

Queensland



Subordinate Legislation 1999 No. 225

Justices Act 1886

Traffic Act 1949

Transport Operations (Road Use Management) Act 1995

**TRANSPORT OPERATIONS (ROAD USE
MANAGEMENT—VEHICLE REGISTRATION)
REGULATION 1999**

PART 1—PRELIMINARY

1	Short title	7
2	Commencement	7
3	Definitions	7
4	Meaning of “exempt vehicle”	7
5	Registered and unregistered vehicles	8

PART 2—REGISTRATION PRINCIPLES

6	Garage address in Queensland	9
7	Persons eligible to register vehicle	9
8	Compliance with vehicle law	9
9	Proof of compliance with vehicle law	9

PART 3—VEHICLE REGISTRATION

Division 1—Vehicles used on roads must be registered

10	Vehicles used on roads must be registered	10
----	---	----

Division 2—Registration

11	Application for registration	11
12	Registration application made by agent	11
13	Vehicle inspections	12

14	Determination of applications	13
15	Registered vehicles register	14
16	Registration certificates	15
17	Registered owner to notify change of particulars	16
18	Recording change in vehicle particulars and reassessment of registration fee	17
19	Registration term	18
20	Seasonal registration	18
21	When registration becomes effective	19
<i>Division 3—Limited use registration</i>		
22	Limited use registration	19
<i>Division 4—Number plates</i>		
23	Chief executive to assign registration number and issue number plates . . .	20
24	Position for attaching number plate	21
25	Time for attaching number plates	23
26	Q plates	23
27	Personalised number plates	24
28	Transfer of personalised number plate	25
29	Converting number plate to personalised number plate	25
30	Customised number plates	25
31	Accessory plates	26
<i>Division 5—Registration labels</i>		
32	Chief executive to issue registration labels	27
33	Position for attaching registration label	27
34	Time for attaching registration label	28
<i>Division 6—Further obligations of registered owner</i>		
35	Vehicle destroyed or written off	29
PART 4—RENEWAL OF REGISTRATION		
36	Registration renewal notice	30
37	Renewal of registration	30
38	Issue of receipt and updating of records	32

PART 5—TRANSFER OF REGISTRATION

39 Transfer of registration 33

40 Failure by dealer to apply for transfer of registration 35

41 Transfer of registration under legal process 35

42 Refusing to register transfer of registration 36

PART 6—EXPIRY AND CANCELLATION OF REGISTRATION

Division 1—Expiry of registration

43 Expiry of registration 37

44 Return of registration plates when registration expires 37

Division 2—Cancellation of registration

45 Cancellation of registration at registered owner’s request 37

46 Partial refund of registration fee 38

47 Cancellation for noncompliance with defect notice 39

48 Cancellation of registration of vehicle or dealer plate 40

49 Recording cancellation of registration in register 42

PART 7—WHEN REGISTRATION UNNECESSARY

Division 1—Unregistered vehicle permits

50 Unregistered vehicle permits 43

Division 2—Dealer plates

51 Designation of dealer plates 44

52 Registration of dealer plate 44

53 Attaching dealer plate 45

54 Use of dealer plates 45

55 Cancellation of dealer plates 47

PART 8—GENERAL

Division 1—Other provisions about number plates and other items

56 Replacement registration items 48

57 Chief executive may require exchange of number plates 50

58 Chief executive may require return of number plates 50

59 Property in number plates 51

Division 2—Vehicles temporarily in Queensland

60 Vehicles temporarily in Queensland 51

Division 3—Other miscellaneous provisions

61	Sale of unregistered vehicles by dealers	53
62	Authorisation to use unregistered vehicle on roads	54
63	Permit to use intercepted unregistered vehicle on road	55
64	Damaged or dirty number plates	56

Division 4—Review of decisions

65	Decision to which this division applies	57
66	Review of decisions	58

Division 5—Release of information

67	Definitions for div 5	58
68	Release of information on payment of fee	59

PART 9—FEES

Division 1—General

69	Fees	60
70	Charging categories	60

Division 2—Vehicles exempted from registration fees

71	Exemption from payment of fee	61
----	---	----

Division 3—Concessional registration fees for certain category 1 vehicles

72	Concessional registration fees—category 1 vehicles	62
----	--	----

Division 4—Concessional registration fees for category 2 vehicles

73	Concessional registration fees—primary producers	63
74	Concessional registration fee for motorised caravan for card holders	64
75	Concessional registration fees for other vehicles	65

PART 10—OTHER OFFENCE PROVISIONS

76	Offences involving registration certificates etc	66
77	Requirement to remove unlawful registration item	67

**PART 11—TRANSITIONAL PROVISIONS FOR TRANSPORT
OPERATIONS (ROAD USE MANAGEMENT—VEHICLE
REGISTRATION) REGULATION 1999**

78	Purpose of pt 11	68
79	Definition for pt 11	68

80	Continuation of registration and other authorities under former regulation	68
81	Postponement of particular changes until 31 December 1999	69
82	Limited use plates under former regulation	70
83	Position for attaching registration label to certain trailers	70
PART 12—AMENDMENT OF JUSTICES REGULATION 1993		
84	Regulation amended	70
85	Omission of sch 1, pt 43	71
86	Amendment of sch 1, pt 45B	71
87	Insertion of new sch 1, pt 45E	71
PART 45E—TRANSPORT OPERATIONS (ROAD USE MANAGEMENT—VEHICLE REGISTRATION) REGULATION 1999		
PART 13—AMENDMENT OF TRAFFIC REGULATION 1962		
88	Regulation amended	75
89	Amendment of s 207 (Prescribed offences for pt 6B of the Act)	75
PART 14—AMENDMENT OF TRANSPORT OPERATIONS (ROAD USE MANAGEMENT) REGULATION 1995		
90	Regulation amended	75
91	Replacement of s 3 (Definitions—the dictionary)	75
	3 Definitions	76
92	Omission of s 4E (Definition for pt 2)	76
93	Amendment of s 4F (Fees generally)	76
94	Omission of ss 5 to 8	76
95	Replacement of s 11 (Trailers)	76
	11 Measurement of distance between axles	76
96	Amendment of s 11A (Guidelines and permits for vehicles)	76
97	Insertion of new pt 6, div 2A	77
<i>Division 2A—Protection of roads and structures</i>		
	62C Damage to road transport infrastructure	77
	62D Restriction of loads on structures	78
98	Amendment of sch 1 (Fees)	79
99	Amendment of sch 13 (Dictionary)	79

SCHEDULE 1	81
CATEGORY 1 VEHICLE REGISTRATION FEES	
SCHEDULE 2	84
CATEGORY 2 VEHICLE REGISTRATION FEES	
SCHEDULE 3	87
OTHER FEES	
SCHEDULE 4	90
DICTIONARY	

PART 1—PRELIMINARY

Short title

1. This regulation may be cited as the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 1999*.

Commencement

2.(1) Subject to subsection (2), this regulation commences on 1 October 1999.

(2) Part 8, division 5 and schedule 3, part 2, items 2 to 4 commence on 1 January 2000.

Definitions

3. The dictionary in schedule 4 defines particular words used in this regulation.

Meaning of “exempt vehicle”

4. In this regulation, a vehicle is an “**exempt vehicle**” if the vehicle is—

- (a) an agricultural implement, if it is being towed by—
 - (i) an agricultural machine suitably matched to the implement;
or
 - (ii) another vehicle of a suitable size for towing the implement;
or
- (b) a trailer, if—
 - (i) it is being towed by an agricultural machine; and
 - (ii) the agricultural machine is being used for its intended agricultural purpose; or
- (c) a motorised golf buggy being used—
 - (i) on a golf course car park; or

- (ii) for directly crossing a road dividing a golf course; or
- (d) a ride-on mower, other than a ride-on mower that is an agricultural machine, that is being used for mowing, and is—
 - (i) directly crossing a road; or
 - (ii) crossing from 1 road related area to another road related area; or
 - (iii) on a road related area; or
- (e) walking speed equipment that is on a road only for—
 - (i) loading it onto, or unloading it from, another vehicle; or
 - (ii) repositioning it at a work site; or
- (f) a low powered motor vehicle; or
- (g) a vehicle that is not a motor vehicle or a trailer; or
- (h) a vehicle being towed by a tow truck operating as a tow truck.

Registered and unregistered vehicles

5.(1) In this regulation, a vehicle is taken to be a registered vehicle if it has current registration under this regulation.

- (2)** In this regulation, a vehicle is taken to be an unregistered vehicle if—
- (a) it has no current registration under this regulation because—
 - (i) it has never had registration under this regulation; or
 - (ii) it has had registration under this regulation, but the registration has expired or been cancelled; and
 - (b) nothing in this regulation permits its use on a road, whether or not under limited circumstances.

PART 2—REGISTRATION PRINCIPLES

Garage address in Queensland

6. A vehicle may be registered in Queensland only if its garage address is in Queensland.

Persons eligible to register vehicle

7.(1) Any person may apply to the chief executive to register a category 1 vehicle in the person's name.

(2) However, a person may apply to the chief executive to register a category 2 vehicle in the person's name only if the person is a corporation or an individual aged 18 or over.

Compliance with vehicle law

8.(1) To be eligible for registration, a vehicle must conform with the requirements applying to the vehicle under each vehicle law.

(2) However, if a vehicle does not conform with the requirements applying to the vehicle under a vehicle law, the vehicle may be registered for limited use on conditions.

(3) Limited use registration for vehicles is provided for in part 3, division 3.

Proof of compliance with vehicle law

9.(1) The chief executive may accept as evidence that a vehicle conforms with the requirements applying to the vehicle under a vehicle law—

- (a) a plate attached to the vehicle under the vehicle law; or
- (b) a written statement to that effect from the vehicle's manufacturer.

(2) In the absence of evidence mentioned in subsection (1), the chief executive may, on inspecting the vehicle and being satisfied it conforms with the requirements applying to the vehicle under each vehicle law, issue a certificate to that effect.

PART 3—VEHICLE REGISTRATION

Division 1—Vehicles used on roads must be registered

Vehicles used on roads must be registered

10. A person must not use, or permit to be used, on a road a vehicle that is not a registered vehicle unless—

- (a) under section 13, the vehicle is being driven or towed to where it is to be inspected; or
- (b) the vehicle is being used under an unregistered vehicle permit under section 50; or
- (c) the vehicle is being used under the authority of a dealer plate under section 52; or
- (d) the use of the vehicle on the road is authorised under section 60;¹ or
- (e) the vehicle is being used under an authorisation issued under section 62;² or
- (f) the vehicle is being used under a permit issued under section 63;³ or
- (g) the vehicle is an exempt vehicle.

Maximum penalty—80 penalty units.

¹ Section 60 (Vehicles temporarily in Queensland)

² Section 62 (Authorisation to use unregistered vehicle on roads)

³ Section 63 (Permit to use intercepted vehicle on road)

Division 2—Registration**Application for registration**

11. An application for the registration of a vehicle must be made to the chief executive in the approved form accompanied by the following—

- (a) the relevant registration fee;
- (b) any relevant plate fee;
- (c) if the vehicle is a category 1 vehicle, the category 1 vehicle traffic improvement fee;
- (d) an insurance certificate under the *Motor Accident Insurance Act 1994* for the vehicle for the proposed registration term or the insurance premium payable under that Act for the certificate;
- (e) if the vehicle is a COI vehicle under the Vehicle Standards and Safety Regulation, a current certificate of inspection under that regulation for the vehicle, but only if, once the vehicle is registered, its owner will be required under that regulation to possess a current certificate of inspection for the vehicle;
- (f) if the vehicle is an SC vehicle under the Vehicle Standards and Safety Regulation, a current safety certificate under that regulation, unless—
 - (i) the garage address of the vehicle is in an area mentioned in schedule 2, item 4 or 5 of the Vehicle Standards and Safety Regulation; or
 - (ii) the vehicle has never previously been registered in Queensland, in another State or in a foreign country; or
 - (iii) the vehicle is being registered in the name of a dealer for resale purposes.

Registration application made by agent

12.(1) This section applies if the application of a person (the “**applicant**”) to register a vehicle is made by another person (the “**agent**”) as agent for the applicant.

(2) The chief executive must not grant the application unless the agent gives the chief executive satisfactory evidence of—

- (a) the agent's identity; and
- (b) the applicant's identity; and
- (c) the agent's authority to act as agent for the applicant to register the vehicle.

Vehicle inspections

13.(1) The chief executive may require a vehicle to be brought to the chief executive for an inspection before the vehicle is registered under this regulation.

(2) If the vehicle is unregistered and its use on a road is not otherwise permitted under this regulation, it may be driven or towed to where it is to be inspected, but only if—

- (a) an application in the approved form to register the vehicle has been completed; and
- (b) if the vehicle is required to be insured under the *Motor Accident Insurance Act 1994*, an insurance certificate has been issued under that Act for the vehicle for the proposed term of registration; and
- (c) the documents mentioned in paragraphs (a) and (b) are—
 - (i) for a trailer—carried in the motor vehicle towing the trailer; or
 - (ii) for another vehicle—carried in the vehicle.

(3) If, when the chief executive inspects the vehicle, an identifying number placed on the vehicle by the vehicle's manufacturer is not clearly legible or appears to have been altered or defaced, the chief executive may allot a replacement identifying number.

(4) The chief executive must record the allotted replacement identifying number in the register.

(5) The applicant must, as soon as practicable—

- (a) take action to obtain the necessary permission under the *Traffic Act 1949*, section 59⁴ to stamp the allotted replacement identifying number on the vehicle; and
- (b) if the permission is obtained, ensure the allotted replacement identifying number is stamped on the vehicle.

Maximum penalty—8 penalty units.

(6) The obligation to which the applicant is subject under subsection (5) continues to apply even if the applicant does not further pursue the registration of the vehicle.

(7) If, after the vehicle is registered, it appears to the chief executive that there is a possible discrepancy relating to the particulars of the vehicle as registered, the registered owner of the vehicle must, if requested by written notice from the chief executive, return the vehicle for further inspection.

Maximum penalty—8 penalty units.

