

Heavy Vehicle National Amendment Regulation 2019

Subordinate Legislation 2019 No. 238

made under the

Heavy Vehicle National Law as applied by the *Heavy Vehicle National Law Act 2012* (Qld) and by the law of States and Territories

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Heavy Vehicle National Amendment Regulation 2019*.

2 Commencement

This regulation commences on 10 December 2019.

Part 2 Amendment of Heavy Vehicle (Mass, Dimension and Loading) National Regulation

3 Regulation amended

This part amends the *Heavy Vehicle (Mass, Dimension and Loading) National Regulation*.

4 Amendment of s 3 (Definitions)

(1) Section 3, in alphabetical order—

insert—

eligible 3-axle bus—

- 1 A bus is an *eligible 3-axle bus* if the bus—
 - (a) was manufactured before 1 January 2015; and
 - (b) has 3 axles, including a rear tandem axle group fitted with single tyres on 1 axle and dual tyres on the other axle; and
 - (c) is 1 of the following—

[s 4]

- (i) a complying bus;
 - (ii) a bus, other than an articulated bus, whose length is more than 12.5m but not more than 14.5m;
 - (iii) an ultra-low floor bus;
 - (iv) a bus, other than an ultra-low floor bus, that is authorised to carry standing passengers under an Australian road law; and
- (d) is fitted with—
- (i) a complying anti-lock braking system; or
 - (ii) a vehicle stability function that complies with the version of UN ECE Regulation No. 13 that applied to the bus at the bus's date of manufacture or a later version of UN ECE Regulation No. 13.

Note—

A vehicle stability function is also known as electronic stability control or ESC.

- 2 A bus is also an *eligible 3-axle bus* if the bus—
- (a) was manufactured on or after 1 January 2015; and
 - (b) has 3 axles, including a rear tandem axle group fitted with single tyres on 1 axle and dual tyres on the other axle; and
 - (c) is 1 of the following—
 - (i) a complying bus;

-
- (ii) a bus, other than an articulated bus, whose length is more than 12.5m but not more than 14.5m;
 - (iii) an ultra-low floor bus;
 - (iv) a bus, other than an ultra-low floor bus, that is authorised to carry standing passengers under an Australian road law; and
- (d) is fitted with a complying anti-lock braking system; and
- (e) for a type of bus mentioned in paragraph (c)(i) or (ii)—is fitted with—
- (i) an eligible electronic braking system; or
 - (ii) a vehicle stability function that complies with the version of UN ECE Regulation No. 13 that applied to the bus at the bus’s date of manufacture or a later version of UN ECE Regulation No. 13.
- (2) Section 3, definition *complying anti-lock braking system*, after ‘2-axle bus’—
- insert—*
- or an eligible 3-axle bus
- (3) Section 3, definition *eligible electronic braking system*, after ‘2-axle bus’—
- insert—*
- or an eligible 3-axle bus

5 Insertion of new s 5A

After section 5—

insert—

[s 6]

5A References to axles or axle groups fitted with dual tyres

- (1) A reference in this Regulation to an axle fitted with dual tyres includes an axle fitted with 2 or more sets of dual tyres.
- (2) A reference in this Regulation to an axle group fitted with dual tyres includes an axle group in which an axle is fitted with 2 or more sets of dual tyres.
- (3) For subsections (1) and (2), an axle is fitted with—
 - (a) a set of dual tyres, consisting of 4 tyres in total, if dual tyres are fitted to each end of the axle; and
 - (b) 2 or more sets of dual tyres if dual tyres are fitted to each end of the axle and at positions along the axle between the tyres fitted to each end of the axle.

6 Amendment of Sch 1, s 2 (Mass limits for a single vehicle or combination)

- (1) Schedule 1, section 2(1)(a)(i)(B)—
omit, insert—
 - (B) if the bus has a rear tandem axle group fitted with single tyres on 1 axle and dual tyres on the other axle but is not an eligible 3-axle bus—20t; or
- (2) Schedule 1, section 2(1)(a), after subparagraph (iiia)—
insert—
 - (iiib) for an eligible 3-axle bus—22t;
- (3) Schedule 1, section 2(4A)—
omit, insert—
 - (4A) In a combination, the mass on the axle group or

single axle of a tag trailer must not be more than the sum of the mass on all of the axles of the towing vehicle.

