



Australian Capital Territory

# **Road Transport (Vehicle Registration) Regulation 2000**

**SL2000-12**

made under the

**Road Transport (Vehicle Registration) Act 1999**

**Republication No 22**

**Effective: 17 December 2009 – 2 March 2010**

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Last amendment made by A2009-49

Not all amendments are in force: see last endnote

Authorised by the ACT Parliamentary Counsel

## About this republication

### The republished law

This is a republication of the *Road Transport (Vehicle Registration) Regulation 2000*, made under the *Road Transport (Vehicle Registration) Act 1999* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 17 December 2009. It also includes any amendment, repeal or expiry affecting the republished law to 17 December 2009.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

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This republication includes amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

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### Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$110 for an individual and \$550 for a corporation (see *Legislation Act 2001*, s 133).



Australian Capital Territory

# Road Transport (Vehicle Registration) Regulation 2000

made under the

**Road Transport (Vehicle Registration) Act 1999**

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Australian Capital Territory

# Road Transport (Vehicle Registration) Regulation 2000

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made under the

**Road Transport (Vehicle Registration) Act 1999**

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## Chapter 1 Preliminary

### 1 Name of regulation

This regulation is the *Road Transport (Vehicle Registration) Regulation 2000*.

### 3 Definitions—the dictionary

The dictionary at the end of this regulation is part of this regulation.

*Note 1* The dictionary at the end of this regulation defines certain terms used in this regulation, and includes references (*signpost definitions*) to other terms defined elsewhere.

For example, the signpost definition ‘*road transport legislation*—see the *Road Transport (General) Act 1999*, section 6.’ means that the term ‘road transport legislation’ is defined in that section and the definition applies to this regulation.

*Note 2* A definition in the dictionary (including a signpost definition) applies to the entire regulation unless the definition, or another provision of the regulation, provides otherwise or the contrary intention otherwise appears (see Legislation Act, s 155 and s 156 (1)).

### 4 Diagrams—the dictionary

- (1) A diagram in the dictionary is part of this regulation.
- (2) A diagram of something in the dictionary is an illustrative example of the thing in black and white, but does not represent its dimensions, or the dimensions of any part of it.

### 5 Notes

A note in this regulation is explanatory and is not part of this regulation.

*Note* See the Legislation Act, s 127 (1), (4) and (5) for the legal status of notes.

## **Chapter 2            Application of regulation**

### **Part 2.1            General**

#### **6            Meaning of *registration provisions***

In this chapter:

*registration provisions* means the provisions of this regulation about the registration of registrable vehicles, including the issue and use of registration labels and numberplates and the use of unregistered vehicles.

#### **7            Suspension of exemptions**

- (1) The road transport authority may suspend the operation of section 14 (Vehicles temporarily in the ACT) and section 16 (Trailers exempt from registration in another jurisdiction) in relation to a registrable vehicle if the authority, having regard to any matter mentioned in section 84 (1) (Suspension or cancellation of registration), decides that the suspension is in the public interest.
- (2) The suspension may be indefinite or for the period the road transport authority decides.

#### **8            Application of Act, s 18 to pt 2.2 vehicles**

For the Act, section 18 (2) (b), the use of an unregistered vehicle mentioned in part 2.2 (Vehicles not subject to registration provisions) on a road or road related area is permitted under this regulation.

## Part 2.2 Vehicles not subject to registration provisions

### 9 Vehicles on tow trucks

The registration provisions do not apply to a registrable vehicle being towed by a tow truck.

### 10 Vehicles used for agricultural work

- (1) The registration provisions do not apply to—
  - (a) an agricultural implement towed by another vehicle; or
  - (b) a trailer towed by an agricultural machine that is being used to perform agricultural tasks.
- (2) In this section:

*agricultural implement* means a vehicle without its own automotive power, built to perform agricultural tasks.

*agricultural machine* means a machine with its own automotive power, built to perform agricultural tasks.

#### Examples of agricultural implements

irrigating equipment, augers, conveyors, harvester fronts, harvest bins and machinery fully carried on the three-point linkage of a tractor

#### Examples of agricultural machines

tractors and harvesters

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).



**11 Vehicles using roads or road related areas to a limited extent during primary production**

The registration provisions do not apply to a registrable vehicle that is only used on a road or road related area when it is being driven across the road or road related area in travelling directly to or from land that is used only or mainly for primary production.

**12 Trailers used for road construction and other public works**

(1) The registration provisions do not apply to a trailer towed by a registered motor vehicle that—

(a) is—

(i) only used for road construction, maintenance (including cleaning, sweeping, watering or a similar process) or repair; or

(ii) not let out on hire and only used for rolling tennis courts, cricket wickets, lawns or pathways, or improving the surface of the ground or for similar work, on unleased territory land or on land dedicated or reserved by the Territory for public health, recreation, enjoyment or other similar public purposes; and

(b) is only used on a road or road related area when at, going to or returning from the place where the work mentioned in paragraph (a) is done.

(2) In this section:

**trailer** does not include a vehicle built or used mainly to carry goods or materials, or a caravan used for recreational purposes.

### 13 Golf and green keeping vehicles used on roads or road related areas

- (1) The registration provisions do not apply to a golf vehicle or green keeping vehicle being driven directly across a road or road related area that intersects with or crosses a golf course if the vehicle—
  - (a) is being used in the course of, or as an incident to, a game of golf or to watch a game of golf; or
  - (b) is travelling to or from the golf course to be used for or in relation to the rolling or maintenance or surface improvement of part of the golf course; or
  - (c) is travelling to or from a car park or storage building that is separated from the golf course by the road or road related area.
- (2) In this section:

***golf course*** means an area of land designed and used for playing golf, and includes any tee, fairway, green, rough, pathway, bunker and bridge forming part of the golf course.

***golf vehicle*** means—

- (a) a motorised buggy or cart designed and used to carry a golfer, spectator or golfing equipment on a golf course; or
- (b) a motorbike with an engine capacity not over 50mL used to carry a golfer, spectator or golf equipment on a golf course; or
- (c) a trailer being towed by such a vehicle.

***green keeping vehicle*** means a vehicle used only or mainly for or in relation to the rolling, maintenance or surface improvement of part of a golf course.

### 14 Vehicles temporarily in the ACT

- (1) The registration provisions do not apply to a registrable vehicle that is temporarily in the ACT if—

- (a) the vehicle is—
  - (i) registered under the law of another jurisdiction, external territory or foreign country; or
  - (ii) permitted under a relevant law of another jurisdiction to be used on a road or road related area in that jurisdiction, even though it is unregistered; and
- (b) the vehicle has the numberplates and labels required under that law; and
- (c) the numberplates and labels comply fully with that law; and
- (d) if the vehicle is unregistered—the vehicle is being used in accordance with the conditions (if any) of the permit or other authority applying to the vehicle under that law, so far as they can be applied to the use of the vehicle in the ACT.

- (2) In this section:

*relevant law*, of another jurisdiction, external territory or foreign country, means a law of the other jurisdiction, territory or country that substantially corresponds to the provisions of this regulation about trader's plates or unregistered vehicle permits.

## **15 Vehicles registered under Interstate Road Transport Act 1985 (Cwlth)**

- (1) This section applies to a registrable vehicle that—
  - (a) is registered under the *Interstate Road Transport Act 1985* (Cwlth); and
  - (b) has clearly displayed, as required under that Act, the number allotted and the current registration label issued in relation to the vehicle's registration.
- (2) The registration provisions do not apply to the vehicle while—

- (a) it is carrying passengers or goods between prescribed places within the meaning of that Act; or
- (b) it is being used for a purpose incidental to carrying passengers or goods between those places.

**16 Trailers exempt from registration in another jurisdiction**

- (1) The registration provisions do not apply to a trailer that is exempt from registration under the law of another jurisdiction if the trailer—
  - (a) is being towed by a motor vehicle that is registered under a law of that jurisdiction; and
  - (b) is not being used to carry a boat; and
  - (c) is not being used in the course of a trade, business or industry; and
  - (d) weighs less than 200kg unladen; and
  - (e) has a manufactured width that is not wider than the towing vehicle; and
  - (f) is not longer than 3m (including the drawbar and any load); and
  - (g) displays (whether by painting or otherwise) the registration number of the towing vehicle to the rear of the trailer so the number can be read during daylight 20m from the rear of the trailer.
- (2) Subsection (1) (g) does not apply to the trailer if the registration number on the rear numberplate of the towing vehicle is not obscured by the trailer.

**17 Vehicles used to fight rural fires**

- (1) The registration provisions do not apply to a registrable vehicle that is used on a road or road related area if the vehicle—

- (a) is attached to a rural fire service brigade and has painted on it, or securely attached to it, a sign clearly identifying the brigade to which it is attached; and
  - (b) is used to carry people or equipment to or from the work of preventing, extinguishing, or preventing the spread of, fires in rural areas (including fire hazard reduction work); and
  - (c) is travelling for the purpose mentioned in paragraph (b) or any of the following purposes:
    - (i) to respond to an incident or emergency in accordance with the *Emergencies Act 2004* or a corresponding law of another jurisdiction;
    - (ii) to assist at an incident or emergency under the control of the fire brigade, the SES or any other entity;
    - (iii) to train members of the rural fire service, including volunteers;
    - (iv) for a purpose necessary for, or incidental to, the service or repair of the vehicle;
    - (v) to exercise any other function of the rural fire service.
- (2) In this section:

***rural fire service brigade*** means—

- (a) a brigade of the rural fire service; or
- (b) a brigade of a similar entity established under the law of another jurisdiction.

***rural area***—see the *Emergencies Act 2004*, section 65 (4).

## 18 Police vehicles

The registration provisions do not apply to a registrable vehicle that is being used for police work and to which is attached a numberplate issued by the road transport authority in substitution for the

numberplate that would otherwise be required to be attached to the vehicle under this regulation.

## **19 Lawn mowers**

The registration provisions do not apply to a registrable vehicle, weighing not more than 250kg when unladen, that is built or used only for cutting grass or for purposes incidental to cutting grass.

## **20 Bicycles with auxiliary motors**

- (1) The registration provisions do not apply to a registrable vehicle that is a bicycle.
- (2) In this section:

*bicycle*—see the Australian Road Rules, dictionary.

*Note* Under the definition in the Australian Road Rules a bicycle does not include any vehicle with an auxiliary motor capable of generating a power output over 200W.

## **21 Vehicles used by certain people with disabilities**

The registration provisions do not apply to a registrable vehicle that—

- (a) is designed, and while on a road or road related area is used only, to carry a person with a disability that substantially impairs the person's mobility; and
- (b) cannot travel faster than 10km/h on level ground.

## **22 Vehicles being driven to obtain registration etc**

- (1) The registration provisions do not apply to a registrable vehicle while it is being driven, for the purpose of obtaining registration of the vehicle, by the most direct or convenient route—
  - (a) to the nearest convenient designated place; or

- (b) to the nearest convenient vehicle inspection station or authorised examiner to find out whether the vehicle complies with the applicable vehicle standards; or
  - (c) to the nearest convenient weighbridge to find out the weight of the vehicle.
- (2) The registration provisions do not apply to a registrable vehicle while it is being driven, for the purpose of obtaining registration of the vehicle, in the course of inspection or testing of the vehicle to find out whether the vehicle complies with the applicable vehicle standards.
  - (3) The registration provisions do not apply to a registrable vehicle while it is being driven, for the purpose of obtaining an unregistered vehicle permit for the vehicle, by the most direct or convenient route to the nearest convenient place where the permit can be obtained for the vehicle.
  - (4) This section applies to a registrable vehicle only if a third-party policy is in force for the vehicle.

## **23 Vehicles being inspected**

- (1) The registration provisions do not apply to a registrable vehicle the registration of which has expired but to which the numberplates are still attached while the vehicle is being driven by an authorised person to decide whether the vehicle complies with the applicable vehicle standards.
- (2) This section applies to the registrable vehicle only if a third-party policy is in force for the vehicle.

## **24 Self-propelled elevating work platforms**

- (1) The Act does not apply to a self-propelled elevating work platform.
- (2) In this section:

*self-propelled elevating work platform* means a vehicle that—

- (a) is self-propelled; and
- (b) is used for construction, maintenance or warehouse operations;  
and
- (c) is designed mainly for use outside a road or road related area;  
and
- (d) cannot travel faster than 10km/h; and
- (e) is being used for the purpose for which it was built; and
- (f) is not used for transport on a road or road related area other than for the purposes of loading or unloading the vehicle onto another vehicle or repositioning the vehicle at a work site.



## Chapter 3 Registration process

### Part 3.1 Eligibility for registration

#### 25 Registered operator of registrable vehicle

- (1) A person is eligible to be the registered operator of a registrable vehicle if the person is—
  - (a) an individual who is at least the required age; or
  - (b) a corporation.
- (2) However, the road transport authority may record a person in the registrable vehicles register as the registered operator of a registrable vehicle even if the person is under the required age.
- (3) A person recorded in the registrable vehicles register under subsection (2) as the registered operator of a registrable vehicle is, for this regulation (including renewal of registration), taken to have been eligible to be the registered operator of the vehicle.
- (4) In this section:  
*required age* means—
  - (a) for a heavy vehicle—18 years; or
  - (b) for a motorbike—16 years 9 months; or
  - (c) for any other light vehicle—16 years.

#### 26 Eligible vehicles

- (1) A registrable vehicle is eligible to be registered without conditions if—
  - (a) the vehicle complies with the applicable vehicle standards; and

- (b) the *Road Transport (General) Act 1999*, part 10 (Compulsory vehicle insurance) and the *Duties Act 1999* are complied with in relation to the vehicle; and
  - (c) the vehicle is owned by, or is under the management of, a person who is eligible to be the registered operator of the vehicle.
- (2) However, the road transport authority may refuse to register a registrable vehicle if satisfied that—
- (a) the vehicle has been registered in another jurisdiction; and
  - (b) the registration in the other jurisdiction has been cancelled or suspended; and
  - (c) the reason for the cancellation or suspension still exists.

## **Part 3.2 Applications for registration**

### **27 Who may apply for registration?**

- (1) Application for registration of a registrable vehicle may be made by—
  - (a) an individual who is eligible to be the registered operator of a registrable vehicle; or
  - (b) an agent of—
    - (i) an individual who is eligible to be the registered operator of a registrable vehicle; or
    - (ii) a corporation.
- (2) If an application for registration of a registrable vehicle is made by an agent, the road transport authority may register the vehicle only if the agent produces—
  - (a) evidence of the agent's identity in a form acceptable to the authority; and
  - (b) a document evidencing the authority of the agent to act as agent of the individual or corporation seeking registration as the registered operator.
- (3) If 2 individuals are seeking registration as registered operators of the same light vehicle, either of them may make an application under this section on behalf of both of them if the road transport authority is satisfied that the person making the application is acting as the agent of the other person.
- (4) If 2 individuals are seeking to be recorded as registered operators of a light vehicle through an application made by an agent—
  - (a) only 1 agent can act on behalf of both of them; and

(b) the agent must produce a document mentioned in subsection (2) (b) from each of them.

*Note* Section 162 makes provision for the respective rights, liabilities and obligations of multiple registered operators of a registrable vehicle.

(5) Only 1 person may apply to be recorded, or be recorded, as registered operator of a heavy vehicle.

*Note* Under s 162, 2 individuals may be recorded as registered operators of a light vehicle.

## **28 Information that may be required for registration application**

The road transport authority may require an applicant for registration of a registrable vehicle to give to the authority, in the application form or otherwise, information about—

- (a) for an individual seeking to be recorded (or on whose behalf an agent is seeking to be recorded) as the registered operator of the registrable vehicle—the individual’s identity and home address; and
- (b) for a corporation seeking to be recorded (or on whose behalf an agent is seeking to be recorded) as the registered operator of the registrable vehicle—the corporation’s identity and business address; and
- (c) an address for the service of notices; and
- (d) the proposed garage address of the vehicle; and
- (e) fees, charges, premiums and other amounts relating to the vehicle or its registration that are payable under the *Road Transport (General) Act 1999* and the *Duties Act 1999*; and

- (f) anything else relevant to the decision whether to register the vehicle or to record an individual or corporation in the register as the registered operator of the vehicle.

## **29 Supporting evidence for registration application**

The road transport authority may require an applicant for registration of a registrable vehicle to provide evidence, in the form required by the authority, confirming—

- (a) the identity of anyone seeking to be recorded as the registered operator of the vehicle; and
- (b) how the vehicle came into the ownership, or under the management, of the person; and
- (c) the proposed garage address of the vehicle; and
- (d) the vehicle complies with the applicable vehicle standards; and
- (e) if the vehicle does not comply with the applicable vehicle standards—the acceptability of the vehicle for registration; and
- (f) if the vehicle is a heavy vehicle—the vehicle’s nominated configuration; and
- (g) any other information reasonably required by the authority to decide the application.

## **30 Giving authority registration application and supporting evidence**

An applicant for registration of a registrable vehicle must give the road transport authority—

- (a) an application for registration and any information required by the authority under section 28 for the application; and
- (b) any supporting evidence required by the authority under section 29.

### 31 Duration of registration

- (1) A registrable vehicle may be registered—
  - (a) for a vehicle other than a seasonal vehicle—for 1 year; or
  - (b) for a seasonal vehicle—for 9 months; or
  - (c) for any vehicle—for 3 or 6 months.

*Note* **Seasonal vehicle** is defined in the dict.

- (2) An applicant for registration of a registrable vehicle must nominate a period mentioned in subsection (1) that relates to the vehicle.
- (3) However, an applicant may nominate, and the road transport authority may approve, a different period of registration for a vehicle.

#### **Example**

The authority may approve a different period of registration to achieve a common registration expiry day for vehicles in a fleet.

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (4) The road transport authority may, in writing, declare a kind of vehicle to be a seasonal vehicle.

#### **Examples of kinds of vehicles that may be declared to be seasonal vehicles**

- 1 vehicles used in primary production
- 2 heavy vehicles.

- (5) A declaration under subsection (4) is a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the Legislation Act.

### 32 Deciding applications for registration—general

*Note* For applications for the renewal of a registration, see s 68.

- (1) The road transport authority may refuse to approve an application for registration of a registrable vehicle if—

- (a) the vehicle is not an eligible vehicle; or
- (b) the applicant has not complied with a requirement of the road transport legislation in relation to the registration of the vehicle (including, for example, any requirement to pay a fee, charge or other amount); or
- (c) the authority believes on reasonable grounds that—
  - (i) the vehicle, or a part of the vehicle, is or may be stolen; or
  - (ii) information given in, or in relation to, the application for registration is false, misleading or incomplete in a material particular; or
  - (iii) there are unpaid fines or financial penalties resulting from the use of the vehicle in Australia; or
  - (iv) the vehicle is being used for an unlawful purpose; or
- (d) the authority is not satisfied that the vehicle's garage address is in the ACT; or
- (e) the applicant has failed to comply with a territory law about certificates of inspection of registrable vehicles; or
- (f) the application may otherwise be refused under this regulation.

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (2) The road transport authority must refuse to approve an application for the registration of a registrable vehicle if—
  - (a) the authority is required to refuse to approve the application for a vehicle's registration under—
    - (i) section 32A (Deciding applications for registration—written-off vehicles); or
    - (ii) section 32B (Deciding applications for registration—taxis); or

- (iii) section 32C (Deciding applications for registration—certain hire cars); or
- (b) an order of a court in Australia prevents the vehicle's registration, and the authority has been told about the order.
- (3) If the road transport authority approves an application by or on behalf of a person for registration of a registrable vehicle, the authority must register the vehicle in the name of the person as the registered operator.

**32A Deciding applications for registration—written-off vehicles**

- (1) This section applies in relation to an application for the registration of a registrable vehicle if the vehicle identifier for the vehicle is the same as the vehicle identifier for a vehicle that is recorded as having been written-off (the *relevant record*) in—
  - (a) the written-off vehicles register; or
  - (b) an approved corresponding WOVV and the road transport authority has notice of the relevant record in the corresponding register.
- (2) If the relevant record indicates that the vehicle is a statutory write-off, the road transport authority must refuse to approve the application for the vehicle's registration.
- (3) If the relevant record indicates that the vehicle is a repairable write-off, the road transport authority must refuse to approve the application for the vehicle's registration unless the authority is satisfied that—
  - (a) the vehicle is the original vehicle to which the vehicle identifier was assigned; and
  - (b) the vehicle complies with the applicable vehicle standards.



(4) However, subsection (3) does not apply if the vehicle has been re-registered, or the vehicle's registration has been renewed, since the relevant record was made.

(5) In this section:

*repairable write-off*—see the *Road Transport (General) Regulation 2000*, section 20.

*statutory write-off*—see the *Road Transport (General) Regulation 2000*, section 22.

### **32AA Deciding applications for registration—public passenger vehicles**

(1) The road transport authority may refuse to approve an application for registration of a registrable vehicle as a public passenger vehicle if the applicant is not the accredited operator of the vehicle.

*Note* A public passenger vehicle is a public bus, taxi or hire car.

(2) In this section:

*accredited operator*, of a public passenger vehicle—see the *Road Transport (Public Passenger Services) Regulation 2002*, dictionary.

*Note* For other requirements for registration of taxis and hire cars, see s 32B and s 32C.

### **32B Deciding applications for registration—taxis**

*Note* For applications for the renewal of a registration, see s 68.

(1) The road transport authority must refuse to approve an application for the registration of a registrable vehicle as a taxi (other than a wheelchair-accessible taxi) if—

- (a) the vehicle has been used as a taxi for 6 years or longer; or
- (b) for an application for the 1st registration of the vehicle as a taxi—the vehicle is 4 years old or older; or
- (c) the vehicle is more than 8 years old; or

- (d) the vehicle does not have seating for at least 4 adults (including the driver); or
  - (e) the vehicle does not have at least 4 doors.
- (2) The road transport authority must refuse to approve an application for the registration of a registrable vehicle as a wheelchair-accessible taxi if—
- (a) the vehicle has been used as a taxi for 8 years or more; or
  - (b) for an application for the 1st registration of the vehicle as a wheelchair-accessible taxi—the vehicle is 2 years old or older.
- (3) For this section, the age of a vehicle is measured from 6 months after the day a compliance plate was fitted to the vehicle.
- (4) In this section:

*taxi*—see the *Road Transport (Public Passenger Services) Act 2001*, section 45.

*wheelchair-accessible taxi*—see the *Road Transport (Public Passenger Services) Regulation 2002*, dictionary.

### **32C Deciding applications for registration—certain hire cars**

*Note* For applications for the renewal of a registration, see s 68 (9).

- (1) The road transport authority must refuse to approve an application for the registration of a registrable vehicle as a hire car (other than a restricted hire car) if the wheelbase of the vehicle is less than 2 800mm.
- (2) However, subsection (1) does not apply to an application for the registration of a private hire car or small bus as a hire car (other than a restricted hire car) if—
- (a) the application is made by the original operator of the vehicle; and

(b) the registration to which the application relates will expire before 1 July 2010.

(3) In this section:

**hire car**—see the *Road Transport (Public Passenger Services) Act 2001*, dictionary.

**original operator** means—

- (a) for a private hire car—the person who was, immediately before the commencement of the *Road Transport Legislation (Hire Cars) Amendment Regulation 2005 (No 1)*, the registered operator of the vehicle; and
- (b) for a small bus—a person who, immediately before 1 December 2001 and immediately before the commencement of the *Road Transport Legislation (Hire Cars) Amendment Regulation 2005 (No 1)*, was the registered operator of the vehicle.

**private hire car** means a vehicle that, immediately before the commencement of the *Road Transport Legislation (Hire Cars) Amendment Regulation 2005 (No 1)*, was registered as a private hire car within the meaning of the *Road Transport (General) Act 1999*.

**restricted hire car**—see the *Road Transport (Public Passenger Services) Act 2001*, dictionary.

**small bus** means a motor vehicle built mainly to carry people that seats up to 9 adults (including the driver) that—

- (a) immediately before 1 December 2001, had a distinguishing registration number with the letters ‘MO’ followed by 1 to 3 numerals; and
- (b) immediately before 9 March 2005 was used to operate a tour and charter service under the *Road Transport (Public Passenger Services) Act 2001*.

- (4) This subsection, subsection (2) and subsection (3), definitions of *original operator*, *private hire car* and *small bus*, expire on 1 July 2010.

### 33 Conditional registration

- (1) The road transport authority may register a registrable vehicle conditionally if—
- (a) the vehicle does not comply with an applicable vehicle standard; or
  - (b) the authority considers it appropriate for another reason to register the vehicle conditionally.
- (2) The road transport authority may refuse to register a registrable vehicle conditionally under subsection (1) (a) if—
- (a) the vehicle does not have its own operations or identification plate; or
  - (b) no certificate of approved operations under section 114 (Installation of operations plates, modification of vehicles etc) has been issued or accepted by the authority for the vehicle.
- (3) In deciding the conditions to be imposed on the registration of a registrable vehicle that does not comply with an applicable vehicle standard, the road transport authority must take into account the nature and extent of the noncompliance.
- (4) The road transport authority may at any time vary or cancel the conditions imposed on the registration of a registrable vehicle.
- (5) The road transport authority must tell the registered operator in writing of the conditions, or a change in the conditions, applying to the registration of a registrable vehicle.
- (6) A condition, or a change in the conditions, applying to the registration of a registrable vehicle takes effect when the road

transport authority tells the registered operator in writing about the condition or change.

- (7) A person, other than the registered operator of a vehicle, must not use, or, if in charge of the vehicle, permit the use of, a vehicle that is conditionally registered in contravention of a condition of registration.

Maximum penalty (for subsection (7)): 20 penalty units.

*Note* The registered operator is required to comply with conditions of registration of a vehicle under the Act, s 21 (3).

## **Part 3.3 The registrable vehicles register**

### **34 General information to be recorded in register**

If the road transport authority registers a registrable vehicle, the authority must record in the registrable vehicles register, in relation to the vehicle—

- (a) the identification details of the vehicle; and
- (b) the vehicle's garage address; and
- (c) if the registered operator is an individual—the individual's name, home address, and address for the service of notices (if any); and
- (d) if the registered operator is a corporation—the corporation's name, business address, and address for the service of notices (if any); and
- (e) the expiry date of the registration; and
- (f) if the vehicle is conditionally registered—the conditions of registration; and
- (g) the vehicle's GVM (if applicable); and
- (h) the vehicle's GCM (if applicable); and
- (i) the vehicle's tare mass; and
- (j) for a heavy vehicle—the vehicle's nominated configuration; and
- (k) the vehicle's registration charge category; and

- (l) if a third-party policy has been issued for the vehicle—the name of the insurer that issued the policy and the expiry date of the policy.

### 35 Other information that may be recorded in register

The road transport authority may record in the registrable vehicles register other information for—

- (a) the purposes of the road transport legislation; or
- (b) the purposes of any other territory law; or
- (c) any other purpose the authority considers appropriate.

### 36 Recording of dealing restrictions

- (1) Without limiting section 35, the road transport authority may record information in the registrable vehicles register to identify a dealing restriction for a registrable vehicle.
- (2) Despite any other provision of this regulation, if a dealing in relation to a registrable vehicle contravenes a dealing restriction recorded in the registrable vehicles register for the vehicle, the road transport authority may—
  - (a) if the dealing requires the authority's approval—refuse to approve the dealing; and
  - (b) refuse to record details of the dealing in the register; and
  - (c) refuse to exercise any other function in relation to the dealing.
- (3) In this section:  
*dealing*, in relation to a registrable vehicle, means—
  - (a) registering the vehicle; or
  - (b) renewing the registration of the vehicle; or
  - (c) transferring the vehicle's registration.

*dealing restriction*, for a registrable vehicle, means a condition on the registration of the vehicle restricting dealing in relation to the vehicle.

**37 Changes in description or configuration to be recorded**

- (1) If the registered operator of a registrable vehicle tells the road transport authority in writing about a change in a registrable vehicle's description or nominated configuration recorded in the registrable vehicles register, the authority must record the change in the register unless satisfied that the information is false.
- (2) The road transport authority may require evidence, in a form acceptable to the authority, confirming that the change has happened.

**38 Register to record information over previous 2 years**

The road transport authority must ensure that the registrable vehicles register contains details of all registrable vehicles that are currently registered, or that have been registered within the previous 2 years.

**39 Searches of registrable vehicles register etc**

The registered operator of a registrable vehicle may—

- (a) inspect information in the registrable vehicles register in relation to the vehicle; and
- (b) obtain a certificate of all or any of that information.



## **Part 3.4 Registration documents**

### **40 Registration certificates**

- (1) If the road transport authority registers a registrable vehicle, the authority must issue a registration certificate for the vehicle and give it to the registered operator.
- (2) A registration certificate for a vehicle must include—
  - (a) the registered operator's name; and
  - (b) the address (if any) for the service of notices on the registered operator of the vehicle; and
  - (c) the vehicle's garage address; and
  - (d) the vehicle's registration number; and
  - (e) the vehicle's make; and
  - (f) the vehicle's model or body type (whichever is more descriptive); and
  - (g) the vehicle's VIN or, if there is no VIN, any chassis number and engine number of the vehicle; and
  - (h) the vehicle's GVM (if applicable); and
  - (i) the vehicle's GCM (if applicable); and
  - (j) the vehicle's tare mass; and
  - (k) for a heavy vehicle—the vehicle's nominated configuration, and registration charge category (shown by a code approved by the authority); and
  - (l) for a light vehicle—the registration charge category (shown by a code approved by the authority); and
  - (m) the expiry date of the registration; and

- (n) if the vehicle is conditionally registered—the registration conditions.

*Note* A list of the codes used in registration certificates (and their meanings) can be obtained from the authority.

- (3) The road transport authority may also include in the registration certificate any other information the authority considers appropriate.

#### **41 Damaged registration certificates**

- (1) If the registration certificate for a vehicle becomes damaged in a material respect, the registered operator must, as soon as is practicable (but within 14 days) after discovering the damage—
- (a) tell the road transport authority about the damage; and
  - (b) return the certificate to the authority.

Maximum penalty: 20 penalty units.

- (2) If the registered operator returns the registration certificate under this section, the road transport authority may issue a replacement registration certificate to the operator.
- (3) For this section, a registration certificate becomes damaged in a *material respect* if anything required to be included on the certificate under section 40 (2) (Registration certificates) is missing or cannot be readily read.

#### **42 Lost, stolen or destroyed registration certificates**

- (1) If a registration certificate for a vehicle is lost, stolen or destroyed, the registered operator must, as soon as practicable (but within 14 days) after discovering the loss, theft or destruction, tell the road transport authority about the loss, theft or destruction.

Maximum penalty: 20 penalty units.

- (2) If the registered operator tells the road transport authority about the loss, theft or destruction of the registration certificate, the authority

may, by written notice given to the operator, require the operator to provide to the authority, within a stated period and in a stated form, a statement confirming, and explaining the circumstances of, the loss, theft or destruction.

- (3) A person must not, without reasonable excuse, fail to comply with a notice given to the person under subsection (2).

Maximum penalty: 20 penalty units.

- (4) If the road transport authority is satisfied that the registration certificate for a vehicle has been lost, stolen or destroyed, the authority may issue a replacement registration certificate to the registered operator.

#### **43 Recovery of lost or stolen registration certificates**

If the registered operator of a vehicle recovers the vehicle's lost or stolen registration certificate, the operator must, as soon as practicable (but within 14 days) after recovering the certificate—

- (a) tell the road transport authority about the recovery of the certificate; and
- (b) give the certificate to the authority unless the authority tells the operator that the certificate need not be given to the authority.

Maximum penalty: 20 penalty units.

#### **44 Registration labels**

- (1) If the road transport authority registers a registrable vehicle, the authority must issue a registration label for the vehicle and give it to the registered operator.
- (2) However, the road transport authority is not required to issue a registration label for a registrable vehicle owned by a State, Territory or the Commonwealth, or by a State, Territory or Commonwealth authority.

- (3) A registration label for a vehicle must include—
- (a) the registration number of the vehicle; and
  - (b) the vehicle's make; and
  - (c) the vehicle's model or body type (whichever is more descriptive); and
  - (d) the vehicle's VIN or, if there is no VIN, any chassis number or engine number of the vehicle; and
  - (e) the vehicle's GVM (if applicable); and
  - (f) the vehicle's GCM (if applicable); and
  - (g) the vehicle's registration charge category (shown by a code approved by the authority); and
  - (h) the expiry date of the vehicle's registration; and
  - (i) if the vehicle is conditionally registered—the registration conditions (shown by a code approved by the authority).

*Note 1* A list of the codes used on registration labels (and their meanings) can be obtained from the authority.

*Note 2* The registered operator must be told about the conditions applying to the vehicle's registration (see s 33 (5)).

- (4) The registration label for a vehicle must be attached—
- (a) for all vehicles—so the information on the label is readable from the outside of the vehicle; and
  - (b) for a motor vehicle with a windscreen or fixed window—
    - (i) to the lower left side (or nearside) of the windscreen; or
    - (ii) to a fixed window on the left side (or nearside) of the vehicle; and
  - (c) for a caravan or other trailer with a fixed rear window or a hinged rear window that is designed to be closed when the

vehicle is being towed—to that window, in a place as close as possible to the vehicle's numberplate; and

- (d) for a vehicle other than a vehicle mentioned in paragraph (b) or (c)—on or next to the vehicle's rear numberplate so the characters on the numberplate are not obscured.
- (5) The road transport authority may give a replacement registration label for a vehicle to the registered operator if satisfied that the original is lost, stolen or damaged or has been destroyed.

#### **45 Using a vehicle without registration label etc**

- (1) A person must not use a registrable vehicle on a road or road related area if—
- (a) the vehicle does not have a current registration label attached to it; or
  - (b) the current registration label attached to the vehicle is not attached to it in accordance with this part; or
  - (c) the current registration label attached to the vehicle is illegible.

Maximum penalty: 20 penalty units.

- (2) The responsible person for a vehicle used by someone else in contravention of subsection (1) also commits an offence if the person failed to take reasonable precautions to prevent the contravention.

Maximum penalty: 20 penalty units.

- (3) This section does not apply to a vehicle if—
- (a) an unregistered vehicle permit is in force for the vehicle; or
  - (b) a trader's plate is attached to the vehicle; or
  - (c) the vehicle is registered but the vehicle registration label has not been received by the registered owner of the vehicle.

- (4) For this section, a registration label is *illegible* if anything that is required under section 44 (3) (Registration labels) cannot, for any reason, be readily read.

#### **45A Streamlined registration procedures**

- (1) This section applies if the road transport authority—
- (a) sends the registered operator of a registrable vehicle a registration certificate (the *prospective registration certificate*) and a registration label (the *prospective registration label*) for a future period for the vehicle; and
  - (b) invites the registered operator to renew the registration of the vehicle.
- (2) The prospective registration certificate is not issued by the road transport authority as a registration certificate, and the prospective registration label is not issued by the road transport authority as a registration label, until the appropriate fee determined for the registration mentioned in the certificate and label has been paid.

*Note* Fees are determined under the *Road Transport (General) Act 1999*, s 96.

- (3) If the prospective registration certificate has not been issued by the road transport authority as a registration certificate, a person must not use the prospective registration certificate to pretend to have registration.

Maximum penalty: 20 penalty units.

- (4) If the prospective registration label has not been issued by the road transport authority as a registration label, a person must not attach the unissued prospective registration label to a vehicle.

Maximum penalty: 20 penalty units.