(8) In this section—

“identifying number” means—

- (a) an engine number; or
- (b) a chassis number; or
- (c) a VIN.

Determination of applications

14.(1) The chief executive may refuse an application for the registration of a vehicle if the chief executive reasonably believes—

- (a) the vehicle or a part of the vehicle is, or may be, stolen; or
- (b) information given in the application is false or misleading; or
- (c) there are unpaid fines or penalties arising out of the use of the vehicle in Queensland or another State; or
- (d) the vehicle’s garage address is in another State; or

⁴ *Traffic Act 1949*, section 59 (Alteration and defacing of numbers etc.)

-
- (e) the vehicle does not conform with the requirements applying to the vehicle under a vehicle law; or
 - (f) the vehicle has been registered in another State and—
 - (i) the registration in the other State has been suspended or cancelled for a reason other than its expiry; and
 - (ii) the reasons for the cancellation or suspension still exist.

(2) Subsection (1) does not limit the chief executive's power to refuse the application under another provision of this regulation.

(3) If the chief executive decides to grant the application, the chief executive must register the vehicle in the applicant's name.

(4) If the chief executive decides to refuse the application, the chief executive must tell the applicant—

- (a) the reasons for the refusal; and
- (b) that the decision may be reviewed under section 66.⁵

(5) If asked by the applicant, the chief executive must give written reasons for refusing the application.

Registered vehicles register

15.(1) The chief executive must keep a register of registered vehicles (the “**register**”).

(2) The register must contain the following particulars for each registered vehicle, to the extent the particulars are applicable for the vehicle—

- (a) the registered owner's name;
- (b) the vehicle's registration number and other identification details;
- (c) the vehicle's GVM or GCM;
- (d) the vehicle's garage address;
- (e) the registered owner's address;

⁵ Section 66 (Review of decisions)

-
- (f) for a vehicle registered for limited use—identification of the conditions of use;
 - (g) the commencement and expiry days for the registration;
 - (h) for a category 2 vehicle—the vehicle’s nominated configuration.
- (3) The chief executive may record in the register other information—
- (a) required to be recorded under the Act or another Act; or
 - (b) the chief executive decides is appropriate.

Examples of information the chief executive could decide to record under subsection (3)(b)—

1. odometer readings to help in consumer protection.
2. pension details for managing concessional registration schemes.

(4) The chief executive must ensure the register contains the particulars of each vehicle that—

- (a) is currently registered; or
- (b) is not currently registered, but has been a registered vehicle within the previous 2 years.

(5) Despite anything else in this regulation—

- (a) the chief executive is not required to make sure that the person whose name is shown in the register as the registered owner of a vehicle is a person who has title to the vehicle; and
- (b) the register is not intended to be a means by which the title to a registered vehicle may be conclusively established.

Registration certificates

16.(1) If the chief executive registers a vehicle, the chief executive must issue a registration certificate to the applicant for the vehicle.

(2) The certificate must include the following particulars, to the extent the particulars are applicable for the vehicle—

- (a) the registered owner’s name and address;
- (b) the vehicle’s garage address;

-
- (c) the vehicle's registration number;
 - (d) the make of the vehicle;
 - (e) the vehicle's VIN or, if there is no VIN, the vehicle's chassis number or engine number;
 - (f) the vehicle's GCM or GVM;
 - (g) the vehicle charging category;
 - (h) the commencement and expiry days for the registration;
 - (i) if the vehicle is registered for limited use, identification of the conditions of use.

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

Registered owner to notify change of particulars

17.(1) The registered owner of a vehicle must, within 14 days after the person's address, or the garage address of the vehicle, is changed, give the chief executive full particulars of the change.

Maximum penalty—8 penalty units.

(2) The registered owner of a vehicle must, within 14 days after the person's name is changed, give the chief executive—

- (a) written notice containing full particulars of the change; and
- (b) suitable material in writing evidencing the change.

Maximum penalty—8 penalty units.

(3) If a person modifies a registered vehicle, the registered owner of the vehicle must give the chief executive written notice containing full particulars of the modification within 14 days after the modification.

Maximum penalty—8 penalty units.

(4) The registered owner must not use the vehicle on a road until the chief executive has been notified of the modification, and any additional registration fee or charge attributable to the modification has been paid to the chief executive, if—

- (a) the vehicle is a category 2 vehicle; and
- (b) at least 1 of the following applies—
 - (i) the modification is to the vehicle’s description as recorded in the register;
 - (ii) because of the modification, the registration fee applicable to the vehicle is higher than the fee paid for its current registration.

Maximum penalty—80 penalty units.

(5) In this section—

“modifies a registered vehicle” means modifies any of the following—

- (a) the vehicle’s axle configuration;
- (b) the vehicle’s carrying capacity;
- (c) the vehicle’s description as recorded in the register;
- (d) the method of propulsion of the vehicle;
- (e) the vehicle’s GCM or GVM;
- (f) any other particular of the vehicle recorded in the register.

Recording change in vehicle particulars and reassessment of registration fee

18.(1) If the chief executive is satisfied the particulars given under section 17 are correct, the chief executive, must—

- (a) record the correct name, address or particulars in the register; and
- (b) issue an updated registration certificate; and
- (c) if the details on the registration label issued for the vehicle have changed, issue a replacement registration label.

(2) Also, if the particulars are for the modification of a vehicle, the chief executive may reassess the registration fee payable for the vehicle for the term (the **“unexpired term”**) from when the vehicle was modified to the end of the vehicle’s current registration.

(3) The chief executive must as soon as practicable refund to the registered owner any amount by which the reassessed fee is less than the fee already paid for the unexpired term.

(4) The chief executive may, by written notice given to the registered owner, require the registered owner to pay any amount by which the reassessed fee is more than the fee already paid for the unexpired term within 28 days after the notice is given.

(5) The registered owner must comply with the requirement unless the registered owner has a reasonable excuse.

Maximum penalty—60 penalty units.

Registration term

19. A vehicle may be registered for the term asked for by the applicant from the following terms—

- (a) 1 year;
- (b) 6 months;
- (c) if the vehicle is a category 2 vehicle, 3 months;
- (d) another term the chief executive considers reasonable and appropriate, having regard to the administrative needs of the applicant.

Seasonal registration

20.(1) A vehicle owned by a primary producer may be registered for 3 or 6 months if it is used only in the registered owner's business as a primary producer.

(2) A vehicle used only seasonally may be registered for 3 or 6 months if it is used only to transport primary produce from a farm or fishing waters to where the primary produce is—

- (a) loaded onto a train, vessel or another vehicle; or
- (b) stored before being processed; or
- (c) the subject of the first processing step applied to it; or

(d) processed.

(3) At the end of the registration term, the registration of a vehicle under subsection (1) or (2) may be—

- (a) renewed for 3 months or 6 months; or
- (b) deferred for not longer than 1 year and then renewed.

(4) Subsection (3) does not stop the registration of a vehicle being—

- (a) renewed for a term for which vehicles are usually registered under section 19; or
- (b) cancelled under part 6.⁶

(5) In this section—

“**vehicle**” means—

- (a) a prime mover or truck with a GVM over 6 t; or
- (b) a trailer with an MRC over 4.5 t.

When registration becomes effective

21. The registration of a vehicle is effective on the issue of the chief executive’s receipt for payment.

Division 3—Limited use registration

Limited use registration

22.(1) This section applies to a vehicle if—

- (a) the vehicle is, or vehicles of its type are, the subject of a guideline under section 11A of the Road Use Management Regulation⁷ for the safe movement of the vehicle or type of vehicle on a road; and
- (b) either—

⁶ Part 6 (Expiry and cancellation of registration)

⁷ Road Use Management Regulation, section 11A (Guidelines and permits for vehicles)

- (i) the vehicle does not conform with the requirements applying to the vehicle under a vehicle law; or
- (ii) the vehicle is used primarily for off road use but is used occasionally, or has restricted use, on a road.

Example of paragraph (b)(ii)—

A farmer owns separate paddocks a short distance apart adjoining a road and drives a vehicle on the road to take it from one paddock to another.

(2) The chief executive may register the vehicle for limited use.

(3) However, the chief executive must not register the vehicle for limited use unless the chief executive is satisfied the vehicle conforms with the guideline.

(4) A person who uses a vehicle registered for limited use must comply with the conditions for use stated in the guideline applying to the vehicle.

Maximum penalty—30 penalty units.

Division 4—Number plates

Chief executive to assign registration number and issue number plates

23.(1) If the chief executive registers a vehicle, the chief executive must—

- (a) assign a distinguishing registration number to the vehicle; and
- (b) issue to the registered owner of the vehicle the number plates displaying the assigned number required under subsection (2).

(2) The chief executive must issue—

- (a) if the vehicle is a motor cycle, trailer or tractor, other than a tractor registered for limited use—1 number plate; or
- (b) if the vehicle is a vehicle other than a vehicle mentioned in paragraph (a)—2 number plates.

Position for attaching number plate

24.(1) The registered owner of a vehicle must ensure that each number plate issued for a vehicle is permanently attached to the vehicle so that, if the vehicle is on level ground—

- (a) the number plate is—
 - (i) in an upright position parallel to the vehicle's axles; and
 - (ii) not more than 1.3 m above ground level; and
- (b) unless an accessory plate is attached to the vehicle in the way required under section 31,⁸ the characters on the number plate are legible from 20 m away at any point within an arc of 45 degrees from the surface of the number plate above or to either side of the vehicle, in the way shown in figures 1 and 2 at the end of this section; and
- (c) any cover on the number plate—
 - (i) is clear, clean, untinted and flat over its entire surface; and
 - (ii) has no reflective or other characteristics that would prevent—
 - (A) the successful operation of a photographic detection device; or
 - (B) the number plate from being legible.

Maximum penalty—40 penalty units.

(2) The registered owner must also ensure that—

- (a) if the vehicle has been issued with 2 number plates—1 number plate is attached to the front of the vehicle and the other to its rear; or
- (b) if the vehicle has been issued with only 1 number plate—the number plate is attached to its rear.

Maximum penalty—12 penalty units.

(3) The registered owner does not contravene subsection (1)(a) or (b) if—

⁸ Section 31 (Accessory plates)

- (a) it is not practicable to attach a number plate to the vehicle in the way required under subsection (1)(a) or (b) because of the vehicle's construction; and
- (b) the registered owner attaches the number plate to the vehicle as nearly as practicable in the way required under subsection (1)(a) or (b).
- (4) Also, the registered owner does not contravene subsection (1)(b) if—
- (a) the rear number plate of the vehicle (the **“towing vehicle”**) is obscured by a vehicle (the **“towed vehicle”**) being towed by the towing vehicle; and
- (b) either of the following applies—
- (i) the towed vehicle is required to be registered under this regulation, and displays a rear number plate in the way required under subsection (1);
- (ii) the towed vehicle is not required to be registered under this regulation, and displays the towing vehicle's rear number plate in a way consistent with the requirements of subsection (1).

(5) In this section—

“number plate” does not include an accessory plate issued under section 31.

“photographic detection device” has the meaning given by the *Traffic Act 1949*, section 44P.⁹

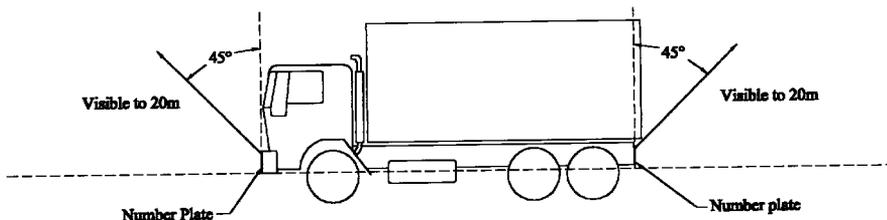


Figure 1

⁹ *Traffic Act 1949*, section 44P (Interpretation)

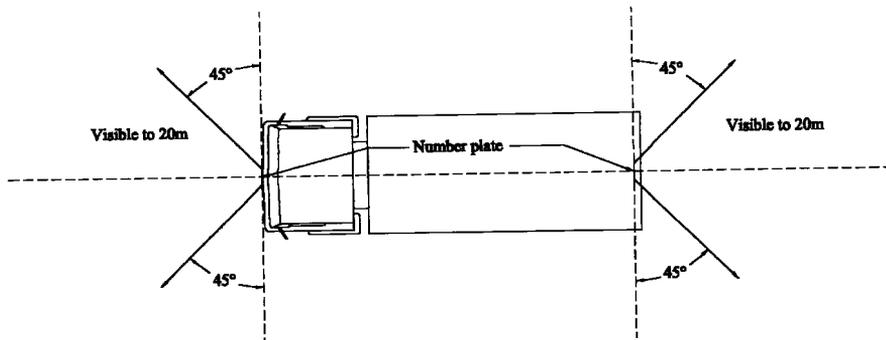


Figure 2

Time for attaching number plates

25.(1) The registered owner of a vehicle must attach to the vehicle a number plate issued for the vehicle within 1 day after receiving the number plate.

Maximum penalty—12 penalty units.

(2) The registered owner of a vehicle must attach to the vehicle a special plate the registered owner holds for the vehicle within 1 day after receiving a registration certificate showing the number of the special plate as the registration number of the vehicle.

Maximum penalty—12 penalty units.

Q plates

26.(1) A person must not manufacture a replacement Q plate unless the person—

- (a) has written approval from the chief executive to manufacture the plate; and
- (b) manufactures the plate under the specifications for the plate stated in the approval.

Maximum penalty—12 penalty units.

(2) A replacement Q plate manufactured under subsection (1) is taken to have been issued by the chief executive.

(3) In this section—

“**Q plate**” means a number plate the number of which consists of the letter ‘Q’ followed by at least 1, but not more than 6, figures.

Personalised number plates

27.(1) The chief executive may issue a number plate as a personalised number plate—

- (a) on receipt of—
 - (i) an application in the approved form; and
 - (ii) an amount determined by the chief executive; or
- (b) on a sale at public auction for an amount acceptable to the chief executive.

(2) When the chief executive issues a personalised number plate, the chief executive must—

- (a) assign a registration number; and
- (b) record information relating to the plate in the register; and
- (c) issue to the applicant a certificate stating the particulars of the plate.

