOP AND MOVE SIGNALS BY AUTHORISED OFFICERS, OTHER THAN POLICE OFFICERS**

s 4CA

#### **1. Stop signal for persons facing signal**

Figure 1



figure 1(a)  
from the front



figure 1(b)  
from the rear



figure 1(c)  
from left side

SCHEDULE 1A (continued)



figure 1(d)  
from right side

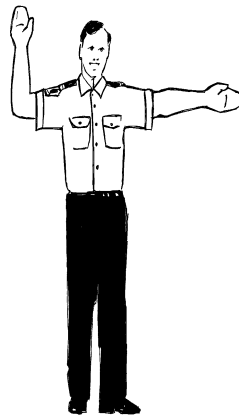


figure 1(e)  
combination from front and rear

**2. 'Move vehicle in preparation for stopping' signal—for person facing signal**

Figure 2

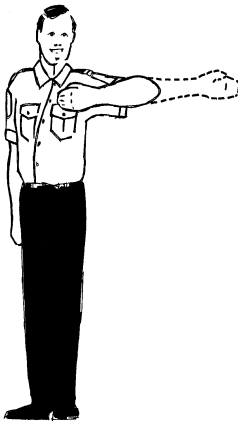


figure 2(a)  
from left side



figure 2(b)  
from right side

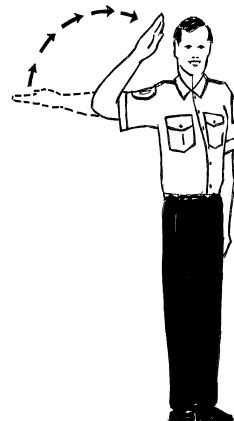


figure 2(c)  
from right side

SCHEDULE 1A (continued)

**3. 'Move vehicle to stop at place indicated' signal—for person facing  
signal**

Figure 3

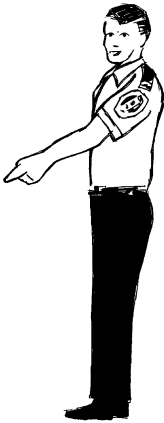


figure 3(a)  
in front



figure 3(b)  
behind

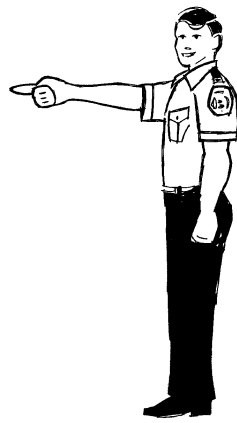


figure 3(c)  
at kerb etc.

## **SCHEDULE 2**

### **EQUIVALENT STANDARD AXLES**

section 9

#### **PART 1—TRAILERS WITH ROWS OF 8 TYRES**

<b>Average load per row (tonnes)</b>	<b>Equivalent standard axles per row</b>
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**

<b>Average load per row (tonnes)</b>	<b>Equivalent standard axles per row</b>
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)—	



## SCHEDULE 3 (continued)

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

## **SCHEDULE 3A**

### **STATUTORY CONDITIONS FOR APPOINTMENT AS ACCREDITED PERSON**

section 33DA

An accredited person who is an approved examiner—

- (a) must not contravene the Act; and
- (b) must not contravene the Code of Practice—Vehicle Inspection Guidelines mentioned in the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 1999*, section 13(e).

## **SCHEDULE 3AA**

### **STATUTORY CONDITIONS ON GUIDELINES AND PERMITS FOR OVERSIZED VEHICLES**

s 11AA

#### **1 Driving restrictions on guidelines or permits for oversized vehicles**

(1) This section applies to a guideline or permit issued by the chief executive or the commissioner (“**issuer**”) for a type of oversize vehicle or a particular oversize vehicle under section 11A if the issuer—

- (a) reasonably believes that driving the type of vehicle under the guideline or the particular vehicle or type of vehicle under the permit during a particular period, or periods or along a particular road or roads would—
  - (i) unduly hinder or obstruct other road users; or
  - (ii) compromise road safety; and
- (b) publishes a gazette notice (“**restriction notice**”) stating—
  - (i) the type of vehicle or particular vehicle; and
  - (ii) the dimensions of the type of vehicle or particular vehicle mentioned in paragraph (b)(i); and
  - (iii) the period and road;to which the restriction notice applies.

(2) A person must not drive the type of vehicle under the guideline or the particular vehicle or type of vehicle under the permit contrary to the provisions of the restriction notice.

(3) However, the issuer may by signed notice (“**waiver notice**”) to an eligible person waive the requirements of a restriction notice applying to a guideline or permit if the issuer is satisfied that—

- (a) special circumstances exist; and

SCHEDULE 3AA (continued)

- (b) in the circumstances the driving of the type of oversize vehicle under the guideline or the particular vehicle or type of vehicle under the permit would not compromise road safety.

(4) The issuer may impose reasonable and relevant conditions in the waiver notice for driving the type of vehicle under the guideline or the particular vehicle or type of vehicle under the permit in addition to the conditions, if any, in the guideline or permit.

(5) The waiver notice is taken to be included in, and a part of, the guideline or permit for section 11C.

(6) In this section—

**“eligible person”** means—

- (a) for a guideline—a person who, apart from a restriction notice, would be authorised to drive the type of oversize vehicle under the guideline; or
- (b) for a permit—the holder of the permit.

## **SCHEDULE 3B**

### **STATUTORY ACCREDITATION CONDITIONS FOR ACCREDITED DRIVER TRAINERS OR RIDER TRAINERS**

section 44

#### **1 Compliance with code of conduct**

The trainer must not contravene the code of conduct.

