

**2014**

**THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY**

**ROAD TRANSPORT (DRIVER LICENSING)  
AMENDMENT REGULATION 2014 (No 1)**

**SL2014-31**

**EXPLANATORY STATEMENT**

**Presented by  
Simon Corbell MLA  
Attorney-General**

# ROAD TRANSPORT (DRIVER LICENSING) AMENDMENT REGULATION 2014 (No 1)

## Outline

This regulation amends the *Road Transport (Driver Licensing) Regulation 2000*.

The regulation amends the driver licence requirements for towing a fifth wheel trailer.

Section 9 of the *Road Transport (Driver Licensing) Regulation 2000* specifies the vehicles authorised to be driven by the holder of a driver licence of a particular class. That section provides that only the holders of heavy combination (HC) vehicle licence or a multi-combination (MC) vehicle licence may drive a motor vehicle towing a single semi-trailer.

A semi-trailer is defined in the dictionary of the *Road Transport (Vehicle Registration) Regulation 2000* as “a trailer (including a pole-type trailer) that has:

- a. 1 axle group or single axle to the rear; and
- b. a means of attachment to a prime mover that results in some of the load being imposed on the prime mover”.

A consequence of this definition is that fifth wheel trailers (also known as ‘gooseneck trailers’) are considered to be a semi-trailer. Fifth wheel trailers have a single axle or single axle group to the rear of the trailer, and are attached to the prime mover (the vehicle towing the trailer) in a way that results in some of the load being imposed on the towing vehicle. As such, only holders of a HC or MC vehicle licence may drive a motor vehicle towing a fifth wheel trailer. This applies irrespective of whether a fifth wheel trailer falls within the weight restrictions that would normally apply to a vehicle licence class (for instance, the holder of a car (C) class licence may tow a single trailer with a gross vehicle mass (GVM) not over 9t).

This regulation amends the licence requirements in section 9 so that drivers wishing to tow a fifth wheel trailer may do so on a lower class driver licence – either a C class (car) licence, a Light Rigid (LR) class licence, a Medium Class (MR) class licence or a Heavy Rigid (HR) class licence. The regulation does not amend existing weight restrictions applying to the applicable class licence, and a driver seeking to tow a fifth wheel trailer must still comply with the existing weight restrictions applying to each vehicle class. This amendment standardises licence requirements for ACT licence holders with requirements applying in other jurisdictions.

There are no human rights implications associated with this amendment.

## Notes on clauses

### **Clause 1      Name of regulation**

This is a formal provision that sets out the name of the regulation.

### **Clause 2      Commencement**

This is a formal provision that provides for the commencement of the regulation. This regulation will commence on the day after it is notified.

### **Clause 3      Legislation amended**

This clause lists the legislation to be amended by the regulation. This regulation will amend the *Road Transport (Driver Licensing) Regulation 2000*.

### **Clause 4      Table 9, item 2.4, paragraphs (b) and (c)**

Item 2.4 specifies what the holder of a car (C class) vehicle licence may tow. Currently a C class licence holder may not drive a motor vehicle towing either (a) 2 or more trailers; (b) a single semi-trailer; or (c) any other single trailer with a GVM over 9t.

This clause substitutes the existing paragraphs (b) and (c) with a new paragraph (b). The effect of this amendment is that a C class licence holder may not drive a motor vehicle towing either (a) 2 or more trailers; or (b) a single trailer with a GVM over 9t. This allows holders of a C class licence to tow a fifth wheel trailer that has a GVM of 9t or less.

### **Clause 5      Table 9, item 3.4, paragraphs (b) and (c)**

This clause mirrors clause 4, but in relation to the towing restrictions applying to holders of a Light Rigid vehicle class licence.

### **Clause 6      Table 9, item 4.3, paragraphs (b) and (c)**

This clause mirrors clause 4, but in relation to the towing restrictions applying to holders of a Medium Rigid vehicle class licence.

### **Clause 7      Table 9, item 5.4, paragraphs (b) and (c)**

This clause mirrors clause 4, but in relation to the towing restrictions applying to holders of a Heavy Rigid vehicle class licence.