(3) The right to use the number on a personalised number plate issued to a person is the property of the person to whom the plate is issued.

(4) A personalised number plate may be—

- (a) kept without being attached to a vehicle; or
- (b) subject to subsection (5), attached to a vehicle; or
- (c) surrendered to the chief executive for cancellation.

(5) A person must not attach a personalised number plate to a vehicle until the person has—

- (a) applied to the chief executive in the approved form; and
- (b) received a registration certificate showing the number of the personalised number plate as the registration number for the vehicle.

Maximum penalty—12 penalty units.

(6) The chief executive must not issue a personalised number plate if the number of the plate is identical, or appears to be identical, to the number of another number plate that is currently issued.

(7) If a person surrenders a personalised number plate to the chief executive for cancellation, subsection (3) no longer applies to the personalised number plate.

Transfer of personalised number plate

28.(1) A personalised number plate, including the right to use the number on the personalised number plate, is transferable.

(2) A person to whom a personalised number plate is transferred, including a person administering an estate, must within 14 days after the transfer—

- (a) notify the chief executive of the transfer in writing; and
- (b) pay the relevant fee.

Maximum penalty—16 penalty units.

(3) A person must not transfer a personalised number plate on its own if it is one of a pair.

Maximum penalty—16 penalty units.

Converting number plate to personalised number plate

29. A person may, on payment of an amount decided by the chief executive, apply to the chief executive to convert a number plate to a personalised number plate.

Customised number plates

30.(1) The registered owner of a vehicle may apply to the chief executive to customise the vehicle's number plate or a previously issued number plate.

(2) Once the number plate has been customised, the registered owner may—

- (a) keep the number plate without attaching it to a vehicle; or
- (b) apply to the chief executive in the approved form to attach it to a vehicle owned by the registered owner.

(3) A person must not attach a customised number plate to a vehicle unless—

- (a) the chief executive gives the person a registration certificate showing the number of the customised number plate as the registration number for the vehicle; and
- (b) the customised number plate is attached to the vehicle under any directions given by the chief executive.

Maximum penalty—12 penalty units.

Accessory plates

31.(1) This section applies if the chief executive has issued a special plate to a person.

(2) The person may apply to the chief executive for an accessory plate for an accessory that is to be attached to a vehicle to which the special plate may be attached.

(3) The accessory plate must display the same registration number as the special plate.

(4) The application must be in the approved form and accompanied by the relevant fee.

(5) If the chief executive decides to issue the plate, the chief executive must issue the plate as soon as convenient after the plate has been prepared.

(6) A person who attaches an accessory plate to a vehicle must attach the plate—

- (a) at the rear of the accessory; and
- (b) in a way that allows the accessory plate to be legible from a distance of at least 20 m from the rear of the accessory.

Maximum penalty—12 penalty units.

(7) In this section—

“**accessory**” means a bike rack or other device attached to the rear of a vehicle in a way that obscures or restricts the visibility of the vehicle’s rear number plate.

Division 5—Registration labels

Chief executive to issue registration labels

32.(1) When a vehicle is registered, the chief executive must issue a label for the vehicle to its registered owner.

(2) The label must be in the approved form and include the following particulars for the vehicle—

- (a) its registration number;
- (b) its make;
- (c) its model or body type, according to which is the more descriptive;
- (d) its VIN or, if the vehicle does not have a VIN, the vehicle’s chassis number or engine number;
- (e) the expiry day of its registration;
- (f) if the vehicle is registered for limited use, identification of the conditions of use;
- (g) its GCM and GVM;
- (h) the vehicle charging category code.

(3) This section does not apply to a tractor unless the tractor is registered for limited use.

Position for attaching registration label

33.(1) The registered owner of a vehicle must attach the vehicle’s registration label to the vehicle—

- (a) so as to be clearly visible from outside the vehicle; and
- (b) in a way complying with subsections (2) to (6).

Maximum penalty—6 penalty units.

(2) If the vehicle is a motorcycle, the label must be placed in a holder attached to the motorcycle on the left-hand side or rear of the motorcycle.

(3) If the vehicle is a trailer that is a category 1 vehicle, the label must be placed to the left-hand side or rear of the trailer.

(4) If the vehicle is a trailer that is a category 2 vehicle, the label must be placed on or adjacent to the trailer's number plate.

(5) If the vehicle is other than a vehicle mentioned in subsections (2) to (4) and has a windscreen, the label must be placed—

- (a) to the lower left-hand corner of the vehicle's windscreen; or
- (b) to a fixed or pivoted window on the left-hand side of the vehicle.

(6) If the vehicle is other than a vehicle mentioned in subsections (2) to (4) and does not have a windscreen, the label must be attached, whether or not by a holder, to the left-hand side of the vehicle as near as practicable to the position mentioned in subsection (5)(a).

(7) The registered owner must take the registration label off the vehicle and destroy it immediately on the sooner of the following—

- (a) the day another registration label issued for the vehicle is attached to the vehicle;
- (b) 21 days after the expiry day of the registration to which the registration label relates.

Maximum penalty—6 penalty units.

Time for attaching registration label

34.(1) The registered owner of a vehicle must attach the vehicle's registration label to the vehicle—

- (a) for a label issued on initial registration—within 21 days after the application for registration is made; or
- (b) for a label issued on an application for renewal of registration—

-
- (i) if the label is issued before the registration expires—within 21 days after the registration expires; or
 - (ii) if the label is issued after the registration expires—within 21 days after the application is made; or
- (c) for a replacement label—
- (i) if the label is issued on an application for a replacement label—within 21 days after the application is made; or
 - (ii) if the label is issued as an updated registration label—within 21 days after the chief executive is notified of the matters requiring the issue of an updated registration label.

Maximum penalty—6 penalty units.

(2) A person does not contravene subsection (1) if it is not reasonably practicable to attach the label within the required time because of a delay by the chief executive in issuing the label.

Division 6—Further obligations of registered owner

Vehicle destroyed or written off

35.(1) This section applies if either of the following events happens to a registered vehicle—

- (a) the vehicle is destroyed;
- (b) the vehicle is declared a write-off by the vehicle's registered owner or insurer.

(2) The registered owner must ensure the chief executive is given written notice of the event within 14 days after it happens.

Maximum penalty—8 penalty units.

PART 4—RENEWAL OF REGISTRATION

Registration renewal notice

36.(1) A registration renewal notice (a “**renewal notice**”) for a registered vehicle is a notice sent by the chief executive—

- (a) addressed to—
 - (i) if the vehicle’s registered owner has given the chief executive a written direction to address the notice to another person—the person; or
 - (ii) otherwise—the vehicle’s registered owner; and
- (b) stating that, if the vehicle’s registration is not renewed on or before a stated day, it expires.

(2) However, if the chief executive does not send, or the registered owner does not receive, a renewal notice, the non-receipt of the notice does not affect—

- (a) the expiry of the vehicle’s registration; or
- (b) the registered owner’s obligation to renew the vehicle’s registration before it expires, if the registered owner intends to use the vehicle on a road after the existing registration expires.

Renewal of registration

37.(1) A vehicle’s registration may be renewed by presenting the renewal notice, or a written request to renew the vehicle’s registration, to the chief executive together with the following—

- (a) the relevant registration fee;
- (b) if the vehicle is a category 1 vehicle, the category 1 vehicle traffic improvement fee;
- (c) an insurance certificate under the *Motor Accident Insurance Act 1994* for the vehicle for the proposed term of registration or the insurance premium payable under that Act for the certificate;

-
- (d) if the vehicle is a COI vehicle under the Vehicle Standards and Safety Regulation, a current certificate of inspection under that regulation for the vehicle, but only if its owner is required under that regulation to possess a current certificate of inspection for the vehicle.

(2) The person renewing the registration must nominate the registration term for the vehicle.

(3) The registration term must be a term available under section 19 or permitted under section 20.

(4) The registration of a vehicle may be renewed—

- (a) if the vehicle is registered for a term permitted under section 20—not more than 1 year after its registration expires; or
- (b) otherwise—not more than 2 months after its registration expires.

(5) Despite subsection (4), the chief executive may accept an application for renewal of registration at any time if the chief executive considers it reasonable in the circumstances to do so.

(6) The expiry day of a renewed term of registration for a vehicle must be worked out as if the renewal had commenced—

- (a) if the vehicle is registered for a term permitted under section 20—on the first day of the nominated term; or
- (b) otherwise—on the day after the day recorded in the register as the expiry day of the registration being renewed.

(7) Subsections (4) to (6) do not have the effect of retrospectively registering a vehicle.

(8) If the period by which a vehicle's registration may be renewed has ended but the registration has not been renewed, the chief executive may, by written notice given to the person who was recorded as the vehicle's registered owner before the registration expired, require the person to return the vehicle's number plates to the chief executive within 14 days after the notice is given.

(9) A person of whom a requirement is made under subsection (8) must not contravene the requirement, unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

(10) Despite anything in subsections (1) to (9), a person may renew a vehicle's registration using the chief executive's caller activated vehicle registration telephone renewal service if the service is available for the particular renewal.

(11) Despite anything in subsections (1) to (10), the chief executive may refuse an application for the renewal of the registration of a vehicle under the same circumstances, and in the same way, that the chief executive may refuse an application for the registration of a vehicle under section 14.¹⁰

Issue of receipt and updating of records

38.(1) The renewal of the registration of a vehicle is effective on the issue of the chief executive's receipt for payment.

(2) However, if the chief executive's receipt for payment for the renewal of a registration is issued before the term of the registration being renewed expires, the renewal takes effect immediately after the expiry.

(3) If the chief executive renews the registration of a vehicle, the chief executive must—

- (a) update the records for the vehicle in the register; and
- (b) issue to the registered owner—
 - (i) an updated registration certificate; and
 - (ii) a registration label.

(4) Subsection (3)(b)(ii) applies only if the vehicle is a vehicle for which a registration label is required to be issued when the vehicle is registered.

¹⁰ Section 14 (Determination of applications)

PART 5—TRANSFER OF REGISTRATION

Transfer of registration

39.(1) A person who buys or otherwise acquires, a registered vehicle must apply to the chief executive for transfer of the vehicle's registration within 14 days after acquiring it.

Maximum penalty—16 penalty units.

(2) The application must be in the approved form and accompanied by the following, to the extent they are applicable—

- (a) the relevant fee;
- (b) any other amounts due, including fees payable for the renewal of the vehicle's registration;
- (c) the stamp duty payable under the *Stamp Act 1894*;
- (d) a certificate of compliance under the *Gas Regulation 1989* for the vehicle;
- (e) if the purchase or other acquisition of the registered vehicle is a disposal for which, under the Vehicle Standards and Safety Regulation, a current inspection certificate is required, a current inspection certificate under that regulation for the vehicle.

(3) However, subsection (2)(a) to (c) does not apply to a transfer lodged under subsection (7).

(4) A dealer who acquires a registered vehicle must notify the chief executive of the acquisition in the approved form within 14 days after the acquisition.

Maximum penalty—16 penalty units.

(5) All amounts payable under subsection (2)(a) and (c) are payable by the person who acquires a vehicle from the day of transfer appearing in the application form.

(6) If a person who acquires a registered vehicle can not find out the full name and address of the person who sold or disposed of the vehicle or obtain the signature of the person who sold or disposed of the vehicle on an approved form, the person acquiring the vehicle must give a written statement to that effect to the chief executive.

(7) If a person (the “**disposer**”) disposes of a registered vehicle to someone else (the “**acquirer**”) and reasonably believes the acquirer has not applied for transfer of the vehicle’s registration within 14 days after acquiring it, the disposer may—

- (a) apply in the approved form for transfer of the vehicle’s registration to the acquirer; or
- (b) give notice (a “**disposal notice**”) to the chief executive, in the approved form, of the disposer’s disposal to the acquirer.

(8) The chief executive, on receipt of an application under subsection (1) or (7)(a), or a notification under subsection (4), or on being satisfied as to the correctness of the information contained in a statement received under subsection (6), may—

- (a) record in the register the day of the transfer appearing in the approved form; and
- (b) substitute the name and address of the person acquiring the vehicle for those of the registered owner recorded in the register; and
- (c) issue an updated registration certificate.

(9) On receipt of a disposal notice under subsection (7)(b), the chief executive may—

- (a) record in the register the day of disposal stated in the notice; and
- (b) substitute the name and address of the acquirer of the vehicle for those of the registered owner recorded in the register; and
- (c) by written notice given to the acquirer, require the acquirer to apply for transfer of the vehicle’s registration within 14 days after the notice is given.

(10) The acquirer must not contravene the requirement mentioned in subsection (9)(c) unless the acquirer has a reasonable excuse.

Maximum penalty—16 penalty units.

(11) If the chief executive acts under subsection (9), the person in whose name the vehicle is registered or recorded in the register under a disposal notice is taken to be the vehicle's registered owner for this regulation until the chief executive receives notice of the transfer or disposal of a vehicle.

Failure by dealer to apply for transfer of registration

40.(1) This section applies if—

- (a) a person (the “**buyer**”) buys or otherwise acquires a registered vehicle from a dealer; and
- (b) the dealer accepts from the buyer an amount mentioned in section 39(2)(a), (b) or (c).

(2) The dealer must, within 14 days after the buyer's acquisition of the vehicle, apply to the chief executive on the buyer's behalf for transfer of the vehicle's registration.

Maximum penalty—16 penalty units.

(3) The buyer does not contravene section 39(1) if an application is not made to the chief executive for transfer of the vehicle's registration within 14 days after the buyer's acquisition of the vehicle.

Transfer of registration under legal process

41.(1) A person who obtains a registered vehicle under a legal process must notify the chief executive in the approved form within 14 days after obtaining the vehicle.

Maximum penalty—16 penalty units.

(2) A person who repossesses a registered vehicle that is not redeemed within 28 days after the repossession must, within a further 7 days, notify the chief executive in the approved form.

Maximum penalty—16 penalty units.

(3) A person mentioned in subsection (1) or (2) (the “**new owner**”) who can not obtain the signature of the vehicle’s registered owner on the approved form, must give a written statement to that effect to the chief executive.