#### **2 Maintaining competency**

The trainer must, throughout the accreditation, maintain at least the level of competence required under section 39(2) or (3) or 40(2) or (3) for accreditation.

#### **3 Review by chief executive**

If the chief executive reasonably believes the trainer is not competent to give the training and gives the trainer not less than 7 days written notice requiring the trainer to demonstrate the trainer's competence to give the training, the trainer must demonstrate to the reasonable satisfaction of the chief executive that the trainer is competent to give the training.

#### **4 Random review**

(1) If the chief executive selects the trainer by random selection and gives the trainer not less than 7 days written notice requiring the trainer to demonstrate the trainer's competence to give the training, the trainer must demonstrate to the reasonable satisfaction of the chief executive that the trainer is competent to give the training.

(2) However, the chief executive may not make a requirement under subsection (1) on the trainer more than once every 2 years.

SCHEDULE 3B (continued)

**5 Cooperation with chief executive**

To enable the chief executive to carry out a review under section 3 or 4 the trainer must cooperate with every reasonable requirement of the chief executive in carrying out the review.

*Example of a reasonable requirement—*

The chief executive may require the trainer to allow the chief executive to observe the trainer giving a learner training.

**6 Notifiable events**

The trainer must give the chief executive signed notice of any of the following events within 14 days after the event happens—

- (a) the trainer changes the trainer's name;
- (b) the trainer is—
  - (i) convicted of a disqualifying offence; or
  - (ii) charged with a disqualifying offence and the charge has not been finally disposed of.

## **SCHEDULE 3C**

### **STATUTORY REGISTRATION CONDITIONS FOR REGISTERED SERVICE PROVIDERS**

section 57S

#### **1 Compliance with registered service provider standards**

The registered service provider (“**provider**”) must not contravene the registered service provider standards (“**standards**”).

#### **2 Provider’s place of business to be open for inspection**

The provider’s place of business must be open for inspection by an authorised officer when the place is open for the conduct of business or otherwise open for entry.

#### **3 Compliance with declared sections**

(1) The provider must not contravene a declared section.

(2) In this section—

“**declared section**” means section 57ZB, 57ZC, 57ZF(3) or 57ZG.

#### **4 Establishing eligibility of person to be trained**

The provider must, before providing or agreeing to provide Q-Ride training to a person, be reasonably satisfied the person is an eligible person for the training.

#### **5 Scheduled compliance audits**

(1) The provider must, at the provider’s cost, ensure that within the times mentioned in subsection (2) or (3)—

### SCHEDULE 3C (continued)

- (a) an auditor undertakes and completes the audits, mentioned in subsection (2) or (3), of the provider's compliance with the standards; and
- (b) the auditor gives the provider a report of the audit; and
- (c) the report includes the mandatory particulars.<sup>18</sup>

(2) For the first year after registration, the audit must be started no sooner than 28 days before the first anniversary of the provider's registration and completed no later than 28 days after the anniversary.

(3) For the second and each subsequent year after registration, the audit must be started no sooner than 56 days before the anniversary of the provider's registration and completed before the anniversary.

(4) The provider must give the chief executive a copy of the auditor's report within 14 days after the day the audit report is completed unless the provider has a reasonable excuse.

(5) If the auditor's report identifies non-compliance with the standards, the report must, unless the provider has a reasonable excuse, be accompanied by a signed notice from the provider stating the action the provider has taken to—

- (a) rectify the non-compliance; or
- (b) ensure that it does not continue or reoccur.

## **6 Audit for non-compliance with standards**

(1) If the chief executive reasonably believes the provider is not complying with the standards, the chief executive may, by signed notice to the provider, require the provider to—

- (a) arrange for an auditor to audit the provider's compliance with the standards within the time stated in the notice, not less than 14 days; and

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<sup>18</sup> See also the Act, chapter 3 (Road user performance and compliance), part 3 (Powers of authorised officers) for the powers of authorised officers to monitor and enforce compliance with the Act.



SCHEDULE 3C (continued)

- (b) give the chief executive a copy of the auditor's report within 14 days after the report is completed, unless the provider has a reasonable excuse.

(2) If the auditor's report identifies non-compliance with the standards, the report must, unless the provider has a reasonable excuse, be accompanied by a signed notice from the provider stating the action the provider has taken to—

- (a) rectify the non-compliance; or
- (b) ensure that it does not continue or reoccur.

(3) If the auditor's report identifies material non-compliance with the standards, the provider must pay the cost of the audit and the report otherwise the cost is to be paid by the chief executive.

**7 Restriction on engaging auditor**

The provider must not engage the same auditor for more than 2 consecutive audits.

**8 Only accredited rider trainers to give Q-Ride training**

The provider must, when providing Q-Ride training to a learner, ensure that the training is given by—

- (a) an accredited rider trainer who is an employee of the service provider; or
- (b) if the provider is an individual who is also an accredited rider trainer—the individual as an accredited rider trainer.

**9 Notifiable events**

The provider must give the chief executive signed notice of any of the following events within 14 days after the event happens—

- (a) the provider changes the provider's name or place of business;
- (b) the provider changes its nominated executive officer or the provider's nominated executive officer changes the officer's name;

SCHEDULE 3C (continued)

- (c) the provider, or if the provider is a corporation an executive officer of the provider, has been—
  - (i) convicted of a disqualifying offence; or
  - (ii) charged with a disqualifying offence and the charge has not been finally disposed of.

## **SCHEDULE 4**

### **MASS REQUIREMENTS**

schedule 13, definition “mass requirement”

#### **1 Mass limits for tyres, wheels and axles**

(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
    - (B) at least 375 mm—13 t; or
  - (iv) for a triaxle axle group fitted with dual tyres—13 t; and

SCHEDULE 4 (continued)

- (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.

