

Queensland



Subordinate Legislation 1994 No. 382

Motor Vehicles Safety Act 1980

**MOTOR VEHICLES SAFETY REGULATION
1994**

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PART 1—INTRODUCTION

Division 1—Preliminary

Short title

1. This regulation may be cited as the *Motor Vehicles Safety Regulation 1994*.

Commencement

2. This regulation commences on 28 October 1994.

Division 2—Interpretation

Definitions

3. In this regulation—

“**aggregate trailer mass**” or “**ATM**” has the meaning given by the *Transport Infrastructure (Roads) Regulation 1991*.

“**agricultural implement**” has the meaning given by the *Transport Infrastructure (Roads) Regulation 1991*.

“**brake testing machine**” means 1 of the following types of fixed machines for testing brakes, or a similar type of machine of at least the same efficiency—

- Andersen
- Bendix Cowdrey
- Crypton
- Rawson Weaver.

“**bus**” has the meaning given under the *Traffic Act 1949*.

“**category A vehicle**” see section 4.

“**category B vehicle**” see section 5.

“daylight” means the time between sunrise and sunset.

“decelerometer” means 1 of the following types of portable devices for measuring the deceleration of a motor vehicle, or a machine of at least the same efficiency—

- Allen Performance Indicator with mask
- Ammco
- Bowmonk
- James
- Mintex
- Servex
- Tapley.

“driving instruction vehicle” means a motor vehicle primarily used for driving instruction for financial reward.

“fleet operator” means a person who, in the opinion of the chief executive, owns or operates a fleet of motor vehicles.

“headlamp testing machine” means 1 of the following types of machines for testing headlamps of a motor vehicle, or a machine of at least the same efficiency—

- Auto Lab
- Bear
- Cesco
- Guide
- Hella
- Kent Moore
- Lucas beam setter
- Mactool
- Replex
- Toronto
- Vane

- Weaver.

“headlamp testing screen” see section 6.

“modified vehicle” means a motor vehicle that has been modified from the manufacturer’s specifications for the vehicle.

“motor vehicle safety standards” for a motor vehicle means the standards set out in Schedule 2 that are relevant to the vehicle.

“night” means after sunset and before sunrise.

“private hire-car” has the meaning given by the *State Transport Regulation 1987*.

“registered gross vehicle mass” or **“RGVM”** has the meaning given by the *Transport Infrastructure (Roads) Regulation 1991*.

“roadworthy” vehicle is a category B vehicle a Part 5 examiner is satisfied, after examining the vehicle, is not an unroadworthy vehicle.

“serviceable condition” of equipment means a condition in which equipment—

- (a) designed to measure things—accurately measures the things it is designed to measure; and
- (b) designed for another function—efficiently performs the function.

“taxi” has the meaning given under the *Traffic Regulation 1962*.

“tow truck” has the meaning given by the *Tow-truck Act 1973*.

“unroadworthy” vehicle means a category B vehicle that, in the opinion of an approved examiner who examines the vehicle—

- (a) has a defect likely to cause death or bodily injury to a person if the vehicle is used; or
- (b) does not comply with the motor vehicle safety and performance requirements for the vehicle; or
- (c) does not meet the motor vehicle safety standards for the vehicle.

Meaning of category A vehicles—Act, s 6

4. A “category A vehicle” is a motor vehicle that may be registered under the *Transport Infrastructure (Roads) Act 1991* and is a—

- (a) bus, driving instruction vehicle, private hire-car, taxi or tow truck;
or
- (b) vehicle with a RGVM of more than 4.5 t; or
- (c) trailer with an aggregate trailer mass of more than 3.5 t.

Meaning of category B vehicles—Act, s 6

5.(1) A “**category B vehicle**” is a motor vehicle that can be registered under the *Transport Infrastructure (Roads) Act 1991*, but is not a category A vehicle.

(2) However, a trailer with an aggregate trailer mass of .75 t or less is not a category B vehicle.

Meaning of “headlamp testing screen”

6.(1) “**Headlamp testing screen**” means a screen used to test the operation of headlamps.

(2) The bottom of the headlamp testing screen must be on the same horizontal plane as the surface on which the vehicle being tested is standing.

(3) The screen must be adequately shielded from external light.

(4) Also, the screen must be built and marked in a way approved by the chief executive.

Division 3—Fees

Fees

7. The fees payable under the Act are set out in Schedule 1.

PART 2—INSPECTORS’ POWERS AND DUTIES FOR STOPPING VEHICLES

Approval of random inspection program

8.(1) The chief executive may only approve a program for section 18A (Approval of random inspection program) of the Act if the program—

- (a) prescribes that only inspectors who successfully finish a particular course of training may exercise the powers of an inspector at a checkpoint; and
- (b) requires an inspector to wear a uniform approved by the chief executive when the inspector is on duty at the checkpoint; and
- (c) requires a police officer in uniform to be present at a checkpoint at night; and
- (d) establishes particular objective criteria for the random selection of motor vehicles for stopping at checkpoints.

Examples of objective criterion for random selection of motor vehicles—

- every fifth motor vehicle passing the checkpoint is to be checked
- every second motor vehicle passing the checkpoint that appears to the inspector to be older than 5 years.

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

(3) The exercise of a power under section 18B (Power to stop vehicles at checkpoints) of the Act is not invalid merely because the inspector 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)(a) must educate inspectors about the powers and duties of inspectors under the Act and the appropriate way of exercising the powers and duties.

Regulation and control of powers of certain inspectors

9.(1) This section applies to an inspector, who is not a police officer, when exercising powers to stop a motor vehicle other than at a checkpoint.

(2) An inspector may only require the driver of a category B vehicle to stop the vehicle during daylight.

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

Ways to indicate requirement to stop motor vehicle—Act, s 18D

10. An inspector is to indicate in the following ways to the driver of a motor vehicle to stop—

- (a) by displaying a sign in the approved form;
- (b) by signalling in a way a police officer is required to signal under section 21(2) of the *Traffic Regulation 1962*.

PART 3—INSPECTION OF MOTOR VEHICLES

Defective vehicle label

11.(1) If an inspector or accredited officer gives the owner of a vehicle a notice for the vehicle under section 20 (Procedure by inspectors and accredited officers following inspection) of the Act, the officer or inspector may also attach a label to a conspicuous part of the vehicle.

(2) The label must be in the approved form stating the vehicle is defective.

(3) An inspector or accredited officer may remove a label if the accredited officer or inspector is satisfied the vehicle is no longer defective.

(4) A person must not remove a label from a vehicle unless the person removes the label under subsection (3).

Maximum penalty—10 penalty units.

PART 4—COMPULSORY INSPECTION OF MOTOR VEHICLES

Period for which certificates are in force—Act, s 24(5)

12.(1) A certificate of inspection remains in force—

- (a) for a bus, private hire car or taxi—for 6 months; and
- (b) for a motor vehicle owned by a primary producer—for 2 years.