(4) Subsection (5) applies if the chief executive is satisfied—

- (a) the information contained in a statement received under subsection (3) is correct; and
- (b) the new owner has a lawful entitlement to the vehicle.

(5) The chief executive may—

- (a) record the day of the transfer appearing in the approved form in the register; and
- (b) substitute the new owner’s name and address for those of the registered owner recorded in the register; and
- (c) give the new registered owner an updated registration certificate.

Refusing to register transfer of registration

42.(1) The chief executive may refuse to register a transfer of a vehicle’s registration if—

- (a) the vehicle is registered for limited use, and a condition included in the relevant guideline is that the registration is not transferable; or
- (b) the chief executive reasonably believes there is uncertainty about the ownership, possession or control of the vehicle or that the description of the vehicle as recorded on the register may be inaccurate; or
- (c) were the vehicle to be the subject of an application for registration, the chief executive would refuse the application.

(2) If an order of an Australian court prohibits the transfer of a vehicle’s registration and the chief executive has notice of the order, the chief executive must not register a transfer of the registration.

(3) Subsections (1) and (2) do not limit the chief executive’s power to refuse to register the transfer of a vehicle’s registration.

PART 6—EXPIRY AND CANCELLATION OF REGISTRATION

Division 1—Expiry of registration

Expiry of registration

43. A vehicle’s registration expires at the end of the day recorded in the register as the expiry day of the registration unless the registration is sooner cancelled or renewed under this regulation.

Return of registration plates when registration expires

44. (1) The chief executive may by written notice given to the person who was the registered owner of a vehicle whose registration has expired, require the person to return the vehicle’s number plates to the chief executive within 14 days of the date of the notice (the “**return period**”).

(2) The person must, within the return period—

- (a) return the vehicle’s number plates to the chief executive; or
- (b) if the plates have been lost, stolen or destroyed, notify the chief executive in writing of the details of the loss, theft or destruction.

Maximum penalty—20 penalty units.

Division 2—Cancellation of registration

Cancellation of registration at registered owner’s request

45.(1) The registered owner of a vehicle may apply to the chief executive to cancel the vehicle’s registration if—

- (a) the registered owner of the vehicle is a dealer, and the vehicle is for sale; or
- (b) the vehicle—
 - (i) has been stolen or destroyed; or

- (ii) has been taken out of the State; or
- (iii) has ceased to be used on roads.

(2) Also, a person acting under the authority of a court to sell a vehicle may apply to the chief executive to cancel the vehicle's registration.

(3) If the application of a person (the “**applicant**”) to cancel a vehicle's registration is made by another person on behalf of the applicant, the other person must give the chief executive written evidence of the other person's appointment, as the registered owner's agent, with the application.

(4) If a person acting under the authority of a court to sell a vehicle applies to the chief executive to cancel the vehicle's registration, the person must give the chief executive, with the application, written evidence of the person's authority to sell the vehicle.

(5) A person applying under subsection (1) or (2) must include with the application—

- (a) if the registration label or a number plate has been lost, stolen or destroyed—each item that has not been lost, stolen or destroyed, and a statement advising of the loss, theft or destruction of the other item or items; or
- (b) if paragraph (a) does not apply—the registration label and each number plate for the vehicle.

(6) The chief executive must cancel the vehicle's registration unless—

- (a) the applicant has not complied with subsection (3), (4) or (5); or
- (b) the chief executive is already taking action to cancel the registration because of a ground existing under section 47 or 48.

Partial refund of registration fee

46.(1) This section applies if a vehicle's registration is cancelled under section 45.

(2) The chief executive must make a partial refund of the registration fee paid for the vehicle to the person who was the registered owner immediately before the cancellation.

(3) The refund is worked out using the following formula—

$$\text{refund} = \frac{\text{number of days}}{365} \times \text{annual registration fee}$$

where—

“**number of days**” is the number of unexpired whole days of the registration term for which the fee was paid, from the day on which the chief executive approves the application to cancel the registration.

(4) However, the chief executive may deduct from the refund—

- (a) an amount decided by the chief executive to cover reasonable administrative costs; and
- (b) any unpaid fees payable under a transport Act for the vehicle.

Cancellation for noncompliance with defect notice

47.(1) A ground exists to cancel the registration of a registered vehicle if—

- (a) a defect notice is issued under the Vehicle Standards and Safety Regulation for the vehicle; and
- (b) the vehicle’s registered owner contravenes the requirements of the defect notice; and
- (c) the chief executive gives the registered owner a written notice (the “**warning notice**”) stating that a ground will exist to cancel the vehicle’s registration under section 19¹¹ of the Act at the end of 14 days after the date of the warning notice if the registered owner does not, within that time—
 - (i) comply with the defect notice; or
 - (ii) ask the chief executive to cancel the vehicle’s registration; and

¹¹ Section 19 (Procedure for amending, suspending or cancelling approvals) of the Act

-
- (d) the chief executive is satisfied that the registered owner has not complied with all the requirements of the defect notice within the 14 days mentioned in paragraph (c); and
 - (e) the registered owner has not asked the chief executive to cancel the vehicle's registration.

(2) If the chief executive decides to cancel the registration under section 19(2)(c) of the Act, the chief executive must include in the written notice given under section 19(3) of the Act a requirement that the person (the **“relevant person”**) to whom the notice is directed must return the vehicle's registration label and number plates to the chief executive within 14 days after the giving of the notice (the **“return period”**).

(3) The relevant person must return the vehicle's registration label and number plates to the chief executive within the return period.

Maximum penalty—20 penalty units.

(4) However, if the registration label or a number plate has been lost, stolen or destroyed, the relevant person does not contravene subsection (3) in relation to the registration label or number plate if the relevant person, within the return period, notifies the chief executive in writing of the details of the loss, theft or destruction.

Cancellation of registration of vehicle or dealer plate

48.(1) This section applies if—

- (a) a vehicle does not conform with the requirements applying to the vehicle under a vehicle law about the construction, equipment and performance of motor vehicles; or
- (b) the registered owner of a vehicle does not comply with a notice given under section 39(9)(c); or
- (c) the following happens—
 - (i) the registration or renewal of registration of a vehicle or dealer plate is paid for by a cheque, or by another method of payment, that is not honoured on presentation; and

-
- (ii) the chief executive gives the registered owner of the vehicle or the dealer plate a notice requiring payment of the amount within 28 days of the date of the notice; and
 - (iii) the amount is not paid to the chief executive within 28 days after the date of the notice; or
- (d) the following happens—
- (i) less than the correct amount is paid in relation to the payment for registration, or renewal of registration, of a vehicle or dealer plate; and
 - (ii) the chief executive gives the registered owner of the vehicle or dealer plate a notice requiring payment of the amount unpaid within 28 days of the date of the notice; and
 - (iii) the amount unpaid is not paid to the chief executive within 28 days after the date of the notice.

(2) If this section applies in relation to a vehicle, a ground exists to cancel the registration of the vehicle.

(3) If the chief executive decides to cancel the vehicle's registration under section 19(2)(c)¹² of the Act, the chief executive must include in the written notice given under section 19(3) of the Act a requirement that the person (the **"relevant person"**) to whom the notice is directed must return the vehicle's registration label and number plates to the chief executive within 14 days after the giving of the notice (the **"return period"**).

(4) The relevant person must return the vehicle's registration label and number plates to the chief executive within the return period.

Maximum penalty—20 penalty units.

(5) However, if the registration label or a number plate has been lost, stolen or destroyed, the relevant person does not contravene subsection (4) in relation to the registration label or number plate if the relevant person, within the return period, notifies the chief executive in writing of the details of the loss, theft or destruction.

¹² Section 19 (Procedure for amending, suspending or cancelling approvals) of the Act

(6) If this section applies in relation to a dealer plate, a ground exists to cancel the registration of the dealer plate.

(7) If the chief executive decides to cancel the registration of the dealer plate under section 19(2)(c) of the Act, the chief executive must include in the written notice given under section 19(3) of the Act a requirement that the person (the “**dealer plate holder**”) to whom the notice is directed must return the dealer plate to the chief executive within 14 days after the giving of the notice (the “**dealer plate return period**”).

(8) The dealer plate holder must return the dealer plate to the chief executive within the dealer plate return period.

Maximum penalty—30 penalty units.

(9) However, if the dealer plate has been lost, stolen or destroyed, the dealer plate holder does not contravene subsection (8) if the dealer plate holder, within the dealer plate return period, notifies the chief executive in writing of the details of the loss, theft or destruction.

(10) Nothing in this section stops the chief executive from recovering from the relevant person or dealer plate holder an amount, worked out on a proportional basis, of any amount for registration referable to the period ending on the cancellation.

(11) Section 56¹³ of the Act does not apply to a registration, or renewal of registration, of a vehicle or dealer plate.

Recording cancellation of registration in register

49.(1) If the chief executive cancels a vehicle’s registration, the chief executive must record the cancellation in the register.

(2) If the registered owner applied for the cancellation under section 45(1)(a) or (b)(ii) or (iii), the cancellation is effective on the day of receipt of the application conforming with that section.

(3) If the registered owner applied for the cancellation under section 45(1)(b)(i), the cancellation is effective on the day after the vehicle is reported as stolen to the police service or is destroyed.

¹³ Section 56 (Using documents voided for non-payment) of the Act

(4) If neither subsection (2) nor subsection (3) applies, the cancellation is effective on the day the chief executive records the cancellation in the register.

PART 7—WHEN REGISTRATION UNNECESSARY

Division 1—Unregistered vehicle permits

Unregistered vehicle permits

50.(1) The chief executive may authorise the use of an unregistered vehicle on a road by issuing an unregistered vehicle permit for the vehicle.

(2) An applicant for the permit must apply to the chief executive in the approved form, accompanied by—

- (a) the relevant fee; and
- (b) an insurance certificate under the *Motor Accident Insurance Act 1994* for the vehicle for the proposed term of the permit.

(3) The chief executive may issue the permit for the term, which must not be longer than 7 days, and on the reasonable conditions, stated in it.

(4) If the permit is issued on conditions, it is void if the conditions are contravened.

(5) A person to whom an unregistered vehicle permit is issued must ensure that, whenever the vehicle is being used under the permit on a road—

- (a) if the vehicle is a motorcycle or tractor—the driver carries the permit; or
- (b) if the vehicle is a trailer—the permit is carried in the vehicle towing the trailer; or
- (c) otherwise—the permit is attached to the vehicle in the way required under section 33 as if it were a registration label.

Maximum penalty—12 penalty units.

(6) The chief executive may not issue an unregistered vehicle permit for a vehicle that does not conform with a vehicle law.

Division 2—Dealer plates

Designation of dealer plates

51. The chief executive may designate a series of number plates as dealer plates.

Registration of dealer plate

52.(1) An unregistered vehicle may be used on a road if—

- (a) a dealer plate is attached to the vehicle; and
- (b) the registration of the dealer plate is current.

(2) The chief executive must not register a dealer plate unless the chief executive is satisfied that the person in whose name the dealer plate is to be registered is a person who requires the plate for the conduct of the person's business.

(3) An applicant for a dealer plate must apply to the chief executive in the approved form, which must be accompanied by—

- (a) the relevant fee; and
- (b) an insurance certificate under the *Motor Accident Insurance Act 1994* for the proposed registration term or the insurance premium payable under that Act for the certificate.

(4) On registering the dealer plate, the chief executive must—

- (a) assign a registration number; and
- (b) record in the register the following particulars—
 - (i) the name, address and place of business of the person to whom the plate has been issued;
 - (ii) commencement and expiry days for the registration of the dealer plate; and

- (c) give the applicant—
 - (i) a registration certificate; and
 - (ii) the dealer plate; and
 - (iii) a registration label for the dealer plate.

(5) The registration of a dealer plate is renewable, but is not transferable.

(6) In this section—

“unregistered vehicle” does not include a vehicle that—

- (a) is not capable of being registered under this regulation; or
- (b) is only capable of being registered under this regulation for limited use.

Attaching dealer plate

53.(1) The person in whose name a dealer plate is registered must ensure that when an unregistered vehicle is used under the authority of the dealer plate on a road—

- (a) the registration label for the dealer plate is attached to the dealer plate; and
- (b) the dealer plate is attached to the vehicle in the way required under subsection (2).

Maximum penalty—12 penalty units.

(2) The plate must be attached to the vehicle in the way required if the dealer plate were a number plate issued for the vehicle.

Use of dealer plates

54.(1) A person must not use, or permit to be used, on a road, a vehicle with a dealer plate attached to it unless the vehicle—

- (a) is being demonstrated for its sale; or
- (b) is being delivered to a purchaser after sale; or
- (c) is travelling to or from a workshop or another facility for—

-
- (i) painting, repairs or motor body construction work; or
 - (ii) the fitting of optional equipment before delivery to a purchaser; or
 - (d) is being tested after having been painted or repaired, or after having been the subject of motor body construction work; or
 - (e) is being used for demonstration purposes for the conduct of an art union under the *Art Unions Act 1992*; or
 - (f) is being used for a purpose approved by the chief executive in a written notice given to the person in whose name the dealer plate is registered.

Maximum penalty—16 penalty units.

(2) A person must not use, or permit to be used, on a road, a vehicle with a dealer plate, other than a dealer (trailer trade) plate, attached to it if the vehicle is carrying a load or towing a vehicle carrying a load, unless the vehicle with the dealer plate attached—

- (a) is a boat trailer carrying a boat; or
- (b) is towing a motor vehicle travelling on its rear wheels only, with its front portion mounted on the towing vehicle; or
- (c) is carrying the load only to demonstrate the vehicle for its sale, and not for hire or reward.

Maximum penalty—40 penalty units.

(3) A person must not use, or permit to be used, on a road, a vehicle with a dealer (trailer trade) plate attached to it unless the vehicle is—

- (a) a trailer not carrying a load; or
- (b) a boat trailer carrying a boat; or
- (c) a trailer carrying a load only to demonstrate the trailer for its sale, and not for hire or reward.

Maximum penalty—40 penalty units.