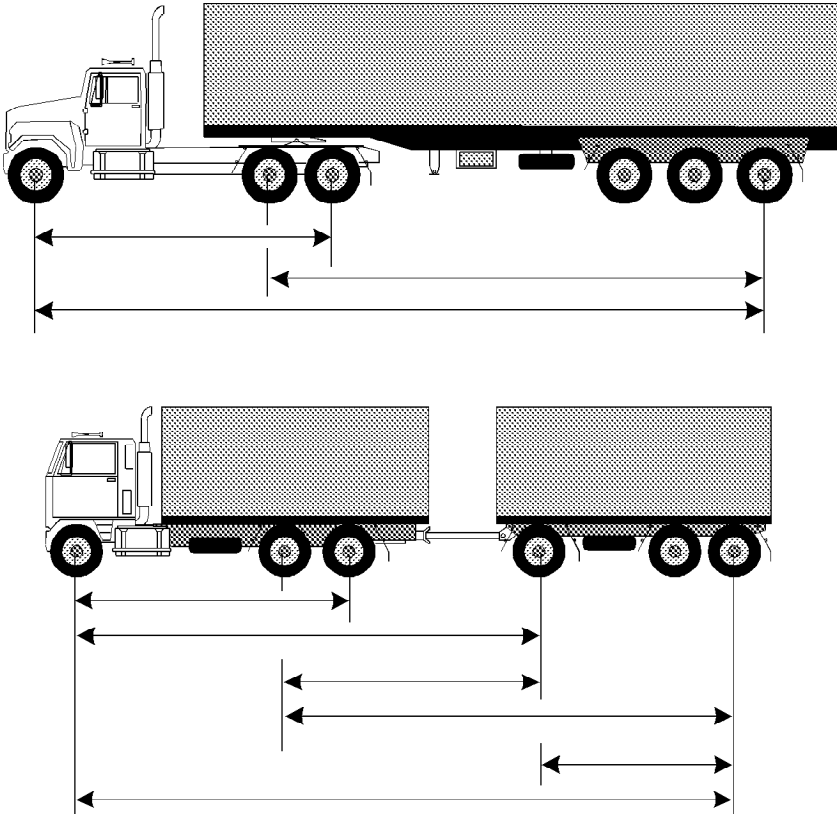
**2 Mass limits relating to axle spacing**

(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.

## 3 Mass limit for a single vehicle

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

#### SCHEDULE 4 (continued)

#### **4 Mass limits for combinations**

(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.

#### **5 Load sharing suspension**

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

#### **6 Non-complying vehicles**

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)
<b>Single axles and single axle groups</b>	
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
<b>Twinsteer axle groups</b>	
Twinsteer axle group without a load-sharing suspension system . . . . .	10.0
Twinsteer axle group with a load-sharing suspension system . . . . .	11.0
<b>Tandem axle groups</b>	
Tandem axle group fitted with single tyres with section width of—	

### SCHEDULE 5 (continued)

(a) less than 375 mm . . . . .	11.0
(b) at least 375 mm but less than 450 mm . . . . .	13.3
(c) at least 450 mm . . . . .	14.0
Tandem axle group fitted with single tyres on 1 axle and dual tyres on the other axle on—	
(a) a complying bus . . . . .	14.0
(b) any other motor vehicle . . . . .	13.0
Tandem axle group fitted with dual tyres on—	
(a) a pig trailer . . . . .	15.0
(b) another vehicle . . . . .	16.5

#### 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
7.8	8.0	36.0

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SCHEDULE 5 (continued)

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

#### **1 Mass limits for single axles and axle groups**

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.

#### **2 Mass limits for vehicles and vehicle combinations**

(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 Axle configuration	Column 2 Axle mass (tonnes)
<b>Single axles</b>	
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
<b>Axle groups without retractable axles</b>	
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
9. Triaxle group with each axle fitted with dual tyres or 4 or more tyres (however arranged) . . . . .	18.0

SCHEDULE 8 (continued)

<b>10.</b> Triaxle group with 2 axles fitted with dual tyres and the other axle with single tyres . . . . .	17.5
<b>11.</b> Triaxle group with 2 axles fitted with single tyres and the other axle with dual tyres. . . . .	15.0
<b>12.</b> Triaxle group with each axle fitted with single tyres .	13.8
<b>13.</b> 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**

<b>14.</b> 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
<b>15.</b> 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
7.5	7.8	..	23.6	25.6	27.7	27.7

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SCHEDULE 9 (continued)

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
15.3	15.6	..	..	..	35.0	36.0
15.6	15.9	..	..	..	35.3	36.0

## SCHEDULE 9 (continued)

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”

#### **1 Loading obligations**

(1) A load on a vehicle must not be placed in a way that makes the vehicle unstable or unsafe.

(2) A load on a vehicle must be secured so 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.<sup>19</sup>

#### **2 Trailers**

(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.

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<sup>19</sup> See the Load Restraint Guide for examples of safe ways of loading vehicles.

## SCHEDULE 11

### REVIEW OF AND APPEALS AGAINST DECISIONS

section 62A

<b>Section</b>	<b>Description of decision</b>	<b>Court</b>
33D	Refusing application for appointment as accredited person	Magistrates
43	Refusing to grant accreditation or granting accreditation on a condition imposed by the chief executive	Magistrates
43, 49 and 50	Refusing to grant renewal of accreditation or granting renewal of accreditation on a condition imposed by the chief executive	Magistrates
57P	Refusing to grant registration or granting registration on a condition imposed by the chief executive	Magistrates
57P, 57U and 57V	Refusing to grant renewal of registration or granting renewal of registration on a condition imposed by the chief executive	Magistrates

## SCHEDULE 13

### DICTIONARY

#### section 3

**“accreditation”** for part 4B, division 3, see section 41.

**“accredited”**, for a driver trainer, means accredited under this regulation.

**“accredited rider trainer”** see section 37.

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

**“advertisement”** includes circular, notice, sign and matter that is not in writing but which conveys a message because of the form or context in which it appears.