(2) In this section—

“primary producer” has the meaning given by the *Transport Infrastructure (Roads) Regulation 1991*.

Form of report—Act, s 24A(1)

13. An approved examiner may only give the owner of a vehicle an inspection report in the approved form.

Maximum penalty—20 penalty units.

Exemptions—Act, s 30

14. If a motor vehicle is—

- (a) used solely within an area mentioned in Schedule 3; or
- (b) an agricultural implement; or
- (c) issued with a type of number plate referred to in column 1 of Schedule 2 of the *Transport Infrastructure (Roads) Regulation 1991* as a classic and historic, or veteran or vintage, vehicle number plate;

the motor vehicle is exempt from the application of the following sections of the Act—

- section 23 (Certain motor vehicles require certificate of inspection)
- section 28 (Requirements for applications for renewal of

registration)

- section 29 (Procedure where certificate not given).

PART 5—ALTERATION AND MODIFICATION OF COMMERCIAL AND SPECIFIED MOTOR VEHICLES

Authorised officers issuing certificates of modification

15. An authorised officer must not issue a certificate of modification for, or affix a modification plate to, a motor vehicle unless the officer is satisfied that the alteration or modification has been carried out as required by relevant standards prescribed by this regulation or other alternative standards approved by the chief executive.

Maximum penalty—20 penalty units.

Maintaining equipment

16.(1) An authorised officer must keep the officer's equipment for testing motor vehicles under Part 4A of the Act in a serviceable condition.

(2) However, if the authorised officer using the equipment for testing motor vehicles is an employee, the officer's employer must keep the equipment in a serviceable condition, unless the employer has a reasonable excuse.

Maximum penalty—10 penalty units.

Keeping records

17. If standards approved by the chief executive require an authorised officer to make specified records and keep them for a specified time, the authorised officer must keep the records for the specified time, unless the authorised officer has a reasonable excuse.

Maximum penalty—10 penalty units.

Returning unused forms of certificates and modification plates

18.(1) A person who at the time of ceasing to be an authorised officer has possession of unused forms of certificates or unused modification plates must return the forms and modification plates to the chief executive within 30 days of ceasing to be an authorised officer, unless the person has a reasonable excuse.

Maximum penalty—10 penalty units.

(2) If a person ceases employing authorised officers (including because of going out of business) and at the time of ceasing to employ them has possession of unused forms of certificates or unused modification plates, the person must return the forms and modification plates to the chief executive within 30 days of ceasing to employ authorised officers, unless the person has a reasonable excuse.

Maximum penalty—10 penalty units.

(3) In this section a person—

- (a) employed as an authorised officer is taken not to be in possession of forms or certificates obtained for the employer's business; and
- (b) who employs an authorised officer is taken to be in possession of forms or certificates obtained for the employer's business.

Prescribed modification plate—Act, s 31C(1)

19. If standards approved by the chief executive require a modification plate for a motor vehicle to be in a specified form, an authorised officer must not affix to a motor vehicle a modification plate that does not comply with the form specified by the standards.

Maximum penalty—20 penalty units.

PART 6—CERTIFICATES OF ROADWORTHINESS

Certificate of roadworthiness

20. A certificate of roadworthiness for a motor vehicle examined at a Part 5 AIS must be signed by—

- (a) the Part 5 examiner who examined the vehicle; and
- (b) the proprietor of the AIS.

Circumstances for signing a certificate of roadworthiness

21.(1) A Part 5 examiner who examines a motor vehicle at a Part 5 AIS for a certificate of roadworthiness may only sign the certificate if the examiner is satisfied the vehicle is a roadworthy vehicle.

Maximum penalty—20 penalty units.

(2) The proprietor of a Part 5 AIS may only sign a certificate of roadworthiness if the proprietor is satisfied the motor vehicle—

- (a) is a type of vehicle that may be examined at the AIS; and
- (b) was examined by a Part 5 examiner at the AIS.

Maximum penalty—20 penalty units.

What an examiner must do if vehicle fails roadworthiness test

22.(1) If a Part 5 examiner at an AIS considers that a motor vehicle examined by the examiner is an unroadworthy vehicle, the examiner must give an inspection report in the approved form to the person who collects the vehicle from the AIS.

(2) The examiner must specify in the report the replacements, repairs or alterations (the “**repairs**”) the examiner considers need to be made to the vehicle to make it roadworthy.

(3) If the owner of the vehicle is a licensed motor dealer, the examiner may give the report to an agent of the owner.

(4) If the owner of the vehicle returns the vehicle to the AIS for examination of the repairs within 14 days after the vehicle was collected

from the AIS, an approved examiner examining the vehicle at the AIS for a certificate of roadworthiness need only examine the vehicle for the required repairs specified in the inspection report.

(5) If the vehicle is not returned for examination within 14 days, the examiner must not give a certificate of roadworthiness for the vehicle without making a further complete examination of the vehicle.

Maximum penalty for subsection (5)—10 penalty units.

Certificate of roadworthiness for modified vehicle

23. A Part 5 examiner may sign a certificate of roadworthiness for a modified vehicle only if—

- (a) the owner of the vehicle produces to the examiner a written approval of the chief executive for the modifications; or
- (b) a prescribed modification plate for the modification is affixed to the vehicle.

Maximum penalty—20 penalty units.

Areas exempted—Act, s 37(2)

24. The areas mentioned in Schedule 4 and Schedule 5 are excluded from the application of the following sections of the Act for the vehicles mentioned in the schedules—

- section 32 (Requirements for disposal of second-hand motor vehicles)
- section 33 (Refusal to issue certificates of registration for second-hand vehicles)
- section 34 (Licensed motor dealer restricted in his use of vehicles).

PART 7—APPROVALS UNDER INSPECTION SCHEMES

Division 1—Approval for an AIS generally

Purpose of Divs 1–4—Act, s 38C(2)(b)

25. Divisions 1 to 4 of this Part prescribe the conditions for approval of a Part 4 AIS or Part 5 AIS.

Effect of failure to comply with a condition

26. A person who fails to comply with a condition under this Part also commits an offence against this regulation.

Equipment that must be kept at an AIS

27. The AIS proprietor must ensure that the following equipment is kept at the AIS for examining vehicles of the type that may be examined at the AIS—

- (a) a vehicle hoist, a ramp, an inspection pit or other equipment allowing inspection underneath vehicles;
- (b) jacking equipment necessary for examining vehicles;
- (c) a decelerometer or brake testing machine;
- (d) equipment for testing lights that is—
 - (i) if the AIS is authorised only to examine trailers—equipment for testing trailer lights; and
 - (ii) in any other case—a headlamp testing screen or headlamp testing machine.

Maximum penalty—10 penalty units.