- (5) If the road transport authority issues a registration certificate and registration label for the registration of the registrable vehicle for a period completely or partly covered by the prospective registration

certificate and prospective registration label for the vehicle, the prospective registration certificate and prospective registration label cannot be issued and may be destroyed without notice to the authority under section 42 (Lost, stolen or destroyed registration certificates).

## Part 3.5 Numberplates

### Division 3.5.1 General

#### 46 Definitions for pt 3.5

In this part:

*owner*, of a prescribed right to a non-standard registration number, means—

- (a) the person entitled to the right; or
- (b) if 2 people are entitled to the right—each of those people.

*plate-holder*, of a numberplate, means—

- (a) for a trader's plate—the person issued with the plate; or
- (b) for any other numberplate—the registered operator of the registrable vehicle for which the numberplate is issued.

*prescribed right*, to a non-standard registration number, means a right to the number sold under section 54 (Selling rights to non-standard registration numbers).

*right*, to a non-standard registration number, means the exclusive right to be given the number as a registration number.

#### 47 Determination of non-standard registration numbers

- (1) The road transport authority may, in writing, determine that a number is a non-standard registration number.
- (2) A determination is a notifiable instrument.

*Note* A notifiable instrument must be notified under the Legislation Act.



#### **48 Application of pt 3.5 to trader's plates**

This part (except division 3.5.6 (Damaged, lost, stolen and destroyed numberplates)) does not apply to trader's plates.

*Note* Pt 5.2 provides for the issue and use of trader's plates.

### **Division 3.5.2 Issue of numberplates generally**

#### **49 Vehicle numberplates**

- (1) If the road transport authority registers a registrable vehicle, the authority must give a distinguishing registration number to the vehicle.
- (2) The road transport authority must issue—
  - (a) for a motor vehicle registered by the authority (other than a motorbike or motortrike)—2 vehicle numberplates with the vehicle's registration number; and
  - (b) for a motorbike, motortrike or trailer registered by the authority—at least 1 vehicle numberplate with the registration number of the motorbike, motortrike or trailer; and
  - (c) for any other registrable vehicle registered by the authority—the number of vehicle numberplates the authority considers appropriate with the vehicle's registration number.
- (3) This section does not require the road transport authority to—
  - (a) give a distinguishing registration number if the vehicle already has a distinguishing registration number; or
  - (b) issue vehicle numberplates with the vehicle's registration number if the vehicle already has the required number of numberplates with the vehicle's registration number.

## **50 Bicycle rack numberplates**

- (1) The registered operator of a registered motor vehicle (other than a motorbike or motortrike) may apply to the road transport authority for the issue of a bicycle rack numberplate for the vehicle in addition to the vehicle numberplates issued for the vehicle.
- (2) If the registered operator applies under subsection (1), the road transport authority may issue a bicycle rack numberplate with the same number as the vehicle's registration number to the registered operator.
- (3) For this regulation—
  - (a) a bicycle rack numberplate issued to the registered operator of a motor vehicle is taken to be issued for use for that vehicle; and
  - (b) a bicycle rack numberplate displayed, under this regulation, on a bicycle rack on a motor vehicle is taken to be attached to the vehicle; and
  - (c) in deciding whether a bicycle rack numberplate has the same number as the registration number of a motor vehicle only the registration number given to the vehicle is to be considered, and any additional material on any vehicle numberplate of the vehicle, or on the bicycle rack numberplate, is to be disregarded.

## **51 Dimensions, layout etc of numberplates**

- (1) The road transport authority may, in writing, determine the dimensions, layout and other characteristics with which numberplates must comply.
- (2) A determination is a notifiable instrument.

*Note* A notifiable instrument must be notified under the Legislation Act.

## **52 Authority may change registration number**

- (1) The road transport authority may change the registration number given to a registered vehicle.
- (2) Without limiting subsection (1), the road transport authority may change the registration number given to a registered vehicle if the authority considers that—
  - (a) there is an error of any kind in a numberplate issued for the vehicle; or
  - (b) there has been an error of any kind in the issuing of a numberplate for the vehicle; or
  - (c) the numberplate should not have been issued for any other reason.
- (3) If the road transport authority changes the registration number of a registered vehicle under this section, the authority may, by written notice given to the registered operator, require the operator to return to the authority, within the period stated in the notice, the numberplates issued for the vehicle.
- (4) A person must not, without reasonable excuse, fail to comply with a notice given to the person under subsection (3).

Maximum penalty: 20 penalty units.
- (5) If the registered operator of a vehicle returns a numberplate under this section, the road transport authority must issue a replacement numberplate to the operator.

## **Division 3.5.3 Non-standard registration numbers**

### **53 Nature of prescribed rights**

A prescribed right to a non-standard registration number is personal property.

#### **54 Selling rights to non-standard registration numbers**

- (1) The road transport authority may, on behalf of the Territory, sell rights to non-standard registration numbers in the way, and at the times, the authority considers appropriate.
- (2) Subsection (1) does not apply to a non-standard registration number for which a person has a prescribed right.
- (3) The road transport authority must decide in writing the conditions on which rights may be sold and the conditions subject to which rights may be exercised.
- (4) Without limiting subsection (3), a right may be sold on conditions that allow the road transport authority, on behalf of the Territory, to extend the term of the right on application by the owner of the right.

#### **55 Assignment of rights**

- (1) A prescribed right may only be assigned if the road transport authority approves the assignment of the right to the proposed assignee.
- (2) If the owner of a prescribed right applies to the road transport authority to approve a proposed assignment of the right to someone, the road transport authority must, by written notice to the owner, approve the assignment of the right to the proposed assignee.

#### **56 Storage of non-standard registration numbers**

- (1) The road transport authority may store a numberplate with a non-standard registration number on behalf of the owner of the prescribed right to the number.
- (2) The road transport authority must decide in writing the conditions on which numberplates may be stored.

**57 Power to cancel right to non-standard registration number**

- (1) The road transport authority may cancel a prescribed right to a non-standard registration number by written notice given to the owner of the right.
- (2) If the road transport authority cancels a right to a non-standard registration number and the owner of the right had 1 or more numberplates with the non-standard number, the owner of the right must return the numberplates to the authority within the time mentioned for return in the notice.

Maximum penalty: 20 penalty units.

- (3) If the road transport authority cancels a right, the owner of the right is entitled to reasonable compensation as agreed between the owner and the authority or, if they cannot agree within a reasonable time, as decided by a court of competent jurisdiction.

**58 Hire of non-standard numberplates**

- (1) The road transport authority may hire out numberplates that display non-standard registration numbers.
- (2) The road transport authority must decide in writing the terms on which the numberplates may be hired out.

**Division 3.5.4 Use of numberplates**

**59 Display of numberplates**

- (1) The registered operator of a registered vehicle must ensure that a vehicle numberplate issued for the vehicle is securely attached to the vehicle so that (if the vehicle is on level ground)—
  - (a) the numberplate is—
    - (i) upright and substantially parallel to the vehicle's axles;  
and

- (ii) not over 1.3m above ground level; and
- (b) the numbers on the numberplate are clearly visible from a distance of 20m at any point within an arc of 45° from the surface of the numberplate above and to either side of the vehicle, as shown in diagram 59.1, figures 1 and 2 (for heavy vehicles) and diagram 59.2, figures 1 and 2 (for light vehicles); and
- (c) any cover on the numberplate—
  - (i) is clear, clean, untinted and flat over the surface of the numberplate; and
  - (ii) has no reflective or other characteristics that would prevent the successful operation of a traffic offence detection device.

**Diagram 59.1 Heavy vehicles**

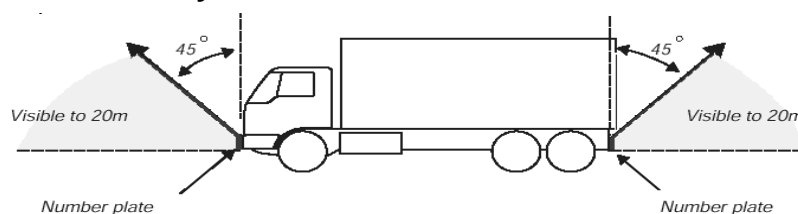


Figure 1

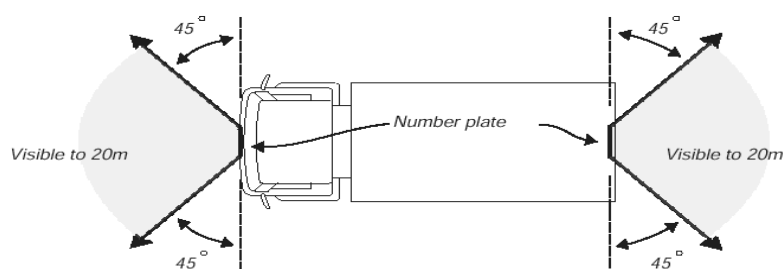


Figure 2

**Diagram 59.2 Light vehicles**

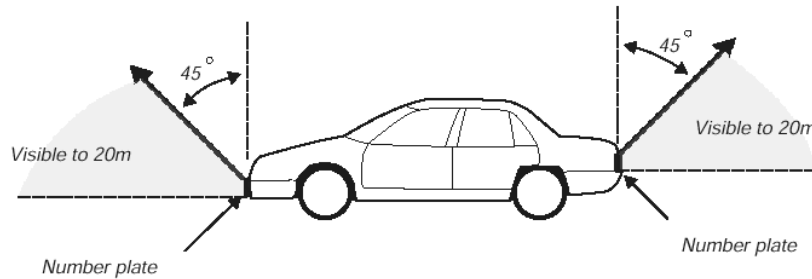
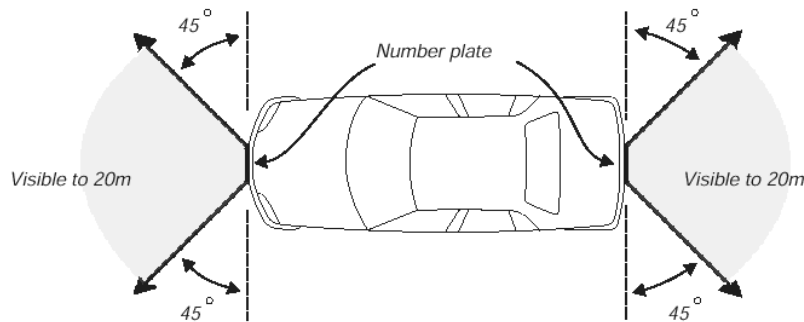


Figure 1



- (2) Subsection (1) applies to a vehicle operating as a stand-by taxi as if the reference to a numberplate issued for the vehicle were a reference to the numberplate issued for the usual taxi.
- (3) The registered operator of a registered vehicle must ensure that—
  - (a) for a motor vehicle (other than a motorbike or motortrike)—1 numberplate is attached to the front of the vehicle and another to its rear; and
  - (b) for a motorbike, motortrike or trailer—at least 1 numberplate is attached to its rear.
- (4) Subsections (1) (a) and (b) and (3) (a) and (b) do not apply to a vehicle numberplate of a registrable vehicle if—

- (a) because of the construction of the vehicle, it is not practicable to comply with the paragraphs; and
  - (b) the numberplate is attached in a way that complies as far as practicable with the paragraphs.
- (5) Subsection (1) (b) does not apply to the rear vehicle numberplate of a registrable vehicle if—
- (a) the rear numberplate of the registrable vehicle is obscured by a vehicle that is being towed by the registrable vehicle; and
  - (b) the towed vehicle displays a rear numberplate in accordance with subsections (1) and (3) or, if the towed vehicle is not required to display a rear numberplate, the registration number of the registrable vehicle is displayed at the rear of the towed vehicle in a way that complies as far as practicable with subsections (1) and (3).
- (6) The road transport authority may exempt a vehicle or person from a provision of this section.
- (7) If an exemption under this section is given subject to conditions, the exemption applies only if all the conditions of the exemption are complied with.
- (8) In this section:

*stand-by taxi*—see the *Road Transport (Public Passenger Services) Regulation 2002*, section 109 (1).

*usual taxi*—see the *Road Transport (Public Passenger Services) Regulation 2002*, section 109 (1).

## 60 Using vehicle without numberplate etc

- (1) A person must not use a registrable vehicle on a road or road related area if—
- (a) the vehicle does not have the numberplates or numberplate required under this division attached to it; or



(b) a numberplate attached to the vehicle is not attached in accordance with this division; or

(c) a numberplate attached to the vehicle is illegible.

Maximum penalty: 20 penalty units.

- (2) The responsible person for a vehicle used by someone else in contravention of subsection (1) also commits an offence if the person failed to take reasonable precautions to prevent the contravention.

Maximum penalty: 20 penalty units.

- (3) This section does not apply to a vehicle if—
- (a) an unregistered vehicle permit is in force for the vehicle; or
  - (b) a trader's plate is attached to the vehicle.
- (4) For this section, a numberplate is *illegible* if anything required to be included on the numberplate cannot, for any reason, be readily read.
- (5) For subsection (4), a number on the numberplate is taken not to be readily readable if the number is not clearly visible as required by section 59 (1) (b) (Display of numberplates).

## **Division 3.5.5          Swapping, transfer and exchange of numberplates**

### **61          Swapping of numberplates**

The road transport authority may approve the swap of numberplates between registrable vehicles.

### **62          Transfer of numberplate to another vehicle**

The road transport authority may transfer the numberplates of a registrable vehicle (the *giving vehicle*) to another registrable vehicle (the *receiving vehicle*) if—

- (a) the registration of the giving vehicle was cancelled following approval of an application to surrender its registration; and
- (b) if the giving vehicle has 1 registered operator—the same person is (or is to be) the registered operator of the receiving vehicle; and
- (c) if the giving vehicle has 2 registered operators—the authority is satisfied that each registered operator who can agree to the transfer does agree; and
- (d) if the receiving vehicle has 2 registered operators—the authority is satisfied that each registered operator who can agree to the transfer does agree.

### **63 Exchange of numberplates**

- (1) If the registered operator of a registered vehicle surrenders the numberplates issued for the vehicle to the road transport authority, the authority may issue numberplates with a different registration number for the vehicle.
- (2) If the road transport authority is satisfied that 1 or more of the numberplates issued for the vehicle have been lost, stolen or destroyed, the authority may act under subsection (1) even though the numberplate or numberplates have not been surrendered.

## **Division 3.5.6 Damaged, lost, stolen and destroyed numberplates**

### **64 Damaged numberplates**

- (1) If a numberplate becomes damaged in a material respect, the plate-holder must, as soon as is practicable (but within 14 days) after discovering the damage—
  - (a) tell the road transport authority about the damage; and

- (b) return the numberplate to the authority and, unless otherwise approved by the authority, any other numberplate with the same registration number.

Maximum penalty: 20 penalty units.

- (2) If the plate-holder returns a numberplate under this section, the road transport authority may issue a replacement numberplate with the same distinguishing number to the plate-holder.
- (3) For this section, a numberplate becomes damaged in a *material respect* if anything required to be included on the numberplate is missing or cannot be readily read.
- (4) For subsection (3), a number on the numberplate is taken not to be readily readable if the number is not clearly visible as required by section 59 (1) (b) (Display of numberplates).

## **65 Lost, stolen or destroyed numberplates**

- (1) If a vehicle numberplate is lost, stolen or destroyed, the plate-holder must, as soon as practicable (but within 14 days) after discovering the loss, theft or destruction—
  - (a) tell the road transport authority about the loss, theft or destruction; and
  - (b) return to the authority any other numberplate issued to the plate-holder with the same distinguishing number unless it has also been lost, stolen or destroyed.

Maximum penalty: 20 penalty units.

- (2) If a bicycle rack numberplate is lost, stolen or destroyed, the plate-holder must, as soon as practicable (but within 14 days) after discovering the loss, theft or destruction, tell the road transport authority in writing about the loss, theft or destruction.

Maximum penalty: 20 penalty units.

- (3) If the plate-holder for a numberplate tells the road transport authority about the loss, theft or destruction of the numberplate, the authority may, by written notice given to the plate-holder, require the plate-holder to provide to the authority, within a stated period and in a stated form, a statement confirming, and explaining the circumstances of, the loss, theft or destruction.
- (4) A person must not, without reasonable excuse, fail to comply with a notice given to the person under subsection (3).

Maximum penalty: 20 penalty units.

- (5) If the road transport authority is satisfied that a vehicle numberplate has been lost, stolen or destroyed, the authority may issue replacement numberplates with the same or a different distinguishing number to the plate-holder.
- (6) If the road transport authority is satisfied that a bicycle rack numberplate has been lost, stolen or destroyed, the authority may issue a replacement numberplate with the same distinguishing number to the plate-holder.

## **66 Recovery of lost or stolen numberplates**

If the plate-holder of a lost or stolen numberplate recovers the numberplate, the plate-holder must, as soon as practicable (but within 14 days) after recovering the numberplate—

- (a) tell the road transport authority about the recovery of the numberplate; and
- (b) give the numberplate to the authority unless the authority tells the plate-holder that the numberplate need not be given to the authority.

Maximum penalty: 20 penalty units.

## Part 3.6 Renewal of registration

### 67 Notice of renewal for registration

- (1) A *notice of renewal* for the registration of a registered vehicle is a notice—
  - (a) addressed to the registered operator of the vehicle; and
  - (b) stating that the vehicle's registration will expire if it is not renewed on or before a date stated in the notice.
- (2) If the road transport authority fails to send a notice of renewal for the registration of a registered vehicle, or the notice is not received by the registered operator of the vehicle, the failure or nonreceipt does not affect—
  - (a) the expiry of the vehicle's registration; or
  - (b) the obligation of the operator to renew the vehicle's registration if the operator intends the vehicle to be used on a road or road related area after the expiry of its existing registration.
- (3) The road transport authority is not required to send a notice of renewal for the registration of a seasonal vehicle.
- (4) The road transport authority may include information or material not related to vehicle registration with notices of renewal sent to registered operators if satisfied on reasonable grounds that providing the information or material is in the public interest.

**Example—information or material that may be provided in the public interest**  
promotional information or material that is part of a public awareness campaign on a health or safety issue

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

## 68 Renewal of registration

- (1) The registered operator of a registered vehicle may apply to the road transport authority to renew the registration of the vehicle.
- (2) The registration of a registered vehicle may be renewed not more than 1 year after its expiry.
- (3) Subsection (2) does not have the effect of enabling a registrable vehicle to be retrospectively registered.
- (4) The registration of a registrable vehicle may be renewed—
  - (a) for a vehicle other than a seasonal vehicle—for 1 year; or
  - (b) for a seasonal vehicle—for 9 months; or
  - (c) for any vehicle—for 3 or 6 months.

*Note* The renewal of registration of a seasonal vehicle may be restricted under s 68A (2).

- (5) However, the road transport authority may approve a different period of renewal nominated by the registered operator.
- (6) If the registered operator wishes to renew the registration for a period different from the current registration period, the operator must nominate the proposed renewal period in accordance with subsections (4) and (5).
- (7) The road transport authority may require the registered operator to give to the authority information or supporting evidence that the authority could require from an applicant for registration.

*Note* See s 28 (Information that may be required for registration application) and s 29 (Supporting evidence for registration application) for the kind of information or evidence the authority may require.

- (8) The road transport authority must renew the registration of the vehicle if the registered operator complies with this section.

- (9) However, the road transport authority—
- (a) may refuse to renew the registration if the authority could have refused, under section 32 (1) (Deciding applications for registration—general), to approve an application by the registered operator for the registration of the vehicle; and
  - (b) must refuse to renew the registration if the authority is required to refuse to approve the application for a vehicle’s registration under—
    - (i) section 32A (Deciding applications for registration—written-off vehicles); or
    - (ii) section 32B (Deciding applications for registration—taxis); or
    - (iii) section 32C (Deciding applications for registration—certain hire cars).
- (10) Despite subsection (9) (b), the road transport authority may renew the registration of a vehicle recorded as a statutory write-off in the written-off vehicles register or an approved corresponding WOVV if—
- (a) the vehicle has been registered, or the vehicle’s registration has been renewed, in the ACT after the record was made and before 28 January 2003; and
  - (b) the authority is satisfied that—
    - (i) the vehicle is the original vehicle to which the vehicle’s vehicle identifier was assigned; and
    - (ii) the vehicle complies with the applicable vehicle standards.

**68A Seasonal vehicles—maximum registration renewal period**

- (1) The road transport authority may, in writing, declare the maximum period for which a seasonal vehicle may be registered in any 12 month period.
- (2) The registration of a seasonal vehicle must not be renewed for the period mentioned in section 68 (4) (b) or (c) if renewal for the period would mean the vehicle was registered for more than the maximum period.
- (3) A declaration under subsection (1) is a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the Legislation Act.



## **Chapter 4            Alteration of registration status**

### **Part 4.1            General obligations of registered operators**

#### **69            Obligation to notify change of name or address etc**

- (1) This section applies to the registered operator of a registered vehicle if—
  - (a) the vehicle's garage address changes; or
  - (b) the operator is an individual and the individual has changed his or her name or home address or address for service of notices; or
  - (c) the operator is a corporation and the corporation has changed its name or business address or address for service of notices.
- (2) The registered operator must tell the road transport authority about the change—
  - (a) orally not later than 14 days after the change; and
  - (b) if the authority asks the operator to tell the authority about the change in writing—in writing within the period (not less than 14 days) required by the authority.

Maximum penalty: 20 penalty units.

#### **71            Obligations in relation to changed vehicles**

- (1) This section applies to the registered operator of a registered vehicle if the vehicle has been changed in a way that changes the description of the vehicle from the description on the vehicle's registration certificate.

- (2) The registered operator must tell the road transport authority in writing about the change as soon as possible (but within 14 days) after the change.

Maximum penalty: 20 penalty units.

- (3) If the vehicle has been changed in a way that would incur liability for an additional fee, charge or other amount under the *Road Transport (General) Act 1999*, the registered operator must ensure that the vehicle is not used on a road or road related area until—
- (a) the road transport authority has been told about the change in writing; and
- (b) the amount has been paid.

Maximum penalty: 20 penalty units.

## **72 Verification of register and monitoring of compliance**

- (1) If the road transport authority suspects on reasonable grounds that information in the register in relation to a registered vehicle may be inaccurate or misleading, the authority may, by written notice given to the registered operator, require the operator to provide evidence to the authority, in a stated form, about anything relevant to the registration or continued registration of the vehicle, including, for example—
- (a) the vehicle's identification details; and
- (b) the vehicle's garage address; and
- (c) if the operator is an individual—the individual's name, home address, and address for the service of notices (if any); and
- (d) if the operator is a corporation—the corporation's name, business address, and address for the service of notices (if any); and
- (e) the vehicle's registration charge category.

- (2) The notice may require the person to—
  - (a) provide a stated document that is in the person's possession or control for inspection; or
  - (b) produce the vehicle for inspection at a stated time and place.
- (3) If a person who is required to produce a vehicle for inspection under this section asks the road transport authority for a change to the time or place stated in the notice, the authority must consider the request and may, by written notice given to the person, change the time or place in accordance with the request.
- (4) A person must not, without reasonable excuse, fail to comply with a notice given to the person under this section.

Maximum penalty (for subsection (4)): 20 penalty units.

## Part 4.2 Transfer of registration

### 73 Obligations of disposers

- (1) A person, or the agent of a person, who disposes of a registered vehicle must, immediately after disposing of the vehicle—
  - (a) fill in an application for transfer of registration form as disposer and sign it; and
  - (b) give the completed form to the person who has acquired the vehicle (the *acquirer*).
- (2) The person commits an offence if the person, or the agent of the person, does not give the completed form to the acquirer as required by subsection (1).

Maximum penalty: 20 penalty units.

- (3) This section and section 74 (1) (Obligations of acquirers) do not apply to—
  - (a) a passing of possession of a vehicle—
    - (i) under a hiring, other than a hiring under a hire-purchase agreement, for not longer than 3 months; or
    - (ii) under a lending, other than a lending under a lease agreement, for not longer than 3 months; or
    - (iii) to an agent for sale or disposal; or
    - (iv) to a bailee for alteration, repair, renovation, garaging, storing or a similar purpose not involving the use of the vehicle for the benefit of the bailee; or
  - (b) the transfer of a vehicle under an order of a court in Australia or any other legal process.

## **74 Obligations of acquirers**

- (1) A person, or the agent of a person, who acquires a registered vehicle must, not later than 14 days after acquiring the vehicle—
  - (a) fill in as the acquirer the form received from the disposer as mentioned in section 73 (1) (Obligations of disposers) and sign it; and
  - (b) give the completed form to the road transport authority with any duty payable under the *Duties Act 1999* for the transfer of registration of the vehicle.
- (2) The person commits an offence if the person, or the agent of the person, does not give the completed form with the amount of the duty (if any) to the road transport authority as required by subsection (1).

Maximum penalty: 20 penalty units.

- (3) If a registered vehicle is acquired under an order of a court in Australia or any other legal process, the person, or the agent of the person, who acquires the vehicle must, not later than 14 days after acquiring the vehicle—
  - (a) fill in a form telling the road transport authority about the court order or other legal process and sign it; and
  - (b) give the completed form to the authority with any duty payable under the *Duties Act 1999* for the transfer of registration of the vehicle.
- (4) The person commits an offence if the person, or an agent of the person, does not give the completed form with the amount of the duty (if any) to the road transport authority as required by subsection (3).

Maximum penalty: 20 penalty units.

**75      Interim entry about disposal of vehicle**

If the road transport authority is told by the registered operator of a registered vehicle that the vehicle has been disposed of, the authority may make an entry in the register to that effect until the application for transfer of the vehicle is received.

**76      Repossession and restoration**

- (1) If the holder of a security interest in a registered vehicle takes possession of the vehicle, or returns possession of the vehicle to the registered operator, the holder must, not later than 14 days after taking the action—
  - (a) fill in a form telling the road transport authority about the action and sign it; and
  - (b) give the completed and signed form to the authority with any duty payable under the *Duties Act 1999* for the transfer of registration of the vehicle.
- (2) The holder of the security interest commits an offence if the holder, or the agent of the holder, does not give the completed form with the amount of the duty (if any) to the road transport authority as required by subsection (1).

Maximum penalty: 20 penalty units.

- (3) In this section:

***security interest*** means an interest in, or a power over, goods that secures payment of a debt or other financial obligation or the performance of any other obligation, and includes any interest in, or power over, goods of a lessor, owner or other supplier of goods, but does not include a possessory lien or pledge.

## 77 Transfer on death of registered operator

- (1) This section applies if the road transport authority is satisfied that the registered operator of a registered vehicle (the *previous registered operator*) has died.
- (2) The road transport authority may transfer the registration of the vehicle to a person (the *first transferee*) who applies to the authority for the transfer if—
  - (a) the person satisfies the authority that the person is entitled to the transfer; and
  - (b) for a vehicle that has 2 registered operators—the authority is satisfied that the surviving registered operator agrees to the transfer; and
  - (c) the registration certificate for the vehicle is surrendered to the authority.
- (3) The road transport authority may subsequently transfer the registration of the vehicle to someone (the *second transferee*) other than the first transferee if, while the first transferee is the registered operator of the vehicle, a person produces probate of the will or letters of administration granted to the person for the estate of the previous registered operator and applies to have the registration transferred to the second transferee.
- (4) If the road transport authority intends to transfer the registration of the vehicle to the second transferee, the authority may, by written notice given to the first transferee, require the first transferee to return to the authority, within a stated reasonable period, the vehicle's registration certificate.
- (5) A person must not, without reasonable excuse, fail to comply with a notice given to the person under subsection (4).

Maximum penalty: 20 penalty units.

## **77A      Transfer of suspended registration**

- (1) This section applies if—
- (a) a vehicle's registration is suspended under section 85; and
  - (b) the registration is suspended because a registration payment made by the registered operator is dishonoured; and
- Note 1*    The *Road Transport (General) Regulation 2000*, s 16 and s 17 relate to dishonour notices and suspension notices for dishonoured payments of amounts payable under the road transport legislation.
- Note 2*    The suspension period for a dishonoured payment is 14 days (see *Road Transport (General) Regulation 2000*, s 17).
- (c) a person acquires the vehicle; and
  - (d) the road transport authority is satisfied on reasonable grounds that the person did not know, and could not reasonably be expected to have known, about the suspension when the person acquired the vehicle.
- (2) The person may apply to the road transport authority to re-establish the vehicle's registration.
- (3) The application must—
- (a) nominate the registration period in accordance with section 31 (Duration of registration); and
  - (b) be accompanied by the vehicle registration fee for the period.
- (4) On application, the road transport authority must—
- (a) cancel the vehicle's registration and re-establish the registration for the period applied for; or
  - (b) refuse the application.



- (5) However—
- (a) section 78 applies to an application under this section as if it were an application to register the transfer of registration of a registrable vehicle; and
  - (b) the road transport authority may refuse an application under this section only if allowed or required to refuse it under section 78.
- (6) If the road transport authority re-establishes the vehicle's registration under subsection (4) (a), the person is not liable to pay a surcharge otherwise payable on re-establishing registration because the registration is cancelled.

## **78 When transfer of registration may or must be refused**

- (1) The road transport authority may refuse an application to register the transfer of registration of a registrable vehicle if—
- (a) a defect notice has been issued for the vehicle that prohibits use of the vehicle or imposes conditions on the use of the vehicle, and has not been cleared under section 160 (Recording, clearance and withdrawal of defect notices); or
  - (b) the vehicle is registered on condition that it not be transferred; or
  - (c) the applicant has not complied with the road transport legislation in relation to the transfer of the registration; or
  - (d) the vehicle identifier for the vehicle is the same as the vehicle identifier for a vehicle that is recorded as having been written-off in—
    - (i) the written-off vehicles register; or
    - (ii) an approved corresponding WOVV and the road transport authority has notice of the record in the corresponding register; or

- (e) the authority believes on reasonable grounds that the ownership, possession, control or description of the vehicle is uncertain; or
  - (f) the person acquiring the vehicle fails to—
    - (i) provide a certificate of roadworthiness required by the authority; or
    - (ii) comply with any requirement of the authority in relation to the inspection of the vehicle; or
  - (g) the authority could have refused, under section 32 (1) (Deciding applications for registration—general), to have approved an application by the applicant for the registration of the vehicle; or
  - (h) for a vehicle with 2 registered operators—the authority is not satisfied that both registered operators agree to the transfer; or
  - (i) the authority is satisfied that the effective management of the vehicle has not changed.
- (2) However, the road transport authority may approve the application even if one of the parties to the transfer has not complied with a provision of this regulation in relation to the transfer.
- (3) The road transport authority must refuse to approve an application for the transfer of registration of a registered vehicle if an order of a court in Australia prevents the transfer of the vehicle’s registration, and the authority has been told about the order.

## **79 Action on approval of application for transfer**

If the road transport authority approves an application to register the transfer of registration of a registered vehicle, the authority must record the details of the transfer in the register and issue a new registration certificate to the new registered operator.

**80 Exemptions from pt 4.2**

- (1) The road transport authority may exempt a vehicle or person from a provision of this part.
- (2) If an exemption is given subject to conditions, the exemption applies only if all the conditions of the exemption are complied with.

## **Part 4.3 Expiry of registration**

### **81 Expiry of registration**

The registration of a registrable vehicle expires at the end of the day recorded in the register as the vehicle's registration expiry day.

### **82 Return of numberplates if registration expires**

- (1) This section applies to the registered operator of a registered vehicle if the vehicle's registration is not renewed before the expiry of the registration.
- (2) The road transport authority may, by written notice given to the registered operator, require the operator to return the numberplates issued for the vehicle.
- (3) A person must not, without reasonable excuse, fail to comply with a notice given to the person under this section.

Maximum penalty: 20 penalty units.

## Part 4.4 Surrender, suspension and cancellation of registration

### 83 Surrender of registration by registered operator

- (1) The registered operator of a registered vehicle may apply to the road transport authority to surrender its registration.
- (2) The application may be made personally by the registered operator or by an agent who produces written evidence of his or her appointment as an agent.
- (3) The applicant must, with the application, give the road transport authority a statement, signed by the registered operator or agent, that the vehicle's registration label has been destroyed.
- (4) The road transport authority may, by written notice given to the applicant, require the applicant to return the vehicle's registration certificate, numberplates or both.
- (5) If the applicant complies with this section, the road transport authority must approve the application, and cancel the vehicle's registration, unless the vehicle has 2 registered operators and the authority is not satisfied that both registered operators agree to the surrender.

*Note* The *Road Transport (General) Regulation 2000*, s 14 provides for the refund of fees on surrender of registration.

### 84 Suspension or cancellation of registration

- (1) The road transport authority may suspend or cancel the registration of a registered vehicle under section 85 (Procedures for suspension and cancellation of registration) if the authority is satisfied on reasonable grounds that—

- (a) a defect notice issued for the vehicle has not been complied with and the date for compliance mentioned in the notice has expired; or
- (b) the vehicle does not comply with the applicable vehicle standards; or
- (c) an amount payable under the *Road Transport (General) Act 1999* or the *Duties Act 1999* in relation to the vehicle has not been paid; or
- (d) the vehicle identifier for the vehicle is the same as the vehicle identifier for a vehicle that is recorded as having been written-off in—
  - (i) the written-off vehicles register; or
  - (ii) an approved corresponding WOVR and the road transport authority has notice of the record in the corresponding register; or
- (e) the ownership, possession, control or description of the vehicle as recorded in the register is uncertain; or
- (f) the vehicle has been registered in error; or
- (g) if the vehicle is a public passenger vehicle—
  - (i) for a vehicle licensed as a taxi or hire car under the *Road Transport (Public Passenger Services) Regulation 2002*—the vehicle is no longer licensed as a taxi or hire car; or
  - (ii) the registered operator of the vehicle is not accredited under the *Road Transport (Public Passenger Services) Regulation 2002* to operate that public passenger vehicle; or

- (iii) the vehicle is no longer operated as a public passenger vehicle.

**Examples for par (g) (i)**

- 1 The taxi licence has been transferred to someone else but the vehicle to which the licence relates has not been transferred to that person.
- 2 The taxi licence or hire car licence has been suspended or cancelled.

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (2) The road transport authority may suspend the registration of a registered vehicle under section 85 for up to 3 months if—
  - (a) all or any part of the premium payable for a third-party policy for the vehicle is paid by cheque or credit card; and
  - (b) the cheque is not met on presentation or the credit card is not honoured; and
  - (c) the authorised insurer that issued the policy asks the authority, under the *Road Transport (General) Act 1999*, section 168 (4), to suspend the registration.

*Note* If the unpaid premium is not paid before the end of the suspension period, the road transport authority must cancel the vehicle's registration (see *Road Transport (General) Act 1999*, s 168 (6)).