**“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.

**“approved examiner”** means a person who holds an appointment under part 4A as an accredited person with the function of an approved examiner.

**“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.

SCHEDULE 13 (continued)

**“auditor”** means a person whose name is recorded in the auditor register.

**“auditor register”** see section 57ZO.

**“authorising officer”** see—

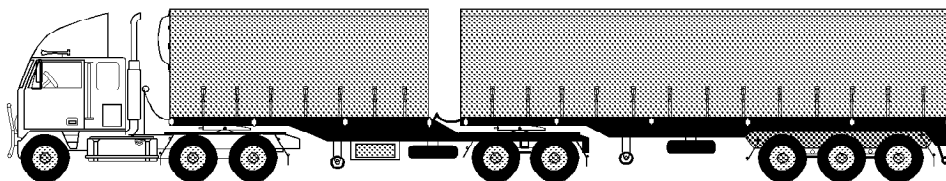
- (a) for part 6, division 2B—section 62E; and
- (b) for part 6, division 2C—section 62J.

**“average load per row”** see section 9.

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

**“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 semitrailers.



**Typical B-double**

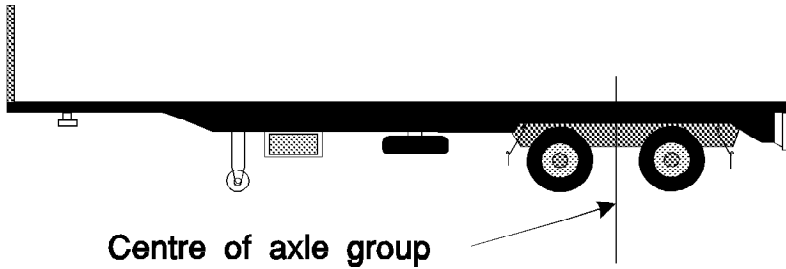
**“bus”** means a motor vehicle built mainly to carry more than 12 seated adults.

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

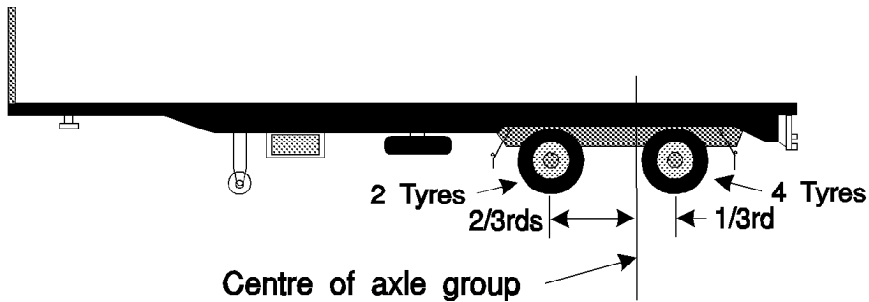
**“centre of an axle group”** means—

- (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.

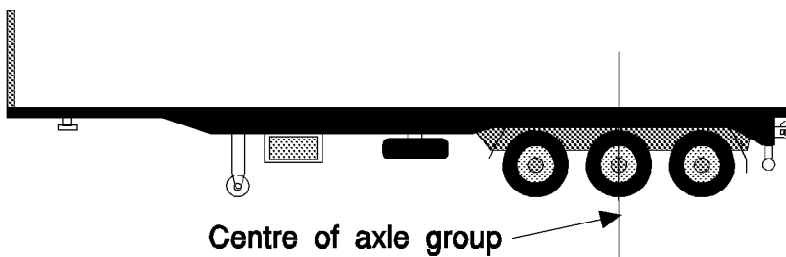
SCHEDULE 13 (continued)



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

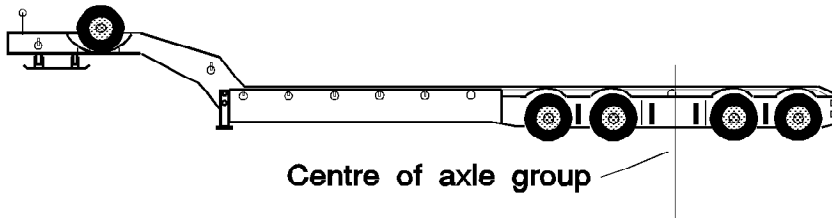


**Centre of a typical tandem axle group fitted with a different number of tyres on each axle**



**Centre of a typical triaxle group**

### SCHEDULE 13 (continued)



**Centre of a typical quad-axle group**

**“code of conduct”** see section 57D.

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

**“competencies”** see section 57ZN.

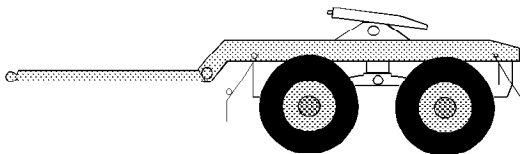
**“competency declaration”**, for riding a class RE or R motorbike, means a declaration, in the approved form, by a registered service provider that the learner named in the declaration has attained the competencies to ride the class of motorbike stated in the declaration.

**“competency recommendation notice”** see section 57A.

**“competency standards”** see section 57ZN. **“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 semitrailer into a dog trailer.