(4) A person (the “**vehicle user**”) must not use, on a road, a vehicle with a dealer plate attached to it unless the person in whose name the dealer plate is registered has authorised the vehicle user to use the dealer plate.

Maximum penalty—16 penalty units.

(5) In this section—

“**dealer (trailer trade) plate**” means a dealer plate issued under this division authorising the use of an unregistered trailer on a road.

Cancellation of dealer plates

55.(1) The chief executive may cancel the registration of a dealer plate, and record the cancellation in the register, if the person in whose name the plate is registered—

- (a) applies in writing to the chief executive for the cancellation; and
- (b) unless the person has notified the chief executive in writing of details of the loss, theft or destruction of the dealer plate—returns the dealer plate to the chief executive.

(2) Subsection (3) applies if either of the following events (the “**relevant event**”) happens in relation to a person in whose name a dealer plate is registered—

- (a) the person stops carrying on the business for which the plate was registered;
- (b) there is a material change in the nature of the person’s business from that stated in the person’s application for the registration of the plate.

(3) The person must, within 14 days after the relevant event happens—

- (a) notify the chief executive in writing about the relevant event; and
- (b) return the dealer plate to the chief executive.

Maximum penalty—30 penalty units.

(4) On receiving a notification under subsection (3), the chief executive must cancel the registration of the dealer plate and record in the register the cancellation of the registration.

(5) A ground exists to cancel the registration of a dealer plate if a person required to comply with subsection (3) does not notify the chief executive under the subsection.

(6) If, the chief executive decides to cancel the registration of a dealer plate under section 19(2)(c)¹⁴ of the Act, the chief executive must include in the written notice given under section 19(3) of the Act a requirement that the person (the “**relevant person**”) to whom the notice is directed must, unless the relevant person has already done so, return the dealer plate to the chief executive within 14 days after the giving of the notice.

(7) The relevant person must comply with the requirement under subsection (6).

Maximum penalty—30 penalty units.

(8) If a dealer plate required to be returned under subsection (3)(b) or (7) (the “**relevant provision**”) has been lost, stolen or destroyed, the person required to return the plate does not contravene the relevant provision if the person, in the period within which the dealer plate is required to be returned, notifies the chief executive in writing of the details of the loss, theft or destruction.

(9) The cancellation of the registration of a dealer plate is effective—

- (a) for a cancellation under subsection (1)—immediately the person has complied with the subsection; or
- (b) otherwise—on the day the chief executive records the cancellation in the register.

PART 8—GENERAL

Division 1—Other provisions about number plates and other items

Replacement registration items

56.(1) This section applies if a registration item for a registered vehicle has been damaged, destroyed, lost or stolen.

¹⁴ Section 19 (Procedure for amending, suspending or cancelling approvals) of the Act

(2) The registered owner of the vehicle must apply to the chief executive in writing for a replacement item within 14 days after discovering the item has been damaged, destroyed, lost or stolen.

Maximum penalty—6 penalty units.

(3) An application for a replacement number plate must be accompanied by—

- (a) the relevant plate fee; and
- (b) either—
 - (i) for the replacement of a damaged number plate—the damaged number plate; or
 - (ii) for the replacement of a destroyed, lost or stolen number plate—a written statement giving details of the loss, theft or destruction.

(4) On receipt of the application, the chief executive may—

- (a) record in the register—
 - (i) the day the application was received; and
 - (ii) the damage, destruction, loss or theft of the item; and
- (b) issue a replacement or updated registration item.

(5) If the application is for the replacement of a number plate, until the replacement number plate is issued, the registered owner must attach any remaining plate to the rear of the vehicle.

Maximum penalty—12 penalty units.

(6) The registration item being replaced ceases to be effective on the issue of the replacement registration item, and the replacement registration item becomes the current registration label or number plate for the vehicle.

(7) The person must immediately return to the chief executive an item that was a registration item if the person recovers the item after the chief executive has issued a replacement item for it.

Maximum penalty—20 penalty units.

(8) In this section—

“registration item” means—

- (a) a current registration label; or
- (b) a number plate.

Chief executive may require exchange of number plates

57.(1) This section applies if the chief executive—

- (a) considers the number displayed on a number plate for a vehicle is obscene or indecent; or
- (b) changes the specifications to which a number plate for a vehicle is manufactured.

(2) The chief executive may, by written notice given to the registered owner of the vehicle, require the registered owner to return the number plate to the chief executive within the time stated in the notice to be exchanged for another number plate.

(3) The notice must state the chief executive’s reason for requiring the return of the original plate.

(4) The registered owner must not contravene the requirement unless the person has notified the chief executive in writing that the original plate has been lost, stolen or destroyed.

Maximum penalty—20 penalty units.

(5) The chief executive must record the exchange of the plate in the register.

Chief executive may require return of number plates

58.(1) This section applies if the chief executive reasonably believes—

- (a) a number plate is being used, or has been used, in contravention of this regulation; or
- (b) a number plate was issued as the number plate for a limousine or taxi and the limousine or taxi is no longer operating under the licence issued under the *Transport Operations (Passenger Transport) Act 1994*.

(2) The chief executive may, by written notice, require the person to whom the number plate was issued to return the plate to the chief executive within 14 days of the date of the notice (the “**return period**”).

(3) The person must return the number plate to the chief executive within the return period.

Maximum penalty—20 penalty units.

(4) However, if the number plate has been lost, stolen or destroyed, the person does not contravene subsection (3) if the person, within the return period, notifies the chief executive in writing of the details of the loss, theft or destruction.

(5) The chief executive must record the return of the number plate in the register.

Property in number plates

59.(1) A number plate issued by the chief executive remains the property of the State.

(2) Subsection (1) applies even if the right to use the number in the number plate is the property of the person to whom the plate was issued.

Division 2—Vehicles temporarily in Queensland

Vehicles temporarily in Queensland

60.(1) This section applies to a vehicle if the vehicle—

- (a) does not have a garage address in Queensland or has had a garage address in Queensland for not more than 14 days; and
- (b) is to be used on a road; and
- (c) either—
 - (i) the vehicle is registered in—
 - (A) another State under a corresponding law to this regulation; or

- (B) a foreign country under a law of the country about the registration of vehicles used on roads; or
 - (ii) the vehicle is not registered in a way mentioned in subparagraph (i), but may be used on a road under an authority or permit in force under a law of another State relating to the use of unregistered vehicles, including a law relating to dealer plates.
- (2) The vehicle may be used on a road if—
- (a) the vehicle carries and displays all number plates and registration labels it is required to carry and display in the way required by the law—
 - (i) for a vehicle mentioned in subsection (1)(c)(i)—of the other State or foreign country; or
 - (ii) for a vehicle mentioned in subsection (1)(c)(ii)—of the other State; and
 - (b) for a vehicle mentioned in subsection (1)(c)(ii)—the vehicle is used in accordance with the relevant authority or permit, so far as it is capable of being applied to the use of the vehicle outside the other State; and
 - (c) the vehicle is insured—
 - (i) for a vehicle registered in a foreign country—under the *Motor Accident Insurance Act 1994*; or
 - (ii) for a vehicle registered in, or used under an approval issued by, another State—under a contract of insurance made under a law of the State similar to the *Motor Accident Insurance Act 1994*.
- (3) The owner or person in charge of the vehicle must ensure that when the vehicle is used on a road the owner or person is able to produce for inspection on demand by an authorised officer—
- (a) for a vehicle registered in a foreign country—an overseas vehicle permit issued under subsection (6); or
 - (b) otherwise—the approval to use the vehicle under the law of the other State.

Maximum penalty—8 penalty units.

(4) If the vehicle is a vehicle mentioned in subsection (1)(c)(i)(B), an owner or person in charge of the vehicle who is temporarily in Australia may apply to the chief executive for an overseas vehicle permit for the vehicle.

(5) The application must be in the approved form and accompanied by the relevant fee.

(6) The chief executive may issue the permit only if the owner or person satisfies the chief executive that—

(a) the vehicle is—

(i) registered in a foreign country; and

(ii) temporarily in Queensland; and

(b) the owner or person has insured the vehicle under subsection (2)(c)(i) and will continue to comply with subsection (2)(a)(i).

(7) A category 2 vehicle's garage address is taken to be an address in Queensland if the vehicle is used continuously in Queensland for more than 3 months.

Division 3—Other miscellaneous provisions

Sale of unregistered vehicles by dealers

61.(1) A dealer must not deliver an unregistered vehicle to a purchaser, other than another dealer, on the sale of the vehicle unless an application to register the vehicle under this regulation has been made.

Maximum penalty—40 penalty units.

(2) However, the dealer does not contravene subsection (1) if the dealer obtains a written statement from the purchaser that—

(a) the vehicle is not to be used on a road; or

(b) the vehicle's garage address will not be in Queensland.

(3) If the vehicle is delivered under subsection (2), the dealer must keep the statement for at least 1 year after the day of delivery of the vehicle to the purchaser.

Maximum penalty—8 penalty units.

Authorisation to use unregistered vehicle on roads

62.(1) A person may apply in writing to the chief executive for an authorisation to use on a road an unregistered vehicle, or class of unregistered vehicle, including a vehicle or class of vehicle that does not conform with the requirements applying to the vehicle or class under a vehicle law.

(2) The chief executive may grant the authorisation only if the chief executive is satisfied the use of the vehicle, or class of vehicle, on the road would not—

- (a) adversely affect road safety; or
- (b) inconvenience other road users.

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

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

(4) The authorisation must be in writing and state the following particulars—

- (a) the vehicle or the class of vehicles to which it applies;
- (b) the roads where the vehicle may be used;

- (c) the term, not longer than 5 years, for which it is issued;
- (d) the conditions, if any, on which it is issued.

(5) If the authorisation is issued on conditions, it is void if the conditions are contravened.

Permit to use intercepted unregistered vehicle on road

63.(1) This section applies if an authorised officer finds on a road—

- (a) a stationary unregistered vehicle; or
- (b) an unregistered vehicle that has been stopped under—
 - (i) section 31 or 32¹⁵ of the Act; or
 - (ii) the *Police Powers and Responsibilities Act 1997*; or
 - (iii) the *Traffic Act 1949*.

(2) The authorised officer may issue a permit authorising the use of the vehicle on roads to move it to a stated place if the officer has—

- (a) issued an infringement notice under the *Justices Act 1886* for a contravention of section 10;¹⁶ or
- (b) completed a report for dealing with the contravention at a later time.

(3) The permit must—

- (a) be in the approved form; and
- (b) state the term, not longer than 24 hours, for which it is issued; and
- (c) state the conditions, if any, on which it is issued; and
- (d) state—
 - (i) if subsection (2)(a) applies—the number of the infringement notice; or

¹⁵ Section 31 (Power to stop private vehicles) or 32 (Power to stop heavy vehicles) of the Act

¹⁶ Section 10 (Vehicles used on roads must be registered)

- (ii) if subsection (2)(b) applies—that the contravention of section 10 is to be dealt with at a later time either by issuing an infringement notice under the *Justices Act 1886* or by taking a proceeding by complaint and summons under that Act.

(4) If the permit is issued on a condition, it is void if the condition is contravened.

Damaged or dirty number plates

64.(1) This section applies if a vehicle's number plate is—

- (a) damaged and not legible; or
- (b) dirty and not legible.

(2) An authorised officer may, by written notice given to the registered owner of the vehicle, or to a person in charge of the vehicle, require the registered owner to—

- (a) for a damaged number plate—apply to the chief executive, within the time stated in the notice, for a replacement number plate under section 56; or
- (b) for a dirty number plate—
 - (i) clean the number plate; and
 - (ii) bring the vehicle to the chief executive to be inspected, within the time stated in the notice.

(3) If the person to whom the notice is given is not the registered owner of the vehicle, the person to whom the notice is given must immediately give the notice to the registered owner of the vehicle, unless the person has a reasonable excuse.

Maximum penalty—6 penalty units.

(4) The registered owner must not contravene a requirement under subsection (2) unless the registered owner has a reasonable excuse.

Maximum penalty—6 penalty units.

(5) Despite anything else in this regulation a person who uses, or permits to be used, a vehicle on a road when a number plate required under this regulation to be attached to the vehicle is not attached to the vehicle does not commit an offence if—

- (a) the number plate is damaged; and
- (b) an authorised officer, acting under subsection (2)(a), has given the registered owner of the vehicle a written notice directing the registered owner to apply to the chief executive for a replacement number plate under section 56; and
- (c) the damaged number plate and the written notice are being carried in the vehicle; and
- (d) the vehicle is being driven to a place for the purpose of applying, at the place, to the chief executive for a replacement number plate under section 56.

Division 4—Review of decisions

Decision to which this division applies

65.(1) This division applies to a decision of the chief executive made under this regulation if the decision is one of the following—

- (a) a decision not to register a vehicle;
- (b) a decision not to renew the registration of a vehicle;
- (c) a decision not to register the transfer of the registration of a vehicle;
- (d) a decision not to authorise the use of a vehicle on a road under an unregistered vehicle permit;
- (e) a decision to refuse an overseas vehicle permit for a vehicle.

(2) This division also applies to a decision of the chief executive made under this regulation if the decision is to refuse an authorisation under section 62 to use on a road a vehicle or a class of vehicles.

Review of decisions

66.(1) A person whose interests are affected by a decision to which this division applies may apply, under chapter 4 of the Act, for a review of decision as if the decision were stated in schedule 2A of the Act.

(2) The person is entitled to receive a statement of reasons for the decision.

(3) The person may appeal against a reviewed decision to a Magistrates Court.

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

*Division 5—Release of information***Definitions for div 5**

67. In this division—

“client user”, of a public access provider, means an eligible person who has—

- (a) entered into a public access agreement with the public access provider; and
- (b) been granted approval by the chief executive to be given details about a particular vehicle, as at a stated date, from the register.

“eligible person” means—

- (a) an involved person; or
- (b) a local agency; or
- (c) the registered owner of a vehicle seeking information from the register about the vehicle; or
- (d) a safety recall agency; or
- (e) a statutory authority.

“involved person” means a person who proposes to commence, or has commenced, litigation.