Equipment to be kept in a serviceable condition

28. The AIS proprietor must ensure equipment for inspecting vehicles of

the type that may be examined at the AIS is maintained in a serviceable condition.

Maximum penalty—10 penalty units.

Duties of proprietors regarding approved examiners and other employees

29. The AIS proprietor must—

- (a) supervise approved examiners employed at the AIS; and
- (b) ensure the examiners properly discharge their duties under the Act; and
- (c) ensure each approved examiner employed at the AIS has a sound knowledge of an examiner's obligations under the Act.

Maximum penalty—20 penalty units.

Operation of an AIS

30.(1) The AIS proprietor must, unless the proprietor has a reasonable excuse—

- (a) ensure an approved examiner is available at the AIS during its ordinary hours of business to examine vehicles presented at the AIS for examination; and
- (b) arrange for an approved examiner at the AIS to examine the vehicles.

Maximum penalty—20 penalty units.

(2) If the vehicle is a modified vehicle, the proprietor of, or examiner at, the AIS may issue a certificate of inspection or roadworthiness only if—

- (a) the owner of the vehicle produces a written approval of the chief executive for the modifications; or
- (b) a prescribed modification plate for the modification is affixed to the vehicle.

Maximum penalty—20 penalty units.

Issuing a certificate of inspection or roadworthiness

31.(1) If a vehicle passes the relevant examination at an AIS, the proprietor of, or examiner at, the AIS must issue the owner, or person who presented the vehicle for examination, a completed certificate of inspection or roadworthiness for the vehicle together with 2 copies of the certificate.

Maximum penalty—10 penalty units.

(2) The proprietor may only charge the person the amount prescribed for the examination of the vehicle.

Maximum penalty—10 penalty units.

(3) In this section—

“completed certificate” of inspection or roadworthiness means a certificate of inspection or roadworthiness that—

- (a) has all particulars required under the Act completed with the necessary detail; and
- (b) has no alterations made to the particulars; and
- (c) is signed by the approved examiner who examined the vehicle under the Act; and
- (d) is signed by the proprietor of the AIS where the vehicle was examined.

Information that must be given to chief executive

32.(1) The AIS proprietor must give written notice to the chief executive about any of the following events within 7 days of the event happening at the AIS—

- (a) a change of employment of approved examiners;
- (b) a change of the name or title by which the business at the AIS is carried on;
- (c) the proprietor stops carrying on the business at the premises specified in the approval for the AIS.

Maximum penalty—10 penalty units.

(2) The proprietor must immediately give written notice to the chief

executive if a form held by the proprietor for use as a certificate of inspection or roadworthiness is lost or destroyed or appears to have passed into the possession of an unauthorised person.

Maximum penalty—10 penalty units.

Returning used forms to the chief executive

33. If the proprietor stops carrying on the business of an AIS at the premises specified in the approval, the proprietor must, within 14 days of ceasing to carry on the business, return the approval, unused certificates of inspection or roadworthiness forms and used certificates of inspection or roadworthiness forms that are not more than 1 year old, unless the proprietor has a reasonable excuse.

Maximum penalty—10 penalty units.

Cancellation of certificates of inspection and roadworthiness

34.(1) The AIS proprietor must cancel a certificate of inspection or roadworthiness for a motor vehicle if the certificate is not signed by the proprietor within 15 days after the vehicle was examined at the AIS.

Maximum penalty—10 penalty units.

(2) A proprietor may cancel a certificate by writing ‘cancelled’ across the certificate.

Keeping certain records

35. The AIS proprietor must, unless the proprietor has a reasonable excuse, keep at the AIS during its hours of business—

- (a) for a book of certificates of inspection or roadworthiness used by the proprietor—the book containing copies of the issued certificates of inspection or roadworthiness for 2 years after the issue of the last certificate in the book; and
- (b) copies of inspection reports mentioned in section 13 (Form of report—Act, s 24A(1)); and
- (c) cancelled certificates of inspection or roadworthiness mentioned

under section 34 (Cancellation of certificates of inspection and roadworthiness).

Certain records must be given on request of chief executive or an inspector

36. The proprietor must, on the request of the chief executive, give the chief executive or an inspector, records kept by the proprietor under section 35, unless the proprietor has a reasonable excuse.

Maximum penalty—10 penalty units.

Approval of premises to be exhibited

37. The proprietor of an AIS must ensure an approval of an AIS is exhibited at all times at a place generally open to the public and easily seen by a person attending at it, unless the proprietor has a reasonable excuse.

Maximum penalty—10 penalty units.

Showing an approval on request of a person

38. If a person asks to see the approval for the AIS, the proprietor of the AIS must show the person the approval, unless the proprietor has a reasonable excuse.

Maximum penalty—5 penalty units.

Approved examiner may only examine motor vehicles at the AIS

39. If an approved examiner is examining a motor vehicle for issuing a certificate of inspection or roadworthiness, the approved examiner must examine the vehicle only at an AIS at which a vehicle of its type may be examined.

Maximum penalty—20 penalty units.

Division 2—Approval of a Part 4 AIS**Only certain vehicles to be examined at a Part 4 AIS**

40. The Part 4 AIS proprietor may only allow the examination at the AIS of category A vehicles that are—

- (a) registered under the *Transport Infrastructure (Roads) Act 1991* and are—
 - (i) vehicles having a RGVM of no more than 16 t; or
 - (ii) for trailers—vehicles having an aggregate trailer mass of no more than 10 t; or
 - (iii) vehicles other than buses, driving instruction vehicles, private hire cars, taxis or tow trucks; or
- (b) not registered under the *Transport Infrastructure (Roads) Act 1991*.

Maximum penalty—20 penalty units.

Only Part 4 approved examiner may examine vehicles at Part 4 AIS

41. The Part 4 AIS proprietor must ensure only Part 4 approved examiners examine vehicles at the AIS.

Maximum penalty—10 penalty units.

Ensuring compliance with the motor vehicle safety standards

42. An approved examiner examining a vehicle at a Part 4 AIS may only sign a certificate of inspection for the vehicle if the examiner is also satisfied that the vehicle meets the motor vehicle safety standards.¹

Maximum penalty—20 penalty units.

¹ The examiner is required by the Act to be satisfied about other matters concerning the safety of the vehicle. See, for example, s 24 (Certificate of inspection) of the Act.

Signing certificates of inspection for modified vehicles

43. An approved examiner may sign a certificate of inspection for a modified vehicle only if—

- (a) the owner of the vehicle produces a written approval of the chief executive for the modifications; or
- (b) a prescribed modification plate for the modification is affixed to the vehicle.

Maximum penalty—20 penalty units.

Division 3—Approval of an AIS for fleet vehicles**Condition of approval of an AIS of a fleet operator**

44. A fleet operator who has approval as an AIS proprietor only for the examination of the fleet operator's fleet of motor vehicles must only allow, for certificates of inspection, the examination of the fleet operator's vehicles at the AIS.