## 85 Procedures for suspension and cancellation of registration

- (1) If the road transport authority proposes to suspend or cancel the registration of a registered vehicle (the *proposed action*), the authority must give the registered operator of the vehicle a written notice stating—
  - (a) the proposed action; and
  - (b) if the proposed action is to suspend the registration—the suspension period; and

- (c) the grounds for the proposed action; and
  - (d) any action that must be taken by the operator to avoid or reverse the proposed action; and
  - (e) the date when the suspension or cancellation takes effect (the *date of effect*); and
  - (f) if the proposed action is to cancel the registration—the operator must destroy the vehicle’s registration label as soon as practicable after the cancellation takes effect; and
  - (g) if the proposed action is to cancel the registration—whether and, if so, by when the operator is required to return to the authority the vehicle’s registration certificate or the numberplates issued for the vehicle if the cancellation takes effect.
- (2) The notice must also state that, unless the notice is cancelled by the road transport authority before the date of effect—
- (a) if the proposed action is to suspend the vehicle’s registration—the vehicle must not be used on a road or road related area during the suspension period; or
  - (b) if the proposed action is to cancel the vehicle’s registration—the vehicle must not be used on a road or road related area on or after the date of effect.
- (3) The notice may, but need not, provide an opportunity for the registered operator to make representations why the proposed action should not be taken.
- (4) The date of effect must not be earlier than 14 days after the notice is given to the registered operator.
- (5) However, the road transport authority may decide that the suspension or cancellation is to take effect on a date not earlier than the date when the notice is given to the registered operator if the authority is satisfied on reasonable grounds that—



- (a) a defect notice issued for the vehicle has not been complied with and the date for compliance mentioned in the notice has expired; or
  - (b) the vehicle does not comply with the applicable vehicle standards; or
  - (c) the vehicle identifier for the vehicle is the same as the vehicle identifier for a vehicle that is recorded as having been written-off in—
    - (i) the written-off vehicles register; or
    - (ii) an approved corresponding WOVV and the road transport authority has notice of the record in the corresponding register; or
  - (d) the vehicle is a public passenger vehicle mentioned in section 84 (1) (g).
- (6) If the vehicle's registration is cancelled, the registered operator—
- (a) must destroy the vehicle's registration label as soon as practicable after the cancellation takes effect; and
  - (b) must not, without reasonable excuse, fail to return to the authority the vehicle's registration certificate, or a numberplate issued for the vehicle, in accordance with a requirement under subsection (1) (g).

Maximum penalty (for subsection (6)): 20 penalty units.

### **85A Re-establishment of cancelled registration**

- (1) This section applies if—
- (a) a vehicle's registration is cancelled under section 85; and
  - (b) the registration is cancelled because a registration payment made by the previous registered operator is dishonoured; and

*Note* The *Road Transport (General) Regulation 2000*, s 16 and s 19 relate to dishonour notices and cancellation notices for dishonoured payments of amounts payable under the road transport legislation.

- (c) a person acquires the vehicle; and
  - (d) the road transport authority is satisfied on reasonable grounds that the person did not know, and could not reasonably be expected to have known, about the cancellation when the person acquired the vehicle.
- (2) The person may apply to the road transport authority to re-establish the vehicle's registration.
- (3) On application, the road transport authority must—
- (a) re-establish the vehicle's registration; or
  - (b) refuse the application.
- (4) However—
- (a) section 32 (Deciding applications for registration—general) applies to an application under this section as if it were an application for registration of a registrable vehicle; and
  - (b) the road transport authority may refuse an application under this section only if allowed or required to refuse it under section 32.
- (5) If the road transport authority re-establishes the vehicle's registration under subsection (3) (a), the person is not liable to pay a surcharge otherwise payable on re-establishing registration because the registration is cancelled.

*Note* The Minister may determine a fee payable as a surcharge for the registration of a vehicle if the registration has lapsed or been cancelled (see *Road Transport (General) Act 1999*, s 96).

## **Chapter 5            Authorised uses of unregistered vehicles**

### **Part 5.1            Unregistered vehicle permits**

#### **86            Issue of unregistered vehicle permits etc**

- (1) The road transport authority may issue an unregistered vehicle permit for a registrable vehicle if—
  - (a) it would be unreasonable or impracticable to require the vehicle to be registered during the period of the permit; or
  - (b) the vehicle has been driven to a place under section 22 (1) (Vehicles being driven to obtain registration etc) to obtain registration and registration has been refused.
- (2) An unregistered vehicle permit issued for a registrable vehicle authorises use of the vehicle, subject to the conditions (if any) stated in the permit, on—
  - (a) any road or road related area; or
  - (b) stated roads or road related areas.
- (3) Unless sooner cancelled, an unregistered vehicle permit expires on the expiry date stated in the permit—
  - (a) if the permit states an expiry time—at the expiry time; or
  - (b) if no expiry time is stated—at the end of the day recorded as the expiry date.
- (4) If the road transport authority issues an unregistered vehicle permit for a registrable vehicle, the authority must—

- (a) record details of the permit, including any condition to which the permit is subject, in the register; and
  - (b) give a temporary identification number to the vehicle and tell the person to whom the permit is issued what the number is.
- (5) The road transport authority may vary or cancel an unregistered vehicle permit at any time by written notice given to the holder of the permit.
- (6) An unregistered vehicle permit must include a label showing the temporary identification number given to the vehicle or, if the vehicle has a registration number, that number.

**87 Obligations of holder of unregistered vehicle permit**

The holder of an unregistered vehicle permit issued for a registrable vehicle must ensure that the label included in the permit is attached securely to the vehicle in a prominent place.

Maximum penalty: 20 penalty units.

## Part 5.2 Trader's plates

### 88 Issue of trader's plates

- (1) The road transport authority may issue 1 or more trader's plates to a person if the authority is satisfied the person—
  - (a) is a manufacturer, repairer or transporter of, or dealer in, registrable vehicles; and
  - (b) has suitable premises for the purpose.

*Note* If a person applies to the road transport authority for a trader's plate, the person must also select a CTP insurer for a CTP policy for motor vehicles to which the trader's plate may be attached and pay the CTP premium for the CTP policy (see the *Road Transport (Third-Party Insurance) Act 2008*, s 30).

- (2) The road transport authority may, in writing, determine the dimensions, layout and other characteristics with which trader's plates must comply.
- (3) A determination is a notifiable instrument.

*Note* A notifiable instrument must be notified under the Legislation Act.

### 89 Recall of trader's plates

- (1) If the road transport authority considers that—
  - (a) there is an error of any kind in a trader's plate; or
  - (b) there has been an error of any kind in the issuing of a trader's plate; or
  - (c) a trader's plate should not have been issued for any other reason;

the authority may, by written notice given to the person to whom the plate was issued, require the person to return the plate to the authority within the period stated in the notice.

- (2) A person must not, without reasonable excuse, fail to comply with a notice given to the person under subsection (1).

Maximum penalty: 20 penalty units.

- (3) If a person returns a trader's plate under this section, the road transport authority may issue a replacement trader's plate to the person.

## **90 Identification labels for trader's plates**

- (1) If the road transport authority issues a trader's plate to a person, the authority must also issue to the person an identification label for the plate.
- (2) The identification label must state the period for which the trader's plate is issued.

## **91 Lost, stolen or destroyed identification labels**

- (1) If an identification label for a trader's plate is lost, stolen or destroyed, the person to whom it was issued must, as soon as practicable (but within 14 days) after discovering the loss, theft or destruction, tell the road transport authority about the loss, theft or destruction.

Maximum penalty: 20 penalty units.

- (2) If the person tells the road transport authority about the loss, theft or destruction of the identification label, the authority may, by written notice given to the person, require the person to provide to the authority, within a stated period and in a stated form, a statement confirming, and explaining the circumstances of, the loss, theft or destruction.

- (3) A person must not, without reasonable excuse, fail to comply with a notice given to the person under subsection (2).

Maximum penalty: 20 penalty units.

## **92 Replacement identification labels**

- (1) The road transport authority may give a replacement identification label for a trader's plate to the person to whom the original identification label was issued if satisfied that the original label is lost, stolen or damaged or has been destroyed.
- (2) Before the road transport authority issues a replacement identification label to the person, the authority may require the person to return the damaged original identification label to the authority.
- (3) On the issue of the replacement identification label, the original identification label is void.

## **93 Recovery of lost or stolen identification labels**

If the person to whom a replacement identification label was issued recovers the original identification label, the person must, as soon as practicable (but within 14 days) after recovering the original label—

- (a) tell the road transport authority about the recovery of the original label; and
- (b) give the original label to the authority unless the authority tells the person that the original label need not be given to the authority.

Maximum penalty: 20 penalty units.

**94 Use of vehicles with trader's plates on road or road related area**

For the Act, section 18 (2) (a), an unregistered vehicle with a trader's plate attached may be used on a road or road related area if—

- (a) the identification label for the trader's plate is displayed on the vehicle in accordance with section 95; and
- (b) the use of the vehicle is an authorised use under section 96.

**95 Attaching of identification labels**

The identification label for the trader's plate must be displayed in a holder attached to the trader's plate in accordance with the following requirements:

- (a) the holder must be attached to the trader's plate so the label faces outward from the vehicle;
- (b) the holder must be made from transparent glass or other transparent material so the label is clearly visible to a person facing the label from 6m away from the label.

**96 Authorised use of trader's plates**

- (1) The use of an unregistered vehicle to which a trader's plate is attached is an authorised use if—
  - (a) the vehicle (or, for a trailer, the vehicle towing it) is carrying the person to whom the plate was issued (the *trader*), the trader's authorised employee or the trader's agent authorised in writing; and
  - (b) the vehicle is being driven—
    - (i) for a purpose related to its manufacture or repair (including painting or a similar process) or related to, or incidental to, dealing in the vehicle; or



- (ii) for the purpose of obtaining registration of the vehicle, by the most direct or convenient route to the nearest convenient designated place or authorised examiner; or
  - (iii) for delivery at the address of a person who has acquired it from the trader.
- (2) Subsection (1) (a) does not apply if the vehicle is a motorcycle.
- (3) However, subsection (1) authorises the use of the unregistered registrable vehicle to carry a load only if—
  - (a) the load is carried only to demonstrate to a genuine prospective purchaser the capacity of the vehicle for carrying a type or weight of load; or
  - (b) the vehicle is being driven by the most direct or convenient route to the premises of the trader from the place where the trader has built or purchased the vehicle and the load consists only of a registrable vehicle built or purchased by the trader for sale by the trader; or
  - (c) the vehicle is a trailer specially built to carry a boat and the load consists only of a boat; or
  - (d) the vehicle is not heavier than 2t unladen and is being driven—
    - (i) by the shortest practicable route to the premises of the trader from the place where the trader has built or purchased the vehicle and the load consists only of goods intended for the trader's personal use or for use in his or her business; or
    - (ii) only for carrying spare parts, for use in relation to the repair of registrable vehicles by the trader, to the trader's premises from a railway station or airport to which they have been consigned to the trader.

## 97 Unauthorised uses of identification labels

- (1) A person must not use a registrable vehicle to which a trader's plate is attached on a road or road related area if the identification label displayed on the trader's plate—
- (a) is illegible; or
  - (b) has been changed in a material particular; or
  - (c) was issued for attachment to another trader's plate; or
  - (d) is void; or
  - (e) was issued for use in a period that has expired.

Maximum penalty: 20 penalty units.

- (2) A person must not lend or part with an identification label issued to the person unless authorised by this regulation.

Maximum penalty: 20 penalty units.

- (3) For this section:
- (a) an identification label is *illegible* if anything required to be included on the label cannot, for any reason, be readily read; and
  - (b) an identification label has been changed in a *material particular* if anything that is required to be included on the label has been omitted or otherwise changed.

## 98 Trader to make, keep and produce records

A person issued with a trader's plate for a registrable vehicle must—

- (a) each time a registrable vehicle is driven on a road or road related area (the *journey*) with the plate attached, make a record of the following particulars:
  - (i) the date the vehicle was driven;

- (ii) the number of the trader's plate;
  - (iii) the make of the vehicle;
  - (iv) the purpose for which the vehicle was used;
  - (v) the driver's name and driver licence number;
  - (vi) the time the vehicle started the journey;
  - (vii) the time the vehicle returned from the journey, or the time the trader's plate was returned; and
- (b) keep the record at the premises mentioned in section 88 (1) (b) (Issue of trader's plates) for at least 6 months after the record is made; and
- (c) produce any record for the previous 6 months for inspection when asked by a police officer or authorised person.

Maximum penalty: 20 penalty units.

## **99 Questions about use of plate to be answered**

- (1) A police officer or authorised person may require the driver, or person in charge, of a vehicle to which a trader's plate is attached, or a person to whom a trader's plate has been issued, to answer any questions about the purpose for which the plate is being, or has been, used.
- (2) A person must not, without reasonable excuse, fail to answer a question when required to do so under subsection (1).

Maximum penalty: 20 penalty units.

## **100 Disposal or cessation of business**

- (1) If a person sells, disposes of or ceases to carry on the business in relation to which a trader's plate has been issued to the person, the person must give written notice of the sale, disposition or cessation

of business to the road transport authority as soon as practicable (but within 14 days).

Maximum penalty: 20 penalty units.

- (2) On application by the person to whom the business has been sold or disposed of, the road transport authority may transfer the trader's plate to person.

### **101 Return of trader's plate**

- (1) If the road transport authority is satisfied on reasonable grounds that a person is no longer entitled to hold a trader's plate issued or transferred to the person, the authority may, by written notice to the person, require the person to return the trader's plate to the authority within the period stated in the notice.
- (2) A person must not, without reasonable excuse, fail to comply with a notice under subsection (1).

Maximum penalty: 20 penalty units.

- (3) A person to whom a trader's plate has been issued or transferred must, not later than 14 days after the end of the period for which the trader's plate was issued, return the trader's plate to the road transport authority.

Maximum penalty: 20 penalty units.

### **102 Surrender of trader's plates**

A trader's plate may be surrendered by the person to whom it was issued or transferred by returning it to the road transport authority.

## **Chapter 6            Vehicle standards**

### **Part 6.1            General requirements**

#### **103            What are the applicable vehicle standards?**

The *applicable vehicle standards* for a registrable vehicle are the requirements mentioned in schedule 1 that apply to the vehicle.

#### **104            Road transport authority may exempt vehicle etc from certain provisions**

- (1) The road transport authority may exempt a vehicle, combination or person from a provision of section 108 (Emission control systems to be fitted and properly maintained) or schedule 1.
- (2) If an exemption under this section is given subject to conditions, the exemption applies only if all the conditions of the exemption are complied with.

#### **105            Meaning of *operator* of a motor vehicle or trailer for pt 6.1**

- (1) For this part, the *operator* of a motor vehicle or trailer is the registered operator of the vehicle.
- (2) However, if another person is responsible, or also responsible, for the maintenance of the vehicle, the other person is also the *operator* of the vehicle for this part.
- (3) Despite subsections (1) and (2), it is a defence to the prosecution of the registered operator for an offence against this part in relation to the vehicle if, at the relevant time—
  - (a) the registered operator was not solely or partly responsible for the maintenance of the vehicle; and

- (b) another person was, or other persons between them were, solely responsible for the maintenance of the vehicle.

**106 Meaning of *operator* of a combination for pt 6.1**

- (1) For this part, the *operator* of a combination is the registered operator of the first or only motor vehicle forming part of the combination.
- (2) However, if another person is responsible, or also responsible, for the operation of the combination, the other person is also the *operator* of the combination for this part.
- (3) Despite subsections (1) and (2), it is a defence to the prosecution of the registered operator of the motor vehicle for an offence against this part in relation to the combination if, at the relevant time—
  - (a) the registered operator was not solely or partly responsible for the operation of the combination; and
  - (b) another person was, or other persons between them were, solely responsible for the operation of the combination.

**107 Motor vehicles and trailers to be properly maintained**

- (1) This section applies to a motor vehicle or trailer whether or not it forms part of a combination, but does not apply to a vehicle mentioned in schedule 1, section 1.7.

*Note* Sch 1, s 1.7 provides that the schedule does not apply to the vehicles mentioned in the section.

- (2) A person must not drive a motor vehicle on a road or road related area unless the vehicle is maintained in a condition that enables it to be driven safely.

Maximum penalty: 20 penalty units.

- (3) A person must not drive the first or only motor vehicle forming part of a combination on a road or road related area unless each other

vehicle forming part of the combination is maintained in a condition that enables it to be towed safely.

Maximum penalty: 20 penalty units.

- (4) The operator of a motor vehicle that is on a road or road related area must maintain the vehicle in a condition that enables it to be driven safely.

Maximum penalty: 20 penalty units.

- (5) The operator of a trailer that is on a road or road related area must maintain the trailer in a condition that enables it to be towed safely.

Maximum penalty: 20 penalty units.

- (6) For this section, a vehicle is not maintained in a condition that enables it to be driven or towed safely if driving or towing the vehicle would endanger the person driving or towing the vehicle, anyone else in or on the vehicle (or the combination of which it forms part) or other road users.

*Note* The *ACT Inspection Manual for Light Vehicles* and the *ACT Inspection Manual for Heavy Vehicles*, published by the road transport authority, provide information to help people meet the requirements of this section. The manuals are available from the road transport authority.

## **108 Emission control systems to be fitted and properly maintained**

- (1) This section applies to a motor vehicle or trailer whether or not it forms part of a combination, but does not apply to a vehicle mentioned in schedule 1, section 1.7.

*Note* Sch 1, s 1.7 provides that the schedule does not apply to the vehicles mentioned in the section.

- (2) A person must not drive a motor vehicle on a road or road related area unless each emission control system of the vehicle remains fitted to the vehicle.

Maximum penalty: 20 penalty units.

- (3) A person must not drive a motor vehicle on a road or road related area unless each emission control system fitted to the vehicle is maintained in a condition that ensures that the system continues operating essentially in accordance with the system's original design.

Maximum penalty: 20 penalty units.

- (4) A person must not drive the first or only motor vehicle forming part of a combination on a road or road related area unless each emission control system of any other vehicle forming part of the combination remains fitted to the vehicle.

Maximum penalty: 20 penalty units.

- (5) A person must not drive the first or only motor vehicle forming part of a combination on a road or road related area unless each emission control system fitted to any other vehicle forming part of the combination is maintained in a condition that ensures that the system continues operating essentially in accordance with the system's original design.

Maximum penalty: 20 penalty units.

- (6) The operator of a vehicle that is on a road or road related area must ensure that each emission control system of the vehicle remains fitted to the vehicle.

Maximum penalty: 20 penalty units.

- (7) The operator of a vehicle that is on a road or road related area must maintain each emission control system fitted to the vehicle in a condition that ensures that the system continues operating essentially in accordance with the system's original design.

Maximum penalty: 20 penalty units.

- (8) It is a defence to a prosecution for an offence against a subsection of this section if the person charged establishes that it was not reasonable or practicable to comply with the subsection.



- (9) A subsection of this section does not apply to a vehicle if the vehicle is exempt—
- (a) from the subsection; or
  - (b) from the provision of the law of another jurisdiction corresponding to the subsection.
- (10) However, the vehicle is exempt from the subsection only if all conditions of the exemption (if any) are being complied with.
- (11) In this section:

***emission control system***, for a vehicle, means an emission control system fitted to the vehicle when it was built.

*Note* The *ACT Inspection Manual for Light Vehicles* and the *ACT Inspection Manual for Heavy Vehicles*, published by the road transport authority, provide information to help people meet the requirements of this section. The manuals are available from the road transport authority.

## **109 Motor vehicles not complying with sch 1**

- (1) This section applies to a motor vehicle whether or not it forms part of a combination.
- (2) If the motor vehicle contravenes a provision of schedule 1 applying to the vehicle (other than as a vehicle forming part of a combination)—
- (a) the driver of the motor vehicle commits an offence; and
  - (b) the operator, or each operator, of the motor vehicle also commits the offence.

Maximum penalty: 20 penalty units.

**Example of a provision applying to a motor vehicle (other than as a vehicle forming part of a combination)**

sch 1, s 1.83 (1), which is about how headlights are to be fitted to motor vehicles

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

### **110 Trailers not complying with sch 1**

- (1) This section applies to a trailer whether or not it forms part of a combination.
- (2) If the trailer contravenes a provision of schedule 1 applying to the trailer (other than as a vehicle forming part of a combination)—
  - (a) the driver of the first or only motor vehicle towing the trailer commits an offence; and
  - (b) the operator, or each operator, of the trailer also commits the offence.

Maximum penalty: 20 penalty units.

**Example of a provision applying to a trailer (other than as a vehicle forming part of a combination)**

sch 1, s 1.69 (3), which is about axle configurations on trailers

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

### **111 Combinations not complying with sch 1**

- (1) If a combination contravenes a provision of schedule 1 applying to the combination—
  - (a) the driver of the first or only motor vehicle forming part of the combination commits an offence; and
  - (b) the operator, or each operator, of the combination also commits the offence.

Maximum penalty: 20 penalty units.

**Example of a provision applying to a combination**

sch 1, s 1.75, which is about the maximum length of combinations

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (2) If a vehicle contravenes a provision of schedule 1 that applies to the vehicle as a vehicle forming part of a combination—
- (a) the driver of the first or only motor vehicle forming part of the combination commits an offence; and
  - (b) the operator, or each operator, of the combination also commits the offence.

Maximum penalty: 20 penalty units.

**Example of a provision applying to a vehicle as a vehicle forming part of a combination**

sch 1, s 1.146, which is about brake performance for trailers in B-doubles and road trains

## Part 6.2 Standards and certifications

### 112 Compliance with applicable vehicle standards

- (1) The road transport authority may accept as evidence that a registrable vehicle complies with the applicable vehicle standards—
  - (a) an identification plate relating to the vehicle; or
  - (b) a certificate to that effect issued by the manufacturer of the vehicle.
- (2) If the road transport authority does not have the evidence mentioned in subsection (1) for a vehicle, the authority may inspect the vehicle and, if satisfied that the vehicle does comply, issue a certificate certifying that the vehicle complies with the applicable vehicle standards.

### 113 Noncomplying and non-standard vehicles

A registrable vehicle that does not comply with the applicable vehicle standards may be conditionally registered if the vehicle has—

- (a) an operations plate installed on it under section 114; or
- (b) a certificate of approved operations issued or accepted for it under section 114; or
- (c) an identification plate relating to the vehicle.

### 114 Installation of operations plates, modification of vehicles etc

- (1) The road transport authority may authorise a person to install an operations plate on, or issue or accept a certificate of approved operations for, a registrable vehicle that has been built or modified

in a way that causes the vehicle not to comply with the applicable vehicle standards.

- (2) An operations plate installed on, or a certificate of approved operations issued or accepted for, a registrable vehicle must indicate—
  - (a) any deficiency in the vehicle's operating characteristics; and
  - (b) any condition that should be imposed on the vehicle's registration.
- (3) A person who modifies, or adds components to, a registrable vehicle must ensure that—
  - (a) if the vehicle complied with the applicable vehicle standards immediately before the modification or addition—the vehicle continues to comply with the standards; and
  - (b) the modification or addition is certified by an authorised person as complying with the *National Code of Practice for Heavy Vehicle Modifications* (1993) published by the Federal Office of Road Safety as *Vehicle Standards Bulletin No 6* or a specification approved, in writing, by the road transport authority.

Maximum penalty: 20 penalty units.

- (4) An approval under subsection (3) (b) is a notifiable instrument.

*Note* A notifiable instrument must be notified under the Legislation Act.

## Part 6.3 Inspections

### Division 6.3.1 General

#### 115 Definitions for pt 6.3

In this part:

*approval*, of premises, means the approval of the premises under section 131.

*approved premises* means premises that are approved under section 131.

*authorised examiner* means a person who is authorised under section 119 as an examiner.

*authorisation* means the authorisation of a person as an examiner.

*certificate of approval* means a certificate issued under section 131.

*certificate of appointment* means a certificate of appointment given under section 119.

*examiners register* means the register of authorised examiners kept by the road transport authority under section 121.

*owner*, of premises, means the person who holds a lease of the premises from the Commonwealth.

*prescribed requirements*, for premises and equipment on premises, means the requirements set out in schedule 2 for the class of vehicles for which the premises and equipment are proposed to be used for inspection or testing.

*proprietor*, of premises, means—

- (a) the owner of the premises; or

- (b) if the premises are occupied by someone other than the owner—the occupier of the premises.

## **Division 6.3.2 Authorised examiners**

### **116 Eligibility to apply for authorisation as examiners**

- (1) A person is eligible to apply for authorisation for a class of vehicles if the person—
- (a) holds a qualification in relation to the mechanics of vehicles that is determined by the road transport authority, in writing, to be an acceptable qualification for that class of vehicles; and
  - (b) has not been convicted or found guilty of an offence that the road transport authority considers is relevant to the application; and

*Note* The road transport authority must comply with any guidelines approved by the Minister under s 153A (Authorisation and approval of premises guidelines—relevant offences).

- (c) is not disqualified under section 125 (Procedures for authority taking action in relation to authorisation) from applying for the authorisation; and
  - (d) is a suitable person to be an authorised examiner.
- (2) A determination under subsection (1) (a) is a notifiable instrument.

*Note* A notifiable instrument must be notified under the Legislation Act.

### **117 Application procedure for authorisation**

- (1) A person who applies to the road transport authority for authorisation (including for the renewal of an authorisation) for a class of vehicles must give the authority—
- (a) a completed application form that contains the particulars necessary to show that the person is eligible to be authorised as an examiner for the class of vehicles; and

- (b) a statement supplied by a police officer about the applicant's criminal history (if any) and the infringement notices (if any) served on the person.

*Note* An infringement notice includes a notice (however described) served on a person under the law of another jurisdiction that gives the person the option of paying an amount for an offence instead of being charged with the offence (see dict, def *infringement notice*).

- (2) The road transport authority may require the person to give the authority any additional documents or other information that the authority reasonably needs to decide the application.

## **118 When applications for authorisation can be refused**

The road transport authority may refuse to approve an application by a person for authorisation (including for the renewal of an authorisation) for a class of vehicles if the authority believes on reasonable grounds that—

- (a) the person is not eligible to apply for authorisation as an examiner for that class of vehicles; or
- (b) the person has not complied with a requirement made by the authority in relation to the application or a requirement of the Act relating to the application.

## **119 Authorisation of examiners and certificates of appointment**

- (1) If the road transport authority approves an application by a person for authorisation for a class of vehicles, the authority must authorise the person as an examiner for that class and give the person a certificate of appointment.
- (2) The certificate of appointment must show—
  - (a) the person's name; and
  - (b) the class of vehicles for which the person is authorised; and



- (c) the expiry date of the authorisation.
- (3) An authorisation is for 1 year.

## **120 Approval of application for additional class of vehicles**

If the road transport authority approves an application by an authorised examiner for authorisation (other than for renewal of an authorisation) for an additional class of vehicles, the road transport authority must, if the examiner returns his or her certificate of appointment to the authority, amend the certificate to include the additional class of vehicles and return it to the examiner.

## **121 Examiners register**

- (1) The road transport authority must keep a register of authorised examiners.
- (2) The register must contain—
  - (a) the name and home address of each authorised examiner; and
  - (b) the class of vehicle that the examiner is authorised to inspect or test; and
  - (c) if the examiner is the proprietor of approved premises—the address of the premises; and
  - (d) if the examiner is not the proprietor of approved premises—the address of the premises where the person is employed; and
  - (e) the date the entry is made.
- (3) The register may also include any other information given to the road transport authority and any other information the authority considers appropriate.
- (4) The register may be kept in the form of, or as part of, 1 or more computer databases or in any other form the road transport authority considers appropriate.

- (5) The road transport authority may correct any mistake, error or omission in the register.
- (6) The road transport authority must remove from the register the name of anyone who is no longer an authorised examiner.
- (7) If the road transport authority is told about a change in something recorded in the register and the authority is satisfied that the change has happened, the authority must enter the particulars of the change in the register as soon as practicable.

## **122 Change of name or address of authorised examiner**

- (1) If an authorised examiner changes his or her name, the examiner must, as soon as practicable (but within 14 days) after the change—
  - (a) tell the road transport authority about the change; and
  - (b) return his or her certificate of appointment to the authority for amendment.

Maximum penalty: 5 penalty units.

- (2) If an authorised examiner changes his or her home address or another address recorded in the examiners register in relation to the examiner, the examiner must tell the road transport authority about the change—
  - (a) orally not later than 14 days after the change; and
  - (b) if the authority asks the person to tell the authority about the change in writing—in writing within the period (not less than 14 days) required by the authority.

Maximum penalty: 5 penalty units.

## **123 Surrender of authorisation**

- (1) A person who is authorised as an examiner may apply to the road transport authority to surrender the person's authorisation.

- (2) The application may be made personally by the person or by an agent who produces written evidence of his or her appointment as agent.
- (3) The person must return the certificate of appointment to the road transport authority with the application.
- (4) If the person complies with this section, the road transport authority must approve the application unless the authority is taking action to cancel or suspend the person's authorisation.

## **124 When authority may take action in relation to authorisation**

The road transport authority may take action under section 125 in relation to a person's authorisation if—

- (a) the person is not eligible to apply for authorisation or for authorisation for a class of vehicles for which the person is authorised; or
  - (b) the person is convicted or found guilty of—
    - (i) an offence against this part; or
    - (ii) another offence that the road transport authority considers is relevant to the authorisation; or
- Note* The road transport authority must comply with any guidelines approved by the Minister under s 153A (Authorisation and approval of premises guidelines—relevant offences).
- (c) the person was authorised because of a false or misleading statement made, or false or misleading information supplied, by the person in or in relation to the application for (or for renewal of) authorisation; or
  - (d) the person contravenes either of the following sections:

- (i) section 145 (Duties of authorised examiners inspecting and testing vehicles);
- (ii) section 146 (Issue of certificates of inspection etc).

*Note* If an authorised examiner does not pay a fee for the examiner's authorisation, or pays in a way that is not effective, the authorisation may also be cancelled (see *Road Transport (General) Regulation 2000*, pt 5).

## **125 Procedures for authority taking action in relation to authorisation**

- (1) The road transport authority may take the following action under this section in relation to a person's authorisation:
  - (a) cancel the authorisation and disqualify the person from applying for authorisation for not longer than 2 years;
  - (b) cancel the authorisation for a class of vehicles and disqualify the person from applying for authorisation for that class for not longer than 2 years;
  - (c) suspend the authorisation for not longer than 1 year and, if the authority considers appropriate, disqualify the person from applying for authorisation for not longer than 1 year;
  - (d) suspend the authorisation for a class of vehicles for not longer than 1 year and, if the authority considers appropriate, disqualify the person from applying for authorisation for that class for not longer than 1 year;
  - (e) if the authorisation is already suspended—do either of the following:
    - (i) cancel the authorisation (completely or for a class of vehicles) and disqualify the person from applying for authorisation (completely or for a class of vehicles) for not longer than 2 years;

- (ii) suspend the authorisation (completely or for a class of vehicles) for an additional period of not longer than 1 year and, if the authority considers appropriate, disqualify the person from applying for authorisation (completely or for a class of vehicles) for a period, or an additional period, of not longer than 1 year.
- (2) If the road transport authority proposes to take action under this section in relation to a person's authorisation, the authority must give the person a notice that—
  - (a) states the proposed action, including any proposed suspension (or additional suspension) period and any proposed period of disqualification (or additional disqualification) from applying for authorisation; and
  - (b) states the grounds for the proposed action; and
  - (c) invites the person to make written representations, within a stated period of at least 14 days after the person is given the notice, why the proposed action should not be taken.
- (3) If, after considering any written representations made by the person within the stated period, the road transport authority is satisfied on reasonable grounds that a ground mentioned in section 124 exists to take action under this section, the authority may take the following action:
  - (a) if the proposed action included cancelling the person's authorisation—either cancel the authorisation or suspend the authorisation (completely or for a class of vehicles) for not longer than 1 year;
  - (b) if the proposed action included cancelling the person's authorisation for a class of vehicles—either cancel the authorisation, or suspend the authorisation for not longer than 1 year, for that class;

- (c) if the proposed action included suspending the authorisation for a stated period or stated additional period—suspend the authorisation for not longer than that period;
  - (d) if the proposed action included suspending the authorisation for a class of vehicles for a stated period or stated additional period—suspend the authorisation for that class for not longer than that period;
  - (e) if the proposed action included disqualifying the person from applying for authorisation for a stated period or stated additional period—disqualify the person from applying for authorisation for not longer than that period (completely or for a class of vehicles);
  - (f) if the proposed action included disqualifying the person from applying for authorisation for a class of vehicles for a stated period or stated additional period—disqualify the person from applying for authorisation for that class for not longer than that period.
- (4) If the road transport authority decides to cancel or suspend the authorisation (completely or for a class of vehicles), or disqualify the person from applying for authorisation (completely or for a class of vehicles), the internal review notice about the decision must include a statement about when the cancellation, suspension or disqualification takes effect.

*Note* A decision to take action under this section is an internally reviewable decision (see *Road Transport (General) Act 1999*, s 90, def **internally reviewable decision** and *Road Transport (General) Regulation 2000*, sch 1), and the road transport authority must give an internal review notice to the person (see *Road Transport (General) Act 1999*, s 91).

- (5) A cancellation or suspension takes effect on—
- (a) the 7th day after the day the internal review notice about the cancellation or suspension is given to the person; or
  - (b) if the notice states a later date of effect—the stated date.

- (6) A cancellation or suspension must not take effect earlier than 7 days after the person is told about the decision.
- (7) If the road transport authority suspends a person's authorisation, the person is, during the suspension—
  - (a) taken not to be an authorised examiner; and
  - (b) disqualified from applying for authorisation as an examiner.
- (8) If the road transport authority suspends a person's authorisation for a class of vehicles, the person is, during the suspension—
  - (a) taken not to be an authorised examiner for that class; and
  - (b) disqualified from applying for authorisation as an examiner for that class.

**126 Return of certificate of appointment on cancellation or suspension**

If the authorisation of a person as an authorised examiner is cancelled or suspended (completely or for a class of vehicles), the person must not, without reasonable excuse, fail to return his or her certificate of appointment to the road transport authority as soon as practicable (but within 7 days) after the cancellation or suspension takes effect, unless the authority tells the person that the certificate need not be returned.

Maximum penalty: 20 penalty units.

**Division 6.3.3 Approval of premises**

**127 Eligibility for approval of premises**

- (1) Premises are eligible for approval for a class of vehicles if—
  - (a) the premises, and the equipment proposed to be used on the premises in or in relation to the inspection and testing of

vehicles, complies with the prescribed requirements for the class of vehicles; and

- (b) the proprietor of the premises or, if the proprietor is a corporation, each director of the corporation has not been convicted or found guilty of an offence that the road transport authority considers is relevant to the approval; and

*Note* The road transport authority must comply with any guidelines approved by the Minister under s 153A (Authorisation and approval of premises guidelines—relevant offences).

- (c) the proprietor is not disqualified under section 136 (Procedures for authority taking action in relation to approval of premises) from applying for the approval; and

- (d) the proprietor of the premises is a suitable person to be the proprietor of approved premises.

- (2) A person is eligible to apply for approval of premises if the person is the proprietor of the premises.

## 128 Application procedure for approval of premises

- (1) A person who applies to the road transport authority for approval (including renewal of an approval) of premises for a class of vehicles must give the authority—

- (a) a completed application form that contains the particulars necessary to show that the premises are eligible for approval for the class of vehicles and that the person is eligible to apply for approval of the premises; and

- (b) a statement supplied by a police officer about the applicant's criminal history (if any) and the infringement notices (if any) served on the person.

*Note* An infringement notice includes a notice (however described) served on a person under the law of another jurisdiction that gives the person the option of paying an amount for an offence instead of being charged with the offence (see dict, def *infringement notice*).



- (2) The road transport authority may require the person to give the authority any additional documents or other information that the authority reasonably needs to decide the application.

### **129 Inspection of premises before approval**

- (1) An authorised person may enter premises for which an application has been made for approval with the consent of the occupier of the premises.
- (2) The authorised person may inspect the premises, and any equipment on the premises proposed to be used in or in relation to the inspection and testing of vehicles, to find out whether the premises and equipment comply with the prescribed requirements for the class of vehicles to which the application relates.