“litigation” means a proceeding, or a proposed proceeding, in a court for which information in the register about a particular vehicle is, or may be, of relevance, including, for example, a proceeding—

- (a) about a vehicle crash on a road or somewhere else; or
- (b) about the bankruptcy or possible bankruptcy of the registered owner of a vehicle; or
- (c) about fraudulent activities of the registered owner of a vehicle; or
- (d) that is before the Family Court of Australia and involves the registered owner of a vehicle.

“local agency” means a statutory body enforcing a law about the parking of vehicles in an area under its control.

“public access provider” means a person who has entered into an agreement with the chief executive to provide on-line computer access to the register to eligible persons.

“safety recall agency” means a vehicle manufacturer conducting a national vehicle safety recall program who requires details from the register to identify the registered owners of particular vehicles.

“statutory authority” means—

- (a) a statutory body, other than a local agency, enforcing laws about vehicles; or
- (b) a person that has lawful access to details kept by the chief executive in the register.

Release of information on payment of fee

68.(1) The chief executive may give an extract from the register of information about a vehicle to an eligible person, or a person acting on the eligible person’s behalf, if the eligible person, or the person acting on the eligible person’s behalf—

- (a) submits a request for the information to the chief executive in the approved form; and
- (b) pays the relevant fee.

(2) A public access provider may give an extract from the register of information about a vehicle to a client user of the public access provider on payment of the relevant fee.

PART 9—FEES

Division 1—General

Fees

69.(1) The registration fees payable for a category 1 vehicle are stated in schedule 1.

(2) The registration fees payable for a category 2 vehicle are stated in schedule 2.

(3) Other fees payable under this regulation are stated in schedule 3.

(4) The fees payable under schedules 1 to 3 for vehicle registration for a term less than 1 year are to be adjusted in proportion to the number of days in the term.

Charging categories

70.(1) If a category 2 vehicle falls within 2 or more categories in schedule 2, the registration fee for the vehicle is the higher or highest of the fees that could apply to the vehicle.

(2) To decide the number of trailers that a prime mover or truck may tow, a dolly and semi trailer, when used together, are taken to be 1 trailer.

(3) If a person registers a category 2 vehicle according to a particular type in schedule 2, the person must not use the vehicle, or permit the vehicle to be used as a vehicle of another type to which a higher registration fee applies, unless it is registered under the other type.

Maximum penalty—80 penalty units.

Example of subsection (3)—

If a vehicle is not registered to tow a trailer, the vehicle cannot be used to haul a trailer unless its registration is changed and the relevant registration fee is paid.

Division 2—Vehicles exempted from registration fees

Exemption from payment of fee

71.(1) The chief executive may grant an exemption from the payment of the registration fees otherwise payable for the registration of the following vehicles—

- (a) a vehicle owned by an association established solely for a charitable purpose within the meaning of the *Collections Act 1966* and used solely for the purpose;
- (b) a vehicle owned by—
 - (i) a consulate; or
 - (ii) the head of a consulate; or
 - (iii) a career officer of a consulate; or
 - (iv) the head of an honorary consular mission;
- (c) a motorised invalid chair used by a disabled person.

(2) An exemption under subsection (1)(b) may be granted only with the approval of the chief executive of the department within which the *Public Service Act 1996* is administered.

(3) The owner of the vehicle must apply for the exemption in the approved form.

(4) A person who is granted an exemption from the payment of the registration fee for a vehicle must notify the chief executive in writing—

- (a) before using the vehicle for a purpose other than the purpose for which the exemption was granted; or
- (b) within 14 days—
 - (i) after a material change in the circumstances under which the exemption was granted; or

(ii) of the sale or other transfer of the vehicle.

Maximum penalty—20 penalty units.

(5) On receipt of the notice, the chief executive may reassess the registration fee payable for the vehicle's registration, without the exemption, for the term (the "**unexpired term**")—

- from when the registered owner or vehicle ceased to be eligible for the exemption
- to the end of the vehicle's current registration.

(6) The chief executive may, by written notice, require the amount of the reassessed fee for the unexpired term to be paid by—

- (a) if the notice is given under subsection (4)(a) or (b)(i)—the person to whom the exemption was granted; or
- (b) if the notice is given under subsection (4)(b)(ii) —the person to whom the vehicle is sold or otherwise transferred.

(7) The person to whom the notice is directed must, within 28 days after the chief executive gives the notice, pay the amount assessed.

Maximum penalty—60 penalty units.

Division 3—Concessional registration fees for certain category 1 vehicles

Concessional registration fees—category 1 vehicles

72.(1) The chief executive may grant the registered owner of a vehicle mentioned in schedule 1, part 2, a concessional registration fee for the vehicle.

(2) An application for the concession must be in the approved form.

(3) A person who is granted a concessional registration for a vehicle must notify the chief executive in writing—

- (a) before using the vehicle for a purpose other than the purpose for which the concession was granted; or
- (b) within 14 days—

- (i) after a material change in the circumstances under which the concession was granted; or
- (ii) of the sale or other transfer of the vehicle.

Maximum penalty—20 penalty units.

(4) On receipt of the notice, the chief executive may reassess the registration fee payable for the vehicle's registration, without the concession, for the term (the "**unexpired term**")—

- from when the registered owner or vehicle ceased to be eligible for the concession
- to the end of the vehicle's current registration.

(5) The chief executive may, by written notice, require the amount of the reassessed fee for the unexpired term to be paid by—

- (a) if the notice is given under subsection (3)(a) or (b)(i)—the person to whom the concession was granted; or
- (b) if the notice is given under subsection (3)(b)(ii) —the person to whom the vehicle is sold or otherwise transferred.

(6) The person to whom the notice is directed must, within 28 days after the chief executive gives the notice, pay the amount assessed.

Maximum penalty—20 penalty units.

Division 4—Concessional registration fees for category 2 vehicles

Concessional registration fees—primary producers

73.(1) The chief executive may grant a primary producer the concessional registration fee provided for in schedule 2, part 2 for the registration of a primary production vehicle.

(2) An application for the concession must be in the approved form.

(3) A primary producer who is granted concessional registration for a primary production vehicle must give the chief executive written notice—

- (a) before the primary producer starts to use the vehicle other than for carrying on the producer's business as a primary producer; or

(b) within 14 days of the sale or other transfer of the vehicle.

Maximum penalty—60 penalty units.

(4) On receipt of the notice, the chief executive may reassess the registration fee payable for the vehicle's registration, without the concession, for the term (the "**unexpired term**")—

- from when the primary producer ceased to be eligible for the concession
- to the end of the vehicle's current registration.

(5) The chief executive may, by written notice, require any amount by which the reassessed fee is more than the fee already paid for the unexpired term to be paid by—

- (a) if the primary producer's notice is given under subsection (3)(a)—the primary producer; or
- (b) if the primary producer's notice is given under subsection (3)(b)—the person to whom the vehicle is sold or otherwise transferred.

(6) The person to whom the notice is directed must, within 28 days after the chief executive gives the notice, pay the amount assessed.

Maximum penalty—60 penalty units.

Concessional registration fee for motorised caravan for card holders

74.(1) The chief executive may grant a card holder a concessional registration fee provided for in schedule 2, part 2 for the registration of a motorised caravan owned by the person.

(2) An application for the concession must be in the approved form.

(3) A person who is granted a concessional registration as a card holder for a motorised caravan must give the chief executive written notice—

- (a) of ceasing to be a card holder, within 14 days after the cessation; or
- (b) of the sale or other transfer of the caravan within 14 days after the sale or other transfer.

Maximum penalty—20 penalty units.

(4) On receipt of the notice, the chief executive may reassess the registration fee payable for the caravan's registration, without the concession, for the term (the "**unexpired term**")—

- from when the person ceased to be eligible for the concession
- to the end of the caravan's current registration.

(5) The chief executive may, by written notice, require any amount by which the reassessed fee is more than the fee already paid for the unexpired term to be paid by—

- (a) if the person's notice is given under subsection (3)(a)—the person; or
- (b) if the person's notice is given under subsection (3)(b)—the person to whom the caravan is sold or otherwise transferred.

(6) The person to whom the notice is directed must, within 28 days after the chief executive gives the notice, pay the amount assessed.

Maximum penalty—20 penalty units.

Concessional registration fees for other vehicles

75.(1) The chief executive may grant a person, other than a primary producer or card holder, a concessional registration fee provided for in schedule 2, part 2 for the registration of a vehicle.

(2) An application for the concession must be in the approved form.

(3) A person who is granted a concessional registration fee for a vehicle must give the chief executive written notice—

- (a) of ceasing to be eligible for the concession, within 14 days of the cessation; or
- (b) of the sale or other transfer of the vehicle within 14 days of the sale or other transfer.

Maximum penalty—60 penalty units.

(4) On receipt of the notice, the chief executive may reassess the registration fee payable for the vehicle's registration, without the concession, for the term (the "**unexpired term**")—

- from when the person ceased to be eligible for the concession
- to the end of the vehicle's current registration.

(5) The chief executive may, by written notice, require any amount by which the reassessed fee is more than the fee already paid for the unexpired term to be paid by—

- (a) if the person's notice is given under subsection (3)(a)—the person; or
- (b) if the person's notice is given under subsection (3)(b)—the person to whom the vehicle is sold or otherwise transferred.

(6) The person to whom the notice is directed must, within 28 days after the chief executive gives the notice, pay the amount assessed.

Maximum penalty—60 penalty units.

PART 10—OTHER OFFENCE PROVISIONS

Offences involving registration certificates etc

76.(1) A person must not, unless the person has a reasonable excuse—

- (a) make, sell or have in the person's possession anything that purports to be, but is not, a registration certificate, registration label, number plate or permit; or
- (b) alter or deface a registration certificate, registration label, number plate or permit.

Maximum penalty—40 penalty units.

(2) A person must not, unless the person has a reasonable excuse, use, or permit to be used, on a road, a vehicle if—

-
- (a) a registration certificate, registration label, number plate or permit for the vehicle has been unlawfully altered; or
 - (b) a registration certificate, registration label, number plate or permit for the vehicle has been defaced; or
 - (c) a reflectorised number plate for the vehicle has been repainted in any way, for example, to repair stone chips or other damage; or
 - (d) any writing, mark, or colour on a registration certificate, registration label, number plate or permit for the vehicle is not clearly legible; or
 - (e) a registration label, number plate or permit attached to the vehicle was issued for another vehicle; or
 - (f) a registration label or number plate attached to the vehicle has been recorded in the register as having been cancelled, lost, stolen, destroyed or damaged.

Maximum penalty—16 penalty units.

(3) In this section a reference to a registration certificate, registration label, number plate or permit is a reference to a registration certificate, registration label, number plate or permit issued—

- (a) by the chief executive under this regulation; or
- (b) under a corresponding law to this regulation; or
- (c) under a law of a foreign country about the registration of vehicles.

Requirement to remove unlawful registration item

77.(1) An authorised officer may require a person in charge of a vehicle to take a registration item from the vehicle, and to deliver it to the authorised officer, if the authorised officer believes on reasonable grounds that—

- (a) under this regulation, the use of the vehicle on a road is prohibited; or
- (b) the registration item was not lawfully issued for the vehicle; or
- (c) the registration item is recorded in the register as having been cancelled, lost, stolen, destroyed or damaged.

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

Maximum penalty—16 penalty units.

(3) In this section—

“**registration item**” means—

- (a) a registration certificate, registration label, number plate, permit or similar item; or
- (b) an item purporting to be an item mentioned in paragraph (a).

PART 11—TRANSITIONAL PROVISIONS FOR TRANSPORT OPERATIONS (ROAD USE MANAGEMENT—VEHICLE REGISTRATION) REGULATION 1999

Purpose of pt 11

78. This part provides for the transition from the former regulation to this regulation.

Definition for pt 11

79. In this part—

“**former regulation**” means the *Transport Infrastructure (Roads) Regulation 1991* in force immediately before its expiry under section 93A of the Act.

Continuation of registration and other authorities under former regulation

80.(1) A vehicle that is registered under the former regulation immediately before the commencement of this section is taken to be registered under this regulation for the unexpired term of its registration

under the former regulation, unless the registration is sooner cancelled under this regulation.

(2) On the commencement of this section, a number plate, registration certificate or registration label that was issued for a vehicle that is registered under the former regulation immediately before the commencement of this section and that is current immediately before the commencement of this section is taken to be a current number plate, certificate or label for the vehicle under this regulation.

(3) A limited use permit issued for a vehicle under section 34 of the former regulation and current immediately before the commencement of this section continues, for the unexpired term of the permit, to have effect as an unregistered vehicle permit issued for the vehicle under section 50.

(4) An approval issued for a vehicle under section 44 of the former regulation and current immediately before the commencement of this section continues, for the unexpired term of the approval, to have effect as an authorisation issued for the vehicle under section 62.

(5) A permit issued for a vehicle under section 44A of the former regulation and current immediately before the commencement of this section continues, for the unexpired term of the permit, to have effect as a permit issued for the vehicle under section 63.

Postponement of particular changes until 31 December 1999

81. Until the end of 31 December 1999—

- (a) the following vehicles are taken to be included in the list of vehicles that are exempt vehicles under section 4—
 - (i) all agricultural machines;
 - (ii) all items of equipment used for the construction of works for, or maintenance of, road transport infrastructure;
 - (iii) all fire engines;
 - (iv) all motorised golf buggies; and

- (b) despite the expiry of the former regulation, the supply of extracts from the register is to continue to happen under the following provisions of the former regulation as if the regulation had not expired—
- (i) section 13(3);
 - (ii) schedule 1, part 4, items 2 to 4.

Limited use plates under former regulation

82.(1) This section applies to a vehicle that, immediately before the commencement of this section, is the subject of a current authorisation under section 35 of the former regulation for the use of the vehicle on a road on the basis of the issue of a limited use plate.

(2) Section 35 of the former regulation, together with any other provisions of the former regulation necessary for giving section 35 continued effect, continues to apply to the vehicle until the expiry of the term for which the limited use plate was issued.