Maximum penalty—20 penalty units.

Fleet maintenance management programs

45.(1) An application for an approval of premises as a Part 4 AIS for examination only of a fleet operator's vehicles must include a fleet maintenance management program.

(2) The fleet maintenance management program must provide for the way in which, if the approval is granted, the fleet operator as proprietor of the AIS proposes to—

- (a) examine, maintain and repair the vehicles of the fleet to ensure the vehicles—
 - (i) do not have a defect likely to cause death or bodily injury to persons using the vehicles; and
 - (ii) comply with the motor vehicle safety and performance requirements for the vehicles; and
 - (iii) comply with the applicable motor vehicle safety standards

for the vehicles; and

- (b) keep records about the matters mentioned in paragraph (a); and
- (c) ensure the equipment for inspecting, maintaining and repairing vehicles is maintained in a serviceable condition.

(3) If the chief executive grants the application, the proprietor must—

- (a) comply with the terms of the fleet maintenance management program; and
- (b) only allow the vehicles to be examined by a Part 4 approved examiner.

Maximum penalty—20 penalty units.

(4) Part 7, Division 1 does not apply to an AIS approved under this section.

(5) However, the following sections of Part 7, Division 1 do apply to the AIS—

- section 31(1) and (3) (Issuing a certificate of inspection or roadworthiness)
- section 37 (Signing certificates of inspection for modified vehicles).

Division 4—Approval of a Part 5 AIS

Only category B vehicles to be examined at a Part 5 AIS

46. The Part 5 AIS proprietor must only allow the examination at the AIS of category B vehicles.

Maximum penalty—20 penalty units.

Only Part 5 approved examiner may examine vehicles at Part 5 AIS

47. The Part 5 AIS proprietor must ensure that only Part 5 approved examiners examine vehicles at the AIS.

Maximum penalty—20 penalty units.

Division 5—Qualifications for approved examiners**Qualifications for examination of motor vehicles—Act, s 39A**

48. The prescribed qualifications for an approved examiner for the examination of all motor vehicles are—

- (a) a certificate for motor mechanics issued under the *Vocational Education, Training and Employment Act 1991* or the *Tradesmen's Rights Regulation Act 1946* (Cwlth); or
- (b) the successful finishing of an apprenticeship as a motor mechanic; or
- (c) a certificate for motor mechanics granted under section 42A (Motor mechanic's certificate) of the Act.

Qualifications for examination of motorcycles—Act, s 39A

49. The prescribed qualifications for an approved examiner for the examination only of motor cycles are—

- (a) a certificate for motor cycle mechanics issued under the *Vocational Education, Training and Employment Act 1991* or the *Tradesmen's Rights Regulation Act 1946* (Cwlth); or
- (b) the successful finishing of an apprenticeship as a motor cycle mechanic.

Qualifications for examination of trailers—Act, s 39A

50. The prescribed qualification for an approved examiner for the examination only of trailers is a certificate of competency to examine trailers approved by the National Training Board under the National Competency Standards.

Division 6—Miscellaneous**Chief executive may pay refund for unused books of certificates**

51. If the AIS proprietor returns an unused book of certificates of inspection or roadworthiness to the chief executive under this regulation, the chief executive may, if the chief executive considers that the book is suitable for use by another AIS, refund the proprietor the amount the proprietor paid for the book.

Replacement approvals

52.(1) This section applies if a person applies for an approval for an AIS or as an approved examiner (a “**replacement approval**”) because the original approval is damaged, defaced, lost or destroyed.

(2) The chief executive may issue a replacement approval to the person only if—

- (a) the person produces the damaged or defaced original approval; or
- (b) the chief executive is satisfied the original approval has been lost or destroyed.

(3) The chief executive must not issue a replacement approval until the fee specified in Schedule 1 is paid.

PART 8—CERTIFICATION OF MOTOR MECHANICS**Qualifications or experience for an A grade motor mechanic’s certificate**

53.(1) If an applicant for an A grade motor mechanic’s certificate possesses the qualifications or experience set out in subsection (2), (3) or (4), the applicant has the qualifications or experience required for the certificate.

(2) An applicant must—

- (a) have successfully finished an apprenticeship as a motor mechanic; and
- (b) have been employed for at least 1 year as a motor mechanic in a motor garage or workshop; and
- (c) have passed an examination approved by the chief executive for an A grade motor mechanic's certificate.

(3) Alternatively, an applicant must—

- (a) have been the holder of a B grade motor mechanic's certificate for 12 months; and
- (b) pass an examination approved by the chief executive for an A grade motor mechanic's certificate.

(4) Alternatively, an applicant must—

- (a) hold a certificate for motor mechanics issued under the *Vocational Education, Training and Employment Act 1991* or the *Tradesmen's Rights Regulation Act 1946* (Cwlth); and
- (b) pass an examination approved by the chief executive for an A grade motor mechanic's certificate.

Qualifications for a B grade motor mechanic's certificate

54.(1) If an applicant for a B grade motor mechanic's certificate possesses the qualifications or experience set out in subsection (2) or (3), the applicant has the qualifications or experience required for the certificate.

(2) The applicant must have successfully finished a motor mechanic's apprenticeship.

(3) Alternatively, the applicant must hold a certificate under the *Vocational Education, Training and Employment Act 1991* or the *Tradesmen's Rights Regulation Act 1946* (Cwlth).

Grant of certificates to persons who gained qualifications outside Queensland

55.(1) The chief executive may grant a person an A grade or B grade

motor mechanic's certificate even though the person does not possess the relevant qualifications or experience under this Division (other than this section) if the chief executive considers the person holds an equivalent certificate granted by a recognised authority.²

(2) In this section—

“equivalent certificate” means a certificate which, in the chief executive's opinion formed on reasonable grounds, has equivalent requirements as for the grade of certificate the person applies to be granted by the chief executive.

“recognised authority” means an entity of a place outside the State authorised by the laws of the place to grant equivalent certificates to a person who has the qualifications for the certificate.

Replacement certificates

56.(1) This section applies if a person applies for a certificate (a **“replacement certificate”**) because the original certificate obtained under this Part is damaged, defaced, lost or destroyed.

(2) The chief executive may issue a replacement certificate to the person only if—

- (a) the person produces the damaged or defaced original certificate;
or
- (b) the chief executive is satisfied the original certificate has been lost or destroyed.

(3) The chief executive must not issue a replacement certificate until the fee specified in Schedule 1 is paid.

² This section does not purport to affect the operation of the *Mutual Recognition (Queensland) Act 1992*.

PART 9—APPEALS TRIBUNAL

Starting appeals—Act, s 42N

57.(1) A notice of appeal must be in the form approved by the chief executive.