### **130 When applications for approval of premises can be refused**

The road transport authority may refuse to approve an application by a person for approval of premises (including renewal of an approval) for a class of vehicles if the authority believes on reasonable grounds that—

- (a) the premises are not eligible to be approved for that class; or
- (b) the applicant is not eligible to apply for the approval.

### **131 Approval of premises and certificates of approval**

- (1) If the road transport authority approves an application by a person for the approval of premises for a class of vehicles, the authority must approve the premises for that class and give the person a certificate of approval.
- (2) A certificate of approval for premises must show—
  - (a) the name of the proprietor of the premises; and
  - (b) the address of the premises; and

- (c) the class of vehicles that may be inspected and tested on the premises; and
  - (d) the expiry date of the approval.
- (3) An approval is for 1 year.

### **132 Approval of application for additional class of vehicles**

If the road transport authority approves an application by the proprietor of approved premises for approval (other than for renewal of an approval) for an additional class of vehicles, the road transport authority must, if the proprietor of the premises returns his or her certificate of approval to the authority, amend the certificate to include the additional class of vehicles and return it to the proprietor.

### **133 Surrender of approval of premises**

- (1) The proprietor of approved premises may apply to the road transport authority to surrender the approval for the premises.
- (2) The application may be made personally or by an agent who produces written evidence of his or her appointment as agent.
- (3) The proprietor must return the certificate of approval for the premises to the road transport authority with the application.
- (4) If the proprietor complies with this section, the road transport authority must approve the application unless the authority is taking action to cancel or suspend approval of the premises.

### **134 Automatic cancellation of approval of premises**

The approval of premises is automatically cancelled if a person who is the proprietor of the premises ceases to be the proprietor of the premises.

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**135 When authority may take action in relation to approval of premises**

The road transport authority may take action under section 136 in relation to the approval of premises if—

- (a) the premises are not eligible to be approved premises or to be approved premises for a class of vehicles for which the premises are approved; or
- (b) the premises were approved because of a false or misleading statement made, or false or misleading information given, by the proprietor of the premises in or in relation to the application for (or for renewal of) the approval; or
- (c) the proprietor of the premises or, if the proprietor is a corporation, a director of the corporation is convicted or found guilty of—
  - (i) an offence against this part; or
  - (ii) another offence that the road transport authority considers is relevant to the approval; or

*Note* The road transport authority must comply with any guidelines approved by the Minister under s 153A (Authorisation and approval of premises guidelines—relevant offences).

- (d) the proprietor of the premises contravenes any of the following sections:
  - (i) section 144 (Vehicles to be inspected on request);
  - (ii) section 146 (Issue of certificates of inspection etc);
  - (iii) section 148 (Fees payable on inspection).

*Note* If the proprietor fails to pay a fee for renewal of the approval of premises, or pays in a way that is not effective, the approval may also be cancelled (see *Road Transport (General) Regulation 2000*, pt 5).

## **136 Procedures for authority taking action in relation to approval of premises**

- (1) The road transport authority may take the following action under this section in relation to the approval of premises:
  - (a) cancel the approval and disqualify the proprietor from applying for approval of premises for not longer than 2 years;
  - (b) cancel the approval for a class of vehicles and disqualify the proprietor from applying for approval of premises for that class for not longer than 2 years;
  - (c) suspend the approval for not longer than 1 year and, if the authority considers appropriate, disqualify the proprietor from applying for approval of premises for not longer than 1 year;
  - (d) suspend the approval for a class of vehicles for not longer than 1 year and, if the authority considers appropriate, disqualify the proprietor from applying for approval of premises for that class for not longer than 1 year;
  - (e) if the approval is already suspended—do either of the following:
    - (i) cancel the approval (completely or for a class of vehicles) and disqualify the proprietor from applying for approval of premises (completely or for a class of vehicles) for not longer than 2 years;
    - (ii) suspend the approval (completely or for a class of vehicles) for an additional period of not longer than 1 year and, if the authority considers appropriate, disqualify the proprietor from applying for approval of premises (completely or for a class of vehicles) for a period, or an additional period, of not longer than 1 year.
- (2) If the road transport authority proposes to take action under this section in relation to the approval of premises, the authority must give the proprietor of the premises a notice that—

- (a) states the proposed action, including any proposed suspension (or additional suspension) period and any proposed period of disqualification (or additional disqualification) from applying for approval of premises; and
  - (b) states the grounds for the proposed action; and
  - (c) invites the proprietor to make written representations, within a stated period of at least 14 days after the proprietor is given the notice, why the proposed action should not be taken.
- (3) If, after considering any written representations made by the proprietor within the stated period, the road transport authority is satisfied on reasonable grounds that a ground mentioned in section 135 exists to take action under this section, the authority may take the following action:
- (a) if the proposed action included cancelling the approval of the premises—either cancel the approval or suspend the approval (completely or for a class of vehicles) for not longer than 1 year;
  - (b) if the proposed action included cancelling the approval for a class of vehicles—either cancel the approval, or suspend the approval for not longer than 1 year, for that class;
  - (c) if the proposed action included suspending the approval for a stated period or stated additional period—suspend the approval for not longer than that period;
  - (d) if the proposed action included suspending the approval for a class of vehicles for a stated period or stated additional period—suspend the approval for that class for not longer than that period;
  - (e) if the proposed action included disqualifying the proprietor from applying for approval for a stated period or stated additional period—disqualify the person from applying for

approval (completely or for a class of vehicles) for not longer than that period;

- (f) if the proposed action included disqualifying the proprietor from applying for approval for a class of vehicles for a stated period or stated additional period—disqualify the person from applying for approval for that class for not longer than that period.
- (4) If the road transport authority decides to cancel or suspend the approval (completely or for a class of vehicles), or disqualify the proprietor from applying for approval of premises (completely or for a class of vehicles), the internal review notice must include a statement about when the cancellation, suspension or disqualification takes effect.

*Note* A decision to take action under this section is an internally reviewable decision (see *Road Transport (General) Act 1999*, s 90, def **internally reviewable decision** and *Road Transport (General) Regulation 2000*, sch 1), and the road transport authority must give an internal review notice to the proprietor (see *Road Transport (General) Act 1999*, s 91).

- (5) A cancellation or suspension takes effect on—
  - (a) the 7th day after the day the internal review notice about the cancellation or suspension is given to the proprietor; or
  - (b) if the notice states a later date of effect—the stated date.
- (6) If the road transport authority suspends the approval of premises, then, during the suspension—
  - (a) the premises are taken not to be approved premises; and
  - (b) the proprietor is disqualified from applying for approval of premises.
- (7) If the road transport authority suspends the approval of premises for a class of vehicles, then, during the suspension—

- (a) the premises are taken not to be approved premises for that class; and
- (b) the proprietor is disqualified from applying for approval for that class.

**137 Return of certificate of approval on cancellation or suspension**

If the approval of premises is cancelled or suspended (completely or for a class of vehicles), the proprietor must not, without reasonable excuse, fail to return the certificate of approval for the premises to the road transport authority as soon as practicable (but within 7 days) after the cancellation or suspension takes effect unless the authority tells the person that the certificate need not be returned.

Maximum penalty: 20 penalty units.

**Division 6.3.4 General duties of proprietors of approved premises**

**138 Certificate of approval to be displayed at approved premises**

The proprietor of approved premises must display the certificate of approval for the premises at the premises so it can be readily seen by anyone entering the premises.

Maximum penalty: 5 penalty units.

**139 Manuals and design rules to be kept at approved premises**

- (1) The proprietor of approved premises must keep at the premises an up-to-date copy of—
  - (a) the ACT Inspection Manual for Light Vehicles and the ACT Inspection Manual for Heavy Vehicles published by the road

transport authority and each Australian Design Rule forming a part of either manual; and

- (b) any document a part of which is applied, adopted or incorporated in either manual.

Maximum penalty: 5 penalty units.

- (2) The proprietor of approved premises must, if asked by someone, make a copy of the documents mentioned in subsection (1) available for inspection by the person at any reasonable time.

Maximum penalty: 5 penalty units.

#### **140 Notice to be displayed at approved premises**

The proprietor of approved premises must display a notice with the words ‘approved inspection station’ in capital letters at least 5cm high at the premises so it can be readily seen by anyone entering the premises.

Maximum penalty: 5 penalty units.

#### **141 Proprietor of approved premises to give notice on ceasing to be proprietor**

If the person who is the proprietor of approved premises ceases to be the proprietor of the premises, the person must, as soon as practicable (but within 7 days) after ceasing to be the proprietor—

- (a) tell the road transport authority in writing; and  
(b) return the certificate of approval issued to the proprietor for the premises to the authority.

Maximum penalty: 5 penalty units.



**142 Change of name of proprietor of approved premises**

If the proprietor of approved premises changes his or her name, the proprietor must, as soon as practicable (but within 14 days) after the change—

- (a) tell the road transport authority about the change; and
- (b) return the certificate of approval issued to the proprietor in relation to the premises to the authority for amendment.

Maximum penalty: 5 penalty units.

**Division 6.3.5 Inspections and tests of vehicles**

**143 Inspection of vehicles**

- (1) This section applies to a person who is the registered operator of a registered vehicle or has control over an unregistered vehicle.
- (2) The road transport authority may, by written notice given to the person, require the person to produce the vehicle for inspection by an authorised person or authorised examiner at a time and place stated in the notice.
- (3) If the person asks the road transport authority for a change to the time or place stated in the notice, the authority must consider the request and, if the request is reasonable, must, by written notice given to the person, change the time or place in accordance with the request.
- (4) A person must not, without reasonable excuse, fail to comply with a notice given to the person under this section.

Maximum penalty (for subsection (4)): 20 penalty units.

#### **144 Vehicles to be inspected on request**

The proprietor of approved premises must not, without reasonable excuse, refuse to inspect or test a vehicle (or arrange for it to be inspected or tested) if—

- (a) the proprietor is asked by the driver of the vehicle to inspect or test the vehicle, to decide whether the vehicle, and its parts and equipment, comply with the applicable vehicle standards; and
- (b) the vehicle is a vehicle that may be inspected or tested under this regulation on the premises; and
- (c) the proprietor of the premises is an authorised examiner, or an authorised examiner is employed at the premises, who is authorised under this regulation to inspect or test the vehicle.

#### **145 Duties of authorised examiners inspecting and testing vehicles**

An authorised examiner must not, for this regulation—

- (a) inspect or test a vehicle included in a class of vehicles that is not mentioned in his or her certificate of appointment; or
- (b) inspect or test a vehicle other than at approved premises; or
- (c) without reasonable excuse, refuse to inspect or test a vehicle included in a class of vehicles mentioned in his or her certificate of appointment; or
- (d) certify in a certificate issued under section 146 that a vehicle, or any part or equipment of the vehicle, complies with the applicable vehicle standards unless—
  - (i) the examiner has inspected or tested the vehicle, part or equipment of the vehicle; and
  - (ii) the vehicle, part or equipment of the vehicle, complies with the standards.

**146 Issue of certificates of inspection etc**

- (1) If a vehicle is inspected or tested by an authorised examiner, the authorised examiner must issue a certificate of inspection for the vehicle—
  - (a) certifying that the vehicle, and its parts and equipment, comply with the applicable vehicle standards; or
  - (b) certifying that the vehicle, or a part or equipment of the vehicle, does not comply with the applicable vehicle standards and stating the ways in which it does not comply.
- (2) The proprietor of the approved premises where the vehicle was tested or inspected must—
  - (a) give the certificate to the driver of the vehicle; and
  - (b) give a copy of the certificate to the road transport authority; and
  - (c) keep a copy of the certificate at the premises.
- (3) A certificate of inspection remains in force for 1 month beginning on the day it is given.

**147 People by whom inspections may be carried out**

The proprietor of approved premises must not allow a person employed by the proprietor—

- (a) who is not an authorised examiner to test or inspect a vehicle for this regulation; or
- (b) who is an authorised examiner to test or inspect, for this regulation—
  - (i) a vehicle in a class of vehicles that is not mentioned in the proprietor's certificate of approval for the premises; or

- (ii) a vehicle in a class of vehicles that is not mentioned in the examiner's certificate of appointment.

Maximum penalty: 20 penalty units.

#### **148 Fees payable on inspection**

- (1) The proprietor of approved premises must not charge a fee for an inspection or test of a vehicle for this regulation that is more than the appropriate fee worked out in accordance with the determination in force under section 153 (Minister may determine maximum fees for inspections).
- (2) A person is entitled to bring a proceeding to recover a fee in relation to an inspection or test of a vehicle for this regulation only if—
  - (a) the inspection or test was carried out by a person who was, at the time, an authorised examiner; and
  - (b) the inspection or test was carried out at premises that were, at the time, approved premises; and
  - (c) the vehicle was included in a class of motor vehicles that was, at the time, mentioned in—
    - (i) the certificate of appointment held by the person mentioned in paragraph (a); and
    - (ii) the certificate of approval issued for the premises mentioned in paragraph (b).

#### **149 Offences relating to unauthorised people and unapproved premises**

- (1) A person who is not an authorised examiner must not inspect or test a vehicle for this regulation.

Maximum penalty: 20 penalty units.

- (2) A person must not pretend to be an authorised examiner.  
Maximum penalty: 20 penalty units.
- (3) The proprietor of premises that are not approved premises must not permit a vehicle to be inspected or tested for this regulation at the premises.  
Maximum penalty: 20 penalty units.
- (4) The proprietor of premises must not pretend that the premises are approved premises.  
Maximum penalty: 20 penalty units.

#### **150 Review of decision of authorised examiner**

- (1) Application may be made to the road transport authority for review of a decision of an authorised examiner certifying that a vehicle, or a part or equipment of a vehicle, does not comply with the applicable vehicle standards.
- (2) As soon as practicable after the application is made to the road transport authority, the authority must—
- (a) have the vehicle inspected or tested by an authorised person; and
  - (b) decide whether the vehicle complies with the applicable vehicle standards; and
  - (c) tell the applicant in writing of the decision.

### **Division 6.3.6 Miscellaneous**

#### **152 Issue of replacement certificates of appointment and approval**

- (1) The road transport authority may issue a replacement certificate of appointment to an examiner if satisfied that the certificate of appointment has been lost, stolen or destroyed.

- (2) The road transport authority may issue a replacement certificate of approval to the proprietor of approved premises if satisfied that the certificate of approval has been lost, stolen or destroyed.

### **153 Minister may determine maximum fees for inspections**

- (1) The Minister may, in writing, determine the maximum fees that are payable to a proprietor of approved premises for inspecting or testing vehicles for this regulation.
- (2) A determination is a notifiable instrument.

*Note* A notifiable instrument must be notified under the Legislation Act.

### **153A Authorisation and approval of premises guidelines—relevant offences**

- (1) The Minister may approve guidelines about the exercise of the road transport authority's functions under the following provisions:
  - (a) section 116 (1) (b) (Eligibility to apply for authorisation as examiners);
  - (b) section 124 (b) (When authority may take action in relation to authorisation);
  - (c) section 127 (1) (b) (Eligibility for approval of premises);
  - (d) section 135 (c) (ii) (When authority may take action in relation to approval of premises).
- (2) Without limiting subsection (1), the guidelines may make provision about—
  - (a) the offences that are relevant in relation to—
    - (i) an application for authorisation as an examiner; and
    - (ii) the suitability of a person to continue to hold an authorisation; and
    - (iii) the eligibility for approval of premises; and

- (iv) the suitability of premises to continue to be approved premises; and
- (b) the matters or circumstances that may or must be considered in deciding whether—
  - (i) an application for an authorisation or approval of premises may or must be refused; or
  - (ii) an authorisation or approval of premises may or must be suspended or cancelled.

**Examples for par (b)**

- 1 whether a person has been convicted for a single offence or multiple offences and the nature and seriousness of the offence
- 2 the age of the person when the offence was committed
- 3 the time elapsed since the offence was committed

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (3) The road transport authority must comply with any guidelines approved under this section.
- (4) Approved guidelines are a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the Legislation Act.

## Part 6.4                      Component identification numbers

### 154                      Definitions for pt 6.4

In this part:

*component identification number*, for a vehicle part of a registrable vehicle, means the number and any accompanying letters or symbols stamped on, or otherwise attached to, the part as a way of identifying the part, but does not include a casting number or a number used to identify a class of parts for manufacturing purposes.

*vehicle part*, of a registrable vehicle, means—

- (a) the vehicle's engine; or
- (b) the vehicle's engine block; or
- (c) for a motor vehicle other than a motorbike—the vehicle's chassis, chassis sub-frame or body; or
- (d) for a motorbike or motortrike—the vehicle's frame or crankcase.

### 155                      Allocation of component identification numbers by authority

- (1) The road transport authority may allot an engine number (the *number*) for a vehicle part of a registrable vehicle if—
  - (a) there is no component identification number stamped on or attached to the part, or the component identification number stamped on or attached to the part appears to have been changed, defaced, removed or otherwise interfered with; and
  - (b) the number is necessary to identify the part.



- (2) The road transport authority may, by written notice given to the registered operator of the registrable vehicle, require the operator to have the number the authority has allotted to the vehicle part stamped on or attached to the part in the place stated in the notice.
- (3) A person must not, without reasonable excuse, fail to comply with a notice under subsection (2).

Maximum penalty: 20 penalty units.

**156 Stamping component identification numbers without authority etc**

- (1) A person (other than a manufacturer) must not stamp or attach a component identification number on or to a vehicle part of a registrable vehicle.

Maximum penalty: 20 penalty units.

- (2) Subsection (1) does not apply to a person who stamps or attaches a component identification number on or to a vehicle part of a registrable vehicle in accordance with this part.
- (3) A person must not change, deface, remove or otherwise interfere with a component identification number stamped on or attached to a vehicle part of a registrable vehicle otherwise than in accordance with an authorisation under section 158 (Authority may authorise interference with component identification number).

Maximum penalty: 20 penalty units.

- (4) A person must not possess a vehicle part of a registrable vehicle knowing that the component identification number stamped on or attached to the part has been changed, defaced, removed or otherwise interfered with otherwise than in accordance with an authorisation under section 158 or in accordance with a law of another jurisdiction corresponding to that section.

Maximum penalty: 20 penalty units.

## 157 Change or replacement of vehicle part

A person who changes or replaces a vehicle part of a registrable vehicle must—

- (a) within 14 days after the change or replacement, tell the road transport authority, by written notice, about the change or replacement, including—
  - (i) the date of the change or replacement; and
  - (ii) the registration number (if any) of the vehicle; and
  - (iii) the name and address of the registered operator of, or responsible person for, the vehicle; and
  - (iv) the make and component identification number of the vehicle part removed from the vehicle; and
  - (v) the make and component identification number of the vehicle part substituted for the original vehicle part; and
  - (vi) the name and address of the person from whom the substituted vehicle part was obtained; and
- (b) keep a copy of the notice in the person's possession for 6 months; and
- (c) produce a copy of the notice for inspection on request by a police officer or authorised person.

Maximum penalty: 20 penalty units.

*Note* The *Road Transport (General) Act 1999*, s 80 empowers police officers to enter premises carrying out vehicle repairs for the purpose of tracing stolen vehicles and vehicle parts.

**158 Authority may authorise interference with component identification number**

The road transport authority may authorise, in writing, the registered operator of a registrable vehicle to change, deface, remove or otherwise interfere with a component identification number stamped on or attached to a vehicle part of the vehicle.

## Part 6.5 Defect notices

### 159 Issue of defect notices and formal warnings

- (1) A defect notice issued for a registrable vehicle is—
- (a) a *major defect notice* if, in the opinion of the police officer or authorised person issuing the notice based on reasonable grounds, further use of the vehicle for road transport after the time and date stated in the notice would be an imminent and serious safety risk; or
  - (b) a *minor defect notice* if, in the opinion of the police officer or authorised person issuing the notice based on reasonable grounds, deficiencies in the vehicle may be a safety risk if allowed to continue after the time and date stated in the notice.

*Note* The Act, s 25 provides that a police officer or the authority may issue a defect notice.

- (2) A defect notice for a registrable vehicle must state—
- (a) the vehicle's registration details, including the registration number, unregistered vehicle permit number (if practicable and applicable), the expiry date of the registration or permit and the jurisdiction that issued the registration or permit; and
  - (b) the name of the driver of the vehicle or, if the driver is not present when the notice is issued, the term 'registered operator'; and
  - (c) to the extent practicable, the vehicle's identification details including its VIN or, if there is no VIN, the chassis number or engine number, its make and type; and
  - (d) the kind of inspection conducted; and

- (e) the details of the vehicle's defects and whether the notice is a major defect notice or minor defect notice; and
- (f) whether use of the vehicle on a road or road related area is prohibited; and
- (g) if use of the vehicle is prohibited from a time other than the time by which the notice must be cleared—that time; and
- (h) if conditions are imposed on the use of the vehicle—the conditions; and
- (i) for a major defect notice—how the vehicle must be moved to another place; and
- (j) the repair requirement, including the date by which repairs must be finished if the vehicle is to be used on a road or road related area; and
- (k) whether an infringement notice under the *Road Transport (General) Act 1999* has also been served in relation to the defect; and
- (l) the official number or other identification of the police officer or authorised person who issued the notice; and
- (m) a unique identification number for the notice; and
- (n) the date and, if appropriate, time of issue of the notice.

**Examples for par (i)**

The notice may require the vehicle to be moved by towing away or all up lifting only.

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (3) A police officer or authorised person who issues a defect notice for a registrable vehicle must—

- (a) if the driver of the vehicle is present—give the notice to the driver; and
  - (b) if the vehicle is unattended—attach the defect notice to the vehicle; and
  - (c) if the notice is a major defect notice—issue a defective vehicle label for the vehicle and attach it to the vehicle.
- (4) If the driver of a vehicle who is given a defect notice under subsection (3) is not the registered operator, the driver must give the notice to the registered operator.
- (5) A defective vehicle label for a registrable vehicle must state—
- (a) the vehicle's registration number or unregistered vehicle permit number; and
  - (b) the date and, if appropriate, time after which the vehicle must not be used on a road or road related area; and
  - (c) how the vehicle must be moved to another place; and
  - (d) the official number or other identification of the police officer or authorised person who issued the notice; and
  - (e) the date and, if appropriate, time of issue of the label; and
  - (f) the identification number of the defect notice to which the label relates.
- (6) If a police officer or authorised person considers that deficiencies in a registrable vehicle do not constitute a safety risk but should be remedied, the person may—
- (a) if the driver of the vehicle is present—give the driver a warning notice; and
  - (b) if the vehicle is unattended—attach a warning notice to the vehicle.

- (7) If the driver of a vehicle who is given a warning notice under subsection (6) is not the registered operator, the driver must give the warning notice to the registered operator.
- (8) In this section:
- official number* means—
- (a) for a police officer—the officer’s service number; or
  - (b) for an authorised person—the unique number (if any) given to the person under the *Road Transport (Offences) Regulation 2001*, section 11.
- safety risk* means danger to a person, property or the environment.

## **160 Recording, clearance and withdrawal of defect notices**

- (1) If a defect notice or corresponding defect notice is issued for a vehicle registered in this jurisdiction, the road transport authority must record in the registrable vehicles register in relation to the vehicle—
- (a) the identification number of the notice; and
  - (b) the date and, if appropriate, time shown on the notice by which the notice must be cleared, unless that date is later than the date of a recorded certificate of inspection issued after the notice was issued.
- (2) The road transport authority may inspect the vehicle or require an inspection to be made to find out whether—
- (a) the defects mentioned in the defect notice or corresponding defect notice have been fixed; and
  - (b) the registrable vehicle has any other defects.
- (3) A defect notice may be cleared by the road transport authority, a corresponding registration authority, a police officer or an authorised person.

- (4) For this section, a defect notice issued for a vehicle is cleared if—
- (a) the road transport authority, a corresponding authority, a police officer or an authorised person is given acceptable evidence that the vehicle is no longer defective; and
  - (b) for a major defect notice—the authority or a corresponding registration authority defaces or removes the defective vehicle label issued for the registrable vehicle or authorises it to be defaced or removed; and
  - (c) the authority records in the register that the notice has been cleared.
- (5) A police officer or authorised person who issues a defect notice for a vehicle may withdraw the notice at any time and, if the police officer or authorised person withdraws the notice, he or she must—
- (a) give notice of the withdrawal to—
    - (i) if the driver of the vehicle is present when the notice is withdrawn—the driver; or
    - (ii) in any other case—the registered operator of the vehicle; and
  - (b) either—
    - (i) have a record made in the register to the effect that the notice has been withdrawn; or
    - (ii) if the vehicle is registered in another jurisdiction—tell the relevant corresponding registration authority that the notice has been withdrawn.
- (6) In this section:

***corresponding defect notice*** means a notice issued under a corresponding law for a defective vehicle or dangerously defective vehicle that corresponds to a defect notice under this regulation.



*corresponding registration authority* means an authority appointed under a corresponding law.

*Note* *Corresponding law* is defined in the Act, dict.

## Chapter 7 Miscellaneous

### 161 Authorised use of vehicles with suspended registration

A vehicle with suspended registration is exempt from the Act, section 18 (1) in relation to the use of the vehicle on a road or road related area at a particular place and time if the use of the vehicle at the place and time is authorised in writing by the road transport authority.

### 162 2 individuals may be recorded as registered operator of light vehicle

- (1) For the Act, section 29 (1), 2 individuals may be recorded in the registrable vehicles register as registered operators of a light vehicle when the vehicle is first registered or at any time afterwards.
- (2) If a light vehicle is registered in the name of 1 individual, the road transport authority may record an additional individual as a registered operator of the vehicle, but only if the authority first approves an application by the additional individual for the partial transfer of the registration of the vehicle.
- (3) For this section, the road transport authority may approve an application for the partial transfer of registration of a vehicle to a person only if—
  - (a) the application is signed by the existing registered operator as indicated on the application form; and
  - (b) the application is accompanied by any duty payable under the *Duties Act 1999* for partial transfer of registration of the vehicle; and
  - (c) the applicant provides the information and supporting evidence the authority requires; and

- (d) the authority is satisfied that, had the vehicle been sold to the person and section 73 (Obligations of disposers) and section 74 (Obligations of acquirers) been complied with, registration of the transfer of the registration of the vehicle to the individual would not have been refused under section 78 (When transfer of registration may or must be refused).
- (4) If the road transport authority records an additional person as a registered operator of a light vehicle after approving the person's application for the partial transfer of registration, the authority must issue a new registration certificate with the names of both the existing registered operator and the additional registered operator.
- (5) If 2 individuals are recorded as registered operators of a light vehicle—
- (a) any right or liability given to or imposed on the registered operator of the vehicle under the relevant legislation is taken to be given to or imposed on each of the individuals; and
  - (b) each of the individuals is taken to have complied with an obligation imposed under the relevant legislation if either of them (whether personally or through an agent) complies with the obligation; and
  - (c) the road transport authority is taken to have complied with an obligation under the relevant legislation to give notice to the registered operator of the vehicle if the authority gives notice to at least 1 of the individuals.
- (6) In this section:
- relevant legislation*** means—
- (a) a provision of the Act; or
  - (b) a provision of any other Act (or a provision of a section made under any other Act) concerned with the registered operator of a registrable vehicle within the meaning of the Act.

**U** 163      **Application of the Road Transport (Dimensions and Mass) Act**

- (1) A vehicle is exempted from a dimension limit or any other requirement of this regulation if the person or vehicle is exempted from the limit or requirement under the *Road Transport (Dimensions and Mass) Act 1990*.
- (2) A breach of this regulation is to be disregarded in a prosecution if it is to be disregarded under the *Road Transport (Dimensions and Mass) Act 1990*.
- (3) In this section:

*dimension limit* means a provision of this regulation that limits or otherwise regulates the dimensions of a registrable vehicle (or a load or projection of the vehicle).

**164      Special provisions about boat trailers**

- (1) A trailer built, or being used, to transport a boat is taken to comply with an attaching provision if the attached item is securely attached to a removable panel or panels, built of wood, metal or other similar material and the panel or panels are—
  - (a) while a boat is carried on the trailer—securely attached to the boat so that the attached item is in a position, and is facing in a direction, that would comply with this regulation if the boat were part of the trailer; and
  - (b) while a boat is not carried on the trailer—securely attached to the trailer so that the attached item is in a position, and is facing in a direction, that complies with this regulation.
- (2) In this section:

*attached item*, for an attaching provision, means a numberplate, fitting for a numberplate, trader's plate, registration label, identification label, unregistered vehicle permit, holder for a registration or identification label or an unregistered vehicle permit,

light, reflector or direction indicator light to which the attaching provision applies.

***attaching provision***, in relation to a trailer, means a provision of this regulation about—

- (a) the attaching of, and a fitting for, a numberplate, trader's plate, registration label, identification label, unregistered vehicle permit or holder for a registration or identification label or an unregistered vehicle permit; or
- (b) the attaching of, and a fitting for, a light, reflector or direction indicator light, required or permitted by this regulation to be fitted to the trailer.

## Schedule 1 Vehicle standards

(see s 103)

### Part 1.1 General

*Note 1* The *Australian Vehicle Standards Rules 1999* (the **Vehicle Standards**), which were approved by the Australian Transport Council on 29 January 1999, set standards that vehicles must comply with to be driven on roads and road related areas.

This schedule contains the Vehicle Standards as modified for implementation in the ACT.

The ADRs (Australian Design Rules) are rules for designing and building vehicles. Imported vehicles must also comply with the ADRs.

The Vehicle Standards require a vehicle that is subject to an ADR when built or imported to continue to comply with the ADR.

The Vehicle Standards also apply certain other standards (adopted standards) that are intended to complement the ADRs.

The ADRs do not cover:

- vehicles built before 1969
- combinations of vehicles of any age
- every safety feature for vehicles built between 1969 and 1988.

These matters are covered by the Vehicle Standards.

In most cases, if a vehicle complies with this schedule, it is suitable for road use.

*Note 2* The *ACT Inspection Manual for Light Vehicles* and the *ACT Inspection Manual for Heavy Vehicles*, published by the road transport authority, provide information to help people meet the requirements of this schedule. The manuals are available from the road transport authority.

#### 1.1 Object of sch 1

- (1) The object of this schedule is to set standards, about the construction and performance of motor vehicles, trailers and combinations, that

are part of the uniform national road transport legislation envisaged by the *National Road Transport Commission Act 1991* (Cwlth).

*Note* The Commonwealth Act mentioned in s (1) has been repealed and replaced by the *National Transport Commission Act 2003* (Cwlth).

- (2) The standards are intended—
- (a) to promote, throughout the life of motor vehicles, trailers and combinations, their safe use and efficiency and the protection of the environment; and
  - (b) to reduce the cost of transport administration.

## **1.2 Diagrams—sch 1**

- (1) A diagram in this schedule is part of the schedule.
- (2) A diagram of something (other than the essential diagram in section 1.174) is an illustrative example of the thing in black and white, but does not represent its dimensions or the dimensions of any part of it.

*Note* The essential diagram in s 1.174 provides the dimensions required for a 75mm kingpin used in a B-double or road train.

## **1.4 Optional items**

If it is provided or indicated, in a provision of this schedule, a 2nd edition ADR or a 3rd edition ADR, that an item of equipment is optional and the item is used on a registrable vehicle to which the provision applies, the item must comply with the provision.

## **1.5 Special requirements for vehicles used by people with disabilities etc**

The road transport authority may require or permit a registrable vehicle to be specially built, equipped or adapted in a way not provided for under this schedule if it is to be used by a person with a physical disability.

## Part 1.2 Application of sch 1

*Note* The requirements of this schedule apply to registrable vehicles that are used on a road or road related area (see s 109 (Motor vehicles not complying with sch 1), s 110 (Trailers not complying with sch 1) and s 111 (Combinations not complying with sch 1))

### 1.6 Application of sch 1 to plant

- (1) The provisions of this schedule (other than this section) do not apply to plant.
- (2) However, plant must continue to comply with the technical specifications to which it was built and remain safe for use on roads or road related areas.

*Note* Although the *ACT Inspection Manual for Light Vehicles* and the *ACT Inspection Manual for Heavy Vehicles* do not apply directly to plant, they provide a guide to the maintenance and repair of vehicles generally.

- (3) In this section:

**plant** means a motor vehicle that consists solely of—

- (a) a machine or implement that cannot carry a load, other than tools and accessories usually carried in or on the vehicle; or
- (b) a crane or forklift truck.

### 1.7 Vehicles to which sch 1 does not apply

This schedule does not apply to—

- (a) a vehicle used only on a railway or tramway; or
- (b) a vehicle designed to be controlled by a person walking next to it; or



- (c) a vehicle propelled by a motor with a maximum power output of not over 200W; or
- (d) a motorised wheelchair that cannot travel faster than 10km/h; or
- (e) a vehicle or combination that is being repaired, or is being tested in the course of being repaired, so it will comply with this schedule; or
- (f) a vehicle or combination being driven or towed directly to a place where it is to be repaired so it will comply with this schedule.

### **1.8 Non-application of sch 1—inconsistent ADR requirements**

A provision of parts 1.5 (General safety requirements) to 1.13 (Mechanical connections between vehicles) does not apply to a vehicle if—

- (a) the provision is inconsistent with a requirement of a 2nd or 3rd edition ADR applying to the vehicle; and
- (b) the vehicle complies with the requirement.

### **1.9 Non-application of sch 1—exemption under other laws**

- (1) A provision of this schedule does not apply to a vehicle or combination if the vehicle or combination is exempt from—
  - (a) the provision under section 104 (Road transport authority may exempt vehicle etc from certain provisions); or
  - (b) the corresponding provision of the law of another jurisdiction.
- (2) However, the vehicle or combination is exempt only if all conditions of the exemption (if any) are being complied with.

**Example**

An exemption permitting a greater dimension limit for a vehicle is subject to conditions about the route where, and times when, the vehicle is permitted to travel, and the escort vehicles needed to accompany the vehicle. A relevant provision of this schedule does not apply to the vehicle only if the conditions are complied with.

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

**1.10 Non-application of sch 1—Motor Vehicle Standards Act approvals**

A provision of parts 1.5 (General safety requirements) to 1.13 (Mechanical connections between vehicles) does not apply to a vehicle if—

- (a) the vehicle does not comply with a requirement of an ADR applying to the vehicle; and
- (b) the provision of this schedule corresponds to the requirement of the ADR; and
- (c) despite the noncompliance, approval has been given, under the *Motor Vehicle Standards Act 1989* (Cwlth), section 10A (2) or (3), to place identification plates on vehicles of that type; and
- (d) the vehicle complies with the approval conditions (if any).

*Note 1* The *Motor Vehicle Standards Act 1989* (Cwlth), s 10A (2) deals with vehicles that do not comply with an ADR, but the noncompliance is only in minor and inconsequential respects.

*Note 2* That Act, s 10A (3) deals with vehicles that do not comply with an ADR, and the noncompliance is not minor and inconsequential, but the vehicle will be safe to use if conditions are complied with.

## Part 1.3 Australian Design Rules

*Note* This part applies the 2nd and 3rd edition ADRs to various vehicles. Under the part, a vehicle that is subject to ADRs when it is built generally remains subject to the ADRs throughout its life. However, a vehicle need not comply with a standard if the standard is replaced by, or inconsistent with, a later standard and the vehicle complies with the later standard. Older vehicles may, therefore, be fitted with any equipment allowed on newer vehicles.

Vehicles that are modified must continue to comply with this schedule.