SCHEDULE 13 (continued)



**Typical converter dolly**

**“council”**, for part 4B, see section 34.

**“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 semitrailer into a dog trailer.

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

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

**“driver trainer”** see section 35.

**“driver training”** see section 36.

**“driver training record”** see section 57G.

**“eligible person”** see section 57L.

**“employee”** includes agent or contractor.

**“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 guideline or permit under part 2A.

SCHEDULE 13 (continued)

**“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.

**“exempted vehicle”** see section 8.

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

**“fifth wheel coupling”** means a device, other than the upper rotating element and the kingpin (which are parts of a semitrailer), used with a prime mover, semitrailer 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 effort, expense or risk of damage, be divided into 2 or more smaller loads for transportation.

**“information notice”**, for a decision of the chief executive, means a signed notice stating the following—



SCHEDULE 13 (continued)

- (a) the decision;
- (b) the reasons for the decision;
- (c) the day the decision has effect;
- (d) the person to whom the notice is given may, under section 62A, ask for the decision to be reviewed and may appeal against the reviewed decision.

**“insolvent under administration”** see the Corporations Act, section 9.

**“journey length”** see section 9.

**“learner”** means—

- (a) for a person who is undertaking driver training—a person who holds a driver licence authorising the person to learn to drive the class of motor vehicle for which the training is given; or
- (b) for a person who is undertaking Q-Ride training—an eligible person for the class of motorbike.

**“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

SCHEDULE 13 (continued)

(b) with effective damping characteristics on all axles of the group.

**“mandatory particulars”** see section 57ZP.

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

**“motorbike”**, for parts 4B and 5, means a 2 wheeled motor vehicle that does not have a sidecar attached 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.

**“nominated executive officer”** see section 57ZD.

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

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

**“pre-licence driver training”**, for part 4B, see section 34.

**“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) under a guideline or permit under part 2A, is required to be driven by—
  - (i) a pilot vehicle driver; or
  - (ii) an escort vehicle driver; or
  - (iii) another person stated in the guideline or permit.

**“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.

### SCHEDULE 13 (continued)

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

**“prime mover”** means a motor vehicle designed to tow a semitrailer.

**“Q-Ride training”** see section 38.

**“Q-Ride training record”** see section 57H.

**“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.

**“qualifications”**, for part 4B, see section 34.

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

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

**“registered service provider”** see section 57M.

**“registered service provider’s learner record”** see section 57ZB.

**“registered service provider standards”** see section 57ZM.

**“registered training organisation”**, for part 4B, see section 34.

SCHEDULE 13 (continued)

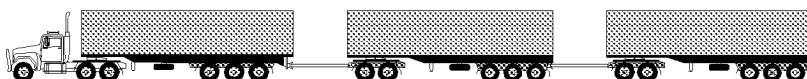
**“registration authority”** means the authority that is responsible for registering vehicles.

**“registration notice”** see section 57Q.

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

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

**“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 semitrailer).



**Typical triple road train**

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

**“scheme”** means the scheme for Q-Ride training provided for in parts 4B and 5.

**“semitrailer”** 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.

**“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.

SCHEDULE 13 (continued)

**“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.<sup>20</sup>

**“tag trailer”** means a semitrailer 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.

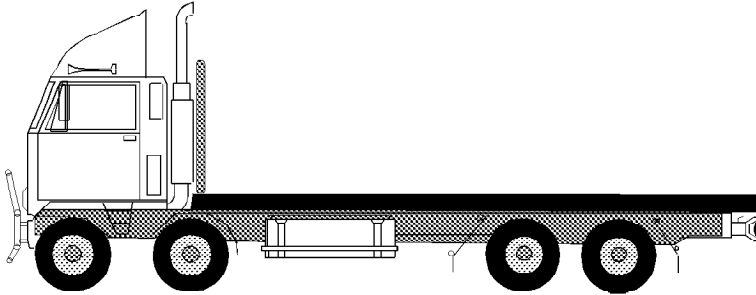
**“triaxle group”** means a group of at least 3 axles with a horizontal distance between the centre-lines of the outermost axle of more than 2 m but not more than 3.2 m.

**“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.

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<sup>20</sup> *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**

#### **3.05 Transport of livestock**

(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;
- (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;

**ATTACHMENT NOT FORMING PART OF THE REGULATION  
(continued)**

- (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—

**Table**  
**Tyre mass rating**

<b>Column 1</b>	<b>Column 2</b>
<b>Axle configuration</b>	<b>Tyre mass (tonnes)</b>
1. Single axle fitted with 2 tyres .....	3.0
2. Twin steer axle group with or without a load sharing system .....	2.8



ATTACHMENT NOT FORMING PART OF THE REGULATION  
(continued)

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
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

ATTACHMENT NOT FORMING PART OF THE REGULATION  
(continued)

<b>5.</b>	Single axle fitted with 2 tyres	Triaxle group with a load sharing system, where each axle is fitted with dual tyres	31
<b>6.</b>	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
<b>7.</b>	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 . . . . .	129
3	Key . . . . .	129
4	Table of earlier reprints . . . . .	130
5	List of legislation . . . . .	130
6	List of annotations . . . . .	133

### 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 1 November 2002. 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

Key	Explanation	Key	Explanation
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	(retro)	= retrospectively
notfd	= notified	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

## 4 Table of earlier reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of earlier reprints, see the latest reprint.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