(2) The form must include—

- (a) the name and address of the parties to the appeal; and
- (b) the date the form is lodged with the secretary of the Tribunal; and
- (c) a description of the matter being appealed.

PART 10—TRANSITIONAL PROVISIONS

Transitional meaning of “motor vehicle safety standards”

58.(1) Until 28 February 1995, “**motor vehicle safety standards**” is taken to mean the standards a motor vehicle would be required to meet so as not to disclose a cause for rejection under section 20 of the *Motor Vehicles Inspection and Safety Regulation 1985* if that provision were operative.

(2) This section expires on 1 March 1995.

Certificates of inspection and roadworthiness

59.(1) In this section—

“**old regulation**” means the *Motor Vehicles Inspection and Safety Regulation 1985* as in force immediately before the commencement of this regulation.

(2) If a certificate of inspection or roadworthiness is issued before 1 March 1995 for a vehicle in a way that would comply with the old regulation, the certificate is taken to be validly issued under this regulation.

(3) This section expires on 2 March 1995.

Exemption for motor cycles and trailers

60.(1) The State is an area excluded from the application of the following sections of the Act until 30 June 1995 for motor cycles and trailers—

- section 32 (Requirements for disposal of second-hand motor vehicles)
- section 33 (Refusal to issue certificates of registration for second-hand vehicles)
- section 34 (Licensed motor dealer restricted in his use of vehicles).

(2) This section expires on 1 July 1995.

PART 11—REPEALS**Repeals**

61. The following regulations are repealed—

- Motor Vehicles Inspection and Safety Regulation 1985 published in the Gazette on 2 November 1985 at pages 995–1033
- regulation published in the Gazette on 14 June 1986 at pages 1301–2
- regulation published in the Gazette on 3 October 1987 at pages 421–2
- regulation published in the Gazette on 1 October 1988 at pages 527–8
- regulation published in the Gazette on 2 September 1989 at pages 58–9
- regulation published in the Gazette on 30 June 1990 at pages 1155–6
- regulation published in the Gazette on 1 June 1991 at pages 582–5

- Motor Vehicles Inspection and Safety Amendment Regulation (No. 1) 1992 SL No. 140
- Department of Transport (Variation of Fees) Regulation 1993 SL No. 166
- Department of Transport (Variation of Fees) Regulation 1994 SL No. 166

SCHEDULE 1

FEES

section 7

\$

1. Category A vehicles—
 - (a) taxi 25.20
 - (b) bus with a RGVM not exceeding 4 t or a school bus 39.80
 - (c) any other bus with a RGVM exceeding 4 t 47.20
 - (d) any other motor vehicle with a RGVM not exceeding 4.5 t 25.20
 - (e) any other motor vehicle with a RGVM exceeding 4.5 t but not exceeding 16 t 54.60
 - (f) any other motor vehicle with a RGVM exceeding 16 t 68.20
 - (g) trailer or semitrailer over 3.5 t ATM 29.90
2. Category B vehicles—

First examination of motor vehicle for the issue of certificate of roadworthiness—

 - (a) motor vehicle with a RGVM not exceeding 4.5 t—
 - (i) before 28 February 1995 26.20
 - (ii) after 1 March 1995 38.00
 - (b) motorcycles 25.00
 - (c) trailers up to 3.5 t ATM 20.00
3. If a motor vehicle is examined at an AIS outside normal hours at the request of the vehicle's owner, the overtime payable to, and the travelling expenses incurred by, the inspector are payable in addition to the fee under clause 1.
4. Providing copy of inspection report under section 14 of the Act 11.10
5. Inspection of a motor vehicle under of section 21 of the Act 25.20
6. Survey of plans for the alteration or modification of motor vehicle under section 22 of the Act 44.00

 SCHEDULE 1 (continued)

7. Inspection of altered or modified motor vehicle under section 22 of the Act	25.20
8. Application for approval of premises as AIS under section 38(A)(1)(d) of the Act	51.90
9. Application for approval as approved examiner of motor vehicles under section 38 of the Act	15.10
10. Lodgement of notice of appeal under section 42N of the Act	23.10
11. Annual renewal of approval of premises as AIS under section 14	27.20
12. Issue of duplicate approval as AIS or approved examiner under section 51(1)	11.10
13. Supply of book of 50 certificates of roadworthiness or inspection under section 23	37.20
14. A postage and handling charge of \$4.90 is payable for each package of up to 4 books in addition to the fee under section 16.	
15. Supply of book of 50 certificates of modification under Part 4	23.10
16. Issue of certificate of competency under section 53 or 54	19.90
17. Issue of duplicate motor mechanics certificate under section 58	11.10

SCHEDULE 2**MOTOR VEHICLE SAFETY STANDARDS**

section 3

Items of a motor vehicle mentioned in column 1 must not suffer a defect described in column 2 about the relevant items.

Item	Defect
1. SERVICE BRAKE	NOTE: For the examination of brakes, an approved examiner should remove wheels and brake drums if it is necessary to enable examination of the brake components of the vehicle.
Pedal	Slippery to an extent that affects the safe operation of the vehicle. Unduly worn or loose. Friction in pedal or linkage prevents normal operation.
Hydraulic system	Pedal free travel is more than 50% of pedal height from floor before braking commences. Pedal creeps in applied direction while light foot pressure is maintained for 1 minute. Pedal needs pumping. Indications of air in the system. Flexible hoses not manufactured and marked to ADR Standards. Connections, hoses or tubing leak or are cracked, chafed, flattened, restricted, broken or insecurely fastened.

SCHEDULE 2 (continued)

Master or wheel cylinder leaks, is restricted, has seized or is insecure.

Master cylinder reservoir fluid level is below manufacturers low level markings on container or, if not marked, is below the half-full point.

Brake drums, discs, linings and pads

Lining material is worn down to wear indicators.

If no indicators are provided, the thinnest part of the lining is below the manufacturer's specifications.

If no manufacturers specifications are provided—

for bonded linings—lining is less than 1 mm in thickness.

for riveted linings—lining is less than .5 mm clear of rivet head.

Drums or discs are scored or worn beyond manufacturer's specifications.

If no manufacturers specifications are provided, scoring exceeds 1.5 mm for light vehicles or 3 mm for heavy vehicles.

Lining material is contaminated with oil, grease or brake fluid.

There are substantial cracks on friction surfaces.

Mechanical linkage

Mechanical parts are missing, broken or unduly worn.

Rods or cables have been repaired by welding.

Cables are frayed.

Pedals and levers are improperly positioned or misaligned.

There is friction in pedals, linkages or components which prevents normal

SCHEDULE 2 (continued)

operation.

Brake backing plates are loose.

Power brake (air or vacuum assisted or operated)

Hoses or tubes are—

- leaking; or
- collapsed, broken, chafed, perished or in a weakened condition; or
- improperly supported or loose; or
- of inadequate length and flexibility.

