

Heavy Vehicle National Legislation Amendment Regulation 2024

Subordinate Legislation 2024 No. 36

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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[s 1]

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Heavy Vehicle National Legislation Amendment Regulation 2024*.

2 Commencement

This regulation commences on 12 April 2024.

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 Insertion of new s 5B

After section 5A—

insert—

5B Safer freight vehicles

- (1) The requirements imposed by this section are prescribed for the purposes of the definition of *safer freight vehicle* in section 153A(2) of the Law.
- (2) The heavy vehicle, together with its load, must not be—
 - (a) higher than 4.3m; or
 - (b) wider than 2.55m; or
 - (c) longer than 12.5m.

-
- (3) The heavy vehicle must also comply with the requirements of the following, so far as they are applicable—
 - (a) ADR 14/03 or a later version of ADR 14;
 - (b) ADR 35/07 or a later version of ADR 35;
 - (c) ADR 97/00 or a later version of ADR 97;
 - (d) ADR 99/00 or a later version of ADR 99.
 - (4) The heavy vehicle must also comply with the requirements of ADR 105/00, or a later version of ADR 105, so far as they are applicable, if the heavy vehicle has a GVM of more than 8t.
 - (5) If the heavy vehicle is a truck, the heavy vehicle must also—
 - (a) comply with ADR 106/00 or a later version of ADR 106; and
 - (b) be fitted with conspicuity markings that comply with ADR 13/00 or a later version of ADR 13.

5 Amendment of Sch 6 (Dimension requirements)

- (1) Schedule 6, after section 6B—

insert—

6C Length—front end devices disregarded

- (1) For this Regulation, each of the following devices is to be disregarded for the purposes of measuring the length of a heavy vehicle if the device is fitted to the front end of the heavy vehicle—
 - (a) a prescribed device for indirect vision;
 - (b) a cross-view mirror, or any other device enabling the driver of the heavy vehicle to see objects in an area adjacent to the heavy vehicle, if the device does not protrude more

[s 6]

than 250mm from the front end of the heavy vehicle;

- (c) a monitoring device that—
 - (i) is fitted as part of an automated driving system or a close-proximity information system; and
 - (ii) does not protrude more than 250mm from the front end of the heavy vehicle.

(2) In this section—

automated driving system, close-proximity information system, cross-view mirror and prescribed device for indirect vision have the same meanings as in section 8 of the *Heavy Vehicle (Vehicle Standards) National Regulation*.

front end means front end within the meaning of the ADR (Definitions and Vehicle Categories).

(2) Schedule 6, section 7(1)—

omit, insert—

- (1) A heavy vehicle must not be wider than 2.5m, unless it is—
 - (a) a safer freight vehicle; or
 - (b) a combination that includes a safer freight vehicle, together with its load, that is the only component vehicle wider than 2.5m.

6 Amendment of Sch 8 (Conditions of mass or dimension exemptions applying to class 1 heavy vehicles)

(1) Schedule 8, section 14(a), after ‘less’—

insert—

or the combination is a safer freight combination

(2) Schedule 8, section 14, before ‘An’—

insert—

[s 8]

- (c) a signalling device, side marker light or reflector fitted to a heavy vehicle;
- (d) removable load restraint equipment fitted to a heavy vehicle, if the overall width of the heavy vehicle, including any part of the equipment, is not more than 2.55m;
- (e) a blind spot information system fitted to a heavy vehicle, if the overall width of the heavy vehicle, including any part of the system, is not more than 2.6m;
- (f) the deflected part of the tyre sidewalls of a heavy vehicle, including any elevations due to labelling, marking, decoration or protective bands or ribs, between the lowest point of each tyre rim and the ground.