TABLE OF EARLIER REPRINTS

Reprint No.	Amendments included	Effective	Reprint date
1	none	1 July 1995	2 July 1995
1A	to SL No. 106 of 1996	1 July 1996	25 July 1996
1B	to SL No. 272 of 1996	11 October 1996	18 December 1996
1C	to SL No. 124 of 1997	23 May 1997	18 July 1997
2	to SL No. 486 of 1997	1 January 1998	6 March 1998
2A	to SL No. 170 of 1998	22 May 1998	3 June 1998
2B	to SL No. 254 of 1998	1 November 1998	20 November 1998
2C	to SL No. 354 of 1998	22 January 1999	19 February 1999
3	to SL No. 299 of 1999	1 December 1999	1 December 1999
3A	to SL No. 195 of 2000	14 July 2000	21 July 2000
3B	to SL No. 297 of 2000	27 November 2000	8 December 2000
3C	to SL No. 28 of 2001	6 April 2001	18 May 2001
4	to SL No. 57 of 2001	1 July 2001	6 July 2001
4A	to SL No. 235 of 2001	3 December 2001	14 December 2001
4B	to SL No. 32 of 2002	1 March 2002	15 March 2002
4C	to SL No. 112 of 2002	1 July 2002	

## 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)  
 amending legislation—

### **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  
 Note— A regulatory impact statement and an explanatory note were prepared

*Transport Operations (Road Use Management)  
Regulation 1995*

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**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 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

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**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 notification

**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 notification

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)

Note— A regulatory impact statement and an explanatory note were prepared

**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 1188–9  
ss 1–2 commenced on date of notification  
remaining provisions commenced 27 November 2000 (see s 2)

**Transport Legislation Amendment Regulation (No. 1) 2001 SL No. 28 pts 1, 3**

notfd gaz 6 April 2001 pp 1452–3  
commenced on date of notification

**Transport Legislation Amendment Regulation (No. 2) 2001 SL No. 57 pts 1, 10**

notfd gaz 25 May 2001 pp 334–6  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2001 (see s 2)

**Transport Legislation Amendment Regulation (No. 3) 2001 SL No. 109 pts 1, 3**

notfd gaz 13 July 2001 pp 1041–2  
commenced on date of notification

**Transport Operations (Road Use Management—Driver Licensing) Amendment Regulation (No. 1) 2001 SL No. 235 ss 1–2, 3(2) sch 2**

notfd gaz 30 November 2001 pp 1179–82  
ss 1–2 commenced on date of notification  
remaining provisions commenced 3 December 2001 (see s 2)

**Transport Legislation Amendment Regulation (No. 1) 2002 SL No. 32 pts 1, 5**

notfd gaz 1 March 2002 pp 850–2  
commenced on date of notification

**Transport Legislation Amendment Regulation (No. 2) 2002 SL No. 112 pts 1, 13**

notfd gaz 24 May 2002 pp 308–10  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2002 (see s 2)

**Transport Legislation Amendment Regulation (No. 5) 2002 SL No. 285 s 1, pt 6**

notfd gaz 1 November 2002 pp 759–62  
commenced on date of notification

## **6 List of annotations**

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sub 1999 SL No. 225 s 91

### **Acts that are transport Acts**

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amd 1997 SL No. 124 s 3  
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### **Approval of random inspection program**

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

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

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**s 4C** ins 1995 SL No. 401 s 3  
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**s 4CA** ins 1997 SL No. 124 s 4  
amd 1999 SL No. 299 s 3(2) sch pt 2  
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**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

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**s 4E** ins 1996 SL No. 29 s 6  
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**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  
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**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

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**s 8** amd 1996 SL No. 240 s 3(c) sch 3; 1998 SL No. 254 s 3(g) sch 7; 1999 SL No. 113 s 3(e) sch 5  
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**Measurement of distance between axles**

**s 11** ins 1999 SL No. 225 s 95

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**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; 2002 SL No. 32 s 11

**Statutory condition on guidelines and permits for oversized vehicles**

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**s 11B** ins 1998 SL No. 354 s 7  
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**s 11F** ins 1998 SL No. 354 s 7  
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**s 11H** ins 1998 SL No. 354 s 7

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

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**s 11J** ins 1998 SL No. 354 s 7  
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**s 11K** ins 1998 SL No. 354 s 7

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**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  
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**Information and extended liability offences**

**11L** ins 1998 SL No. 354 s 7  
sub 2001 SL No. 28 s 10

**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

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

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**s 13** ins 1995 SL No. 401 s 5

**Compliance with requirements—vehicles**

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amd 1999 SL No. 286 s 3 sch 1

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amd 1999 SL No. 286 s 3 sch 1

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**s 16** ins 1995 SL No. 401 s 5  
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amd 1998 SL No. 354 s 9

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om 1998 SL No. 354 s 10

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**s 24** ins 1995 SL No. 401 s 5  
amd 1998 SL No. 354 s 11  
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**s 25** ins 1995 SL No. 401 s 5  
exp 30 June 2003 (see s 25(4))

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**s 28** ins 1995 SL No. 401 s 5

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**s 29** ins 1995 SL No. 401 s 5

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**s 31** ins 1995 SL No. 401 s 5

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**s 33** ins 1995 SL No. 401 s 5  
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**pt hdg** ins 1998 SL No. 354 s 12

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**s 33B** ins 1998 SL No. 354 s 12

**Granting application**

**s 33C** ins 1998 SL No. 354 s 12

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

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amd 2001 SL No. 28 s 14; 2002 SL No. 32 s 13

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**Necessary expertise for appointment**

**s 33N** ins 1998 SL No. 354 s 12

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**div hdg** ins 1998 SL No. 354 s 12

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**s 33O** ins 1998 SL No. 354 s 12

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**s 33P** ins 1998 SL No. 354 s 12

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**div hdg** ins 1999 SL No. 213 s 74