The following provisions of this schedule extend the application of particular 2nd or 3rd edition ADRs to vehicles to which the ADRs are not expressed to apply:

- s 1.42 (4) (Electrical wiring, connections and installations)
- s 1.126 (3) (Rear marking plates)
- s 1.144 (1) and (2) (Braking system design for a prime mover in a B-double)
- s 1.145 (Braking system design for motor vehicles in road trains)
- s 1.146 (1) and (3) (Braking system design for trailers in B-doubles or road trains)
- s 1.164 (1) and (2) (Speed limiting).

The following provisions of this schedule apply to a vehicle instead of the corresponding ADR requirement:

- s 1.47 (5) (Window tinting)
- s 1.54 (Tyres for use on vehicles with GVM over 4.5t)
- s 1.55 (Tyres—manufacturer's rating).

### Division 1.3.1 Interpretation

#### 1.11 What is an *ADR*?

An *ADR* (Australian Design Rule) is a national standard.

**1.12 What is a *national standard*?**

A *national standard* is a national standard under the *Motor Vehicle Standards Act 1989* (Cwlth).

**1.13 References to national standards**

Unless the contrary intention appears, a reference in this schedule to a national standard is a reference to the national standard as in force from time to time.

**1.14 What is a 2nd edition ADR?**

A *2nd edition ADR* is a national standard incorporated in the document described as the *Australian Design Rules for Motor Vehicle Safety, Second Edition* originally published by the then Commonwealth Department of Transport.

**1.15 What is a 3rd edition ADR?**

A *3rd edition ADR* is a national standard incorporated in the document described as the *Australian Design Rules for Motor Vehicles and Trailers, Third Edition* published by the Federal Office of Road Safety of the Commonwealth Department of Transport and Regional Development.

**Division 1.3.2 Compliance with ADRs**

**1.16 Compliance with 2nd edition ADRs**

- (1) If a 2nd edition ADR recommends that the ADR should apply to the design and construction of a vehicle, the vehicle must comply with the ADR.
- (2) If a 2nd edition ADR contains a requirement for a type of equipment fitted to a vehicle built on or after a stated time, any equipment of the same type fitted to the vehicle after it is built must comply with—

- (a) the requirement as in force when the vehicle was built; or
  - (b) if the requirement is amended after the vehicle is built and before the equipment is fitted—the requirement as in force—
    - (i) when the vehicle was built; or
    - (ii) when the equipment was fitted; or
    - (iii) at any time between when the vehicle was built and the equipment was fitted.
- (3) However, a vehicle, or equipment fitted to a vehicle, need not comply with a recommendation or requirement of a 2nd edition ADR if—
- (a) the recommendation or requirement is replaced by, or is inconsistent with, a requirement of a 3rd edition ADR applying to the vehicle or equipment; and
  - (b) the vehicle or equipment complies with the requirement of the 3rd edition ADR.
- (4) If a 2nd edition ADR allows a vehicle built on or after a stated time to be fitted with equipment, a vehicle built before the time may also be fitted with the equipment.

### **1.17 Compliance with 3rd edition ADRs**

- (1) If a 3rd edition ADR applies to the design and construction of a vehicle, the vehicle must comply with the ADR.
- (2) If a 3rd edition ADR contains a requirement for a type of equipment fitted to a vehicle built on or after a stated time, any equipment of the same type fitted to the vehicle after it is built must comply with—
  - (a) the requirement as in force when the vehicle was built; or
  - (b) if the requirement is amended after the vehicle is built and before the equipment is fitted—the requirement as in force—

- (i) when the vehicle was built; or
  - (ii) when the equipment was fitted; or
  - (iii) at any time between when the vehicle was built and the equipment was fitted.
- (3) However, a vehicle, or equipment fitted to a vehicle, need not comply with a requirement of a 3rd edition ADR if—
- (a) the requirement is replaced by, or is inconsistent with, a requirement of a later version of the ADR applying to the vehicle or equipment; and
  - (b) the vehicle or equipment complies with the requirement of the later version.
- (4) If a 3rd edition ADR allows a vehicle built on or after a stated time to be fitted with equipment, a vehicle built before the time may also be fitted with the equipment.

**1.18 Exception to compliance with ADRs—vehicles that are not road vehicles**

A vehicle need not comply with an ADR applied by section 1.16 (1) or section 1.17 (1) if a determination or declaration under the *Motor Vehicle Standards Act 1989* (Cwlth), section 5B provides that the vehicle is not a road vehicle for that Act.

**1.19 Exception to compliance with ADRs—Motor Vehicle Standards Act**

- (1) A vehicle need not comply with an ADR applied by section 1.16 (1) or section 1.17 (1) if—
- (a) despite noncompliance with the ADR, approval has been given, under the *Motor Vehicle Standards Act 1989* (Cwlth), section 10A (2) or (3), to place identification plates on vehicles of that type; and

(b) the vehicle complies with the approval conditions (if any).

*Note 1* The *Motor Vehicle Standards Act 1989* (Cwlth), s 10A (2) deals with vehicles that do not comply with an ADR, but the noncompliance is only in minor and inconsequential respects.

*Note 2* That Act, section 10A (3) deals with vehicles that do not comply with an ADR, and the noncompliance is not minor and inconsequential, but the vehicle will be safe to use if conditions are complied with.

- (2) A vehicle need not comply with an ADR applied by section 1.16 (1) or section 1.17 (1) if—
- (a) the vehicle may be supplied to the market under the *Motor Vehicle Standards Act 1989* (Cwlth), section 14A (1); and
  - (b) for a vehicle for which an approval has been given under that subsection—the vehicle complies with the approval conditions (if any).
- (3) A vehicle need not comply with an ADR applied by section 1.16 (1) or section 1.17 (1) if—
- (a) the vehicle may be used in transport in Australia under the *Motor Vehicle Standards Act 1989* (Cwlth), section 15 (2); and
  - (b) for a vehicle for which an approval has been given under that subsection—the vehicle complies with the approval conditions (if any).

## **1.20 Partial exception to compliance with ADRs—personally imported vehicles**

- (1) A personally imported vehicle must be fitted with—
- (a) seatbelts that are as effective as seatbelts that meet an Australian Standard or British Standard for seatbelts as in force when this section commenced; and
  - (b) seatbelt anchorages that meet the number and location requirements of 2nd or 3rd edition ADR 5; and

- (c) child restraint anchorages that meet the number, location, accessibility, thread size and form requirements of 2nd edition ADR 34 or 3rd edition ADR 5 or 34; and
  - (d) head restraints that meet the number, location and size requirements of 2nd or 3rd edition ADR 22.
- (2) However, a personally imported vehicle need only meet the requirements of an ADR mentioned in subsection (1) if the ADR recommends that it should apply, or applies, to a vehicle of the same type.
- (3) A personally imported vehicle need not otherwise comply with an ADR applied by section 1.16 (1) or section 1.17 (1).
- (4) In this section:

***personally imported vehicle*** means a vehicle that is imported into Australia by a person who—

- (a) owned and used the vehicle for the period decided in accordance with the *Motor Vehicle Standards Act 1989* (Cwlth) before the vehicle was imported into Australia; and
- (b) when the vehicle is imported, is—
  - (i) an Australian citizen or an Australian permanent resident or is a person who has applied to become an Australian citizen or an Australian permanent resident; and
  - (ii) old enough to hold a licence or a permit to drive the vehicle; and
  - (c) within 12 months before the vehicle is landed in Australia, had not imported into Australia another vehicle owned by him or her; and
  - (d) had the approval of the Minister responsible for the *Motor Vehicle Standards Act 1989* (Cwlth) to import the vehicle.



## **1.21 Alteration of specifications**

- (1) A vehicle must not be altered from its specifications, as originally built, so that it no longer complies with the requirements of a 2nd edition ADR or 3rd edition ADR applying to that vehicle.
- (2) A car, or a car derivative, must also not be altered in any of the following respects:
  - (a) by fitting a wheel rim that does not comply with the relevant dimensional standards for wheel rims in the Tyre and Rim Standards Manual issued by the Tyre and Rim Association of Australia;
  - (b) by widening the wheel track of the front or rear wheels by over 25mm (or, for a four-wheel drive built for off-road use, 50mm) beyond the maximum specified by the axle or vehicle manufacturer;
  - (c) by fitting a wheel nut that does not—
    - (i) engage the thread of the wheel stud for at least the same length as the wheel nut provided by the vehicle manufacturer; or
    - (ii) match the taper on the wheel stud hole;
  - (d) by fitting a tyre that is not appropriate to the wheel rim as specified in the Tyre and Rim Standards Manual issued by the Tyre and Rim Association of Australia;
  - (e) by fitting a tyre with a section width over 30% (or, for a four-wheel drive built for off-road use, 50%) larger than the largest optional tyre specified by the vehicle's manufacturer;
  - (f) so that any part of it other than a tyre or wheel rim will contact the road surface if a tyre completely deflates;
  - (g) by welding or heating an axle, stub axle, steering arm, steering knuckle support or heat degradable component.

- (3) If a vehicle is altered from its specifications as originally built, the road transport authority may require the responsible person for the vehicle to supply information about the alterations.
- (4) Despite subsections (1) and (2), a vehicle may be altered from its specifications as originally built if the alteration only gives effect to any subsequent 2nd edition ADR or 3rd edition ADR applying to a vehicle of that type.

## **Part 1.4                      Adopted standards**

### **1.22            What is an *adopted standard*?**

An *adopted standard* is a standard, other than a national standard, that is applied, adopted or incorporated by this schedule.

**Example**

Section 1.67 (7) adopts Australian Standard AS 1906 *Retro-reflective Materials and Devices for Road Traffic Control Purposes*.

*Note*        An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

### **1.23            Exception to compliance with adopted standards**

A vehicle need not comply with an adopted standard if—

- (a) the standard is replaced by, or is inconsistent with, a later version of the standard; and
- (b) the vehicle complies with the later version of the standard.

### **1.24            Reference to adopted standards**

A reference in a section or subsection to an adopted standard is a reference to the standard as in force when the section or subsection commenced.

## Part 1.5 General safety requirements

*Note* For a vehicle to be operated safely, the vehicle needs to be properly designed to minimise the potential for accidents and harm to other road users.

This part sets out various requirements covering the driver's view from a vehicle, the driver's control of a vehicle, protection of vehicle occupants and other road users, and other general safety features.

### Division 1.5.1 All vehicles

#### 1.25 Steering

- (1) A motor vehicle with a GVM over 4.5t must have a right-hand drive.
- (2) A motor vehicle with a GVM not over 4.5t that is less than 30 years old must have a right-hand drive if the vehicle—
  - (a) was not registered unconditionally in left-hand drive form in Australia before 1 January 1985; or
  - (b) is temporarily in Australia under a Commonwealth law or in accordance with an agreement with the Commonwealth.
- (3) A motor vehicle has a right-hand drive if the centre of at least 1 steering control of the vehicle is to the right of, or in line with, the centre of the vehicle.
- (4) A component of the steering system of a motor vehicle that is essential for effective steering of the vehicle must be built to transmit energy by mechanical means only.
- (5) Failure of a non-mechanical component of the steering system must not prevent effective steering of the vehicle.

- (6) This section does not apply to a vehicle if the vehicle is built or used mainly for a purpose other than the transport of goods or people by road.

### **1.26 Turning ability**

- (1) A motor vehicle must be able to turn in a circle not over 25m in diameter, measured by the outer edge of the tyre track at ground level.
- (2) The vehicle must be able to comply with subsection (1) whether it turns to the left or to the right.

### **1.27 Ability to travel backwards and forwards**

A motor vehicle with an unloaded mass over 450kg must be able to be driven both backwards and forwards when the driver is in the normal driving position.

### **1.28 Protrusions**

- (1) An object fitted to a vehicle must be designed, built and fitted to the vehicle in a way that minimises the likelihood of injury to a person making contact with the vehicle.
- (2) However, subsection (1) does not apply to an object fitted to a vehicle if—
- (a) the vehicle was designed before 1965 and the object was part of the design of the vehicle; or
  - (b) the object was fitted to the vehicle before 1965 in accordance with the law of the place where the object was fitted.

### **1.29 Oil and grease not to be dropped**

All parts and fittings of a motor vehicle or trailer must be designed, built and maintained so that an excessive amount of oil or grease will not be dropped onto the roadway.

### 1.30 Driver's view and vehicle controls

A motor vehicle must be built—

- (a) to allow the driver a view of the road and of traffic to the front and sides of the vehicle so the driver can drive the vehicle safely; and
- (b) with its controls located so the driver can drive the vehicle safely.

### 1.31 Seating

A seat for a driver or passenger in a vehicle must be securely attached to the vehicle.

### 1.32 Child restraint anchorages

- (1) The following vehicles must be fitted with a child restraint anchorage complying with ADR 34:
  - (a) a car (other than a car with a hinged or folding rear seat or a station wagon) built after June 1976;
  - (b) a car with a hinged or folding rear seat, or a station wagon, built after 1976;
  - (c) a forward-control passenger vehicle built after 1985;
  - (d) a bus built after June 1988 that has a GVM not over 3.5t and not over 12 seating positions (including the driver's).
- (2) In subsection (1):
  - forward-control passenger vehicle* means a car that has—
    - (a) up to 9 seating positions (including the driver's); and
    - (b) the centre of the steering wheel in the front quarter of the vehicle's total length (including any bumpers or overriders); and

- (c) a GVM not over 3.5t; and
- (d) a difference between its tare mass and its GVM that is not more than double the total weight of passengers calculated by multiplying the number of seating positions by 68kg.

### **1.33 Door latches and hinges**

Door latches and hinges on a vehicle must be built so the doors are securely attached to the vehicle and can remain securely fastened when closed.

### **1.34 Mudguards and spray suppression**

- (1) A vehicle must have firmly fitted—
  - (a) a mudguard for each wheel or for adjacent wheels; and
  - (b) for each axle group and single axle on a vehicle that is part of a B-double—spray suppression devices complying with British Standard AU200-1984 *Spray Reducing Devices for Heavy Goods Vehicle*, parts 1 and 2.
- (2) However, subsection (1) (a) does not apply to a vehicle if—
  - (a) the construction or use of the vehicle makes the fitting of mudguards unnecessary or impracticable; or
  - (b) the body or part of the body of the vehicle acts as a mudguard.

#### **Example of vehicles for par (a)**

- 1 timber jinkers
- 2 most road plant
- 3 some agricultural equipment

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (3) A mudguard fitted to a vehicle with a GVM over 4.5t must, when the wheels of the vehicle are in position to move straight ahead—

- (a) reduce the danger of a person contacting the moving wheels; and
  - (b) for the rear wheels—
    - (i) cover the overall tyre width of the wheel or wheels to which it is fitted; and
    - (ii) be fitted so the height above ground level of the lowest edge of the rear of the mudguard is not over  $\frac{1}{3}$  of the horizontal distance between the edge and the centre of the rearmost axle.
- (4) However, a mudguard may be up to—
- (a) 230mm above ground level; or
  - (b) on a vehicle built to be used off-road—300mm above ground level.
- (5) The outside of a rear mudguard, except a mudflap, of a vehicle that can be seen from the rear of the vehicle must be coloured white or silver if the vehicle—
- (a) is at least 2.2m wide; and
  - (b) has a body the vertical measurement of which is under 300mm at the rear, measured from the lowest point of the body above ground level to the highest point; and
  - (c) is not fitted with rear marking plates in accordance with section 126.
- (6) For subsection (5) (a), the width of a vehicle is measured disregarding any anti-skid device mounted on wheels, central tyre inflation systems, lights, mirrors, reflectors, signalling devices and tyre pressure gauges.



### **1.35 Horns, alarms etc**

- (1) A motor vehicle must be fitted with at least 1 horn or other device that can give sufficient audible warning to other road users of the approach or position of the vehicle.
- (2) A motor vehicle must not be fitted with a device that can make a sound like the sound of a siren, bell, exhaust whistle, compression whistle or repeater horn.
- (3) However, subsection (2) does not apply to—
  - (a) a police vehicle; or
  - (b) an emergency vehicle; or
  - (c) a transport enforcement vehicle; or
  - (d) an Australian Protective Service vehicle; or
  - (e) an Australian Customs Service vehicle; or
  - (f) an Airservices Australia vehicle; or
  - (g) a vehicle at least 25 years old that is fitted as a police or emergency vehicle if—
    - (i) the vehicle is used for exhibition purposes; or
    - (ii) it is part of a collection of former police or emergency vehicles; or
  - (h) an anti-theft alarm if the alarm cannot be operated while the vehicle's ignition is on.
- (4) Also, a motor vehicle may be fitted with a device that emits a regular, intermittent sound while the vehicle is reversing or in reverse gear.
- (5) The device must not be louder than is necessary so the driver, and a person near the vehicle, can hear the device when it is operating.

(6) In this section:

*repeater horn* means a device that makes a sound alternating between different tones or frequencies on a regular time cycle.

### **1.36 Rear-vision mirrors**

- (1) A rear-vision mirror or mirrors must be fitted to a motor vehicle as required by this section so a driver of the vehicle can clearly see by reflection the road behind the vehicle and any following or overtaking vehicle.
- (2) At least 1 rear-vision mirror must be fitted to—
  - (a) a car; and
  - (b) a motortrike with 2 front wheels; and
  - (c) a motorbike, or motortrike with 1 front wheel, built before July 1975.
- (3) At least 1 rear-vision mirror must be fitted to each side of the following motor vehicles:
  - (a) a motor vehicle with a GVM over 3.5t;
  - (b) a motorbike, or motortrike with 1 front wheel, built after June 1975;
  - (c) a motor vehicle (other than a station wagon) built to transport goods;
  - (d) a bus;
  - (e) a motor vehicle towing a trailer or another vehicle if the towed trailer or vehicle is wider than the towing vehicle;
  - (f) a motor vehicle if the driver cannot, by using a mirror fixed to the interior of the vehicle, have a clear view of the road to the rear of the vehicle and of any following or overtaking vehicle—

- (i) because of the way in which the vehicle is built, equipped or loaded; or
  - (ii) because the vehicle is towing a trailer or other vehicle; or
  - (iii) for any other reason.
- (4) A motor vehicle with a GVM not over 3.5t (other than a motor vehicle mentioned in subsection (2) or (3)) must be fitted with—
  - (a) at least 1 rear-vision mirror on the right side of the vehicle; and
  - (b) at least 1 rear-vision mirror on the left side of the vehicle or inside the vehicle.
- (5) A rear-vision mirror fitted to a motor vehicle with a GVM over 3.5t must not project over 150mm beyond the widest part (excluding lights, signalling devices and reflectors) of the vehicle or the combination of which it forms part.
- (6) However, the rear-vision mirror may project not over 230mm beyond the widest part of the vehicle or combination if it can fold to project not over 150mm beyond the widest part.

### **1.37 Rear-vision mirrors—surfaces**

- (1) A rear-vision mirror required to be fitted to the side of a motor vehicle with a GVM over 3.5t must have a reflecting surface of at least 150cm<sup>2</sup>.
- (2) A rear-vision mirror required to be fitted to the right side of a motor vehicle with a GVM over 3.5t must have a flat reflecting surface if—
  - (a) the motor vehicle has only 1 steering control; and
  - (b) the centre of the steering control is to the right of, or in line with, the centre of the motor vehicle.
- (3) The reflecting surface of the rear-vision mirrors that are required to be fitted to a motorbike or moped must—

- (a) each be of the same curvature; and
- (b) if convex, be part of a notional sphere with a radius of at least 1.2m.

### **1.38 Additional rear-vision mirrors**

A motor vehicle may be fitted with additional rear-vision mirrors or mirror surfaces that are flat or convex or a combination of flat and convex surfaces.

### **1.39 Automatic transmission**

- (1) A motor vehicle fitted with an automatic transmission must have an engine starter mechanism that cannot operate when the transmission control is in a position to drive the vehicle.
- (2) A vehicle built after 1975 that is fitted with an automatic transmission must have an indicator in the driver's compartment showing the transmission control position.
- (3) Subsections (1) and (2) do not apply to a motor vehicle with less than 4 wheels.
- (4) If a motor vehicle (other than a motorbike or implement) built after 1975 is equipped with automatic transmission—
  - (a) the transmission control lever position, and an indication of the transmission gear ratio selected, must be displayed within the driver's compartment where they will be readily visible to the driver; and
  - (b) the sequence of transmission control lever positions must—
    - (i) include a neutral position (in which no power is transmitted to the driving wheels) located between the reverse drive and forward drive positions; and
    - (ii) if a park position (in which forward or rearward movement of the vehicle is prevented) is included—the

park position must be located at the end of the sequence adjacent to the reverse drive position.

- (5) If a car, or a car derivative, built after 1975 is equipped with automatic transmission and—
- (a) the transmission control lever is located on the steering column—
    - (i) the movement of the lever from neutral to reverse must be clockwise or, if all lever positions are to the right of the vertical longitudinal plane through the centre of the steering wheel, the movement of the lever from neutral to reverse must be anticlockwise; and
    - (ii) the movement of the device provided to indicate the transmission gear ratio selected must be generally in the same linear or rotational direction as the movement of the lever; or
  - (b) the transmission control lever is located in another position—
    - (i) all lever positions must be to the left of the vertical longitudinal plane through the centre of the steering wheel; and
    - (ii) the movement of the lever from neutral to reverse must be generally upwards, forward or to the left according to whether the lever is constrained to be moved generally in a vertical, longitudinal or transverse direction, as the case may be.

#### **1.40 Diesel engines**

A motor vehicle propelled by a compression ignition engine (commonly known as a diesel engine) must be fitted with a device preventing the engine from being started accidentally or inadvertently.

#### **1.41 Bonnet securing devices**

- (1) A motor vehicle with a moveable body panel forward of the windscreen must have a device to secure the panel if it covers an engine, luggage storage or battery compartment.
- (2) However, if the panel opens from the front in a way that partly or completely obstructs the driver's forward view through the windscreen, the panel must have primary and secondary devices to secure the panel.

#### **1.42 Electrical wiring, connections and installations**

- (1) The wiring of electrical equipment of a vehicle, except the high-tension ignition wiring, must—
  - (a) be supported at intervals of not over 600mm, unless the vehicle is a pole-type trailer with a pole with an adjustable length, or an extendible trailer; and
  - (b) be insulated at each of its joints; and
  - (c) be located where it cannot—
    - (i) become overheated; or
    - (ii) contact moving parts; or
    - (iii) come near enough to the fuel system to be a fire hazard; and
  - (d) be protected from chafing.
- (2) The electrical connectors between motor vehicles and trailers, for operation of the vehicle lights required by this schedule, must comply with Australian Standard AS 2513-1982 *Electrical Connections for Trailer Vehicles*.
- (3) A trailer must be equipped with an electrical conductor, independent of the trailer coupling, that provides a return path between the electrical circuits of the trailer and towing vehicle.

- (4) The electrical wiring, connections and installations of a semitrailer, dog trailer or converter dolly used in a road train over 19m long must comply with 3rd edition ADR 63, whether or not it was built before the date stated in the ADR for vehicles of that type.

### **1.43 Speedometers**

- (1) A motor vehicle (other than a trailer) built after June 1974 that can be driven faster than 50km/h on a level road must be fitted with a speedometer.
- (2) The speedometer must—
- (a) indicate the speed at which the vehicle is being driven in kilometres per hour; and
  - (b) indicate, when the vehicle is travelling faster than 40km/h, a speed that is not over 10% less than the actual speed; and
  - (c) be readily visible to the driver.

### **1.44 Television receivers and visual display units**

- (1) A television receiver or visual display unit must not be installed in a vehicle so any part of the image on the screen is visible to the driver from the normal driving position.
- (2) However, subsection (1) does not apply to—
- (a) a television receiver or visual display unit that cannot be operated when the vehicle is moving; or
  - (b) a driver's aid in any vehicle or a destination sign in a bus.

#### **Example of driver's aids**

- 1 closed-circuit television security cameras
- 2 dispatch systems
- 3 navigational or intelligent highway and vehicle system equipment
- 4 rear-view screens
- 5 ticket-issuing machines

6 vehicle monitoring devices

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (3) A television receiver, or visual display unit, and its associated equipment in a vehicle must be securely mounted in a position that—
- (a) does not obscure the driver's view of the road; and
  - (b) does not impede the movement of a person in the vehicle.

#### **1.45 Windows generally**

- (1) A window on a vehicle must be sound and properly fitted.
- (2) A movable window on a vehicle must be fitted with a suitable device to open and close it.
- (3) At least  $\frac{1}{2}$  of the side windows on a vehicle must be openable.

#### **1.46 Windscreens and windows**

- (1) Transparent material used in a windscreen, window, or an interior partition, of a motor vehicle must be of approved material if—
  - (a) the vehicle was built after June 1953; or
  - (b) the material was first fitted to the vehicle after June 1953.
- (2) However, non-shatterable transparent material may be used in a window or an interior partition of a motor vehicle.
- (3) In this section:

***approved material*** means material with the same characteristics as material mentioned in any of the following standards:

- Australian Standard AS R1-1965 *Safety Glass for Land Transport*



- Australian Standard AS R1-1968 *Safety Glass for Land Transport*
- Australian Standard AS 2080-1977 *Safety Glass for Vehicles*
- British Standard BS 857:1967 *Specification for Safety Glass for Land Transport*
- British Standard BS 5282:1975 *Road Vehicle Safety Glass*
- Economic Commission for Europe Regulation No 43 *Uniform Provisions Concerning Approval of Safety Glazing and Glazing Materials for Installation on Power Driven Vehicles and their Trailers.*
- British Standard BS AU178:1980 *Road Vehicle Safety Glass*
- Japanese Industrial Standard JIS R 3211-1979 *Safety Glasses for Road Vehicles*
- American National Standard ANSI Z26.1-1980 *Safety Code for Safety Glazing Materials for Glazing Motor Vehicles Operating on Land Highway.*

***Economic Commission for Europe*** means the commission of that name established by the United Nations.

***transparent material*** does not include any coating added to the windscreen, window or partition after its manufacture.

*Note* Copies of the standards, except the Economic Commission for Europe standard, are available from offices of Standards Australia. The Economic Commission for Europe standard is available from the Federal Office of Road Safety, Commonwealth Department of Transport and Regional Development, Canberra.

## **1.47 Window tinting**

- (1) Glazing used in a windscreen of a motor vehicle must have a luminous transmittance of at least—
  - (a) for a motor vehicle built after 1971—75%; or
  - (b) for another motor vehicle—70%.

- (2) Windscreen glazing of a motor vehicle must not be coated in a way that reduces its luminous transmittance.
- (3) However, subsections (1) and (2) do not apply to the greater of the following areas of a windscreen:
  - (a) the area above the highest point of the windscreen that is swept by a windscreen-wiper;
  - (b) the upper 10% of the windscreen.
- (4) Glazing used in a window or interior partition of a motor vehicle must have a luminous transmittance of at least 70%.
- (5) Glazing (other than glazing used in the windscreen in a motor vehicle) may be coated to achieve a luminous transmittance of not less than 35%.
- (6) Glazing that has been coated to reduce its luminous transmittance must not have a reflectance of over 10%.
- (7) The luminous transmittance requirements in subsection (5) apply to a vehicle instead of the corresponding requirements in the relevant ADR.
- (8) In this section:

*luminous transmittance*, for glazing, means the amount of light that can pass through the glazing as a percentage of the amount of light that would be transmitted if the glazing were absent.

## **1.48 Windscreen-wipers and washers**

- (1) A motor vehicle with 3 or more wheels that is fitted with a windscreen must be fitted with at least 1 windscreen-wiper unless a driver in a normal driving position can obtain an adequate view of the road ahead of the motor vehicle without looking through the windscreen.
- (2) At least 1 windscreen-wiper fitted to the motor vehicle must—

- (a) be able to remove moisture from the part of the windscreen in front of the driver to allow the driver an adequate view of the road ahead of the motor vehicle when the windscreen is wet; and
  - (b) be able to be operated from a normal driving position; and
  - (c) for a motor vehicle built after 1934—continue to operate until the wiper is switched off; and
  - (d) for a motor vehicle built after 1959 the driving position of which is nearer one side of the vehicle than the other—
    - (i) be able to remove moisture from the part of the windscreen in front of the driver, and a corresponding part of the windscreen on the other side of the centre of the motor vehicle, to allow the driver an adequate view of the road ahead of the motor vehicle when the windscreen is wet; and
    - (ii) if the windscreen-wipers are operated by engine manifold vacuum—be provided with a vacuum reservoir or pump to maintain the efficient operation of the wiper or wipers while the vehicle is in motion.
- (3) If the motor vehicle was built after 1982 and has a GVM over 4.5t, it must also be fitted with a windscreen-washer that can direct water onto the windscreen within the area swept by a windscreen-wiper so the wiper can spread the water to all of the area swept by the wiper.
- Note* The ADRs require certain vehicles with a GVM not over 4.5t to be fitted with a windscreen-washer.
- (4) The windscreen-washer must be able to be operated from a normal driving position.

**1.49 Wheels and tyres—size and capacity**

The wheels and tyres fitted to an axle of a vehicle must be of sufficient size and capacity to carry the part of the vehicle's gross mass transmitted to the ground through the axle.

**1.50 Pneumatic tyres generally**

A vehicle built after 1932 must be fitted with pneumatic tyres.

**1.51 Pneumatic tyres—carcass construction**

- (1) A vehicle with a GVM not over 4.5t must not have pneumatic tyres of different carcass construction fitted to the same axle, but the tyres may have different cord materials and a different number of plies.
- (2) However, subsection (1) does not apply to a tyre being used in an emergency as a temporary replacement for a tyre complying with the subsection.

**1.52 Pneumatic tyres—size and capacity**

The size and capacity of a pneumatic tyre to be fitted to a vehicle must be decided using a cold inflation pressure that is not over the lesser of—

- (a) the pressure recommended by the tyre manufacturer; and
- (b) a pressure of—
  - (i) for a radial ply tyre—825kPa; or
  - (ii) for another tyre—700kPa.

**1.53 Tyres—defects**

A tyre fitted to a vehicle must be free of any apparent defect that could make the vehicle unsafe.

**1.54 Tyres for use on vehicles with GVM over 4.5t**

- (1) A tyre fitted to a vehicle with a GVM over 4.5t must be suitable for road use at the lesser of—
  - (a) 100km/h; and
  - (b) the vehicle's top speed.
- (2) This section applies to a vehicle instead of the tyre speed category requirements in the relevant ADR.

**1.55 Tyres—manufacturer's rating**

- (1) This section applies to a motor vehicle if the vehicle—
  - (a) has 4 or more wheels; and
  - (b) was built after 1972; and
  - (c) has a GVM not over 4.5t.
- (2) However, this section does not apply to a tyre if the tyre—
  - (a) is recommended by the vehicle builder as suitable for limited use on the vehicle in special circumstances at a speed less than the speed applying to the vehicle under subsection (3); or
  - (b) is being used in an emergency as a temporary replacement for a tyre complying with this section.
- (3) A tyre fitted to a motor vehicle must, when first built, have been rated by the tyre manufacturer as suitable for road use at the lesser of—
  - (a) a speed of at least—
    - (i) for a car with special features for off-road use—140km/h;  
or
    - (ii) for another car—180km/h; or
    - (iii) for another motor vehicle—120km/h; and

(b) the vehicle's top speed.

**Example for par (a) (i)**

a four-wheel drive

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

(4) This section applies to a vehicle instead of the tyre speed category requirements in the relevant ADR.

## **1.56 Retreads**

(1) A tyre that is retreaded before the commencement of this section must not be used on a vehicle if—

(a) Australian Standard AS 1973-1976 *Retreaded Pneumatic Passenger Car and Light Truck Tyre* or Australian Standard AS 1973-1985 *Retreaded Pneumatic Passenger and Light Truck Tyre* applies to the tyre; and

(b) the tyre was retreaded after publication of the Australian Standard; and

(c) the tyre was not retreaded in accordance with Australian Standard AS 1973-1976 *Retreaded Pneumatic Passenger Car and Light Truck Tyre*, Australian Standard AS 1973-1985 *Retreaded Pneumatic Passenger and Light Truck Tyre* or Australian Standard AS 1973-1993 *Pneumatic Tyres—Passenger Car, Light Truck and Truck/Bus—Retreading and Repair Processes*.

(2) A tyre that is retreaded after the commencement of this section must not be used on a vehicle if—

(a) Australian Standard AS 1973-1993 *Pneumatic Tyres—Passenger Car, Light Truck and Truck/Bus—Retreading and Repair Processes* applies to the tyre; and

- (b) the tyre was not retreaded in accordance with the Australian Standard.

*Note* The Australian Standards mentioned in this section require various markings on retreaded tyres. These may include a speed rating less than the rating originally marked on the tyre.

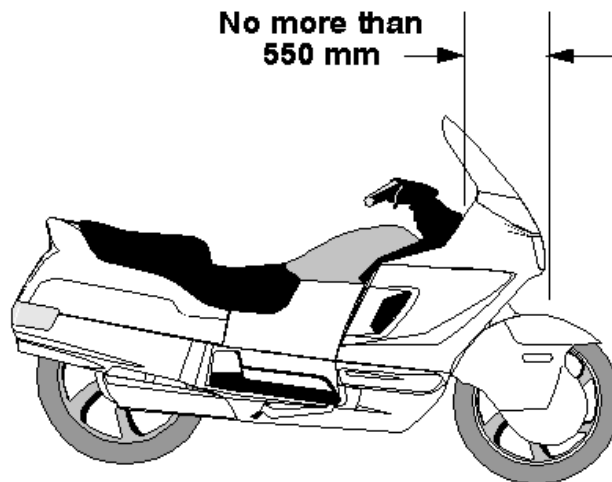
### **1.57 Tyre tread**

- (1) A tyre on a motor vehicle must not have cleats or other gripping devices that could damage road surfaces.
- (2) Except at tread wear indicators, a tyre fitted to the vehicle must have a tread pattern at least 1.5mm deep in a band that runs continuously—
- (a) across—
- (i) for a vehicle with a GVM over 4.5t—at least 75% of the tyre width that normally comes into contact with the road; or
- (ii) for another vehicle—the tyre width that normally comes into contact with the road; and
- (b) around the whole circumference of the tyre.
- (3) A vehicle must not be fitted with a tyre that has been treated by recutting or regrooving the tread rubber, unless the tyre was—
- (a) built with an extra thickness of rubber designed for recutting or regrooving; and
- (b) labelled to indicate the construction.

## Division 1.5.2 Additional requirements for motorbikes

### 1.58 Steering gear and handlebars

- (1) The handlebars on a motorbike must extend at least 250mm, but not over 450mm, on each side of the centre-line of the vehicle.
- (2) In taking a measurement for subsection (1), mirrors and lights mounted on the handlebars of the motorbike are disregarded.
- (3) The lowest part of the handgrip on the handlebars must not be higher than 380mm above the attachment point of the handlebars to the motorbike.
- (4) Handgrips on the handlebars must be fitted symmetrically.
- (5) If a motorbike has the head stem as the steering pivot point, the horizontal distance from the midpoint between the head stem bearings to the centre of the front wheel must not be over 550mm.



### Maximum horizontal distance from midpoint between head stem bearings of motorbike to centre of front wheel



**1.59 Footrests**

A motorbike must be fitted with footrests for the driver, and for any passenger for whom a seating position is provided.

**1.60 Chain guards**

- (1) If the engine power of a motorbike is transmitted to the rear wheel by a chain, the driver and any passenger must be protected from the front sprocket and at least the upper part of the chain by—
  - (a) the frame or equipment of the motorbike; or
  - (b) a chain guard.
- (2) A chain guard must cover the chain to a point—
  - (a) at least 300mm to the rear of the rearmost footrest; or
  - (b) above the centre of the rear drive sprocket.