Vacuum or air reserve is insufficient to make one full application after engine shut off.

Low air or vacuum warning device is not operating.

If fitted with air or vacuum reservoir, a check valve or equivalent device is not installed at the reservoir end of the air or vacuum supply line.

Switches, controls, valves, chambers, reservoirs, compressor or exhaustor—

- leak; or
- are damaged, restricted, inoperative, insecurely mounted, incorrectly adjusted; or
- are of an incorrect type.

Air intake cleaner is clogged and prevents proper air intake.

Service brake test

Deceleration of an unladen vehicle measured with a brake testing device is less than 60% efficiency.

Deceleration of a vehicle, which can only be tested in a loaded state, measured with a brake testing device is less than 45% efficiency.

In the case of a vehicle which cannot be tested with a brake testing device, the distance to stop from 30 km/h when tested

SCHEDULE 2 (continued)

on a dry, smooth and level road is more than—

- if the vehicle or combination of vehicles is less than 2.5 t RGVM—
6 m (unloaded test);
8 m (loaded test).
- if the vehicle or combination of vehicles is 2.5 t RGVM or more—
8 m (unloaded test);
12 m (loaded test).

The vehicle pulls to the right or left or has a grabbing effect when the brakes are applied. Braking is not even on all wheels.

In the case of an interconnected system fitted to a prime mover and trailer combination, the prime mover brakes come into operation ahead of the trailer brakes.

The vacuum or air reserve supply of the prime mover brake system is not maintained if the control and supply lines of the trailer brake circuit are disconnected.

In the case of trailers fitted with double line braking systems, the trailer brakes do not automatically apply and remain in that position for at least 15 minutes after the control and supply lines are disconnected from the prime mover.

Hand/park brake

Handbrake is not capable of holding on an incline.

Handbrake control lever is broken and does not have a reserve travel of at least $\frac{1}{5}$ of the maximum range of application.

Locking device does not hold securely in any selected position.

Linkage assemblies are not complete or parts

SCHEDULE 2 (continued)

are unduly worn.

Cables frayed, damaged or restricted.

Cables or rods have been repaired by welding or joining.

For spring actuated brakes, the brakes do not apply if the control valve is operated.

Brakes do not fully release if release control is operated either manually or automatically.

2. EXHAUST

Leaks exist in pipes, joints, fittings, muffler or manifold.

Components are not securely fastened.

In the case of a vehicle that is—

- (a) a passenger carrying vehicle or panel van fitted with adjustable side windows or side vents—the exhaust does not extend to the rear of the vehicle; and
- (b) a passenger bus—the exhaust does not discharge to the rear of the bus unless otherwise fitted in accordance with Australian Design Rules; and
- (c) a truck, utility or panel van—the exhaust is altered making it discharge to the left hand side.

Extractors foul the steering assembly.

Exhaust discharges directly onto a road surface

Emission

An excessive amount of smoke or fumes emits through the exhaust or engine breather. Emission control equipment originally fitted by the vehicle manufacturer—

- is not properly connected or located; or
- is damaged or has deteriorated; or
- is altered causing a change in operation.

SCHEDULE 2 (continued)

3. FITTINGS AND PROTRUSIONS

Door catches Door fastenings, hinges and controls are not fitted or secure.
Doors can be opened in normal service without the use of the handles.
Doors do not hold on safety catches and the main locks.
No support exists to assist the driver or passenger to retain their seat if no door is fitted.
Doors do not open by the operation of inside and outside controls.
Inner door panels not fitted.

Bonnet catches Bonnet locking and safety catches do not hold the bonnet securely.
Controls do not function.
Parts are missing.

Rear vision mirror Blemished, tarnished or broken causing an inadequate view to the rear.
Incorrectly or loosely mounted.
Not fitted in accordance with manufacturer's specifications.

4. BODY FITTINGS AND PROTRUSIONS

Fitted with an ornament, decoration, or fitting in a way that it is likely to cause injury to a person with whom the vehicle may collide.
Luggage racks, carryalls and ski-bars or their fittings extend more than 50 mm beyond the drip rail or side of the vehicle body.

Bumper bars Front and rear bumper bars, if fitted by the vehicle manufacturer—
• are not fitted or secure; or

SCHEDULE 2 (continued)

- are cracked, or unduly bent; or
- extend beyond normal vehicle extremities; or
- have exposed sharp or jagged edges.

5. GLAZING

Driver's forward field of view is restricted because the windscreen is scratched, cracked, chipped, broken or discoloured.

Windscreen is tinted with tinting material or is not factory tinted to ADR Standards.

In the case of a laminated glass, the interior surface is cracked.

Safety glass is not used.

Windscreen has been taken out and not replaced.

Rearward vision is impaired, unless vehicle is fitted with external rear view mirrors.

A window is cracked or broken and not of safety glass or other non-shatterable, transparent material.

Driver's window cannot be fully opened.

Posters, stickers or other non-transparent materials, other than those required by the law, are on windscreen or windows and interfere with driver's vision.

Tinting material is not identified by a label showing the degree of light transmittance.

Side and rear windows have a light transmittance factor less than 35%.

**6. WINDSCREEN
WIPERS/
WASHERS**

Rubber is perished or worn and does not clean the swept area sufficiently to allow a clear view.

Blades or fittings are missing.

Blades are not fitted in pairs on vehicles first registered on or after 1 January 1962.

Controls are not readily accessible to the

SCHEDULE 2 (continued)

driver.

Not continuous in operation, other than if functioning through a dwell control.

In the case of washers that are required to be fitted under ADR Standards, the washers are inoperative.

**7. LIGHTING
EQUIPMENT**

Lamps are not fitted in accordance with requirements of the *Traffic Regulation 1962* and the manufacturer's specifications.

A bulb or sealed beam unit does not light.

A lamp does not operate correctly.

A lens is discoloured, missing or has cracks or holes allowing dirt or moisture to enter into the lamp.

Beam is incorrectly focussed.

Wiring and connections—

- are chafed, damaged or corroded; or
- are not securely attached; or
- fouls on the exhaust.

A switch is not operating correctly.

Headlamp reflectors do not allow adequate reflection.

Turn signals do not properly indicate to right and left.

Turn signal warning is not audible or visible.

Reverse light system does not turn off automatically when the vehicle moves forward.

Rear registration number plate light is not operating.

Rear reflectors or rear marking plates not fitted as required by the *Traffic Regulation 1962*.

8. MUDGUARDS

Are not at least as wide as the tyres and wheels for which they are provided.

SCHEDULE 2 (continued)

Are not capable of deflecting downwards mud, water, stones or other substance thrown upwards by the rotation of the wheels.

Are not designed to protect the upper half of the wheels in a forward collision.

Less than 380 mm in width for rear mudguards fitted to tray type body 2.2 m or more in width and the rear of the guard is not painted silver or white.