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**s 33Q** ins 1999 SL No. 213 s 74  
amd 2002 SL No. 285 s 29

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**s 33R** ins 1999 SL No. 213 s 74  
amd 2002 SL No. 285 s 30

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**pt hdg** ins 2001 SL No. 109 s 12

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**div hdg** ins 1997 SL No. 486 s 5  
sub 2001 SL No. 109 s 12

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**s 34** ins 1997 SL No. 486 s 5  
amd 1999 SL No. 286 s 4 sch 2  
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**s 35** ins 1997 SL No. 486 s 5  
sub 2001 SL No. 109 s 12

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**s 36** ins 1997 SL No. 486 s 5  
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**s 37** ins 1997 SL No. 486 s 5  
sub 2001 SL No. 109 s 12

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**s 38** ins 1997 SL No. 486 s 5  
sub 2001 SL No. 109 s 12

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**div hdg** ins 1997 SL No. 486 s 5  
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- s 39** ins 1997 SL No. 486 s 5  
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**Division 3—Applying for accreditation**

- div hdg** ins 1997 SL No. 486 s 5  
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**Definition for div 3**

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- s 42** ins 1997 SL No. 486 s 5  
sub 2001 SL No. 109 s 12

**Deciding application for accreditation**

- s 43** ins 1997 SL No. 486 s 5  
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- s 44** ins 1997 SL No. 486 s 5  
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- s 45** ins 1997 SL No. 486 s 5  
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**Issue of identify card**

- s 46** ins 1997 SL No. 486 s 5  
sub 2001 SL No. 109 s 12

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- s 47** ins 1997 SL No. 486 s 5  
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**Duration of accreditation**

- s 48** ins 1997 SL No. 486 s 5  
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**Renewal of accreditation**

- s 49** ins 1997 SL No. 486 s 5  
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**Application of declared sections to renewal of accreditation**

- s 50** ins 1997 SL No. 486 s 5  
sub 2001 SL No. 109 s 12

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**s 51** ins 1997 SL No. 486 s 5  
sub 2001 SL No. 109 s 12

**Replacement of identify card**

**s 52** ins 2001 SL No. 109 s 12

**Division 4—Continuity of accreditation**

**div hdg** ins 1997 SL No. 486 s 5  
sub 2001 SL No. 109 s 12

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**s 53** ins 1997 SL No. 486 s 5  
sub 2001 SL No. 109 s 12

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**s 54** ins 1997 SL No. 486 s 5  
sub 2001 SL No. 109 s 12

**Voluntary surrender of accreditation**

**s 55** ins 1997 SL No. 486 s 5  
sub 2001 SL No. 109 s 12

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**s 56** prev s 56 ins 1997 SL No. 486 s 5  
om 1998 SL No. 354 s 14  
pres s 56 ins 2001 SL No. 109 s 12

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**div hdg** ins 2001 SL No. 109 s 12

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**s 57** ins 1997 SL No. 486 s 5  
sub 2001 SL No. 109 s 12

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**div hdg** ins 1997 SL No. 486 s 5  
sub 2001 SL No. 109 s 12

**Employed accredited rider trainer may recommend learner be given competency declaration**

**s 57A** ins 2001 SL No. 109 s 12

**Requirement to issue competency recommendation notice**

**s 57B** ins 2001 SL No. 109 s 12

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**s 57C** ins 2001 SL No. 109 s 12

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**div 7 (ss 57D–57K)** ins 2001 SL No. 109 s 12

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**pt hdg** ins 1997 SL No. 486 s 5  
sub 2001 SL No. 109 s 12

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**div hdg** ins 2001 SL No. 109 s 12

#### **Who is an “eligible person” for Q-Ride training**

**s 57L** ins 2001 SL No. 109 s 12  
amd 2001 SL No. 235 s 3(2) sch 2

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**s 57M** ins 2001 SL No. 109 s 12

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**div 2 (ss 57N–57ZA)** ins 2001 SL No. 109 s 12

### **Division 3—Records**

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**div 5 (ss 57ZJ–57ZR)** ins 2001 SL No. 109 s 12

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**pt hdg** ins 2000 SL No. 195 s 3

### **Mass**

**s 58** ins 2000 SL No. 195 s 3

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**pt hdg** ins 1998 SL No. 170 s 5

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**div hdg** (prev pt 5 div 5) ins 1997 SL No. 486 s 5  
reloc and renum 1998 SL No. 354 s 13

#### **Review of decisions**

**s 62A** (prev s 52) ins 1997 SL No. 486 s 5  
reloc and renum 1998 SL No. 354 s 13  
amd 2002 SL No. 32 s 14

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**div hdg** ins 2000 SL No. 297 s 27

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**s 62AA** ins 2000 SL No. 297 s 27

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**div hdg** ins 1998 SL No. 354 s 16

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**s 62B** ins 1998 SL No. 354 s 16



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**s 62C** ins 1999 SL No. 225 s 97

**Restriction of loads on structures**

**s 62D** ins 1999 SL No. 225 s 97

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

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**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  
amd 2002 SL No. 32 s 15

**Authority of special event permit**

**s 62G** ins 1999 SL No. 299 s 3(2) sch pt 2  
amd 2002 SL No. 32 s 16

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

**Responsibility of permittee**

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**Division 2C—Special circumstances permits**

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

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

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**Issuing a special circumstances permit**

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**s 63** ins 1998 SL No. 170 s 5

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sub 2000 SL No. 297 s 28

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**div hdg** ins 1998 SL No. 354 s 17

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

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**div hdg** (prev pt 5 div 7) ins 1997 SL No. 486 s 5  
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reloc and renum 1998 SL No. 354 s 15(4)  
om 2001 SL No. 109 s 13