**Division 1.5.3 Additional requirements for taxis**

**1.60A Public passenger vehicles to have fire-extinguisher**

A public passenger vehicle (other than a motorbike) must be equipped with a fire-extinguisher.

*Note* A public passenger vehicle is a public bus, taxi, hire car or demand responsive service vehicle.

## Part 1.6                      Vehicle marking

*Note*      This part contains requirements for a vehicle that help to identify the vehicle and, if the vehicle is unusually long, to warn other motorists.

### 1.61      Vehicle and engine identification numbers

- (1) In this section:  
*number* includes letter.
- (2) A motor vehicle must have an individual engine identification number clearly stamped, embossed or otherwise permanently marked on it.
- (3) A motor vehicle built after 1930 must have the engine identification number on its engine block or the main component of its engine.
- (4) A vehicle must have an individual vehicle identification number clearly stamped, embossed or otherwise permanently marked on a substantial part of its frame or chassis.
- (5) A vehicle or engine identification number must be located where a person can read it easily without having to use tools to remove a part of the vehicle that would otherwise obstruct the person's view.

### 1.62      Compliance plate to be attached to certain motor vehicles

- (1) This section applies to a motor vehicle (other than a tractor, trailer or implement) registered for the first time after July 1972.
- (2) The vehicle must have securely and prominently attached within the engine compartment, or another position approved by the road transport authority, a plate that—
  - (a) is approved by the motor vehicle certification board or the administrator of vehicle standards; and

- (b) identifies the vehicle; and
- (c) indicates that, at the time the plate was attached, the vehicle met the standards and procedures administered by the motor vehicle certification board or administrator of vehicle standards for that class of vehicle.

### **1.63 Compliance plate to be attached to certain trailers**

- (1) This section applies to a trailer built after 1985 that has an individual gross trailer weight rating (as decided by the road transport authority) over 4.5t, but not over 60t.

*Note* As a semitrailer is a trailer, this section applies to semitrailers.

- (2) At or as soon as practicable after the time of the first registration of the trailer, the trailer must have securely and prominently attached to it, in a position designated by the motor vehicle certification board or administrator of vehicle standards, a plate that—
  - (a) is approved by the board or the administrator of vehicle standards; and
  - (b) identifies the vehicle; and
  - (c) indicates that, at the time the plate was attached, the vehicle met the standards and procedures administered by the motor vehicle certification board or administrator of vehicle standards for that class of vehicle.

### **1.64 White or silver band on certain vehicles**

- (1) This section applies to a vehicle that—
  - (a) is at least 2.2m wide; and
  - (b) has a body with a vertical measurement under 300mm at the rear, measured from the lowest point of the body above ground level to the highest point; and

- (c) is not fitted with rear marking plates in accordance with section 1.126.
- (2) For subsection (1) (a), the width of a vehicle is measured disregarding any anti-skid device mounted on wheels, central tyre inflation systems, lights, mirrors, reflectors, signalling devices and tyre pressure gauges.
- (3) The vehicle must have a white or silver band at least 75mm high across the full width of the rearmost part of the body of the vehicle.

**U 1.65 Warning signs for combinations over 22m long**

- (1) The following vehicles must display road train warning signs complying with this section and section 1.67:
  - (a) a combination over 36.5m long;
  - (b) a road train over 30m, but not over 36.5m, long that includes 1 or more dog trailers.
- (2) The following vehicles must display road train warning signs, or a long vehicle warning sign, complying with this section and section 1.67:
  - (a) a road train over 22m, but not over 30m, long that includes 1 or more dog trailers;
  - (b) a road train over 22m, but not over 36.5m, long that does not include a dog trailer.
- (3) Another combination over 22m, but not over 36.5m, long must display a long vehicle warning sign complying with this section and section 1.67.
- (4) Subsections (1), (2) and (3) do not apply to the extent of any inconsistency with a notice or permit issued under the *Road Transport (Dimensions and Mass) Act 1990* that applies to the combination.

- (5) Road train warning signs must be used in pairs and fitted horizontally, a warning sign at the front and the other at the rear of the combination.
- (6) A long vehicle warning sign must be fitted horizontally at the rear of the combination.

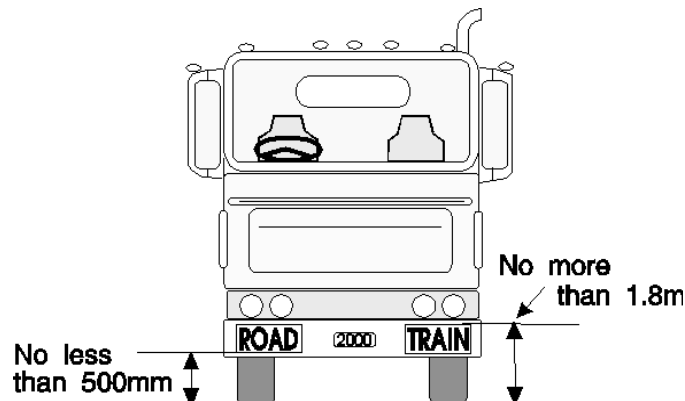
### **1.66 Warning signs not to be displayed on other vehicles**

- (1) A road train warning sign must not be displayed on a vehicle unless the vehicle is part of a combination or road train mentioned in section 1.65 (1) or (2).
- (2) A long vehicle warning sign must not be displayed on a vehicle unless the vehicle is a part of a combination or road train mentioned in section 1.65 (2) or (3).

### **1.67 Specifications for warning signs**

- (1) A road train or long vehicle warning sign must be built in 1 or 2 parts from sheet steel 0.8mm thick or another material of at least the same stiffness, unless it is designed to be fixed to a vehicle using an adhesive.
- (2) The warning sign must be at least 1.02m wide and at least 250mm high.
- (3) A road train warning sign must display the words 'road train', and a long vehicle warning sign must display the words 'long vehicle', in black capital letters at least 180mm high in typeface Series B (N) that complies with Australian Standard AS 1744 *Forms of Letters and Numerals for Road Signs*.
- (4) If the warning sign is in 2 parts, 1 word of the term 'road train' or 'long vehicle' must be on one part and the other word of the term must be on the other part.

- (5) The warning sign must display the sign manufacturer's name or logo, and the brand and class of retro-reflective material used, in block letters not over 10mm high.
- (6) The warning sign must have a black border.
- (7) The warning sign must be coated with yellow retro-reflective material of class 1 or 2 that meets Australian Standard AS 1906 *Retro-reflective Materials and Devices for Road Traffic Control Purposes*.
- (8) The warning sign must be fitted so—
  - (a) no part of the sign is—
    - (i) over 1.8m above ground level; or
    - (ii) under 500mm above ground level; and
  - (b) if the sign is in 2 parts—the parts are fitted at the same height above ground level.



### Positioning of a warning sign

**1.68 Left-hand drive signs**

- (1) This section applies to a motor vehicle with a GVM over 4.5t that has the centre of a steering control to the left of the centre of the vehicle.
- (2) The vehicle must display the words 'left hand drive' on the rear of the vehicle.
- (3) The words must be in letters at least 75mm high, and in a colour that contrasts with the background to the words.

## **U** Part 1.7 Vehicle configuration and dimensions

*Note* This part sets out various requirements covering the suspension on vehicles and size limits for single vehicles and combinations of vehicles, so that they can be operated safely with other traffic, without taking up too much road space or damaging the road and structures on the road.

Generally, the limits in this part apply to a vehicle and any load it may be carrying.

Particular requirements for loaded vehicles are covered by the *Road Transport (Dimensions and Mass) Act 1990*.

### **Division 1.7.1 Axles**

#### **1.69 Axle configuration**

- (1) A motor vehicle, other than an articulated bus, must have only—
  - (a) 1 axle group, or single axle, towards the front of the vehicle; and
  - (b) 1 axle group, or single axle, towards the rear of the vehicle.
- (2) An articulated bus must have—
  - (a) on its front section—
    - (i) only 1 axle group, or single axle, towards the front of the section; and
    - (ii) only 1 axle group, or single axle, towards the rear of the section; and
  - (b) on another section—only 1 axle group or single axle.
- (3) A trailer must have only—
  - (a) 1 axle group or single axle; or



- (b) 2 axle groups, 2 single axles, or 1 axle group and single axle, in the following configuration—
  - (i) 1 axle group, or single axle, towards the front of the vehicle, with all the wheels on the axle group or single axle connected to the steering mechanism for that part of the trailer; and
  - (ii) 1 axle group, or single axle, towards the rear of the vehicle.
- (4) A semitrailer that is extendible, or is fitted with sliding axles, must—
  - (a) have a securing device that—
    - (i) can securely fix the extendible part or sliding axles to the rest of the vehicle in any position of adjustment provided; and
    - (ii) is located in a position that can prevent accidental or inadvertent release, if the device is mounted on the chassis of the vehicle; and
    - (iii) is fitted with a visible or audible warning system to indicate to a person standing beside the vehicle that the device is not engaged; and
    - (iv) is fitted with a way of preventing loss of air from the air brake supply, if the device uses air from the brake system and fails in a way allowing air to escape; and
    - (v) is held in the applied position by direct mechanical action without the intervention of an electric, hydraulic or pneumatic device; and
  - (b) be built so the adjustable parts of the vehicle remain connected if the securing device fails.

### 1.70 Relation between axles in axle group

- (1) The axles in an axle group, other than a twinsteer axle group, fitted to a vehicle with a GVM over 4.5t must relate to each other through a load-sharing suspension system.
- (2) In this section:  
*load-sharing suspension system* means an axle group suspension system that—
  - (a) is built to divide the load between the tyres on the group so that no tyre carries a mass over 10% over the mass that it would carry if the load were divided equally; and
  - (b) has effective damping characteristics on all axles of the group.

## Division 1.7.2 Dimensions

### 1.71 References to length etc in div 1.7.2

In this division, a reference to the length, width or height of a vehicle or part of a vehicle is a reference to that dimension of the vehicle or part together with any load or equipment on the vehicle or part.

### 1.72 Width

- (1) A vehicle must not be over 2.5m wide.
- (2) For subsection (1), the width of a vehicle is measured without taking into account any anti-skid device mounted on wheels, central tyre inflation systems, lights, mirrors, reflectors, signalling devices and tyre pressure gauges.

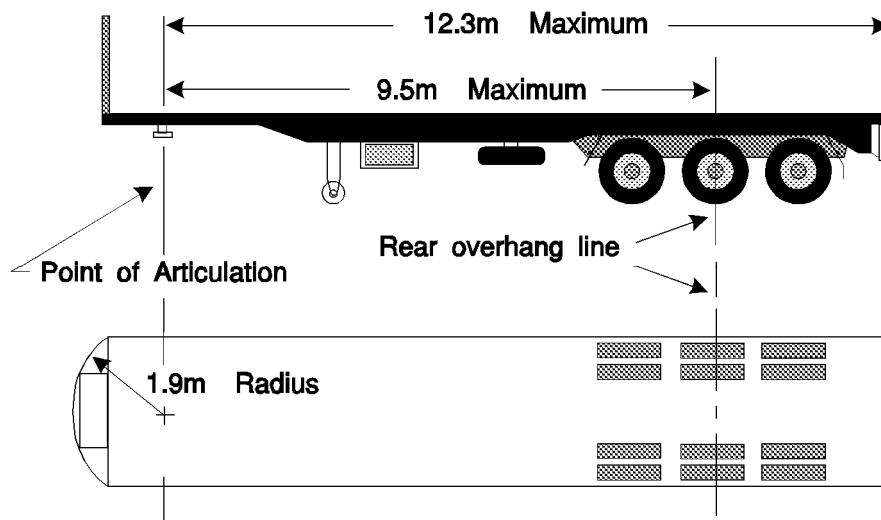
### 1.73 Length of single motor vehicles

- (1) A motor vehicle, other than an articulated or controlled access bus, must not be over 12.5m long.

- (2) A controlled access bus must not be over 14.5m long.
- (3) An articulated bus must not be over 18m long.

### 1.74 Length of single trailers

- (1) On a semitrailer or dog trailer—
  - (a) the distance between the point of articulation at the front of the trailer and the rear overhang line must not be over 9.5m; and
  - (b) the distance between the point of articulation at the front of the trailer and the rear of the trailer must not be over 12.3m.
- (2) A projection forward of the point of articulation at the front of a semitrailer must be contained within a radius of 1.9m from the point of articulation.



### Maximum dimensions of a semitrailer

- (3) If a semitrailer has 2 or more points of articulation at the front of the trailer, it must comply with subsections (1) and (2) when measured at 1 of the points.
- (4) A trailer (other than a pig trailer) built to carry cattle, sheep, pigs or horses on 2 or more partly or completely overlapping decks must not have over 12.5m of its length available for the transport of animals.
- (5) For subsection (4), the length available for the transport of animals on a trailer is measured from the inside of the front wall or door of the trailer to the inside of the rear wall or door of the trailer, with any intervening partitions disregarded.
- (6) A pig trailer must not be longer than 12.5m.
- (7) In this section:

***pig trailer*** means a trailer that is not fitted with an axle group other than 1 non-steerable axle group.

### **1.75 Length of combinations**

- (1) A combination must not be over—
  - (a) for a B-double—25m long; and
  - (b) for a road train—53.5m long; and
  - (c) for a combination, other than a road train, designed to carry vehicles on 2 or more partly or completely overlapping decks—25m long; and
  - (d) for another combination—19m long.
- (2) In a B-double built to carry cattle, sheep, pigs or horses, the 2 semitrailers must not have over 18.8m of their combined length available for the transport of animals.
- (3) For subsection (2), the length available for the transport of animals on a trailer is measured from the inside of the front wall or door of

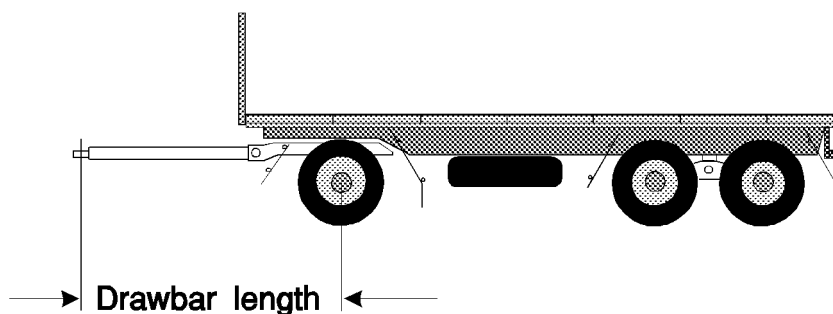
the trailer to the inside of the rear wall or door of the trailer, with any intervening partitions disregarded.

### **1.76 Rear overhang**

- (1) The rear overhang of a semitrailer, or dog trailer consisting of a semitrailer and converter dolly, must not be over the lesser of—
  - (a) 60% of the distance between the point of articulation at the front and the rear overhang line; and
  - (b) 3.7m.
- (2) A semitrailer with 2 or more points of articulation at the front must comply with subsection (1) when measured at the same point used for measurement for compliance with section 1.74 (3).
- (3) The rear overhang of a trailer with only 1 axle group or single axle (other than a semitrailer) must not be over the lesser of—
  - (a) the length of the load carrying area, or body, ahead of the rear overhang line; and
  - (b) 3.7m.
- (4) The rear overhang of a controlled access bus must not be over the lesser of—
  - (a) 70% of the distance between the centre of the front axle and the rear overhang line; and
  - (b) 4.9m.
- (5) The rear overhang of a vehicle not mentioned in subsection (1), (3) or (4) must not be over the lesser of—
  - (a) 60% of the distance between the centre of the front axle and the rear overhang line; and
  - (b) 3.7m.

## 1.77 Trailer drawbar length

- (1) The distance between the coupling pivot point on the drawbar of a dog trailer, and the centre-line of the front axle group or of the front single axle of the trailer, must—
  - (a) not be over 5m; and
  - (b) not be under 3m, if the trailer is used in a road train over 19m long.



## Length of a drawbar on a dog trailer

- (2) The distance between the coupling pivot point on a drawbar, and the centre-line of the axle group or single axle on a trailer with only 1 axle group or single axle (other than a semitrailer) must not be over 8.5m.

## 1.78 Height

- (1) A vehicle must not be over 4.3m high.
- (2) However—
  - (a) a vehicle built to carry cattle, sheep, pigs or horses must not be over 4.6m high; and
  - (b) a double-deck bus must not be over 4.4m high; and

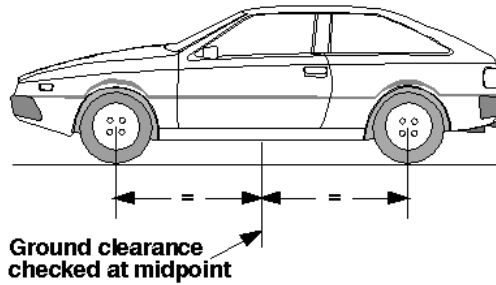
- (c) a vehicle built to carry vehicles on 2 or more decks must not be over 4.6m high when laden.

### **1.79 Ground clearance**

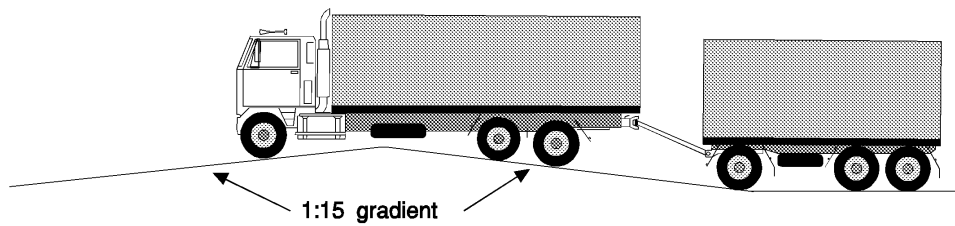
- (1) In this section:

*ground clearance*, of a vehicle, means the minimum distance to the ground from a point on the underside of the vehicle, other than a point on a tyre, wheel, wheel hub, brake backing plate or flexible mudguard or mudflap of the vehicle.

- (2) A motor vehicle or combination must have a ground clearance of—
  - (a) at least 100mm at any point within 1m of an axle; and
  - (b) at least  $\frac{1}{30}$  of the distance between the centres of adjacent axles at the midpoint between them; and
  - (c) at any other point—at least the distance that allows the vehicle or combination to pass over a peak in the road with a gradient on either side of 1:15, if the wheels of 1 axle of the vehicle or combination are on the slope on one side of the peak and the wheels of the next axle are on the slope on the other side.
- (3) However, subsection (2) does not apply to—
  - (a) a motor vehicle with less than 4 wheels; or
  - (b) a combination that includes a motor vehicle with less than 4 wheels.



**Ground clearance at the midpoint between 2 axles**



**Ground clearance over a peak in the road**



## **Part 1.8**                      **Lights and reflectors**

*Note*        This part deals with how the lights on a vehicle must be fitted and work so that the driver can see the road, pedestrians and other vehicles at night, and can signal to others. The Australian Road Rules provide for when certain lights must be switched on.

In this part, the description ‘*yellow*’ is used as a more modern term instead of the description ‘amber’, which is used in earlier legislation and some ADRs.

### **Division 1.8.1**                      **General requirements for lights**

#### **1.80**                      **Certain requirements apply only at night**

The requirements of this part for a light, other than a brake or direction indicator light, to be visible over a stated distance apply only at night.

#### **1.81**                      **Prevention of glare**

A light, other than a high-beam headlight, fitted to a vehicle must be built and adjusted to provide the necessary amount of light, without dazzling the driver of another vehicle approaching, or being approached by, the vehicle.

#### **1.82**                      **Pairs of lights**

- (1) If lights are required under this schedule to be fitted to a vehicle in pairs—
  - (a) a light must be fitted on each side of the longitudinal axis of the vehicle; and
  - (b) the centre of each light in a pair must be the same distance from the longitudinal axis of the vehicle; and
  - (c) the centre of each light in a pair must be at the same height above ground level; and

- (d) each light in a pair must project approximately the same amount of light of the same colour.
- (2) Subsection (1) applies to a motorbike with an attached sidecar as if the sidecar were not attached.

## **Division 1.8.2 Headlights**

### **1.83 Headlights to be fitted to vehicles**

- (1) A motor vehicle must be fitted with—
  - (a) 1 low-beam headlight if it is a moped, motorbike, or motortrike with 1 front wheel; or
  - (b) a pair of low-beam headlights if it has 4 or more wheels or is a motortrike, other than a moped, with 2 front wheels.
- (2) If a motor vehicle built after 1934 can travel at over 60km/h—
  - (a) each low-beam headlight mentioned in subsection (1) must be able to work in the high-beam position; or
  - (b) the vehicle must be fitted with—
    - (i) 1 headlight that can work in the high-beam position if the vehicle is required to have 1 low-beam headlight; or
    - (ii) a pair of headlights that can work in the high-beam position.
- (3) A motorbike may be equipped with a headlight modulation system that—
  - (a) varies the brightness of its high-beam headlight or low-beam headlight, but not both, at a rate of at least 200 and at most 280 flashes a minute; and
  - (b) is designed to operate only in the daylight.

- (4) Additional headlights may be fitted to a motorbike or motortrike, or a motor vehicle with 4 or more wheels that was built before 1970.
- (5) Additional pairs of headlights may be fitted to a motor vehicle with 4 or more wheels that was built after 1969.

#### **1.84 How headlights are to be fitted**

- (1) The centres of low-beam headlights fitted as a pair on a motor vehicle with 4 or more wheels must be at least 600mm apart.
- (2) However, subsection (1) does not apply to a motor vehicle built before 1970 if the centres of its low-beam headlights—
  - (a) were under 600mm apart when the vehicle was built; and
  - (b) are not nearer than they were when the vehicle was built.
- (3) Each low-beam headlight of a pair on a motortrike (other than a moped) with 2 front wheels must not be over 400mm from the nearer side of the vehicle.
- (4) The centre of a low-beam headlight fitted to a motor vehicle built after June 1953 must be—
  - (a) at least 500mm above ground level; and
  - (b) not over 1.4m above ground level.

#### **1.85 How single headlights are to be fitted**

- (1) A motorbike or motortrike with a single headlight fitted must have the light fitted in the centre.
- (2) Subsection (1) applies to a motorbike with an attached sidecar as if the sidecar were not attached.

**1.86 How additional headlights are to be fitted**

If 2 or more additional headlights are fitted to a motor vehicle with 4 or more wheels, the additional headlights must as far as possible be fitted in pairs.

**1.87 Performance of headlights**

- (1) When on, a headlight, or additional headlight, fitted to a vehicle must—
  - (a) show only white light; and
  - (b) project its main beam of light ahead of the vehicle.
- (2) Headlights must be fitted to a vehicle so their light does not reflect off the vehicle into the driver's eyes.

**1.88 Effective range of headlights**

- (1) This section applies to a headlight that is on at night.
- (2) A low-beam headlight must illuminate the road ahead of the vehicle for at least 25m.
- (3) A high-beam headlight must illuminate the road ahead of the vehicle for at least 50m.
- (4) However, a low-beam headlight fitted to a motor vehicle built before 1931, or a moped, need only illuminate the road ahead of the vehicle for 12m.

**1.89 Changing headlights from high-beam to low-beam position**

- (1) A motor vehicle built after 1934 that can travel at over 60km/h must be fitted with—
  - (a) a dipping device enabling the driver in the normal driving position—

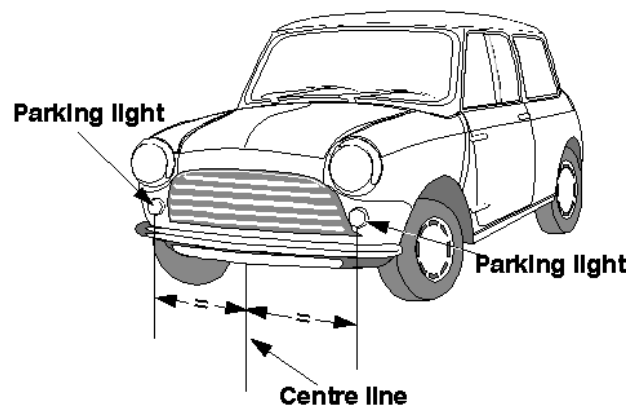
- (i) to change the headlights from the high-beam position to the low-beam position; or
    - (ii) simultaneously to switch off a high-beam headlight and switch on a low-beam headlight; and
  - (b) for a vehicle built after June 1953—a device to indicate to the driver that the headlights are in the high-beam position.
- (2) A headlight fitted to a vehicle not fitted with a dipping device mentioned in subsection (1) (a) must operate in the low-beam position.
- (3) When a headlight fitted to a vehicle is switched to the low-beam position, any other headlight on the vehicle must operate only in the low-beam position or be off.

## **Division 1.8.3      Parking lights**

### **1.90      Parking lights**

- (1) A motor vehicle built after June 1953 must be fitted with—
- (a) a pair of parking lights if it is a motortrike with 2 front wheels (other than a moped) or a motor vehicle with 4 or more wheels; or
  - (b) at least 1 parking light if it is a motorbike with an attached sidecar, or a motortrike with 1 front wheel, (other than a moped).
- (2) A pair of parking lights fitted to a motor vehicle with 4 or more wheels must be fitted with the centre of each light—
- (a) at least 600mm from the centre of the other light; and
  - (b) not over 510mm from the nearer side of the vehicle.

- (3) However, a pair of parking lights fitted to a motor vehicle under 1.3m wide may be fitted with the centre of each light not under 400mm from the centre of the other light.
- (4) A parking light fitted to a motortrike with 2 front wheels must not be over 400mm from the nearer side of the vehicle.
- (5) A parking light fitted to a motorbike with a sidecar must be fitted not over 150mm from the side of the sidecar furthest from the motorbike.



### Location of parking lights on a vehicle

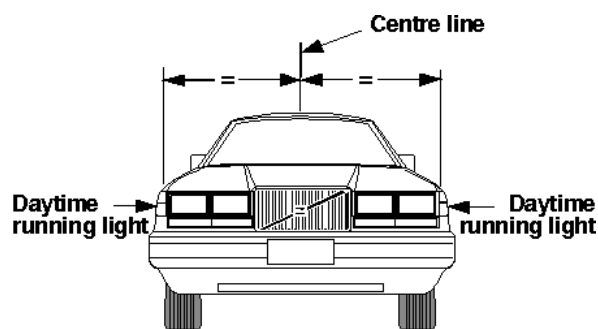
- (6) When on, a parking light must—
  - (a) show a white or yellow light visible 200m from the front of the vehicle; and
  - (b) not use over 7W.
- (7) A parking light fitted to a motor vehicle built after 1969 must be wired so the parking light is on when a headlight on the vehicle is on.

- (8) A parking light fitted to a sidecar attached to a motorbike must be wired to operate when a headlight, tail-light or parking light on the motorbike is on.
- (9) For subsection (3), the width of a vehicle is measured disregarding any anti-skid device mounted on wheels, central tyre inflation systems, lights, mirrors, reflectors, signalling devices and tyre pressure gauges.

## **Division 1.8.4 Daytime running lights**

### **1.91 Daytime running lights**

- (1) A pair of daytime running lights may be fitted to a motor vehicle.
- (2) A pair of daytime running lights fitted to a vehicle with 4 or more wheels must be fitted with the centre of each light—
  - (a) at least 600mm from the centre of the other light; and
  - (b) not over 510mm from the nearer side of the vehicle.
- (3) However, a pair of daytime running lights fitted to a motor vehicle under 1.3m wide may be fitted with the centre of each light not under 400mm from the centre of the other light.



### **Location of daytime running lights on a vehicle**

- (4) When on, a daytime running light must—
- (a) show a white or yellow light visible from the front of the vehicle; and
  - (b) not use over 25W.

*Note* The 3rd edition ADRs only allow white daytime running lights.

- (5) Daytime running lights must be wired so they are off when a headlight, other than a headlight being used as a flashing signal, is on.
- (6) For subsection (3), the width of a vehicle is measured disregarding any anti-skid device mounted on wheels, central tyre inflation systems, lights, mirrors, reflectors, signalling devices and tyre pressure gauges.

## **Division 1.8.5 Tail-lights**

### **1.92 Tail-lights generally**

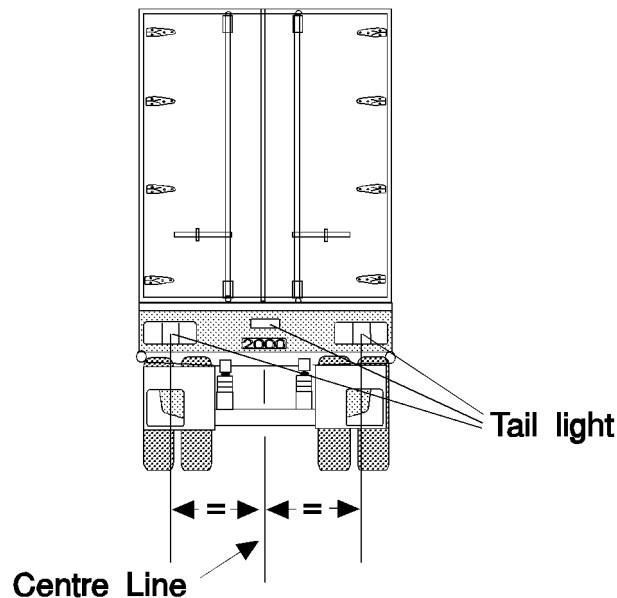
- (1) A vehicle must have at least 1 tail-light fitted on or towards the rear of the vehicle.
- (2) A motortrike with 2 rear wheels, or a motor vehicle with 4 or more wheels, built after 1959 must have at least 1 tail-light fitted on or towards each side of the rear of the vehicle.
- (3) A trailer built after June 1988 must have at least 1 tail-light fitted on or towards each side of the rear of the vehicle.
- (4) The centre of a tail-light mentioned in subsection (1), (2) or (3) must not be over—
  - (a) 1.5m above ground level; or
  - (b) if it is not practicable to fit the light lower—2.1m above ground level.



- (5) A vehicle may have 1 or more additional tail-lights at any height above ground level.

### **1.93 Pattern of fitting tail-lights**

- (1) If only 1 tail-light is fitted to a vehicle, it must be fitted in the centre or to the right of the centre of the vehicle's rear.
- (2) Subsection (1) applies to a motorbike with an attached sidecar as if the sidecar were not attached.
- (3) If 2 or more tail-lights are fitted to a vehicle, at least 2 must be fitted as a pair.



### **Location of tail-lights on a vehicle**

- (4) Tail-lights fitted in accordance with this division may also serve as rear clearance lights if they are fitted to a vehicle in accordance with section 1.91 (3).

### **1.94 Performance of tail-lights**

When on, a tail-light of a vehicle must—

- (a) show a red light visible 200m from the rear of the vehicle; and
- (b) not use over 7W.

### **1.95 Wiring of tail-lights**

A tail-light of a motor vehicle must be wired to come on, and stay on, when a parking light or headlight on the vehicle is on, unless an external switch is fitted to operate the tail-light.

## **Division 1.8.6 Numberplate lights**

### **1.96 Numberplate lights**

- (1) At least 1 numberplate light must be fitted to the rear of a vehicle.
- (2) When on, the numberplate light or lights must illuminate a numberplate on the rear of the vehicle with white light, so the characters on the numberplate can be read at night 20m from the rear of the vehicle.
- (3) A numberplate light—
  - (a) may be combined with another light; and
  - (b) must not project white light to the rear of the vehicle except by reflection; and
  - (c) must not obscure the characters on the numberplate; and
  - (d) must be wired to come on, and stay on, when a parking light, headlight or tail-light on the vehicle is on.

## **Division 1.8.7 Clearance lights**

### **1.97 Front clearance lights**

- (1) Front clearance lights may only be fitted to a vehicle that is at least 1.8m wide.
- (2) A pair of front clearance lights must be fitted to a motor vehicle that is at least 2.2m wide, or a prime mover.
- (3) The centre of a front clearance light must be—
  - (a) not over 400mm from the nearer side of the vehicle; and
  - (b) if the vehicle was built after June 1953—
    - (i) at least 750mm higher than the centre of any low-beam headlight fitted to the vehicle; or
    - (ii) not lower than the top of the windscreen.
- (4) However, a front clearance light may be mounted on an external rear-vision mirror or a mirror support if, when the mirror is correctly adjusted, no part of the lens of the clearance light is visible to a person in the normal driving position.
- (5) When on, a front clearance light must—
  - (a) show a yellow or white light visible 200m from the front of the vehicle; and
  - (b) not use over 7W.

### **1.98 External cabin lights**

- (1) A motor vehicle fitted with front clearance lights may also have additional forward-facing lights on or above the roof of its cabin.
- (2) The additional forward-facing lights must be spaced evenly between the front clearance lights, with their centres at least 120mm apart.

- (3) When on, an additional forward-facing light must—
  - (a) show a yellow or white light; and
  - (b) not use over 7W.

### **1.99 Rear clearance lights**

- (1) Rear clearance lights may only be fitted to a vehicle that is at least 1.8m wide.
- (2) A pair of rear clearance lights must be fitted to the rear of a vehicle that is at least 2.2m wide.
- (3) The centre of a rear clearance light must be—
  - (a) not over 400mm from the nearer side of the vehicle; and
  - (b) if practicable, at least 600mm above ground level.
- (4) When on, a rear clearance light must—
  - (a) show a red light visible 200m from the rear of the vehicle; and
  - (b) not use over 7W.

## **Division 1.8.8 Side marker lights**

### **1.100 Vehicles needing side marker lights**

- (1) A pair of side marker lights must be fitted towards the rear of the sides of a motor vehicle that is over 7.5m long and at least 2.2m wide.
- (2) A pole-type trailer, and a motor vehicle built to tow a pole-type trailer, with at least 1 crossbar or bolster must have a side marker light fitted to each side of the back or only crossbar or bolster.
- (3) A pole-type trailer with 2 or more crossbars or bolsters may also have a side marker light fitted to each side of the front crossbar or bolster.

- (4) At least 2 side marker lights must be fitted to each side of—
  - (a) a trailer, other than a pole-type trailer, that is at least 2.2m wide and not over 7.5m long; and
  - (b) a semitrailer that is not over 7.5m long.
- (5) At least 3 side marker lights must be fitted to each side of—
  - (a) a trailer, other than a pole-type trailer, that is at least 2.2m wide and over 7.5m long; and
  - (b) a semitrailer that is over 7.5m long.
- (6) For subsections (1), (4) and (5), the width of a vehicle is measured disregarding any anti-skid device mounted on wheels, central tyre inflation systems, lights, mirrors, reflectors, signalling devices and tyre pressure gauges.

#### **1.101 Location of side marker lights**

- (1) The centre of a side marker light must not be over 150mm from the nearer side of the vehicle.
- (2) A front side marker light fitted to a motor vehicle must be towards the front of the side of the vehicle with no part of the lens visible to the driver.
- (3) The centre of a front side marker light fitted to a trailer must be—
  - (a) within 300mm of the front of the side of the trailer; or
  - (b) if the construction of the trailer makes it impracticable to comply with paragraph (a)—as near as practicable to the front of the trailer.
- (4) The centre of a rear side marker light fitted to a vehicle must be—
  - (a) within 300mm of the rear of the side of the vehicle; or

- (b) if the construction of the vehicle makes it impracticable to comply with paragraph (a)—as near as practicable to the rear of the vehicle.
- (5) Side marker lights fitted to a vehicle must, as far as practicable, be evenly spaced along the side of the vehicle.
- (6) Subsections (2) to (5) do not apply to side marker lights fitted to a crossbar or bolster of a pole-type trailer.
- (7) Only the side marker lights nearest to the rear need be fitted if complying with subsections (3) and (4) would result in the front and rear side marker lights being under 2.5m apart.
- (8) A side marker light fitted to a vehicle must be fitted so—
  - (a) its centre is not over—
    - (i) 1.5m above ground level; or
    - (ii) if it is not practicable to fit it lower—2.1m above ground level; and
  - (b) its centre is at least 600mm above ground level; and
  - (c) it is, as far as practicable, in a row of side marker lights along the side of the vehicle.
- (9) Subsection (8) (a) does not apply to a side marker light that is not required to be fitted to the vehicle by section 1.100.