Are not secure and free from cracks, tears, sharp and jagged edges.

Are not fitted in the way required under the *Traffic Regulations 1962*.

9. OIL LEAKS

Motor, transmission, differential

Oil drips onto the ground or roadway.

Leaking oil drips or is thrown onto the exhaust or any parts essential to the safe use of the vehicle.

10. SIDE AND BODY PANELS

Panel—

(a) is not secure; or

(b) is cracked or excessively corroded to an extent that weakens the general structure of the panel.

Components are excessively corroded or weakened to an extent likely to cause failure of door pillars or door mountings.

There are jagged edges of door panels or mudguards likely to catch on clothing of, or cause injury to, a person.

A rusted or damaged section essential to the safe use of the vehicle is not repaired in a way that maintains the strength of the original structure.

SCHEDULE 2 (continued)

11. STEERING

A steering component is repaired by heating or welding.

Free play

Free play is more than 50 mm in steering wheels up to 460 mm in diameter or 75 mm in steering wheels over 460 mm in diameter. In the case of motorcycles, free play at the steering head exceeds manufacturers specifications.

Steering controls

Loose on shaft.
Spokes that are attached to either rim or boss are loose.
Control device is insecure or damaged.
Are of incorrect size or type.
Motorcycle handle bars are less than 250 mm or more than 450 mm on each side of the centre line of the vehicle.
Handle bars are not symmetrical.
The grips extend below 380 mm from the upper surface of the rider's seat.

Shafts

Are not correctly and securely attached.
Shafts, pinion or coupling are worn, bent, twisted or collapsed (and this can be seen without dismantling).
Bearings are seized, worn or loose.

Couplings

Are frayed, loose or otherwise damaged.

Outer column

Is loose, cracked or collapsed.

Steering box

Is loose on the mounting.
Mounting bolts are missing or cracked at the mounting lugs.
Covers are loose.
There is excessive end play in worm

SCHEDULE 2 (continued)

	assembly. There is excessive side or end play in the sector shaft. There is unusual roughness or oil leaks.
Steering rack	A pinion is twisted or has worn splines. A steering rack seal is damaged, deteriorated or missing. Rack assembly is loose on the mountings.
Arms and linkages	Pitman arm is loose. Steering stops allow a tyre to rub on frame, metal or other chassis parts. Free movement measured at the front and rear of the tyre is more than— <ul style="list-style-type: none">• if the wheel rims are 400 mm or less—6 mm; or• if the wheel rims are over 400 mm—10 mm. Looseness at a point causes $\frac{1}{2}$ or more of the movement mentioned above. Steering tie rod and draglink ends are loose on rod or in taper. Correct type of locking device is not fitted to all steering components. Steering idler is loose on mountings. Idler bush or bearings are unduly worn.
King pins and bushes	The horizontal movement measured at the top of the tyre with brakes applied and measured at right angles to the direction of rotation of the wheel, is more than— <ul style="list-style-type: none">• if the wheel rims are 400 mm or less—6 mm; or• if the wheel rims are over 400 mm—10 mm.

SCHEDULE 2 (continued)

Front suspension, ball joints	<p>Ball joint movement exceeds manufacturer's specifications.</p> <p>Loose in mountings or not correctly locked.</p>
12. SUSPENSION	<p>Evidence of misalignment is indicated by unusual tyre wear.</p> <p>Components are not securely mounted or are misaligned, distorted or cracked.</p>
Shock absorbers	<p>Mounting brackets or hangers are loose, broken, missing or worn.</p> <p>Shock absorber has been taken off or is disconnected.</p> <p>Rubbers are incorrectly fitted, missing or worn.</p> <p>Are ineffective or leaking.</p> <p>Motor cycle forks are bent or leaking.</p>
Cross members	<p>Are not securely mounted, cracked, corroded, sagged or misaligned.</p> <p>Insulator rubbers are damaged, missing or have perished.</p>
Axles	<p>Stub or I beam axle—</p> <ul style="list-style-type: none"> • has been repaired by heating or welding; or • is cracked, bent or unduly worn; or • is out of alignment. <p>King pin eyes are worn excessively.</p> <p>An axle or axle housing is cracked, bent or loose.</p> <p>An axle nut is loose or incorrectly locked.</p>
Springs	<p>Are welded, sagged, shortened, broken or weakened.</p> <p>Spring U bolts are loose, damaged or broken.</p>

SCHEDULE 2 (continued)

Centre bolt is loose, broken or sheared.
 Shackle pins or bushes are excessively worn.
 Shackle plates are of an extended length, shortened, worn or loose.
 Nuts are not securely locked.
 Spring hangers are worn, broken, cracked or loose on mounting.
 Lowered or raised by more than $\frac{1}{3}$ of the manufacturer's bump stop clearance.
 Hydrolastic suspension or rubber suspensions have been lowered.

Air bag

There is evidence of looseness.
 Is broken or has perished components.
 There are air leaks.
 Is incorrectly adjusted.
 Manual control is located in driver's cabin.

Torsion bars

Is incorrectly adjusted.
 Is broken or sagged.
 Is loose on spines.
 Is not securely mounted.

Arms

Suspension control, swing arms or trailing arms are insecurely mounted or have been repaired by welding or heating.
 Free movement in pivot pins, bushes or trunnions, measured at the outer extremities of the tyres, is more than—

- for wheel rims 400 mm or less—6 mm;
and
- for wheel rims over 400 mm—10 mm.

The looseness at a point causes half or more of the movement mentioned above.
 Bolts, locknuts and pins are unduly worn, or are loose, broken, missing or insecurely fitted.

SCHEDULE 2 (continued)

Sway bars	Are broken, loose, disconnected or have been removed.
13. BODY OR CHASSIS	<p>Floor panel (front or rear) or body panel is rusted through or cracked in a way that is likely to cause injury to a person.</p> <p>Exhaust gases enter the occupant compartment or the cabin when the vehicle is used.</p> <p>Body, chassis, frame or an integrally constructed body shell is cracked, broken, rusted or weakened.</p> <p>A rusted or damaged section essential to the safe use and structural strength of the vehicle is not repaired in a way that maintains the strength of the original structure.</p> <p>Chassis frame is out of alignment.</p> <p>In the case of motorcycles, footrests are not fitted and secure for driver and (if applicable) pillion passenger.</p>
14. WARNING DEVICE	<p>Is not of a single pitch type.</p> <p>Is not securely attached.</p> <p>Has incorrect control.</p> <p>Control not readily accessible and operable from the normal driving position.</p> <p>Is not operational.</p>
15. WHEELS AND TYRES	
Wheels	<p>Wheels are not of an approved design and construction or not fitted in a way that complies with the <i>Traffic Regulation 1962</i>.</p> <p>The track measurement is increased by more than 26 mm above vehicle manufacturer's</p>

SCHEDULE 2 (continued)

specifications on rear wheel drive vehicles.