7 Amendment of Sch 1, Pt 2 (Axle Tables)

- (1) Schedule 1, Part 2, Table 1, first and second columns, single axles and single axle groups, provision starting ‘Steer axles on—’, paragraph (a)—

omit, insert—

(a) a complying bus that is not an eligible 2-axle bus or an eligible 3-axle bus	6.5
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- (2) Schedule 1, Part 2, Table 1, second column, single axles and single axle groups, provision starting ‘Steer axles on—’, paragraph (b)(ii), ‘6.7’—

omit, insert—

7.1

- (3) Schedule 1, Part 2, Table 1, first and second columns, single axles and single axle groups, provision starting ‘Steer axles on—’, after paragraph (ba)—

insert—

(bb) an eligible 3-axle bus	6.5
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- (4) Schedule 1, Part 2, Table 1, first and second columns, tandem axle group, provision starting with ‘Tandem axle group fitted with single tyres on 1 axle and dual tyres on the other axle’, paragraph (a)—

omit, insert—

(a) a complying bus that is not an eligible 3-axle bus	14.0
(ab) an eligible 3-axle bus with tyres on the axle fitted with single tyres that have a section width of at least 295mm	15.5

[s 8]

- (5) Schedule 1, Part 2, Table 2, entry for length of axle spacing of at least 10.0m—

omit, insert—

10.0	10.5	42.5
10.5	11.0	43.0
11.0	11.5	43.5
11.5	12.0	44.0
12.0	12.5	44.5
12.5	13.0	45.0
13.0	13.5	45.5
13.5	14.0	46.0
14.0	—	46.5

Part 3 **Amendment of Heavy Vehicle (Vehicle Standards) National Regulation**

8 **Regulation amended**

This part amends the *Heavy Vehicle (Vehicle Standards) National Regulation*.

9 **Amendment of s 4 (Definitions)**

- (1) Section 4, definition *road enforcement vehicle*—

omit.

- (2) Section 4, in alphabetical order—

insert—

transport enforcement vehicle means a heavy

vehicle, other than a police vehicle, driven by an authorised officer in the course of the authorised officer's duty.

- (3) Section 4, definition *exempt vehicle*, paragraph (e), 'road'—
omit, insert—
transport

10 Replacement of s 11 (Compliance with requirement to have particular equipment)

Section 11—

omit, insert—

11 Compliance with requirement to have particular equipment

- (1) A vehicle is taken to have equipment mentioned in this Regulation only if the equipment is—
- (a) in working order; and
 - (b) if the equipment is fitted to a trailer that is being towed by an eligible towing vehicle and the equipment must be connected to the eligible towing vehicle to perform its intended function—connected to the eligible towing vehicle.
- (2) In this section—
eligible towing vehicle, for a trailer, means a towing vehicle that has equipment that is capable of being connected to equipment fitted to the trailer.

11 Amendment of Sch 2, s 28 (Tyre tread)

- (1) Schedule 2, section 28(2), after 'deep'—
insert—

in all principal grooves on the tyre

[s 12]

(2) Schedule 2, section 28(4), definition *tread wear indicator*—
omit.

(3) Schedule 2, section 28(4)—
insert—

principal grooves, in relation to a tyre, means wide grooves, other than secondary grooves—

- (a) usually positioned in the central zone of the tyre tread but that may run across the tyre tread; and
- (b) in which tread wear indicators are usually located.

secondary grooves, in relation to a tyre, means shallow grooves in the tyre tread that may disappear during the life of the tyre through wear.

tread wear indicators, in relation to a tyre, means projections within a groove of the tyre that indicate the degree of wear on the tyre's tread.

12 **Amendment of Sch 2, s 30 (White or silver band on particular vehicles)**

Schedule 2, section 30(1), after 'vehicle'—

insert—

, other than a vehicle built after 20 February 2016 that complies with ADR 42/04 or a later version of ADR 42,

13 **Amendment of Sch 2, s 108A (Hydrogen-powered vehicles)**

(1) Schedule 2, section 108A(1), after '2019'—

insert—

, or a vehicle modified to be a hydrogen-powered vehicle after 1 January 2019,

ENDNOTES

- 1 Made by the Queensland Governor, as defined under section 730(5) of the Heavy Vehicle National Law, acting with the advice of the Executive Council of Queensland, on 28 November 2019.
- 2 Published on the NSW legislation website in accordance with Part 6A of the *Interpretation Act 1987* of NSW on 29 November 2019.
- 3 The administering agency is the National Heavy Vehicle Regulator.

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