### **1.102 Performance of side marker lights**

- (1) When on, a side marker light fitted to a vehicle must—
  - (a) show a light visible 200m from the vehicle; and
  - (b) not use over 7W.
- (2) When on, a side marker light fitted to a vehicle must show—
  - (a) to the front of the vehicle—a yellow light; and

- (b) to the rear of the vehicle—
  - (i) if the light also operates as a rear light or reflector—a red light; and
  - (ii) in any other case—a red or yellow light.
- (3) However, if a pole-type trailer with 2 or more crossbars or bolsters has the side marker lights permitted by section 1.100 (3)—
  - (a) the side marker lights fitted to the front crossbar or bolster may comply with subsection (2) (a) only; and
  - (b) the side marker lights fitted to the back crossbar or bolster may comply with subsection (2) (b) only.

### **1.103 Side marker lights and rear clearance lights**

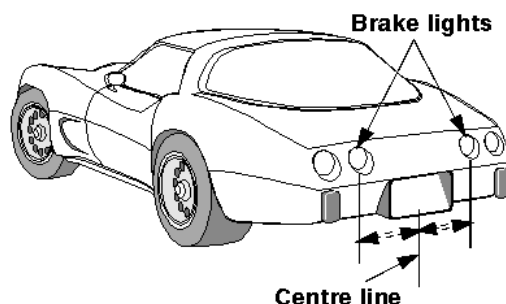
The side marker light nearest to the rear of a vehicle may also be a rear clearance light for section 1.99.

## **Division 1.8.9 Brakelights**

### **1.104 Fitting brakelights**

- (1) A brakelight must be fitted to the rear of a vehicle built after 1934.
- (2) A pair of brakelights must be fitted to the rear of—
  - (a) a motor vehicle built after 1959 that has 4 or more wheels; and
  - (b) a motortrike built after 1959 that has 2 rear wheels; and
  - (c) a trailer built after June 1988.
- (3) The centre of a brakelight must be—
  - (a) at least 350mm above ground level; and
  - (b) not over—
    - (i) 1.5m above ground level; or

- (ii) if it is not practicable to fit the light lower—2.1m above ground level.
- (4) A vehicle may be fitted with 1 or more additional brakelights.
- (5) The centre of an additional brakelight must be at least 350mm above ground level.
- (6) If only 1 brakelight is fitted to a vehicle, it must be fitted in the centre or to the right of the centre of the vehicle's rear.
- (7) Subsection (6) applies to a motorbike with an attached sidecar as if the sidecar were not attached.



## Location of brakelights on a vehicle

### 1.105 Performance and operation of brakelights

- (1) When on, a brakelight must show a red light visible 30m from the rear of the vehicle.
- (2) A brakelight fitted to a motor vehicle must come on, if it is not already on, when—
- (a) for a vehicle with 4 or more wheels or built after 1974—a service brake is applied; or
- (b) for another vehicle—the rear wheel brake is applied.



- (3) Subsection (3) does not apply if the controls in the vehicle that start the engine are in a position that makes it impossible for the engine to operate.
- (4) A brakelight on a trailer must come on when—
  - (a) the brakelight of the towing vehicle comes on; or
  - (b) a brake control on the towing vehicle, which independently activates the service brake on the trailer, is operated.
- (5) A brakelight may be operated by an engine brake, retarder, or similar device if the device does not interfere with the proper operation of the brakelight.

## **Division 1.8.10 Reversing lights**

### **1.106 Reversing lights**

- (1) One or more reversing lights may be fitted to the rear of a vehicle and on each side towards the rear of the vehicle.
- (2) A reversing light must have its centre not over 1.2m above ground level.
- (3) When on, a reversing light must show a white or yellow light to the rear or to the side and rear of the vehicle.

*Note* The 3rd edition ADRs only allow white reversing lights.

- (4) A reversing light fitted to a motor vehicle must be wired so it operates only when the vehicle is reversing or in reverse gear.
- (5) A reversing light fitted to a trailer must be wired so it operates only when a motor vehicle towing the trailer is reversing or in reverse gear.
- (6) A yellow reversing light may also operate as a direction indicator light.

## Division 1.8.11 Direction indicator lights

### 1.107 Direction indicator lights on motor vehicles

- (1) A motor vehicle with 4 or more wheels that was built after 1972 must have—
  - (a) a pair of direction indicator lights fitted on, or towards, its front that face forwards; and
  - (b) a pair of direction indicator lights fitted on, or towards, its rear that face backwards.
- (2) A motor vehicle with less than 4 wheels that was built after June 1975 must have—
  - (a) a pair of direction indicator lights fitted on, or towards, its front that face forwards; and
  - (b) a pair of direction indicator lights fitted on, or towards, its rear that face backwards.
- (3) A motor vehicle that is not required to have direction indicator lights may have—
  - (a) 1 or more pairs of direction indicator lights that are visible from both the front and rear of the vehicle; or
  - (b) both—
    - (i) a pair of direction indicator lights fitted on, or towards, its front that face forwards; and
    - (ii) a pair of direction indicator lights fitted on, or towards, its rear that face backwards.

### 1.108 Direction indicator lights on trailers

- (1) A trailer built after June 1973 must have a pair of direction indicator lights fitted on, or towards, its rear that face backwards.

- (2) A trailer that is not required to have direction indicator lights may have 1 or more pairs of direction indicator lights fitted on, or towards, its rear that face backwards.

### **1.109 Location of direction indicator lights**

- (1) A pair of direction indicator lights fitted to a vehicle must have the centre of each light at least—
- (a) for a motorbike or the single wheel end of a motortrike—300mm from the centre of the other light; and
  - (b) for lights fitted at the 2 wheel end of a motortrike—600mm from the centre of the other light, unless the centre of each direction indicator light is not over 400mm from the nearer side of the vehicle; and
  - (c) for another vehicle with a width of not over 1.3m—400mm from the centre of the other light; and
  - (d) for another vehicle with a width of over 1.3m—600mm from the centre of the other light.
- (2) The centre of each direction indicator light must be at least 350mm above ground level.
- (3) The centre of each light in a pair of direction indicator lights required to be fitted to a vehicle must not be over—
- (a) 1.5m above ground level; or
  - (b) if it is not practicable for the light to be fitted lower—2.1m above ground level.
- (4) For subsection (1), the width of a vehicle is measured disregarding any anti-skid device mounted on wheels, central tyre inflation systems, lights, mirrors, reflectors, signalling devices and tyre pressure gauges.

### **1.110 Operation and visibility of direction indicator lights**

- (1) A direction indicator light fitted to a motor vehicle must—
  - (a) when operating, display regular flashes of light at a rate of not over 120, and—
    - (i) for a motor vehicle with 4 or more wheels—at least 60, flashes a minute; and
    - (ii) for another motor vehicle—at least 45, flashes a minute; and
  - (b) be able to be operated by a person in the normal driving position; and
  - (c) be wired to an audible or visible device in the vehicle that tells the driver that the direction indicator light is operating; and
  - (d) flash at the same time and rate as any other direction indicator lights fitted on the same side of the vehicle.
- (2) A direction indicator light fitted to a side of a trailer must, when operating, flash at the same time and rate as the direction indicator light or lights fitted to the same side of the motor vehicle towing the trailer.
- (3) The flashes of light displayed by a direction indicator light must be—
  - (a) if the light faces forwards—white or yellow; and
  - (b) if the light faces backwards—
    - (i) yellow; or
    - (ii) for a vehicle built before July 1973—yellow or red; and
  - (c) if the light faces out from the side of the vehicle—
    - (i) white or yellow towards the front and side; and

- (ii) for a vehicle built before July 1973—yellow or red towards the rear and side; and
- (iii) for a vehicle built after June 1973—yellow towards the rear and side.

*Note* The ADRs only allow yellow direction indicator lights.

- (4) If a motor vehicle's direction indicator lights display only yellow light, the vehicle may be equipped to allow the lights to operate simultaneously on both sides of the vehicle, if a visible or audible signal tells the driver when the lights are operating simultaneously.
- (5) When on, a direction indicator light must be visible 30m from—
  - (a) if the light faces forwards—the front of the vehicle; or
  - (b) if the light faces backwards—the rear of the vehicle; or
  - (c) if the light faces out from the side of the vehicle—that side of the vehicle.
- (6) When on, each direction indicator light in at least 1 pair of lights fitted on or towards the front of a prime mover, or a motor vehicle over 7.5m long, must be visible at a point—
  - (a) 1.5m at right angles from the side of the vehicle where the light is fitted; and
  - (b) in line with the rear of the vehicle.

## **Division 1.8.12 Fog lights**

### **1.111 Front fog lights**

- (1) A pair of front fog lights may be fitted to a motor vehicle with 4 or more wheels.
- (2) A pair of front fog lights, or a single front fog light, may be fitted to a motorbike or motortrike.

- (3) A pair of front fog lights fitted to a motor vehicle with 4 or more wheels must have the centre of each light not over 400mm from the nearer side of the vehicle unless the centres of the lights are at least 600mm apart.
- (4) If the top of the front fog light is higher than the top of any low-beam headlight on the vehicle, the centre of the fog light must not be higher than the centre of the low-beam headlight.
- (5) A front fog light must—
  - (a) when on—
    - (i) project white or yellow light in front of the vehicle; and
    - (ii) be a low-beam light; and
  - (b) be able to be operated independently of any headlight; and
  - (c) be fitted so the light from it does not reflect off the vehicle into the driver's eyes.

### **1.112 Rear fog lights**

- (1) A vehicle may have fitted to its rear—
  - (a) a pair of rear fog lights; or
  - (b) 1 rear fog light fitted on, or to the right, of the centre of the vehicle.
- (2) Subsection (1) (b) applies to a motorbike with an attached sidecar as if the sidecar were not attached.
- (3) A rear fog light must—
  - (a) have its centre—
    - (i) not over 1.5m above ground level; and
    - (ii) at least 100mm from the centre of a brakelight; and
  - (b) when on, project red light behind the vehicle; and

- (c) not use over 27W; and
- (d) be wired to a visible device in the vehicle that tells the driver that the rear fog light is operating.

### **Division 1.8.13 Interior lights**

#### **1.113 Interior lights**

A vehicle may be fitted with interior lights that illuminate any interior part of the vehicle.

### **Division 1.8.14 Reflectors generally**

#### **1.114 General requirements for reflectors**

- (1) A reflector fitted to a vehicle must show a red, yellow or white reflection of light when light is projected directly onto the reflector at night by a low-beam headlight that—
  - (a) is 45m from the reflector; and
  - (b) complies with this schedule.
- (2) The reflection must be clearly visible from the position of the headlight.

### **Division 1.8.15 Rear reflectors**

#### **1.115 Rear reflectors**

- (1) A motor vehicle with 4 or more wheels, and a trailer, must have a rear-facing red reflector towards each side of its rear.
- (2) A motorbike, a sidecar attached to a motorbike, and a motortrike, must have a rear-facing red reflector.
- (3) The centre of each reflector must be—
  - (a) at the same height above ground level; and

- (b) not over 1.5m above ground level.
- (4) However, subsection (3) does not apply to a reflector fitted to a sidecar attached to a motorbike.
- (5) A reflector fitted to a motor vehicle with 4 or more wheels, or a trailer, must not be over 400mm from the nearer side of the vehicle.
- (6) A vehicle fitted with rear-facing red reflectors in accordance with subsection (1) or (2) may be fitted with additional red reflectors at any height above ground level or at any distance from the side of the vehicle.

## **Division 1.8.16 Side reflectors**

### **1.116 Compulsory side reflectors on pole-type trailers**

- (1) Yellow or red side-facing reflectors must be fitted to the pole of a pole-type trailer so—
  - (a) 1 reflector is fitted to the middle  $\frac{1}{3}$  of the left and right faces of the pole; and
  - (b) the front reflector is not over 3m from the front of the trailer; and
  - (c) the other reflectors are not over 3m apart.
- (2) Additional side-facing reflectors may be fitted to a pole-type trailer in accordance with section 1.117.

### **1.117 Optional side reflectors**

- (1) A vehicle may be fitted with side-facing reflectors.
- (2) A side-facing reflector—
  - (a) towards the front of the vehicle must be yellow or white; and
  - (b) towards the rear of the vehicle must be yellow or red; and



- (c) on the central part of the vehicle must be yellow.

## **Division 1.8.17 Front reflectors**

### **1.118 Compulsory front reflectors on trailers**

- (1) A front-facing white or yellow reflector must be fitted towards each side of the front of—
  - (a) a semitrailer, other than a pole-type trailer; and
  - (b) the front crossbar or bolster of a pole-type trailer; and
  - (c) a trailer that is at least 2.2m wide.
- (2) Each reflector must have its centre—
  - (a) at the same height above ground level; and
  - (b) not over 1.5m above ground level; and
  - (c) not over 400mm from the nearer side of the vehicle.
- (3) Additional front-facing reflectors may be fitted to a trailer mentioned in subsection (1) in accordance with section 1.119.

### **1.119 Optional front reflectors**

- (1) A motor vehicle with 4 or more wheels, or a trailer, may have 1 or more front-facing white or yellow reflectors fitted towards each side of its front.
- (2) A motor vehicle with less than 4 wheels may have 1 or more front-facing white or yellow reflectors.
- (3) The centre of at least 1 reflector on each side of the front of the vehicle must be—
  - (a) at the same height above ground level as the centre of the other reflector; and

- (b) the same distance from the longitudinal axis of the vehicle as the centre of the other reflector; and
- (c) at least—
  - (i) for a vehicle with a width under 1.3m—400mm from the centre of the other reflector; and
  - (ii) for another vehicle—600mm from the centre of the other reflector.
- (4) For subsection (3)(c), the width of a vehicle is measured disregarding any anti-skid device mounted on wheels, central tyre inflation systems, lights, mirrors, reflectors, signalling devices and tyre pressure gauges.

## **Division 1.8.19 Warning lights and signs on buses carrying children**

### **1.120 Application of div 1.8.19**

This division applies to a bus that is used mainly for carrying children if the bus is fitted with warning lights after June 1999.

*Note* For warning signs and lights fitted before July 1999, see s 1.124.

### **1.121 Fitting of warning lights and signs**

- (1) Two warning lights and a warning sign must be fitted to the front and rear of the bus.
- (2) The warning lights must be fitted—
  - (a) on each side of, and the same distance from, the centre of the warning sign; and
  - (b) with the edge of the warning sign not over 100mm from the nearest point on the lens of the warning lights; and

- (c) with the distance between the warning lights at least 300mm at the nearest point; and
- (d) so no part of the bus obstructs the light displayed—
  - (i) to the left and right of the centre of each light; and
  - (ii) above and below the centre of each light.
- (3) The warning lights may be on the warning sign if the words or image on the sign are not obscured.
- (4) The warning lights at the same end of the bus must be fitted—
  - (a) at the same height; and
  - (b) as high as practicable; and
  - (c) with the lowest point on the lens of each light not lower than midway between the highest and lowest points on the bus body.
- (5) If the centres of the warning lights are under 1.8m above ground level, no part of the warning lights or warning sign may be on the left of the bus.
- (6) This rule applies to a bus despite any requirement of a 3rd edition ADR.

### **1.122 Operation and performance of warning lights**

- (1) When operating, a warning light must display regular flashes of yellow light at a rate of at least 90, and not over 180, flashes a minute.
- (2) The warning lights at the same end of the bus must flash alternately.
- (3) Unless the driver has turned the warning lights off, they must operate automatically when a door on the bus opens and for at least 10, and not over 20, seconds after all the doors on the bus have closed.

- (4) The bus must have a visible or audible signal that tells the driver when the warning lights are operating.
- (5) The bus must be fitted with a switch that allows the driver to turn the warning lights off.
- (6) A warning light must have—
  - (a) an effective lit lens area of at least 60cm<sup>2</sup>; and
  - (b) a luminous intensity (in candela) of at least the values mentioned in table 1.122 when measured at the angles mentioned in the table.

**Table 1.122**

<b>column 1 item</b>	<b>column 2 vertical angle from centre of light</b>	<b>column 3 horizontal angle from centre of light</b>									
1		-30°	-20°	-10°	-5°	0°	5°	10°	20°	30°	
2	10°				50	80	50				
3	5°		180	320	350	450	350	320	180		
4	0°	75	450	1000	1250	1500	1250	1000	450	75	
5	-5°	40	270	450	570	600	570	450	270	40	
6	-10°				75	75	75				

- (7) For subsection (6) (b), the luminous intensity of a light is to be measured in accordance with the test method mentioned in 3rd edition ADR 6.

### **1.123 Specifications for warning signs**

- (1) A warning sign at the front of the bus must—
  - (a) display the words ‘school bus’ in capital letters at least 100mm high; or
  - (b) display an image of 2 children in the same proportions as the children in AS 1743 *Road Signs—Specifications* (image W6-3), with the image of the taller child at least 230mm high.
- (2) A warning sign at the rear of the bus must display an image of 2 children in the same proportions as the children in AS 1743 *Road Signs—Specifications* (image W6-3), with the image of the taller child at least 230mm high.
- (3) The warning sign mentioned in subsection (1) (b) and subsection (2) must—
  - (a) be a rectangular shape at least—
    - (i) if warning lights are on the warning sign—550mm wide and 400mm high; and
    - (ii) in any other case—400mm wide and 250mm high; and
  - (b) have a black border; and
  - (c) have black graphics and be coated with yellow retro-reflective material of class 1 or 2 that meets Australian Standard AS 1906 *Retro-reflective Materials and Devices for Road Traffic Control Purposes*.

## **Division 1.8.20 Other lights, reflectors, rear marking plates or signals**

### **1.124 Other lights and reflectors**

- (1) In this section:

***exempt vehicle*** means—

- (a) a police vehicle; or
- (b) an emergency vehicle; or
- (c) a transport enforcement vehicle; or
- (d) an Australian Protective Service vehicle; or
- (e) an Australian Customs Service vehicle; or
- (f) an Airservices Australia vehicle.

***special use vehicle*** means—

- (a) a vehicle built or fitted for use in hazardous situations on a road; or
- (b) a vehicle, or combination, that because of its dimensions is permitted to be driven on a road only in accordance with a notice or permit issued under a law of this jurisdiction; or
- (c) a vehicle built or fitted to accompany a vehicle, or combination, mentioned in paragraph (b); or
- (d) a bus fitted, before July 1999, with a sign telling road users that the bus carries children.

**Examples of special use vehicles for par (a)**

tow trucks, vehicle breakdown service vehicles, garbage trucks, cranes, streetsweepers, forklifts, concrete pumps and mobile towers

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (2) A vehicle may be fitted with a light or reflector not mentioned in this schedule.
- (3) However, unless subsection (4) applies, a vehicle must not display—

- (a) a light that flashes; or
  - (b) a light or reflector that—
    - (i) shows a red light to the front; or
    - (ii) shows a white light to the rear; or
    - (iii) is shaped or located in a way that reduces the effectiveness of a light or reflector that is required to be fitted to the vehicle under this schedule.
- (4) Despite any requirement of a 3rd edition ADR, an exempt vehicle may be fitted with any light or reflector, and a special use vehicle may be fitted with 1 or more flashing yellow lights.

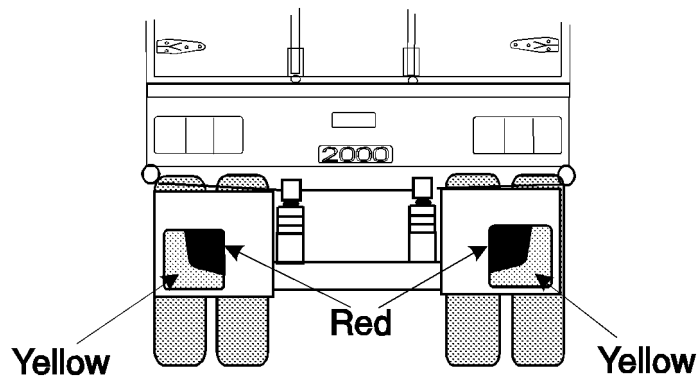
#### **1.125 Use of direction indicator lights as hazard warning lights**

- (1) A motor vehicle that has direction indicator lights that show yellow light to the front may be equipped with a device that will cause the direction indicator lights fitted to the front and rear and on both sides of the vehicle, and any trailer connected to the vehicle, to flash simultaneously and regularly at a rate of not less than 60, and not more than 120, flashes per minute.
- (2) When all direction indicator lights fitted to a motor vehicle and trailer (if any) are flashing simultaneously, there must be an indicator that will tell the driver, by visible or audible means, that the lights are flashing.

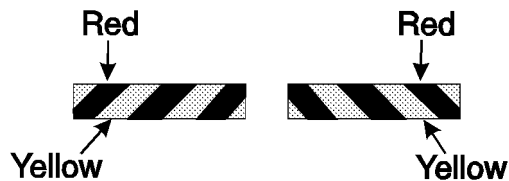
#### **1.126 Rear marking plates**

- (1) In this section:  
*rear marking plate* means a rear marking plate complying with section 13.6.101 of 3rd edition ADR 13.
- (2) Rear marking plates must be fitted to—

- (a) a motor vehicle with a GVM over 12t, except a bus fitted with handgrips or similar equipment for standing passengers to hold; and
  - (b) a trailer with a GTM over 10t.
- (3) Subsection (2) applies to a vehicle even if it was built before the date stated in the ADR.
- (4) Rear marking plates may be fitted to a motor vehicle with a GVM not over 12t or a trailer with a GTM not over 10t.



**An example of rear marking plates**



**An alternative pattern for rear marking plates**



### **1.127 Signalling devices**

- (1) This section applies to a motor vehicle if—
  - (a) the vehicle is not fitted with a brakelight or direction indicator light mentioned in division 1.8.9 (Brakelights) or division 1.8.11 (Direction indicator lights); and
  - (b) the construction of the vehicle would otherwise prevent the driver from hand signalling an intention—
    - (i) to turn or move the vehicle to the right; or
    - (ii) to stop or suddenly reduce the speed of the vehicle.
- (2) The vehicle must be fitted with a mechanical signalling device or a pair of turn signals.

### **1.128 Mechanical signalling devices**

- (1) A mechanical signalling device must—
  - (a) be fitted to the right side of the vehicle; and
  - (b) be able to be operated by the driver from a normal driving position; and
  - (c) consist of a white or yellow representation of an open human hand at least 150mm long; and
  - (d) be built so that the driver of the vehicle can keep the device—
    - (i) in a neutral position so it is unlikely that the driver of another vehicle or anyone else would regard it as a signal; and
    - (ii) in a horizontal position with the palm of the hand facing forwards and the fingers pointing out at a right angle to the vehicle to signal an intention to turn or move right; and

- (iii) with the palm of the hand facing forwards and the fingers pointing upwards to signal an intention to stop or reduce speed suddenly.
- (2) When the mechanical signalling device is in a position mentioned in subsection (1) (d) (ii) or (iii), the complete hand must be clearly visible from both the front and the rear of the vehicle, at a distance of 30m.

### **1.129 Turn signals**

A turn signal must—

- (a) consist of a steady or flashing illuminated yellow sign at least 150mm long and 25mm wide that—
  - (i) when in operation—is kept horizontal; and
  - (ii) when not in operation—is kept in a position so it is unlikely that the driver of another vehicle or anyone else would regard it as a signal; and
- (b) be fitted to the side of the motor vehicle at least 500mm and not over 2.1m above ground level, in a position so the driver of the vehicle, from the normal driving position, can see whether the signal is in operation; and
- (c) be able to be operated by the driver from the normal driving position; and
- (d) when in operation, be visible from both the front and rear of the vehicle at a distance of 30m.

## **Division 1.8.21 Maintenance of lights**

### **1.130 Lights to be maintained on certain vehicles**

A light mentioned in this part that is not an optional fitting, and was fitted by the manufacturer of the vehicle before the date of

application of the section in which the light is mentioned, must be maintained in proper working condition unless the lights fitted to the vehicle comply with a later ADR.

**Example**

A motor vehicle or trailer built before June 1988 and supplied by the manufacturer with 1 tail-light and 1 brakelight towards each side of the rear of the vehicle must continue to have a tail-light and brakelight fitted towards each side of the rear of the vehicle.

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

## **Division 1.8.22 Vehicles not required to have lights or reflectors**

### **1.131 Certain vehicles used in daylight**

This part does not apply to a vehicle built before 1931 that is used only in the daylight.

### **1.132 Certain vehicles used for collection or exhibition purposes**

This part does not apply to a vehicle built before 1946 that is used mainly for collection or exhibition purposes.

## **Part 1.9 Braking systems**

*Note* This part sets out the braking system requirements for vehicles to ensure that they can be reliably slowed or stopped even if a part of a braking system fails, and to ensure that a vehicle can be prevented from rolling away when parked.

The part also includes special requirements for braking systems on B-doubles and road trains to ensure that the braking systems on the component vehicles are compatible. The special requirements do not apply to a road train that is not over 19m long.

### **Division 1.9.1 Brake requirements for all vehicles**

#### **1.133 Parts of a braking system**

- (1) A brake tube or hose fitted to a vehicle must—
  - (a) be built from a material appropriate to its intended use in the vehicle; and
  - (b) be long enough to allow for the full range of steering and suspension movements of the vehicle; and
  - (c) be fitted to prevent it being damaged during the operation of the vehicle by—
    - (i) a source of heat; or
    - (ii) any movement of the parts to which it is attached or near.
- (2) Each component of the braking system of a vehicle with a GVM over 4.5t must comply with the design and performance requirements of—
  - (a) a relevant Australian Standard or British Standard as in force when this subsection commenced; or

(b) a relevant standard approved by any of the following bodies, and as in force when this subsection commenced:

- American Society of Automotive Engineers
- American National Standards Institute
- Japanese Standards Association
- Deutsches Institut für Normung
- International Organisation for Standardisation.

#### **1.134 Provision for wear**

The braking system of a vehicle must allow for adjustment to take account of normal wear.

#### **1.135 Supply of air or vacuum to brakes**

- (1) If air brakes are fitted to a vehicle—
- (a) the compressor supplying air to the brakes must be able to build up air pressure to at least 80% of the governor cut-out pressure in not longer than 5 minutes after the compressed air reserve is fully used up; and
  - (b) for a vehicle with a GVM over 4.5t—the air storage tanks must have sufficient capacity to allow 5 applications of the service brakes before the air pressure drops below half the governor cut-out pressure; and
  - (c) there must be an automatic or manual condensate drain valve at the lowest point of each air brake reservoir in the system; and
  - (d) any spring brake fitted to the vehicle must not operate before the warning mentioned in section 1.139 (4) (a) or section 1.142 (3) (a) has been given.

- (2) If vacuum brakes are fitted to a vehicle, the vacuum supply must be able to build up vacuum—
- (a) to the level when the warning signal mentioned in section 1.139 (4) (a) or section 1.142 (3) (a) no longer operates within 30 seconds after the vacuum reserve is fully used up; and
  - (b) to the normal working level within 60 seconds after the vacuum reserve is fully used up.
- (3) In this section:
- spring brake* means a brake using 1 or more springs to store the energy needed to operate the brake.

### **1.136 Performance of braking systems**

- (1) One sustained application of the brake of a motor vehicle built after 1930, or a combination that includes a motor vehicle built after 1930, must be able to produce the performance mentioned in subsections (2) to (7)—
- (a) when the vehicle or combination is on a dry, smooth, level road surface, free from loose material; and
  - (b) whether or not the vehicle or combination is loaded; and
  - (c) without part of the vehicle or combination moving outside a straight path—
    - (i) centred on the longitudinal axis of the vehicle or combination before the brake was applied; and
    - (ii) 3.7m wide.
- (2) The braking system of a motor vehicle or combination with a gross mass under 2.5t must bring the vehicle or combination from a speed of 35 km/h to a stop within—
- (a) 12.5m when the service brake is applied; and

- (b) 30m when the emergency brake is applied.
- (3) The braking system of a motor vehicle or combination with a gross mass of at least 2.5t must bring the vehicle or combination from a speed of 35 km/h to a stop within—
  - (a) 16.5m when the service brake is applied; and
  - (b) 40.5m when the emergency brake is applied.
- (4) The braking system of a motor vehicle or combination with a gross mass under 2.5t must decelerate the vehicle or combination, from any speed at which the vehicle or combination can travel, by an average of at least—
  - (a)  $3.8\text{m/s}^2$  when the service brake is applied; and
  - (b)  $1.6\text{m/s}^2$  when the emergency brake is applied.
- (5) The braking system of a motor vehicle or combination with a gross mass of at least 2.5t must decelerate the vehicle or combination, from any speed at which the vehicle or combination can travel, by an average of at least—
  - (a)  $2.8\text{m/s}^2$  when the service brake is applied; and
  - (b)  $1.1\text{m/s}^2$  when the emergency brake is applied.
- (6) The braking system of a motor vehicle or combination with a gross mass under 2.5t must achieve a peak deceleration of the vehicle or combination, from any speed at which the vehicle or combination can travel, of at least—
  - (a)  $5.8\text{m/s}^2$  when the service brake is applied; and
  - (b)  $1.9\text{m/s}^2$  when the emergency brake is applied.
- (7) The braking system of a motor vehicle or combination with a gross mass of at least 2.5t must achieve a peak deceleration of the vehicle or combination, from any speed at which the vehicle or combination can travel, of at least—

- (a)  $4.4\text{m/s}^2$  when the service brake is applied; and
  - (b)  $1.5\text{m/s}^2$  when the emergency brake is applied.
- (8) The parking brake of a vehicle or combination must be able to hold the vehicle or combination stationary on a 12% gradient.

## Division 1.9.2 Motor vehicle braking systems

### 1.137 What braking system a motor vehicle must have

- (1) In this section:
- independent brake*, for a vehicle, means a brake that is operated entirely separately from any other brake on the vehicle, except for any drum, disc or part, on which a shoe, band or friction pad makes contact, that is common to 2 or more brakes.
- (2) A motor vehicle with 4 or more wheels built, or used, mainly for transporting goods or people by road must be fitted with—
- (a) a braking system that—
    - (i) consists of brakes fitted to all wheels of the vehicle; and
    - (ii) has at least 2 separate methods of activation, arranged so effective braking remains on at least 2 wheels if a method fails; or
  - (b) 2 independent brakes, each of which, when in operation, acts directly on at least half the number of wheels of the vehicle.
- (3) The braking system of a motor vehicle mentioned in subsection (2) that was built after 1945 must have a service brake operating on all wheels that, when applied—
- (a) acts directly on the wheels and not through the vehicle's transmission; or
  - (b) acts on a shaft between a differential of the vehicle and a wheel.



- (4) The braking system of a motor vehicle with 4 or more wheels must have a parking brake that—
  - (a) is held in the applied position by direct mechanical action without the intervention of an electrical, hydraulic or pneumatic device; and
  - (b) is fitted with a locking device that can hold the brake in the applied position; and
  - (c) has its own separate control.
- (5) The parking brake may also be the emergency brake.
- (6) If 2 or more independent brakes are fitted to a motor vehicle with 4 or more wheels, the brakes must be arranged so brakes are applied to all the wheels on at least 1 axle of the vehicle when any brake is operated.
- (7) A motorbike or motortrike must be fitted with—
  - (a) 2 independent brakes; or
  - (b) a single brake that acts directly on all wheels of the vehicle and is arranged so effective braking remains on at least 1 wheel if a part of the system fails.
- (8) Subsection (7) applies to a motorbike with a sidecar attached as if the sidecar were not attached.
- (9) A motortrike must have a parking brake that is held in the applied position by mechanical means.

### **1.138 Operation of brakes on motor vehicles**

The braking system on a motor vehicle must be arranged to allow the driver of the motor vehicle to apply the brakes from a normal driving position.

### **1.139 Air or vacuum brakes on motor vehicles**

- (1) If a motor vehicle has air brakes, the braking system of the vehicle must include at least 1 air storage tank.
- (2) If a motor vehicle has vacuum brakes, the braking system of the vehicle must include at least 1 vacuum storage tank.
- (3) An air or vacuum storage tank must be built so the service brake can be applied to meet the performance standards of section 1.136 at least twice if the engine of the vehicle stops or the source of air or vacuum fails.
- (4) An air or vacuum storage system must—
  - (a) be built to give a visible or audible warning to the driver, while in a normal driving position, of a lack of air or vacuum that would prevent the service brake from being applied to meet the performance standards of section 1.136 at least twice; and
  - (b) be safeguarded by a check valve or other device against loss of air or vacuum if the supply fails or leaks.
- (5) However, subsection (4) (a) does not apply to a vehicle with a GVM of 4.5t or less that is fitted with an air or vacuum assisted braking system.
- (6) If air or vacuum brakes are fitted to a motor vehicle equipped to tow a trailer, the brakes of the vehicle must be able to stop the vehicle, at the performance standards for emergency brakes under section 1.136 if the trailer breaks away.
- (7) The braking system of a motor vehicle with a GVM over 4.5t equipped to tow a trailer fitted with air brakes must include protection against loss of supply line air or brake control signal air.
- (8) The protection mentioned in subsection (7) must—
  - (a) operate automatically if a brake supply line hose connecting the motor vehicle and a trailer fails; and

- (b) maintain enough air pressure to allow the brakes to be applied to meet performance standards for emergency brakes under section 1.136; and
- (c) include a visible or audible warning to the driver.

### **Division 1.9.3 Trailer braking systems**

#### **1.140 What brakes a trailer must have**

- (1) A trailer with a GTM over 750kg must have brakes that operate on at least 1 wheel at each end of 1 or more axles of the trailer.
- (2) A semitrailer or converter dolly with a GTM over 2t must have brakes that operate on all its wheels.

#### **1.141 Operation of brakes on trailers**

- (1) The braking system of a trailer with a GTM over 2t must allow the driver of a motor vehicle towing the trailer to operate the brakes from a normal driving position.
- (2) However, subsection (1) does not apply to an unloaded converter dolly that weighs under 3t if the motor vehicle towing the converter dolly has a GVM over 12t.
- (3) The brakes on a trailer with a GTM over 2t must—
  - (a) operate automatically and quickly if the trailer breaks away from the towing vehicle; and
  - (b) remain in operation for at least 15 minutes after a breakaway; and
  - (c) be able to hold the trailer on a 12% grade while in operation after a breakaway.

### **1.142 Air or vacuum brakes on trailers**

- (1) If a trailer has air brakes, its braking system must include at least 1 air storage tank.
- (2) If a trailer has vacuum brakes, its braking system must include at least 1 vacuum storage tank.
- (3) An air or vacuum storage system must—
  - (a) be built to give a visible or audible warning to the driver of the towing vehicle, while in a normal driving position, of a lack of air or vacuum that would prevent the brakes from meeting the performance standards of section 1.136; and
  - (b) be safeguarded by a check valve or other device against loss of air or vacuum if the supply fails or leaks.
- (4) Subsections (1), (2) and (3) do not apply to a trailer with a GTM of 2t or less.