The track measurement on 4 wheel drive off road passenger vehicles is increased by more than 51 mm.

The track measurement is increased above vehicle manufacturer's specifications on front wheel drive vehicles with McPherson strut suspension and negative scrub radius steering geometry.

Stud holes are out of the round.

Wheels are cracked, buckled, loose or damaged.

Wheel rims on an axle or axle group are not the same size.

Locating rings show evidence of slippage or excessive rust or damage.

Rims or rings are bent, sprung, cracked or damaged.

Clamps or nuts are loose, damaged or missing or of an incorrect type.

Wheel nuts, studs or clamps are broken, excessively rusted, missing or mismatched.

Wheel nuts do not have a correct thread engagement.

Spiders are cracked, broken or damaged.

Tyres

Tyres are worn below 1.5 mm tread depth over the area of the tread that is intended to come into contact with the road surface.

Tyres protrude outside normal mudguard line or foul on body, steering or suspension.

Side walls are damaged or cut or the cord is exposed.

There is evidence of bumps, bulges or tread lifting.

Valve stem is cracked, damaged or shows evidence of becoming loose.

SCHEDULE 2 (continued)

Are not of the correct type and size for the rim.

Passenger car type tyres are not of the same case construction.

Passenger car type tyres have a speed rating of less than 140 km/h.

Load ratings are not sufficient for the vehicle's loaded mass.

Tyres on an axle or axle group are not the same size.

A tyre has been regrooved or recut, but is not clearly marked 'suitable for regrooving'.

A tyre that is marked 'suitable for regrooving' has been regrooved or recut below the maximum permissible groove depth, or regrooved in a way that causes the ply or cord to be exposed or damaged.

A tyre is fitted that is not designed for highway use.

Wheel bearings

Relative movement between drum and backing plate is excessive.

Are incorrectly adjusted, rough, noisy, dry or loose on stub axle.

16. FUEL SYSTEMS

A part is not securely fastened.

A fuel leak exists.

Tank filler cap is missing or is of an incorrect type.

Tank filler inlet is inside the vehicle and was not fitted in that way by the manufacturer of the vehicle.

Diesel engine stopping device is not operating correctly.

LPG/CNG certificate is not current.

Air cleaner is not secure or is not fitted.

SCHEDULE 2 (continued)

Vehicle is fitted with nitrous oxide injection equipment.

17. BATTERY

Is not secure in a carrier.

A holding clamp is not fitted.

Cradle is badly corroded, cracked or weakened.

18. SEATS

A seat is not securely anchored.

Adjusting mechanism permits unintentional movement.

Frame is broken or a sharp protrusion exists.

Seat belt

Is not fitted at an occupant seating position as required.

Webbing is frayed, split, torn or is not secured to its end fittings.

Buckles do not function correctly.

Retractor belt mechanism is not functioning correctly.

Anchorage is not securely fastened to the vehicle structure, is damaged or the mounting point has been weakened.

(NOTE: second hand belts are not suitable as replacement belts).

19. DRIVE TRAIN

Components are worn excessively, seized or loose.

In the case of motor cycles chain guards are not secure or not fitted.

**20. AUTOMATIC
TRANSMISSION
CONTROLS**

Vehicle engine can be started when the transmission is not in the park or neutral position.

SCHEDULE 2 (continued)

- | | |
|--|--|
| 21. TRANSMISSION
AND ENGINE
MOUNTINGS | A mounting or bracket is loose, fractured or badly damaged.
A mounting has deteriorated because of oil leaks or usage.
A mounting bolt or nut is missing or not correctly locked. |
| 22. TOW COUPLINGS | Are not secure or are cracked, excessively deformed or damaged in a way likely to cause failure.
A coupling body manufactured after 1 January 1971 is not marked with the manufacturer's name or trademark and the capacity in kilograms.
Couplings have been treated by heating or welding.
Coupling and ball capacity is not at least equal to the trailer aggregate mass.
Safety chains where required are not securely attached. |
| 23. GROUND
CLEARANCE | Ground clearance is less than 100 mm unless otherwise specified by the vehicle manufacturer. |
| 24. MODIFICATIONS | Vehicle modifications have not been approved. |

SCHEDULE 3**EXEMPT AREAS**

section 14

The areas of the Shires under the *Local Government Act 1993* of Barcoo, Bouilla, Balloo, Burke, Carpentaria, Cook, Croydon, Diamantina, Etheriage, Quilpie, Torres and Warroo.

SCHEDULE 4

EXEMPT AREAS FOR MOTOR VEHICLES THAT ARE NOT MOTOR CYCLES OR CERTAIN TRAILERS

section 24

1. An area under the *Local Government Act 1993* mentioned in column 1, but not part of an area that is within a 25 km radius of the principal post office of a town or city mentioned in column 2.

Column 1

Column 2

Aramac	Aramac Barcaldine
Balonne	Dirranbandi Mundindi St. George Thallon
Barcaldine	Barcaldine
Bauhinia	Rolleston Springsure
Belyando	Clermont Moranbah
Bendemere	Yuleba
Blackall	Blackall
Booringa	Mitchell Morven
Bowen	Bowen Collinsville
Broadsound	Dysart

SCHEDULE 4 (continued)

Bungil	Injune Roma
Chinchilla	Chinchilla Miles
Cloncurry	Cloncurry City of Mount Isa
Dalrymple	City of Charters Towers Greenvale
Douglas	Mossman
Duaringa	Blackwater Duaringa
Emerald	Blackwater Emerald
Flinders	Hughenden
Herberton	Herberton Ravenshoe
Infracombe	Isisford Longreach
Isisford	Isisford
Jericho	Alpha
Longreach	Longreach
Mareeba	Dimbula Kuranda Mareeba Mossman
McKinlay	Julia Creek
City of Mount Isa	City of Mount Isa
Murilla	Miles
Murweh	Augathella Charleville

 SCHEDULE 4 (continued)

	Morven
	Tambo
Nebo	Moranbah
Paroo	Cunnamulla
Peak Downs	Capella
	Clermont
	Dysart
	Emerald
Richmond	Richmond
Tambo	Tambo
Tara	Meandarra
	Tara
Taroom	Taroom
	Wandoan
Waggamba	Goondiwindi
	Thallon
Winton	Winton
2. A Queensland island on which there is no AIS.	

SCHEDULE 5**EXEMPT AREAS FOR MOTOR CYCLES AND
CERTAIN TRAILERS**

section 24

1. For motor cycles—an area outside a radius of 50 km of an AIS approved to examine motor cycles.
2. For trailers between .75 and 3.5 t—an area outside a radius of 50 km of an AIS approved to examine trailers between .75 and 3.5 t.

ENDNOTES

1. Made by the Governor in Council on 27 October 1994.
2. Notified in the Gazette on 28 October 1994.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Transport.