Example of deflected part of the tyre sidewalls—

load induced tyre bulge

- (3) An indirect vision device is disregarded for a heavy vehicle manufactured before 1 October 2023 that is not wider than 2.5m, if the device is—
 - (a) fitted to the heavy vehicle under section 13C(a) of Schedule 2; or
 - (b) fitted to the heavy vehicle under section 13C(b) of Schedule 2, if the overall width of the heavy vehicle, including the device, is not more than 2.55m.
- (4) A cross-view mirror fitted to a heavy vehicle is disregarded—
 - (a) for a heavy vehicle manufactured before 1 October 2023 that is not wider than 2.5m; and
 - (b) for other heavy vehicles, if the total lateral protrusion from the heavy vehicle does not exceed 100mm.
- (5) A device, other than a cross-view mirror, fitted to

a heavy vehicle to enable the driver to see objects in an area adjacent to the heavy vehicle is disregarded, if the total lateral protrusion from the heavy vehicle does not exceed 100mm.

- (6) A monitoring device fitted as part of an automated driving system or a close-proximity information system is disregarded, if the total lateral protrusion from the heavy vehicle does not exceed 100mm.
- (7) A permanently fixed webbing assembly-type device fitted to a heavy vehicle is disregarded—
 - (a) for a heavy vehicle manufactured before 1 October 2023 that is not wider than 2.5m, if the overall width of the heavy vehicle, including any part of the device, is not more than 2.55m; and
 - (b) for other heavy vehicles, if—
 - (i) the overall width of the heavy vehicle, including any part of the device, is not more than 2.55m; and
 - (ii) the total lateral protrusion from the heavy vehicle does not exceed 100mm.

Example of permanently fixed webbing assembly-type device—

a curtain-side device

- (8) A tyre pressure gauge fitted to a heavy vehicle is disregarded—
 - (a) for a heavy vehicle manufactured before 1 October 2023 that is not wider than 2.5m; and
 - (b) for other heavy vehicles, if the total lateral protrusion from the heavy vehicle does not exceed 100mm.
- (9) An anti-skid device mounted on the wheels of a heavy vehicle is disregarded—

[s 8]

- (a) for a heavy vehicle manufactured before 1 October 2023 that is not wider than 2.5m; and
 - (b) for other heavy vehicles, if the total lateral protrusion from the heavy vehicle does not exceed 100mm.
- (10) A central tyre inflation system fitted to a heavy vehicle is disregarded—
- (a) for a heavy vehicle manufactured before 1 October 2023 that is not wider than 2.5m; and
 - (b) for other heavy vehicles, if the system does not protrude more than 100mm on each side of the heavy vehicle.
- (11) In this section—

automated driving system means an automated driving system within the meaning of ADR (Definitions and Vehicle Categories).

close-proximity information system means a close-proximity information system within the meaning of ADR (Definitions and Vehicle Categories).

cross-view mirror means a cross-view mirror within the meaning of ADR (Definitions and Vehicle Categories).

maximum lateral protrusion, for a device specified in subsections (4) to (9) on the left or right side of a heavy vehicle, means the maximum lateral protrusion of the device beyond the extreme outer point from which the overall width of the heavy vehicle is measured on that side of the heavy vehicle.

prescribed device for indirect vision means a prescribed device for indirect vision within the meaning of ADR (Definitions and Vehicle

Categories).

total lateral protrusion, from a heavy vehicle, means the sum of the maximum lateral protrusion of any device specified in subsections (4) to (9) on the left side of the heavy vehicle and the maximum lateral protrusion of any device specified in subsections (4) to (9) on the right side of the heavy vehicle.

Note—

The *Heavy Vehicle (Mass, Dimension and Loading) National Regulation*, Schedule 6, section 7 prescribes the maximum width of a heavy vehicle.

9 Amendment of Sch 2 (Other vehicle standards applying to single heavy vehicles)

Schedule 2, section 13A(1), ‘ADR 14/02 in relation to a Class VI front mirror’—

omit, insert—

ADR 14/03 or a later version of ADR 14

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 11 April 2024.
- 2 Published on the NSW legislation website in accordance with Part 6A of the *Interpretation Act 1987* of NSW on 12 April 2024.
- 3 The administering agency is the National Heavy Vehicle Regulator.

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