Position for attaching registration label to certain trailers

83. Section 33 does not apply to a trailer that is a category 2 vehicle in relation to a registration label attached under section 22 of the former regulation before the commencement of this section.

PART 12—AMENDMENT OF JUSTICES REGULATION 1993

Regulation amended

84. This part amends the *Justices Regulation 1993*.

Omission of sch 1, pt 43

85. Schedule 1, part 43—

omit.

Amendment of sch 1, pt 45B

86. Schedule 1, part 45B, all entries from the entry for section 5(5) to the entry for section 8(7)—

omit.

Insertion of new sch 1, pt 45E

87. Schedule 1—

insert—

‘PART 45E—TRANSPORT OPERATIONS (ROAD USE MANAGEMENT—VEHICLE REGISTRATION) REGULATION 1999

‘Table of infringement notice offences and penalties

‘1. The following is the table of infringement notice offences and penalties—

	Column 1 Infringement notice offence	Column 2 Infringement notice penalty (penalty units)
s 10	For a contravention by a person if the vehicle is of a type mentioned in the <i>Transport Operations (Road Use Management—Vehicle Registration) Regulation 1999</i> , schedule 1, part 1, items 1 to 7 as follows—	

Transport Operations (Road Use Management—Vehicle Registration)

No. 225, 1999

- item 1(a) 2
- item 1(b) 3
- item 1(c), (d) or (e) 4
- item 2 4
- item 3 4
- item 4 4
- item 5 1
- item 6 2
- item 7(a) 2
- item 7(b) 3

s 10 For a contravention by a person if a heavy vehicle or a heavy vehicle combination is used and the vehicle or combination is of a type mentioned in the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 1999* as follows—

- truck (type 1) with 2 axles and an MRC of not more than 12 t 5
- truck (type 1) with 3 axles and an MRC of not more than 16.5 t 6
- truck (type 1) with 4 or more axles and an MRC of not more than 20 t 8
- truck (type 2) with 2 axles and an MRC of more than 12 t 6
- truck (type 2) with 3 axles and an MRC of more than 16.5 t 8
- truck (type 2) with 4 or more axles and an MRC of more than 20 t 10
- short combination truck with 2 axles 8
- short combination truck with 3 or more axles 12
- medium combination truck 18
- long combination truck 20
- short combination prime mover with 2 axles 12

*Transport Operations (Road Use
Management—Vehicle Registration)*

No. 225, 1999

• short combination prime mover with 3 or more axles	18
• medium combination prime mover (B double) with 2 axles	18
• medium combination prime mover (B double) with 3 or more axles	20
• long combination prime mover (type 1) or (type 2)	20
• trailer with 1 axle	4
• trailer with 2 axles	8
• trailer with 3 or more axles	12
• bus (type 1)	5
• bus (type 2) (rigid with 2 axles)	7
• bus (type 2) (rigid with 3 axles)	12
• articulated bus	7
• caravan	3
• equipment trailer	3
• mobile machinery	3
• motorised caravan	5
• tractor	1
• special purpose vehicle (type 2)	5
s 17(1)	4/5
s 17(2)	4/5
s 17(3)	4/5
s 25(1)	1
s 25(2)	1
s 27(5)	1
s 28(2)	1
s 28(3)	1
s 33(1)	3/5
s 33(7)	3/5
s 34(1)	3/5
s 39(1)	1
s 39(4)	1
s 39(10)	1
s 41(1)	1
s 41(2)	1
s 44(2)	2

*Transport Operations (Road Use
Management—Vehicle Registration)*

No. 225, 1999

s 47(3)	2
s 48(4)	2
s 48(8)	3
s 53(1)	1
s 54(1)	1
s 54(2)	4
s 54(3)	4
s 54(4)	1
s 55(3)	3
s 55(7)	3
s 56(2)	3/5
s 56(5)	1
s 56(7)	2
s 61(1)	4
s 61(3)	4/5
s 70(3)	8
s 71(4)	2
s 71(7)	2
s 72(3)	2
s 72(6)	2
s 73(3)	6
s 73(6)	6
s 74(3)	2
s 74(6)	2
s 75(3)	6
s 75(6)	6
s 76(1)	4
s 76(2)	1

‘Authorised person for service of infringement notice

‘2. An authorised officer under the *Transport Operations (Road Use Management) Act 1995*, section 20.¹⁷’.

¹⁷ *Transport Operations (Road Use Management) Act 1995*, section 20 (Appointment of authorised officers)

PART 13—AMENDMENT OF TRAFFIC REGULATION 1962

Regulation amended

88. This part amends the *Traffic Regulation 1962*.

Amendment of s 207 (Prescribed offences for pt 6B of the Act)

89. Section 207(e) and (f)—

omit, insert—

‘(e) *Transport Operations (Road Use Management—Vehicle Registration) Regulation 1999*, section 10;¹⁸’.

PART 14—AMENDMENT OF TRANSPORT OPERATIONS (ROAD USE MANAGEMENT) REGULATION 1995

Regulation amended

90. This part amends the *Transport Operations (Road Use Management) Regulation 1995*.

Replacement of s 3 (Definitions—the dictionary)

91. Section 3—

omit, insert—

¹⁸ *Transport Operations (Road Use Management—Vehicle Registration) Regulation 1999*, section 10 (Vehicles used on roads must be registered)

‘Definitions

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

Omission of s 4E (Definition for pt 2)

92. Section 4E—

omit.

Amendment of s 4F (Fees generally)

93. Section 4F, from ‘the Act’—

omit, insert—

‘this regulation are in schedule 1’.

Omission of ss 5 to 8

94. Sections 5 to 8—

omit.

Replacement of s 11 (Trailers)

95. Section 11—

omit, insert—

‘Measurement of distance between axles

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

Amendment of s 11A (Guidelines and permits for vehicles)

96. Section 11A(5)—

insert—

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

Insertion of new pt 6, div 2A

97. After section 62B—

insert—

‘Division 2A—Protection of roads and structures

‘Damage to road transport infrastructure

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

Maximum penalty—80 penalty units.

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

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

‘(3) A written application for a permit under subsection (1) or (2) must be made to the chief executive at least 10 business days before the vehicle or other equipment is used on the State-controlled road.

‘(4) A permit may include conditions about—

- (a) the State-controlled roads on which the vehicle or other equipment may be used; and
- (b) the period for which the vehicle or other equipment may be used on State-controlled roads; and
- (c) the maximum mass and dimensions for the vehicle or other equipment; and

-
- (d) preparing or strengthening road transport infrastructure; and
 - (e) the repair, replacement or reconstruction of road transport infrastructure; and
 - (f) other matters the chief executive considers necessary or appropriate.

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

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

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

‘Restriction of loads on structures

‘62D.(1) The chief executive may—

- (a) decide the maximum loaded mass for a vehicle that may use a bridge or culvert forming part of a State-controlled road; and
- (b) erect on or in the vicinity of the bridge or culvert a conspicuous notice stating—
 - (i) the maximum loaded mass for a vehicle that may use the bridge or culvert; and
 - (ii) any reasonable and relevant conditions the chief executive considers should apply for the safe use of the bridge or culvert by a vehicle.

‘(2) A person must not drive a vehicle over a bridge or culvert if—

- (a) a notice has been erected under subsection (1)(b) in relation to the bridge or culvert; and
- (b) at least 1 of the following applies—
 - (i) the loaded mass of the vehicle is greater than the mass stated on the notice as the maximum loaded mass for a vehicle that may use the bridge or culvert;
 - (ii) the vehicle is driven in a way that contravenes a condition stated in the notice as applying for the safe use of the bridge or culvert by a vehicle.

Maximum penalty—80 penalty units.

‘(3) A person does not contravene subsection (2) if the person—

- (a) before driving the vehicle over the bridge or culvert, obtains the written consent of the chief executive to drive the vehicle over the bridge or culvert; and
- (b) in driving the vehicle over the bridge or culvert, complies with all conditions to which the chief executive subjects the written consent.’

Amendment of sch 1 (Fees)

98.(1) Schedule 1, chapter 1—

omit.

(2) Schedule 1, chapter 2, heading—

omit.

Amendment of sch 13 (Dictionary)

99.(1) Schedule 13, definitions “ATM”, “bus (type 1)”, “bus type 2”, “caravan”, “GTMR”, “long combination prime mover (type 1)”, “long combination prime mover (type 2)”, “long combination truck”, “medium combination prime mover”, “medium combination truck”, “mobile machinery”, “MRC”, “pensioner”, “pensioner concession card”, “short combination prime mover”, “special purpose vehicle”, “special purpose vehicle (type 1)”, “special purpose vehicle (type 2)”,

“tractor”, “truck”, “truck (type 1)”, “truck (type 2)” and “vehicle coding manual”—

omit.

(2) Schedule 13—

insert—

“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 23.¹⁹.

¹⁹ *Transport Infrastructure Act 1994*, section 23 (Declaration of State-controlled roads)

SCHEDULE 1

CATEGORY 1 VEHICLE REGISTRATION FEES

section 69

PART 1—CATEGORY 1 VEHICLE REGISTRATION FEES FOR 1 YEAR

	\$
1. Motor vehicle with GVM not over 4 t—	
(a) 1, 2 or 3 cylinders, electric or steam	131.00
(b) 4 cylinders or 2 rotors . . .	167.00
(c) 5 or 6 cylinders or 3 rotors	256.00
(d) 7 or 8 cylinders	359.00
(e) 9–12 cylinders	421.00
2. Motor vehicle, other than a motorised caravan or passenger vehicle, with GVM over 4 t but not over 4.5 t	402.00
3. Motorised caravan or passenger vehicle with GVM over 4 t but not over 4.5 t	401.00
4. Mobile machinery or equipment with GVM not over 4.5 t	91.00
	plus \$34.00 for each tonne, or part of a tonne, of GVM over 1 t
5. Tractor with GVM not over 4.5 t	50.00
6. Motorcycle	56.00

SCHEDULE 1 (continued)

- | | | |
|----|---|-------|
| 7. | Trailer or caravan— | |
| | (a) ATM not over 1.02 t | 51.00 |
| | (b) ATM over 1.02 t but not
over 4.5 t | 97.00 |

**PART 2—CATEGORY 1 VEHICLE CONCESSIONAL
REGISTRATION FEES FOR 1 YEAR**

- | | | \$ |
|----|--|-----------------------|
| 1. | Ambulance vehicle | 46.00 |
| 2. | Vehicle, with distance and road
use limits imposed by the chief
executive, owned by a primary
producer and used only in the
owner's business as a primary
producer— | |
| | (a) motor vehicle with GCM
or GVM not over 4 t | 48.00 |
| | (b) motor vehicle with GCM
or GVM over 4 t but not
over 4.5 t | 70.00 |
| | (c) trailer with ATM not over
4.5 t | 48.00 |
| 3. | One motor vehicle (other than
mobile machinery or
equipment) registered in the
name of the holder of a
Queensland Government
Seniors Card | 50% of the part 1 fee |
| 4. | Motor vehicle with a GVM or
GCM over 4 t, in
circumstances mentioned in the
Doc Base Manual | 46.00 |

SCHEDULE 1 (continued)

- | | |
|--|---|
| <p>5. Motor vehicle with a GVM or GCM over 4 t but not over 4.5 t, in circumstances mentioned in the Doc Base Manual</p> | <p>the greater of—
(a) 25% of the part 1 fee; and
(b) \$46.00</p> |
| <p>6. One motor vehicle (other than mobile machinery or equipment) registered in the name of the holder of a pensioner concession card issued before 1 July 1994—
(a) with GVM or GCM not over 4 t, in circumstances mentioned in the Doc Base Manual
(b) with GVM over 4 t but not over 4.5 t, in circumstances mentioned in the Doc Base Manual</p> | <p>46.00

25% of the part 1 fee</p> |
| <p>7. One motor vehicle (other than mobile machinery or equipment) registered in the name of the holder of a pensioner concession card issued after 30 June 1994 with GVM or GCM not over 4.5 t, in circumstances mentioned in the Doc Base Manual</p> | <p>50% of the part 1 fee</p> |
| <p>8. Special interest vehicle</p> | <p>46.00</p> |

SCHEDULE 2

CATEGORY 2 VEHICLE REGISTRATION FEES

section 69

PART 1—CATEGORY 2 VEHICLE REGISTRATION FEES FOR 1 YEAR

1. Vehicles

Vehicle type	2 axle	3 axle	4 axle	5 axle
Trucks—				
Truck (type 1)	\$300	\$600	\$900	\$900
Truck (type 2)	\$500	\$800	\$2 000	\$2 000
Short combination truck	\$600	\$2 100	\$2 100	\$2 100
Medium combination truck	\$4 000	\$4 000	\$4 250	\$4 250
Long combination truck	\$5 250	\$5 250	\$5 250	\$5 250
Prime Movers—				
Short combination prime mover	\$800	\$3 250	\$4 250	\$4 250
Medium combination prime mover (B-Double)	\$3 250	\$4 250	\$4 500	\$4 500
Long combination prime mover (type 1)	\$4 750	\$4 750	\$4 750	\$4 750
Long combination prime mover (type 2)	\$5 250	\$5 250	\$5 500	\$5 500

SCHEDULE 2 (continued)

**PART 2—CATEGORY 2 VEHICLE CONCESSIONAL
REGISTRATION FEES FOR 1 YEAR**

1. The percentage of the registration fee for a category 2 vehicle, other than a special interest vehicle or a motorised caravan, payable under a concessional registration is as follows—

- (a) for a truck with 2 or 3 axles—50%;
- (b) for a truck with 4 or more axles—25%;
- (c) for a short or medium combination prime mover, or a short, medium or long combination truck, with 2 axles—50%;
- (d) for a long combination prime mover with 2 axles—25%
- (e) for a prime mover, or a short, medium or long combination truck, with 3 or more axles—25%;
- (f) for a trailer with 1 axle—50%;
- (g) for a trailer with 2 axles—35%;
- (h) for a trailer with 3 or more axles—30%;
- (i) for a special purpose vehicle—25%.

