

Australian Capital Territory

Road Transport (General) (Heavy / Oversize Vehicle Route Access Permit Fee) Determination 2006 (No 1)

Disallowable Instrument DI2006–1

made under the

Road Transport (General) Act 1999, Section 96 (Determination of fees, charges and other amounts)

EXPLANATORY STATEMENT

Legislative Context

Section 96 of the *Road Transport (General) Act 1999* allows for the Minister to determine fees, charges and other amounts payable under the ACT Road Transport Legislation.

Section 27 of the *Road Transport (Dimensions and Mass) Act 1990* (RT (D & M) Act) allows the Road Transport Authority (RTA) to issue a permit for a vehicle or combination of vehicles (such a prime mover and trailers) to be used on a road or road related area in the ACT, which would otherwise not be permitted because it does not comply with the dimension and mass requirements in part 2 or part 3 of the RT (D & M) Act.

Applications for these permits are made under section 29 of the RT (D & M) Act.

Determination

This determination sets the application fees payable for a grant of a permit under s 27 of the RT (D & M) Act for the 2005-2006 financial year. The fee rates are the same as the fee rates that appear in Disallowable Instrument DI 2005-93, but some minor drafting changes have been made in response to comments of the Standing Committee on Legal Affairs (performing the duties of the Scrutiny of Bills and Subordinate Legislation Committee).

The instrument takes effect on the day after notification of the determination.

Fees Payable

Vehicles and combinations of vehicles with a loaded mass of 125 tonnes or less, which would otherwise not comply with the dimension and mass requirements in the

RT (D & M) Act are required to pay the application fee most applicable in the schedule to the instrument.

Transport operators may pay a Single Application Fee each time they apply for a permit, or an Annual Application Fee if they plan to make several trips into or through the ACT during a 12 month period. Transport operators who have paid the Annual Application Fee are still required to apply for a permit each time they wish to make a trip into or through the ACT, but no additional fee would normally be required in the 12 months following payment of the Annual Fee.

Where an Annual Application Permit Fee has been paid for a vehicle that does not require a bridge calculation, vehicle inspection or route survey, and the configuration of the vehicle changes (for example, by adding an additional trailer or changing the prime mover), so that a calculation, inspection or survey is required, the transport operator must pay an additional fee when applying for a permit.

Vehicles or combinations of vehicles with a loaded mass exceeding 125 tonnes are required to pay the fee worked out using the formula in Part 3 of the Schedule to the *Road Transport Charges (Australian Capital Territory) Act 1993 (Cwth)* rather than the fees in the Schedule. The Commonwealth Act has been developed as part of a national approach to regulating heavy vehicles, including the setting of registration and other charges to be levied on heavy vehicles.

The charge for the grant of a permit determined by Part 3 of the Schedule to the Commonwealth Act is to be worked out using the formula:

$K \times 4 \text{ cents} \times N$

Where:

K is the number of kilometres involved in the journey; and

N is a number ascertained in accordance with the Road Transport Charges (Australian Capital Territory) Regulation 1995 (Cwth).