



Queensland

Transport Operations (Road Use Management—Vehicle Standards and Safety) Amendment Regulation (No. 1) 2015

Subordinate Legislation 2015 No. 18

made under the

Transport Operations (Road Use Management) Act 1995

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1 Short title

This regulation may be cited as the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Amendment Regulation (No. 1) 2015*.

2 Commencement

Section 5(5), (6) and (9) commences when the *Australian Border Force Act 2015* (Cwlth), section 9 commences.

3 Regulation amended

This regulation amends the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2010*.

4 Amendment of s 3B (Measurements)

Section 3B(2)—

omit, insert—

- (2) For this regulation, other than part 2A, division 3, the width of a light vehicle is measured disregarding any of the following—
- (a) anti-skid devices mounted on wheels;
 - (b) central tyre inflation systems;
 - (c) lights;
 - (d) mirrors;
 - (e) reflectors;
 - (f) signalling devices;
 - (g) tyre pressure gauges;
 - (h) permanently fixed webbing assembly-type devices unless the width of the vehicle, including any part of a permanently fixed webbing assembly-type device, is more than 2.55m.

Example of a permanently fixed webbing assembly-type device—

a device made of webbing permanently fixed to the side curtain of a vehicle to secure the curtain

5 Amendment of sch 1 (Vehicle standards)

(1) Schedule 1, section 12(4), from ‘vehicle that’—

omit, insert—

vehicle—

- (a) that may be imported into Australia without a compliance plate under the *Motor Vehicle Standards Act 1989* (Cwlth) and complies with each ADR that applies to it under section 7(1) or 8(1); or
- (b) for which the chief executive has issued a permit under section 14 that exempts the vehicle from compliance with a requirement to attach a compliance or identification plate, whether or not—
 - (i) the permit was issued to the current owner or a previous owner; or
 - (ii) the permit has expired.

(2) Schedule 1, section 22(3), ‘A mudguard may be up to’—

omit, insert—

The lowest point of a mudguard must not be more than

(3) Schedule 1, section 22—

insert—

- (5) Subsections (3) and (4) do not apply to a vehicle that is a moped, motorbike or motortrike.

(4) Schedule 1, section 23(3)(d)—

omit.

(5) Schedule 1, sections 23(3)(e) and 99(6), definition *exempt vehicle*, paragraph (e), ‘Customs Service’—

omit, insert—

Border Force

- (6) Schedule 1, section 23(3)(e) to (h)—
renumber as section 23(3)(d) to (g).
- (7) Schedule 1, section 33(1), from ‘least’—
omit, insert—
least 70%.
- (8) Schedule 1, section 99(6), definition *exempt vehicle*,
paragraph (d)—
omit.
- (9) Schedule 1, section 99(6), definition *exempt vehicle*,
paragraphs (e) and (f)—
renumber as section 99(6), definition *exempt vehicle*,
paragraphs (d) and (e).
- (10) Schedule 1, section 130—
insert—
- (3) Subsections (1) and (2)(b) do not apply to a light
vehicle—
- (a) primarily designed for the carriage of goods;
and
- (b) with either—
- (i) 3 wheels and a GVM of more than 1t
but not more than 12t; or
- (ii) more than 3 wheels and a GVM of not
more than 12t.
- (11) Schedule 1, section 133, from ‘through’ to ‘passes’—
omit.
- (12) Schedule 1, section 133—
insert—
- (2) In this section—

silencing device means a device—

- (a) through which all the exhaust from the engine passes; and
- (b) if the device is designed to be manipulated by a person—capable of being tested while the device is fully open.

6 Amendment of sch 4 (Dictionary)

(1) Schedule 4, definition *vehicle*, paragraph 2(g)—

omit, insert—

- (g) a vehicle that is being used on a road—
 - (i) to the extent reasonably necessary to test the vehicle in the course of repairing it; and
 - (ii) in a way that does not pose a safety risk; or
- (ga) a vehicle that is being driven to a place—
 - (i) by the most direct or convenient route; and
 - (ii) in a way that does not pose a safety risk;

for the purpose of the repair of the vehicle or any of its components; or

(2) Schedule 4, definition *vehicle*, paragraph 2(ga) to (j)—

renumber as paragraph 2(h) to (k).

ENDNOTES

- 1 Made by the Governor in Council on 30 April 2015.
- 2 Notified on the Queensland legislation website on 1 May 2015.
- 3 The administering agency is the Department of Transport and Main Roads.

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