2. The concessional registration fee for a special interest vehicle is \$46.00.

3. The percentage of the registration fee for a motorised caravan owned by a card holder who is the holder of a pensioner concession card payable under a concessional registration is as follows—

- (a) if the card holder was issued with the pensioner concession card before 1 July 1994—25%;
- (b) otherwise—50%.

SCHEDULE 3

OTHER FEES

section 69

PART 1—PLATE FEES

1.	Limousine number plate	25.00
2.	Dealer plate	273.00
3.	Accessory number plate	17.00
4.	Another number plate	17.00
5.	Replacement of—	
	(a) dealer plate	62.00
	(c) limousine plates	25.00
	(d) another number plate	17.00
6.	Replacement plate or pair of plates with the same number and design as the replaced plate or plates	17.00 plus manufacturing costs

PART 2—MISCELLANEOUS FEES

		\$
1.	Application for—	
	(a) transfer of registration . . .	16.00
	(b) transfer of personalised number plates	57.00

SCHEDULE 3 (continued)

	(c) limited use permit, for each day	16.00
	(d) limited use certificate	47.00
2.	Extract from the register for use in a vehicles safety recall .	
		1.00
	for each vehicle to a maximum of \$5 000	
3.	Extract from the register through a public access provider, for each vehicle—	
	(a) if the vehicle's registration number is supplied	10.00
	(b) if the name and address of the person in whose name the vehicle is registered are supplied, but not the vehicle's registration number	16.00
	(c) if there is a request for at least 200 vehicles in each week	6.00
	(d) for an extract certified by the chief executive	16.00
4.	Extract from the register other than under item 2 or 3, for each vehicle—	
	(a) if the vehicle's registration number is supplied	10.00

SCHEDULE 3 (continued)

(b) if the name and address of the person in whose name the vehicle is registered are supplied, but not the vehicle's registration number	16.00
(c) if the extract is from archival records	16.00
(d) for an extract certified by the chief executive	16.00
5. Surcharge for processing registration application for less than 1 year—	
(a) category 1 vehicle	6.00
(b) category 2 vehicle	21.00
6. Surcharge for processing a concession registration for less than 1 year for a category 1 vehicle	3.00
7. Customising a number plate .	28.00
8. Traffic improvement fee for a category 1 vehicle	34.00
9. Registration administration fee for a category 2 vehicle other than a trailer	41.00

SCHEDULE 4

DICTIONARY

section 3

“address” means place of residence or business or, for a corporation, its registered office or place of business.

“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.

“ambulance vehicle” means a motor vehicle used solely for rendering emergency treatment and pre-hospital patient care to, and the transport of, sick or injured persons by an ambulance service or hospital.

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

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

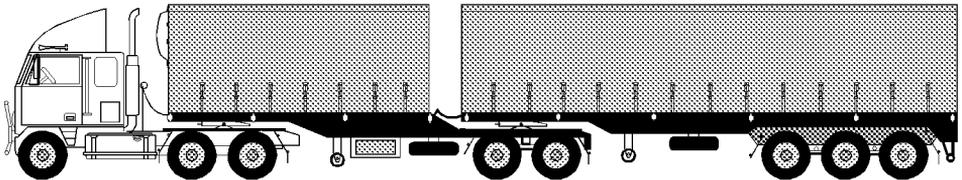
“ATM” (aggregate trailer mass), for a trailer—

- (a) means the maximum mass, specified by the manufacturer, for the loaded trailer; and
- (b) includes any mass imposed on the vehicle towing the trailer when they are on a horizontal surface.

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

SCHEDULE 4 (continued)

“B-double” means a combination consisting of a prime mover towing 2 semi-trailers, with the first semi trailer being attached directly to the prime mover, and the second semi trailer being mounted on the rear of the first semi trailer.



Typical B-double

“bus” means a motor vehicle built mainly to carry 13 or more seated adults, including the driver.

“bus type 1” means a rigid bus with 2 axles and an MRC of not more than 12 t.

“bus type 2” means a rigid bus with—

- (a) 2 axles and an MRC of more than 12 t; or
- (b) 3 axles.

“caravan” means an enclosed trailer designed for people to live in.

“card holder” means a person who holds—

- (a) a pensioner concession card; or
- (b) a seniors card.

“category 1 vehicle” means a vehicle with a GVM of not more than 4.5 t.

“category 2 vehicle” means a vehicle with a GVM of more than 4.5 t.

“client user”, for part 8, division 5, see section 67.

“customised number plate” means a number plate customised under section 30.

“damaged” includes significantly deteriorated.

SCHEDULE 4 (continued)

“dealer” means—

- (a) the holder of a motor dealer’s licence under the *Auctioneers and Agents Act 1971*; or
- (b) a person whose business is the sale of new motor vehicles or new or used trailers.

“dealer plate” means a number plate included in a series of number plates designated by the chief executive as dealer plates.

“Doc Base Manual” means the manual of policies and procedures issued by the chief executive for administering the scheme of vehicle registration established under this regulation.

“eligible person”, for part 8, division 5, see section 67.

“equipment trailer” means a trailer that is a special purpose vehicle built to transport machinery forming an integral part of the trailer.

“exempt vehicle” see section 4.

“garage address” of a vehicle, means the principal depot or base of operations of the vehicle.

“GCM” (gross combination mass), of a motor vehicle, means the maximum loaded mass for the 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 chief executive or the corresponding authority under a corresponding law to the Act, if—
 - (i) the vehicle’s 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; or

SCHEDULE 4 (continued)

(c) stated in an evaluation report about the vehicle given by an accredited person.

“GTMR” (gross trailer mass rating), of a trailer, means the mass transmitted to the ground by the axles of the trailer when—

- (a) coupled to a towing vehicle; and
- (b) carrying its maximum load approximately uniformly distributed over the trailer’s load bearing area.

“historic ambulance vehicle” means a vehicle that was used as an ambulance vehicle but is now used for display by an ambulance service or historical ambulance society.

“historic fire-fighting equipment” means a vehicle that was used for fire-fighting but is now used for display by an historical fire brigade society.

“involved person”, for part 8, division 5, see section 67.

“litigation”, for part 8, division 5, see section 67.

“load”, of a vehicle, includes—

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

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

“local agency”, for part 8, division 5, see section 67.

“long combination prime mover (type 1)” means a prime mover, other than a medium combination prime mover, nominated to tow 2 trailers.

“long combination prime mover (type 2)” means a prime mover nominated to tow more than 2 trailers.

“long combination truck” means a truck nominated to tow 2 or more trailers.

SCHEDULE 4 (continued)

“low powered motor vehicle” means a motor vehicle propelled by—

- (a) a motor with a maximum power output of not more than 200 watts; or
- (b) 2 or more motors with a combined maximum power output of not more than 200 watts.

“medium combination prime mover” means a prime mover nominated to be the prime mover for a B-double.

“medium combination truck” means a truck nominated to tow 1 trailer if the combination of truck and trailer has more than 6 axles.

“mobile machinery” means a motor vehicle that—

- (a) is built to transport and operate machinery or equipment forming an integral part of the vehicle; and
- (b) is not—
 - (i) a truck, semi-trailer or prime mover; or
 - (ii) a tow truck; or
 - (iii) a tractor.

“motorcycle” includes—

- (a) a motorcycle with a sidecar; and
- (b) a motor tricycle.

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

“motorised golf buggy” means a motor vehicle that—

- (a) is designed as transport for persons playing, or persons associated with persons playing, golf; and
- (b) can not be driven faster than 10 km/h.

SCHEDULE 4 (continued)

“motorised invalid chair” means a motor vehicle that—

- (a) is designed and constructed for use by a seated person with mobility difficulties; and
- (b) is not capable of going faster than 10 km/h; and
- (c) has a tare of not more than 110 kgs.

“MRC” (mass rating for charging), of a vehicle, means the maximum permissible mass of the vehicle and its load—

- (a) shown on the vehicle’s compliance plate as the GVM, GTMR or ATM of the vehicle; or
- (b) for a vehicle without a compliance plate—decided by the chief executive or the corresponding authority under a corresponding law to the Act, having regard to the design and construction of—
 - (i) the vehicle; or
 - (ii) any of its components.

“nominated”, in relation to a vehicle, means nominated in an application for registration of the vehicle.

“nominated configuration”, for a category 2 vehicle, means the configuration in which the vehicle is nominated to operate for the term of its registration.

“passenger vehicle” means a motor vehicle built mainly to carry more than 8 but less than 13 seated adults, including the driver.

“pensioner concession card” means a card known as a pensioner concession card issued under a Commonwealth law.

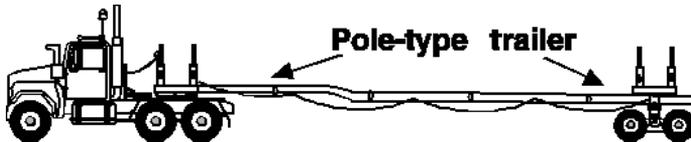
“personalised number plate” means a number plate issued under section 27 as a personalised number plate.

“pole-type trailer” means a trailer that—

- (a) is attached to a towing vehicle by a pole, or an attachment fitted to the pole; and

SCHEDULE 4 (continued)

- (b) is ordinarily used for transporting loads, such as logs, pipes, structural members, or other long objects, that can generally support themselves like beams between supports.



“primary produce” means—

- (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.

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

“primary production vehicle” means a vehicle that is—

- (a) owned by a person who is a primary producer; and
- (b) used only for carrying on the person’s business as a primary producer; and
- (c) either of the following—
 - (i) a prime mover or truck with a GVM of 6 t or more;
 - (ii) a trailer with an MRC of 4.5 t or more.

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

“public access provider”, for part 8, division 5, see section 67.

“register”, as a noun, see section 15.

SCHEDULE 4 (continued)

“registered owner”, of a vehicle or dealer plate, means the person in whose name the vehicle or dealer plate is currently registered.

“registration certificate”, for a vehicle, means a certificate issued by the chief executive and including the matters about the vehicle listed in section 16(2).

“registration label”, for a vehicle, means a label issued by the chief executive and including the matters about the vehicle listed in section 32(2).

“registration number” means a distinguishing number—

- (a) assigned by the chief executive to identify a vehicle that is, or has been, registered; and
- (b) displayed, or intended for display, on a number plate.

“renewal notice” see section 36.

“road related area” means an area that is part of a road and—

- (a) divides a part of the road from another part of the road and is formed by lines marked on the road or is constructed on the road; or
- (b) is a footpath or nature strip; or
- (c) is open to the public and is designed for use by cyclists or animals.

Example for paragraph (a)—

Traffic island.

“Road Use Management Regulation” means the *Transport Operations (Road Use Management) Regulation 1995*.

“safety recall agency” for part 8, division 5, see section 67.

“sale”, of a vehicle, includes—

- (a) the hiring of the vehicle on hire purchase; and
- (b) the leasing of the vehicle.

SCHEDULE 4 (continued)

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

- (a) has 1 axle group towards the rear; and
- (b) is attached to its towing vehicle—
 - (i) using a turntable or a fifth wheel coupling; and
 - (ii) in a way that results in some of the load being imposed on the towing vehicle.

“seniors card” means a Queensland Government seniors card.

“short combination prime mover” means a prime mover nominated to tow 1 semi trailer.

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

“special interest vehicle” means—

- (a) a vehicle that is at least 30 years old; or
- (b) an historic ambulance vehicle or historic firefighting equipment;
or
- (c) a street rod vehicle.

“special plate” means—

- (a) a customised number plate; or
- (b) a personalised number plate.

“special purpose vehicle” means a vehicle that—

- (a) does not carry passengers or goods; or
- (b) has a primary purpose other than the carriage of passengers or goods.

Examples—

Caravans, equipment trailers, mobile machinery, motorised caravans and tractors.

“special purpose vehicle (type 1)” means a special purpose vehicle that does not have an axle or axle group loaded over the axle load limits stated in section 10 and schedule 3 of the Road Use Management Regulation for that type of axle or axle group.

SCHEDULE 4 (continued)

“special purpose vehicle (type 2)” means a special purpose vehicle that has at least 1 axle or axle group that is loaded over the axle load limits stated in section 10 and schedule 3 of the Road Use Management Regulation for that type of axle or axle group.

“statutory authority” for part 8, division 5, see section 67.

“street rod vehicle” means a motor vehicle modified for safe road use that—

- (a) has a body and frame built before 1949; or
- (b) is a replica of a motor vehicle the body and frame of which were built before 1949.

“tare”, of a vehicle, means the total of the following—

- (a) the mass of the vehicle when unloaded;
- (b) the mass of the fuel, water, lubricants and tools, and of any equipment and accessories, loaded on the vehicle and necessary for its normal operation.

“tow truck” means a motor vehicle equipped with a lifting or loading device capable of being used for the towing of a motor vehicle.

“tractor” means a motor vehicle used for towing purposes, other than a motor vehicle—

- (a) designed to carry passengers or goods (other than its own fuel or water); or
- (b) that is a tow truck.

“truck” means a rigid motor vehicle built mainly as a load carrying vehicle.

“truck (type 1)” means a truck with—

- (a) 2 axles and an MRC of not more than 12 t; or
- (b) 3 axles and an MRC of not more than 16.5 t; or
- (c) 4 or more axles and an MRC of not more than 20 t.

SCHEDULE 4 (continued)

“truck (type 2)” means a truck with—

- (a) 2 axles and an MRC of more than 12 t; or
- (b) 3 axles and an MRC of more than 16.5 t; or
- (c) 4 or more axles and an MRC of more than 20 t.

“use”, of a vehicle on a road, includes standing the vehicle on the road.

“vehicle law” means—

- (a) the *Traffic Regulation 1962*; or
- (b) Road Use Management Regulation; or
- (c) the Vehicle Standards and Safety Regulation, to the extent the regulation requires compliance with the vehicle standards mentioned in the regulation.

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

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

“walking speed equipment” means a motor vehicle—

- (a) used for construction, maintenance or warehouse operation; and
- (b) designed mainly for use outside the road system; and
- (c) not capable of going faster than 10 km/h.

ENDNOTES

1. Made by the Governor in Council on 30 September 1999.
2. Notified in the gazette on 1 October 1999.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Transport.