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**s 67** (prev s 59) ins 1997 SL No. 486 s 5  
reloc and renum 1998 SL No. 354 s 15(4)  
amd 2001 SL No. 28 s 15  
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**s 70** (prev s 62) ins 1997 SL No. 486 s 5  
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**sch 1** amd 1998 SL No. 254 s 3(g) sch 7; 1998 SL No. 354 s 18; 1999 SL No. 113  
s 3(e) sch 5; 1999 SL No. 213 s 75; 1999 SL No. 225 s 98  
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amd 2001 SL No. 109 s 14  
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**SCHEDULE 3A—STATUTORY CONDITIONS FOR APPOINTMENT AS ACCREDITED PERSON**

ins 2001 SL No. 28 s 16

**SCHEDULE 3AA—STATUTORY CONDITIONS ON GUIDELINES AND PERMITS FOR OVERSIZED VEHICLES**

ins 2002 SL No. 32 s 18

**SCHEDULE 3B—STATUTORY ACCREDITATION CONDITIONS FOR ACCREDITED DRIVER TRAINERS OR RIDER TRAINERS**

ins 2001 SL No. 109 s 15

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ins 2001 SL No. 109 s 15

**SCHEDULE 4—MASS REQUIREMENTS**

prev sch 4 om R1 (see RA s 40)

pres sch 4 ins 1995 SL No. 401 s 6

**Mass limits for tyres, wheels and axles**

**s 1** ins 1995 SL No. 401 s 6

amd 1998 SL No. 354 s 19

**Mass limits relating to axle spacing**

**s 2** ins 1995 SL No. 401 s 6

**Mass limit for a single vehicle**

**s 3** ins 1995 SL No. 401 s 6

**Mass limits for combinations**

**s 4** ins 1995 SL No. 401 s 6

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**s 5** ins 1995 SL No. 401 s 6

**Non-complying vehicles**

**s 6** ins 1995 SL No. 401 s 6

**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

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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

sub 2001 SL No. 109 s 16

**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 “**accreditation**” ins 2001 SL No. 109 s 17  
 def “**accredited**” ins 2001 SL No. 109 s 17  
 def “**accredited rider trainer**” ins 2001 SL No. 109 s 17  
 def “**ADR**” ins 1998 SL No. 354 s 23  
 def “**advertisement**” ins 2001 SL No. 109 s 17  
 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 “**approved examiner**” ins 2001 SL No. 28 s 17(2)  
 def “**ATM**” om 1999 SL No. 225 s 99(1)  
 def “**auditor**” ins 2001 SL No. 109 s 17  
 def “**auditor register**” ins 2001 SL No. 109 s 17  
 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 “**code of conduct**” ins 2001 SL No. 109 s 17  
 def “**combination**” ins 1995 SL No. 401 s 7  
 def “**competencies**” ins 2001 SL No. 109 s 17  
 def “**competency declaration**” ins 2001 SL No. 109 s 17  
 def “**competency recommendation notice**” ins 2001 SL No. 109 s 17  
 def “**competency standards**” ins 2001 SL No. 109 s 17  
 def “**compliance plate**” ins 1998 SL No. 354 s 23  
 def “**converter dolly**” ins 1995 SL No. 401 s 7  
 def “**council**” ins 2001 SL No. 109 s 17  
 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 “**driver trainer**” ins 2001 SL No. 109 s 17  
 def “**driver training**” ins 2001 SL No. 109 s 17  
 def “**driver training record**” ins 2001 SL No. 109 s 17

def **“eligible person”** ins 2001 SL No. 109 s 17  
 def **“employee”** ins 2001 SL No. 109 s 17  
 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 **“information notice”** ins 2001 SL No. 109 s 17  
 def **“insolvent under administration”** ins 2001 SL No. 109 s 17  
 def **“learner”** ins 2001 SL No. 109 s 17  
 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 **“mandatory particulars”** ins 2001 SL No. 109 s 17  
 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 **“motorbike”** ins 2001 SL No. 109 s 17  
 def **“MRC”** om 1999 SL No. 225 s 99(1)  
 def **“nominated executive officer”** ins 2001 SL No. 109 s 17  
 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  
     amd 2001 SL No. 28 s 17(3)  
 def **“pilot vehicle driver”** ins 1998 SL No. 354 s 23  
 def **“pre-licence driver training”** ins 2001 SL No. 109 s 17  
 def **“primary production vehicle”** om 2001 SL No. 28 s 17(1)  
 def **“Q-Ride training”** ins 2001 SL No. 109 s 17  
 def **“Q-Ride training record”** ins 2001 SL No. 109 s 17  
 def **“quadaxle group”** ins 1995 SL No. 401 s 7  
 def **“qualifications”** ins 2001 SL No. 109 s 17  
 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 **“registered service provider”** ins 2001 SL No. 109 s 17

def **“registered service provider’s learner record”** ins 2001 SL No. 109 s 17  
 def **“registered service provider standards”** ins 2001 SL No. 109 s 17  
 def **“registered training organisation”** ins 2001 SL No. 109 s 17  
 def **“registration notice”** ins 2001 SL No. 109 s 17  
 def **“retractable axle”** ins 1995 SL No. 401 s 7  
 def **“reward”** ins 2001 SL No. 109 s 17  
 def **“road train”** ins 1995 SL No. 401 s 7  
 def **“road transport infrastructure”** ins 1998 SL No. 354 s 23  
 def **“scheme”** ins 2001 SL No. 109 s 17  
 def **“short combination prime mover”** om 1999 SL No. 225 s 99(1)  
 def **“single axle group”** ins 1995 SL No. 401 s 7  
 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