## **Division 1.9.4 Additional brake requirements for B-doubles and long road trains**

### **1.143 Application of div 1.9.4 to certain road trains**

This division does not apply to a road train, or a vehicle used in a road train, if the road train is not over 19m long.

### **1.144 Braking system design for a prime mover in a B-double**

- (1) A prime mover used in a B-double must comply with 2nd edition ADR 35A or 3rd edition ADR 35.
- (2) A prime mover used in a B-double must also have an anti-lock braking system complying with 3rd edition ADR 64, if the prime mover—
  - (a) was built after 1989; or

- (b) was first used in a B-double after 1993; or
- (c) is used in a B-double that includes a road tank vehicle carrying dangerous goods.

#### **1.145 Braking system design for motor vehicles in road trains**

The performance of the service, secondary and parking braking systems of a motor vehicle used in a road train must comply with 2nd edition ADR 35A or 3rd edition ADR 35 if the vehicle would not otherwise be required to comply with an ADR about braking.

#### **1.146 Braking system design for trailers in B-doubles or road trains**

- (1) The performance of the service, secondary and parking brake systems of a trailer used in a B-double or road train must comply with 2nd edition ADR 38 or 3rd edition ADR 38 if the trailer would not otherwise be required to comply with an ADR about braking.
- (2) A road train trailer to which subsection (1) applies need not be fitted with a mechanical parking brake if it carries wheel chocks that provide a performance equal to the performance standard required for a parking brake system.
- (3) A semitrailer, regardless of when it was built, must have an anti-lock braking system that complies with 3rd edition ADR 38/01, if—
  - (a) it is being used in a B-double that includes a road tank vehicle, whether or not the semitrailer is itself a road tank vehicle; and
  - (b) the road tank vehicle is carrying dangerous goods.

#### **1.147 Air brakes of motor vehicles in B-doubles or road trains**

- (1) If a B-double or road train is fitted with brakes that operate using compressed air, the braking system of the motor vehicle must comply with subsections (2) and (3) when—

- (a) the pressure is measured in an 800ml vessel connected by a 2m pipe with a bore of approximately 13mm to the coupling head of the braking system; and
- (b) the air pressure before the brakes are applied is not under—
  - (i) the average of the maximum and minimum pressures in the operating pressure range specified by the vehicle's manufacturer; or
  - (ii) if there is no manufacturer's specification—650kPa.
- (2) The pressure must reach at least 420kPa within 400ms after the rapid and complete application of the foot-operated brake control.
- (3) After the brakes have been fully applied, the pressure must fall, within 0.5 seconds after the release of the foot-operated brake control, to 35kPa.

**1.148 Air brakes in a B-double or road train—least favoured chamber**

- (1) In this section:  
*least favoured chamber* means the brake chamber with the longest line to the treadle valve in the prime mover.
- (2) The pressure in the least favoured chamber of the braking system of a B-double or road train with brakes that operate using compressed air must comply with subsections (3) and (4) when the air pressure before the brakes are applied is not under—
  - (a) the average of the maximum and minimum pressures in the operating pressure range specified by the vehicle's manufacturer; or
  - (b) if there is no manufacturer's specification—650kPa.
- (3) The pressure must reach at least 420kPa within—

- (a) for a B-double—1 second after the rapid and complete application of the foot-operated brake control; or
  - (b) for a road train—1.5 seconds after the rapid and complete application of the foot-operated brake control.
- (4) After the brakes have been fully applied, the pressure must fall to 35kPa, or the pressure at which the friction surfaces cease to contact each other, within—
- (a) for a B-double—1 second after the release of the foot-operated brake control; or
  - (b) for a road train—1.5 seconds after the release of the foot-operated brake control.

#### **1.149 Recovery of air pressure for brakes in B-doubles and road trains**

The air pressure in each air brake reservoir in a B-double or road train must recover to at least 420kPa within 1 minute after 3 full brake applications have been made within a 10-second period if, before the 3 brake applications have been made—

- (a) the engine is running at maximum speed; and
- (b) the governor cut-in pressure is no higher than—
  - (i) the pressure specified by the vehicle's manufacturer; or
  - (ii) if there is no manufacturer's specification—550kPa; and
- (c) the air pressure in the storage tanks of the vehicle is not under—
  - (i) the average of the maximum and minimum pressures in the operating pressure range specified by the vehicle's manufacturer; or
  - (ii) if there is no manufacturer's specification—650kPa.

### **1.150 Air supply for brakes in B-doubles and road trains**

A B-double or road train that uses compressed air to operate accessories must have—

- (a) sufficient air compressor capacity and air receiver volume to ensure that the operation of the accessories does not adversely affect brake performance; and
- (b) a compressed air system built to ensure that the brake system is preferentially charged.

### **1.151 Brake line couplings**

- (1) Brake line couplings on the same part of a vehicle in a B-double or road train must not be interchangeable.
- (2) The couplings must be polarised in accordance with Australian Standard AS D8-1971 *Hose Couplings for Use with Vacuum and Air-Pressure Braking Systems on Prime Movers, Trailers and Semitrailers* if the hoses used with the brake couplings are used for the same purpose as the hoses mentioned in the standard.

### **1.152 Simultaneous parking brake application**

- (1) If the parking brake of a motor vehicle in a B-double or road train is applied, the parking brakes of any attached trailer must be applied automatically.
- (2) This section does not apply to a trailer carrying wheel chocks complying with section 1.146 (2).

### **1.153 Capacity of air reservoirs**

- (1) The capacity of the air storage tanks of a motor vehicle used in a B-double or road train must be at least 12 times the volume of all the brake activation chambers on the motor vehicle.



- (2) The capacity of the air storage tanks of a trailer used in a B-double or road train must be at least 8 times the volume of all the brake activation chambers on the trailer.

## Part 1.10 Control of emissions

*Note* This part sets out requirements to ensure that motor vehicles do not emit too much smoke or noise and that exhaust gases cannot enter the passenger compartment of a vehicle.

### Division 1.10.1 Crankcase gases and visible emissions

#### 1.154 Crankcase gases

- (1) This section applies to a motor vehicle with 4 or more wheels that is powered by a petrol engine and was built after 1971.
- (2) The vehicle must be built to prevent, or fitted with equipment that prevents, crankcase gases from escaping to the atmosphere.

#### 1.155 Visible emissions

- (1) This section applies to a motor vehicle that is propelled by an internal-combustion engine and was built after 1930.
- (2) The vehicle must not emit excessive visible emissions for a continuous period of at least 10 seconds.
- (3) However, this section does not apply to emissions that are visible only because of heat or the condensation of water vapour.
- (4) In this section:

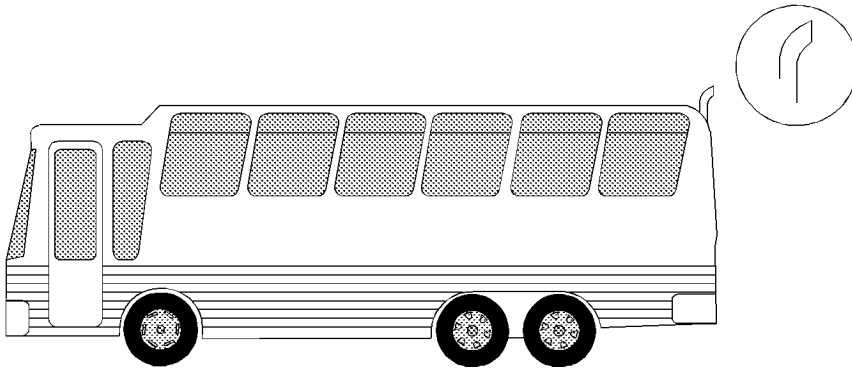
*excessive*, for visible emissions, means any concentration of smoke more than a colouration that results in a just perceptible colouration of the exhaust.

## **Division 1.10.2 Exhaust systems**

### **1.156 Exhaust systems**

- (1) The outlet of the exhaust system fitted to a motor vehicle with a GVM over 4.5t (other than a bus) must extend—
  - (a) behind the back seat; and
  - (b) at least 40mm beyond the outermost joint of the floor pan that is not continuously welded or permanently sealed; and
  - (c) to the edge of the vehicle, if—
    - (i) the body of the vehicle is permanently enclosed; and
    - (ii) the vehicle is not fitted with a vertical exhaust system; and
  - (d) no further than the edge of the vehicle at its widest point.
- (2) The outlet must discharge the main exhaust flow to the air—
  - (a) if the vehicle is fitted with an exhaust system with a vertical outlet pipe—
    - (i) at an angle above the horizontal; and
    - (ii) at least 150mm above the cab of the vehicle; and
    - (iii) rearwards or to the right of the vehicle; and
  - (b) in any other case—
    - (i) horizontally or at an angle of not over 45° downwards; and
    - (ii) under 750mm above ground level; and
    - (iii) rearwards or to the right of the vehicle.

- (3) An exposed section of a vertical exhaust system fitted to a motor vehicle (other than a bus) with a GVM over 4.5t must be positioned or shielded to prevent injury.
- (4) The outlet of the exhaust system fitted to a bus with a GVM over 4.5t must—
  - (a) be as near as practicable to the rear of the vehicle; and
  - (b) extend no further than the edge of the bus at its widest point.
- (5) The outlet must discharge the main exhaust flow to the air—
  - (a) if the bus is fitted with an exhaust system with a vertical outlet pipe—
    - (i) behind the passenger compartment; and
    - (ii) at an angle above the horizontal; and
    - (iii) upwards or rearwards; and
  - (b) in any other case—
    - (i) horizontally or at an angle of not over 45° downwards; and
    - (ii) rearwards or to the right of the vehicle.
- (6) A vertical exhaust system fitted to a motor vehicle with a GVM over 4.5t must—
  - (a) if the vehicle is fitted with an exhaust system with a vertical outlet pipe that does not direct the main exhaust flow straight up—direct the flow rearwards at an angle within 0° to 45° of the longitudinal centre-line of the vehicle; and
  - (b) if a rain cap is fitted to the outlet pipe—be installed so the hinge of the cap is at an angle of 90° (plus or minus 10°) to the longitudinal centre-line of the vehicle when viewed from above.



## Bus exhaust outlet pipe

### Division 1.10.3 Noise emissions

#### 1.157 Silencing device for exhaust systems

A motor vehicle propelled by an internal-combustion engine must be fitted with a silencing device through which all the exhaust from the engine passes.

#### 1.158 Stationary noise levels—car-type vehicles and motorbikes and motortrikes

(1) In this section:

*car-type vehicle* means—

- (a) a car; or
- (b) a utility truck, panel van, or another motor vehicle derived from a car design; or
- (c) another motor vehicle with 4 or more wheels that is built mainly to carry not over 9 people including the driver.

(2) The stationary noise level of a car-type vehicle, or motorbike or motortrike, must not exceed—

- (a) for a car-type vehicle built after 1982—90dB(A); or
- (b) for another car-type vehicle—96dB(A); or
- (c) for a motorbike or motortrike built after February 1985—94dB(A); or
- (d) for another motorbike or motortrike—100dB(A).

**1.159 Stationary noise levels—other vehicles with spark-ignition engines**

- (1) This section applies to a motor vehicle (other than a motor vehicle to which section 1.158 applies) with a spark-ignition engine.
- (2) The stationary noise level of the motor vehicle must not exceed the noise level applying to the vehicle under table 1.159.

**Table 1.159**

column 1 item	column 2 GVM (t)	column 3 exhaust height (mm)	column 4 when vehicle built	column 5 noise level (dB(A))
1	≤3.5	<1500	before July 1983	92
			after June 1983	89
2	>3.5	<1500	before July 1983	98
			after June 1983	95
3	<3.5	>1500	before July 1983	88
			after June 1983	85
4	>3.5	≥1500	before July 1983	94
			after June 1983	91

**1.160 Stationary noise levels—other vehicles with diesel engines**

- (1) This section applies to a motor vehicle (other than a motor vehicle to which section 1.158 applies) with a diesel engine.

- (2) The stationary noise level of the motor vehicle must not exceed the noise level applying to the vehicle under table 1.160.

**Table 1.160**

column 1 item	column 2 GVM (t)	column 3 exhaust height (mm)	column 4 when vehicle built	column 5 noise level (dB(A))
1	$\leq 3.5$	<1500	before July 1980	105
			after June 1980 but before July 1983	102
			after June 1983	99
2	>3.5 but $\leq 12$	<1500	before July 1980	107
			after June 1980 but before July 1983	104
			after June 1983	101
3	>12	<1500	before July 1980	109
			after June 1980 but before July 1983	106
			after June 1983	103
4	$\leq 3.5$	$\geq 1500$	before July 1980	101
			after June 1980 but before July 1983	98
			after June 1983	95

column 1 item	column 2 GVM (t)	column 3 exhaust height (mm)	column 4 when vehicle built	column 5 noise level (dB(A))
5	>3.5 but ≤12	≥1500	before July 1980	103
			after June 1980 but before July 1983	100
			after June 1983	97
6	>12	≥1500	before July 1980	105
			after June 1980 but before July 1983	102
			after June 1983	99

### 1.161 Measurement of stationary noise levels

For this division, the stationary noise level of a motor vehicle is to be measured in accordance with the test method mentioned in the *ACT Inspection Manual for Light Vehicles* or the *ACT Inspection Manual for Heavy Vehicles*, published by the road transport authority that is current at the commencement of this section.

*Note* The manuals are available from Road User Services, Department of Urban Services.



## **Part 1.11**                      **LPG fuel systems and unleaded petrol motor vehicles**

*Note*      This part sets out requirements to ensure that LPG fuel systems are safely installed in motor vehicles and that vehicles with LPG installed can be identified as LPG-powered vehicles. It also requires unleaded petrol motor vehicles to be fuelled with unleaded petrol.

### **1.162**      **LPG-powered vehicles**

- (1) A motor vehicle equipped to run on LPG must comply with the requirements for the use of LPG in vehicles in—
  - (a) the version of Australian Standard AS 1425 in force at the commencement of this section; or
  - (b) if an earlier version of the standard was current when the vehicle was first equipped to run on LPG—that version.
- (2) A vehicle equipped to run on LPG must have fixed conspicuously to the front and rear numberplates a label that is—
  - (a) made of durable material; and
  - (b) at least 25mm wide and 25mm high; and
  - (c) reflective red conforming to Australian Standard AS 1742-1975 *Manual of Uniform Traffic Control Devices*, Appendix C, Class 2; and
  - (d) marked 'LPGAS' or 'LPG', or with words or acronyms to similar effect, in capital letters at least 6mm high.

### **1.163**      **Unleaded petrol motor vehicles**

An unleaded petrol motor vehicle does not comply with this schedule if it is fuelled with leaded petrol in contravention of the *Environment Protection Act 1997*.

## **Part 1.12 Maximum road speed limiting**

*Note* This part requires certain heavy vehicles built after 1987, but before July 1991, to have a restricted top speed. However, emergency vehicles, police vehicles and certain 2-axle prime movers owned by farmers and used in primary production are exempt.

### **1.164 Speed limiting**

- (1) A bus with a GVM over 14.5t that was built after 1987 must comply with 3rd edition ADR 65.
- (2) A prime mover with a GVM over 15t that was built after 1987 must comply with 3rd edition ADR 65.
- (3) For the 3rd edition ADR 65, the maximum road speed capability of a motor vehicle used in a road train is 90km/h.

*Note* Vehicle Standards Bulletin 2 contains the requirements of the 3rd edition ADR 65. The bulletin is accessible at [www.infrastructure.gov.au](http://www.infrastructure.gov.au).

### **1.165 Exemptions from speed limiting**

Section 1.164 does not apply to—

- (a) an emergency vehicle or police vehicle; or
- (b) a bus fitted with handgrips or similar equipment for standing passengers to hold; or
- (c) a 2-axle prime mover if—
  - (i) it was built after 1987 but before July 1991; and
  - (ii) the responsible person for the prime mover is a person who uses it for agriculture, horticulture, or other primary production activities (except forestry, fishing or mining).

## **Part 1.13                      Mechanical connections between vehicles**

*Note*        This part sets out various requirements to ensure that the couplings used when operating motor vehicles and trailers in combinations are strong enough to hold them together.

The requirements in this part about the mechanical connections between vehicles in a road train do not apply to a road train that is not over 19m long.

### **Division 1.13.1              Couplings on all types of vehicles**

#### **1.166        General coupling requirements**

- (1) A fifth wheel coupling, the mating parts of a coupling, a kingpin or a tow bar must not be used for a load more than the manufacturer's load rating.
- (2) A kingpin must be used only with a fifth wheel coupling that has a corresponding jaw size.

**Example**

An adaptor must not to be used to fit a kingpin to a fifth wheel coupling.

*Note*        An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (3) The mating parts of a coupling used to connect a semitrailer to a towing vehicle must not allow the semitrailer to roll to an extent that makes the towing vehicle unstable.

#### **1.167        Drawbar couplings**

- (1) A coupling for attaching a trailer, other than a semitrailer or pole-type trailer, to a towing vehicle must be built and fitted so—

- (a) the coupling is equipped with a positive locking mechanism; and
  - (b) the positive locking mechanism can be released regardless of the angle of the trailer to the towing vehicle.
- (2) If the trailer is in a combination and is not fitted with breakaway brakes in accordance with section 1.141 (3), it must be connected to the towing vehicle by at least 1 chain, cable or other flexible device, as well as the coupling required by subsection (1).
- (3) The safety connection must be as short as practicable and be built and fitted so—
- (a) it is not apt to accidental disconnection but is readily detachable from the towing vehicle; and
  - (b) it allows normal angular movements of the coupling without unnecessary slack; and
  - (c) it will prevent the forward end of the drawbar from striking the ground if the coupling is accidentally disconnected; and
  - (d) if it consists of more than 1 chain or wire rope—the chains or wire ropes are in a crossed-over position.
- (4) Any chain or wire rope in the safety connection must—
- (a) if a chain—be of welded iron links; and
  - (b) if a wire rope—have a strength at least that of a chain of the same diameter; and
  - (c) be of a size mentioned in table 1.167:

**Table 1.167**

column 1 item	column 2 aggregate trailer mass	column 3 minimum size of chain or wire rope
1	up to 1t	6.3mm diameter
2	over 1t but not over 1.6t	8mm diameter
3	over 1.6t but not over 2.5t	10mm diameter
4	over 2.5t	7.1mm diameter

(5) For a total trailer mass over 2.5t, at least 2 chains or wire ropes must be used.

(6) In this section:

*aggregate trailer mass* means the total mass of the laden trailer when carrying the maximum load recommended by the manufacturer, including, for a trailer forming part of a combination, any mass imposed on the drawing vehicle when the combination is resting on a horizontal supporting plane.

## **Division 1.13.2 Additional coupling requirements for B-doubles and long road trains**

### **1.168 Application of div 1.13.2 to road trains**

This division does not apply to a vehicle, coupling, or part of a coupling, used in a road train not over 19m long.

### **1.169 Couplings for B-doubles and road trains**

(1) A fifth wheel coupling used to connect a towing vehicle to a semitrailer used in a B-double or road train must not be built with a pivot that allows a semitrailer to roll relative to the towing vehicle.

- (2) However, subsection (1) does not apply to a fifth wheel coupling if—
  - (a) the semitrailer design requires torsional stresses to be minimised; and
  - (b) the roll axis of the fifth wheel coupling is above the surface of the coupler plate; and
  - (c) the degree of rotation allowed around the roll axis of the fifth wheel coupling is restricted to prevent roll instability.
- (3) A trailer with only 1 axle group, or a single axle, (other than a semitrailer or a converter dolly) that is used in a road train must not have a coupling fitted at its rear.

**1.170 Selection of fifth wheel couplings for B-doubles and road trains**

- (1) A fifth wheel coupling used in a B-double or road train must have a D-value complying with Australian Standard AS 1773-1990 *Articulated Vehicles—Fifth Wheel Assemblies*.
- (2) A turntable used in a B-double or road train must have a D-value complying with Australian Standard AS 1773-1990 *Articulated Vehicles—Fifth Wheel Assemblies*.
- (3) If a fifth wheel coupling used in a B-double or road train is built for a 50mm or 90mm kingpin, the coupling must—
  - (a) meet the dimension requirements in Australian Standard AS 1773-1990 *Articulated Vehicles—Fifth Wheel Assemblies*; and
  - (b) not be worn away more than recommended by the standard.
- (4) If a fifth wheel coupling used in a B-double or road train is built for a 75mm kingpin, the coupling must—

- (a) be compatible with the kingpin mentioned in section 1.174 (3); and
- (b) not be worn away so that it does not comply with section 1.171.

#### **1.171 D-value of a fifth wheel coupling**

In testing a fifth wheel coupling built for a 75mm kingpin used in a B-double or road train to decide whether its D-value complies with section 1.170 (1), the longitudinal movement (after readjusting the jaws of the coupling using a kingpin built to the dimensions mentioned in section 1.174 (3) (a)) must not be over 4mm.

#### **1.172 Mounting of fifth wheel couplings on B-doubles and road trains**

A fifth wheel coupling must be mounted on a prime mover, or a semitrailer used in a B-double or road train, in accordance with Australian Standard AS 1771-1987 *Installation of Fifth Wheel and Turntable Assemblies*.

#### **1.173 Branding of fifth wheel couplings and turntables on B-doubles and road trains**

- (1) A fifth wheel coupling on a vehicle built after June 1991 forming part of a B-double or road train must be clearly and permanently marked in accordance with Australian Standard AS 1773-1990 *Articulated Vehicles—Fifth Wheel Assemblies* with—
  - (a) the name or trademark of its manufacturer; and
  - (b) its D-value rating; and
  - (c) its nominal size.
- (2) A turntable used in a vehicle built after the commencement of this section that forms part of a B-double or road train must be marked with—

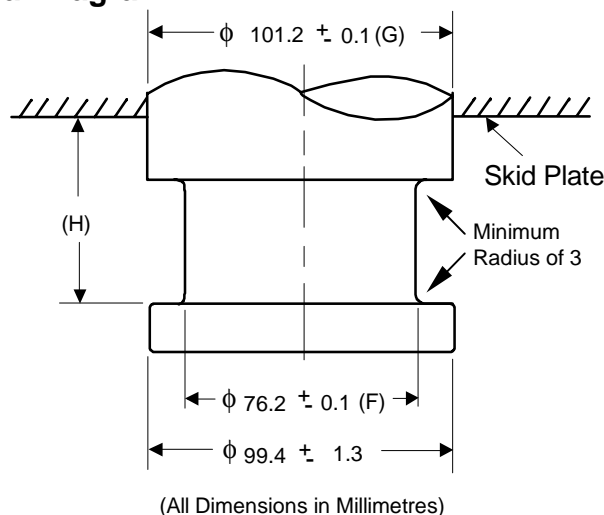
- (a) the name or trademark of the turntable's manufacturer; and
- (b) the D-value rating of the turntable in accordance with Australian Standard AS 1773-1990 *Articulated Vehicles—Fifth Wheel Assemblies*.

**1.174 Selection of kingpins for B-doubles and road trains**

- (1) A kingpin used in a B-double or road train must—
  - (a) be a 50mm, 75mm or 90mm kingpin; and
  - (b) have a D-value complying with Australian Standard AS 2175-1990 *Articulated Vehicles—Kingpins*.
- (2) A 50mm or 90mm kingpin used in a B-double or road train must—
  - (a) be built to meet the dimension requirements in Australian Standard AS 2175-1990 *Articulated Vehicles—Kingpins*; and
  - (b) not be worn away more than recommended by the standard.
- (3) A 75mm kingpin used in a B-double or road train must—
  - (a) be built to meet the dimensions in essential diagram 1.174; and
  - (b) not be worn away more than mentioned in subsection (4).



**Essential Diagram 1.174**



**Dimensions of a 75mm kingpin**

- (4) In testing a 75mm kingpin mentioned in the essential diagram 1.174 to decide whether its D-value complies with subsection (1) (b)—
- (a) diameter F must not wear over 3mm; and
  - (b) diameter G must not wear over 2mm; and
  - (c) height H must not wear over 2.3mm.

**1.175 Attachment of kingpins on B-doubles and road trains**

A kingpin used in a trailer that forms part of a B-double or road train must be attached in accordance with—

- (a) the manufacturer's specifications and instructions; or
- (b) the guidelines detailed in Australian Standard AS 2175-1990 *Articulated Vehicles—Kingpins*.

**1.176 Branding of kingpins on B-doubles and road trains**

A kingpin used in a trailer built after June 1991 that forms part of a B-double or road train must be clearly and permanently marked on the lower circular face of the kingpin in accordance with Australian Standard AS 2175-1990 *Articulated Vehicles—Kingpins* with—

- (a) the name or trademark of its manufacturer; and
- (b) its D-value rating; and
- (c) its nominal size.

**1.177 Selection of couplings and drawbar eyes for road trains**

A drawbar-type coupling, or drawbar eye, used in a road train must—

- (a) be a 50mm pin type; and
- (b) have a D-value complying with Australian Standard AS 2213-1984 *50mm Pin Type Couplings and Drawbar Eyes for Trailers*; and
- (c) be built to the dimensions mentioned in the standard; and
- (d) not be worn away more than is recommended in the standard.

**1.178 Attachment of couplings and drawbar eyes on road trains**

A drawbar-type coupling, or drawbar eye, used in a road train must be built and positioned so—

- (a) when the road train is moving, the drawbar can move at least 15° upwards or downwards from the position it occupies when the road train is parked on level ground; and
- (b) the pivot point of the coupling is not over 300mm forward of the rear of the trailer to which it is attached; and

- (c) it is at a height of at least 800mm, but not over 950mm, when the road train is unloaded and parked on level ground.

### **1.179 Branding of couplings and drawbar eyes on road trains**

A drawbar-type coupling, or drawbar eye, used on a vehicle built after June 1991 that forms part of a road train must be clearly and permanently marked in accordance with Australian Standard AS 2213-1984 *50mm-Pin Type Couplings and Drawbar Eyes for Trailers* with—

- (a) the name or trademark of its manufacturer; and
- (b) its D-value rating.

### **1.180 Tow coupling overhang on road trains**

- (1) In this section:

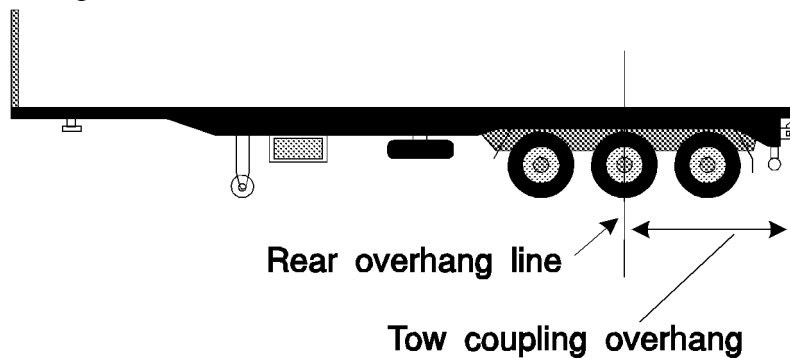
*tow coupling* means a mechanical assembly by means of which a flexible connection is made between 2 vehicles in a combination.

*tow coupling overhang*, of a vehicle, means the horizontal distance from the centre of the axle group, or the centre-line of the single axle, at the rear of the vehicle to the pivot point of the tow coupling near the rear of the vehicle.

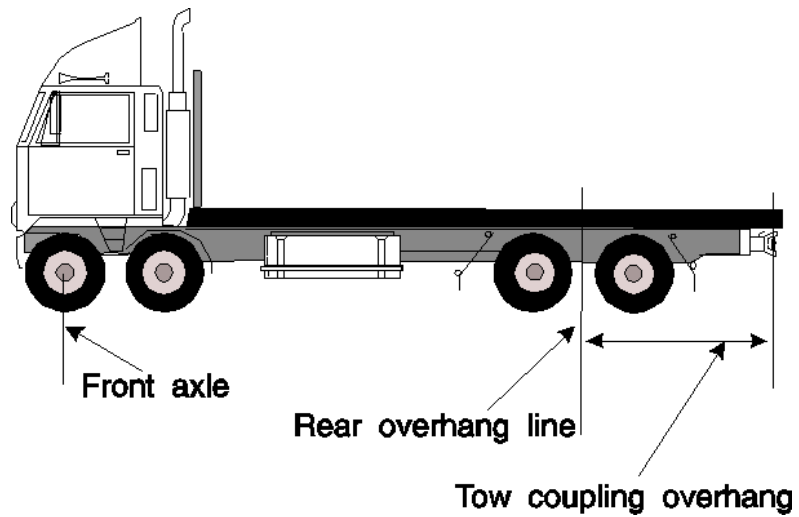
- (2) The tow coupling overhang of a motor vehicle, other than a prime mover, used in a road train must not be more than the greater of—
  - (a) 30% of the distance from the centre of the front axle to the centre of the axle group or single axle at the rear of the vehicle; and
  - (b) 2.7m.
- (3) The tow coupling overhang of a semitrailer, or a dog trailer consisting of a semitrailer and converter dolly, used in a road train must not be more than 30% of the distance from the point of

articulation to the centre of the axle group or single axle at the rear of the vehicle.

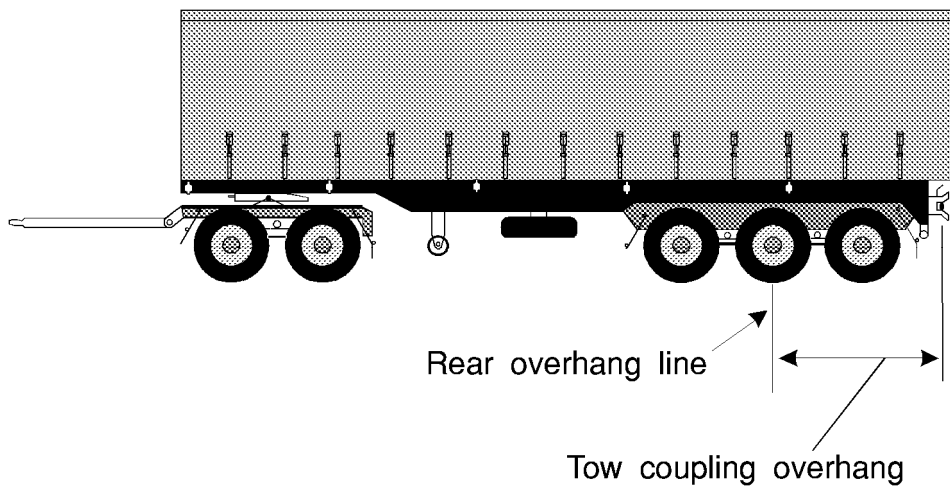
- (4) The tow coupling overhang of another dog trailer used in a road train must not be more than 30% of the distance from the centre of the front axle group or single axle to the centre of the axle group or single axle at the rear of the vehicle.



**Tow coupling overhang—semitrailer with extra coupling at rear**



**Tow coupling overhang—motor vehicle**



**Tow coupling overhang—dog trailer**

## Part 1.14                      Other matters

### 1.181      Vehicle equipment

A vehicle is taken to have equipment mentioned in this schedule only if the equipment is in working order.

### 1.182      Restored vehicles

- (1) For this schedule, a restored vehicle is taken to have been built when it was originally built and not when it was restored.

- (2) In this section:

*restored vehicle* means a vehicle that is being, or has been, restored to its manufacturer's specifications, so far as it is practicable to meet the specifications.

### 1.183      Retractable axles

- (1) For this schedule, a retractable axle is taken to be an axle only when it is in the lowered position.

- (2) In this section:

*retractable axle* means an axle in an axle group with a means of adjustment enabling it to be raised or lowered in relation to the other axles in the axle group.

### 1.184      Measurement of distance between parallel lines

For this schedule, a distance between 2 parallel lines is measured at right angles between the lines.

## 1.185 Interpretation of certain 2nd edition ADRs

The words 'left' and 'right' in the following 2nd edition ADRs have the opposite meaning in the application of the ADRs, in accordance with this schedule, to a motor vehicle with a left-hand drive—

- ADR 8 *Safety Glass*
- ADR 12 *Glare Reduction in Field of View*
- ADR 14 *Rear-vision Mirrors*
- ADR 16 *Windscreen-wipers and Washers*
- ADRs 18 and 18A *Location and Visibility of Instruments*
- ADRs 35 and 35A *Commercial Vehicle Braking Systems*.

*Note* Table 1.185 contains a list of some terms used in the 3rd edition ADRs and the corresponding term used in this schedule.

**Table 1.185**

<b>column 1</b> <b>item</b>	<b>column 2</b> <b>3rd edition ADRs</b>	<b>column 3</b> <b>this schedule</b>
1	dipped-beam headlamp	low-beam (for a headlight)
2	front fog lamp	front fog light
3	rear fog lamp	rear fog light
4	wheelguard	mudguard
5	main-beam headlamp	high-beam (for a headlight)
6	reversing lamp	reversing light
7	direction indicator lamp	direction indicator light
8	stop lamp	brakelight
9	rear registration plate lamp	numberplate light
10	front position (side) lamp	parking light
11	rear position (side) lamp	tail-light
12	end-outline marker lamp	front or rear clearance light
13	external cabin lamp	external cabin light

<b>column 1 item</b>	<b>column 2 3rd edition ADRs</b>	<b>column 3 this schedule</b>
14	internal lamp	interior light
15	side marker lamp	side marker light
16	daytime running lamp	daytime running light
17	rear reflex reflector, non-triangular	rear reflector
18	front reflex reflector, non- triangular	front reflector
19	side reflex reflector, non- triangular	side reflector



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## **Schedule 2 Prescribed requirements**

(see s 115)

### **Chapter 2.1 Brake testing for light vehicles**

#### **Part 2.1.1 Roller brake testing equipment**

##### Scope

This specification sets out the prescribed requirements for roller brake testing machines used at approved premises. Testing machines complying with this specification are acceptable for testing light vehicles up to 4.5t tare mass.

##### **Division 2.1.1.1 Prescribed requirements**

- 1 The testing machine must measure braking force at the tyre periphery. The machine must provide for independent readings of braking force at each side of the vehicle.
- 2 Braking force readings must be displayed as they are generated so that they can be clearly seen by the driver and the authorised person operating the testing machine.
- 3 The testing machine must be installed so the vehicle remains substantially level when being tested.
- 4 The testing machine must be installed to allow ease of entry and exit of the vehicle being tested.
- 5 The testing machine rollers must accept wheel sizes from 450mm diameter (10 inch nominal rim diameter) under load.
- 6 The distance between the outer edges of the rollers must not be shorter than 2.2m. The distance between the inner edges of the

rollers must be not longer than 1m and must be capable of accepting the wheels of the vehicle being examined.

- 7 The surface of the rollers must have a coefficient of friction of not less than 0.6 when measured in combination with dry, original equipment tyres.
- 8 If the rotational speed of the testing machine rollers exceeds 0.5 km/h, the rollers must be coated with a coarse grit embedded in a durable plastic matrix.
- 9 Both rollers in each pair of rollers on either side of the brake testing machine must be coupled together by appropriate gearing and must be positively driven.
- 10 The testing machine must be capable of repeatedly supporting an axle load of 3.5t without damage.
- 11 If the rotational speed of the rollers is faster than 0.5 km/h, the machine must default to 'power switch off' at the rollers when a predetermined level of slip happens between the rollers and the tyres of the tested vehicle.
- 12 The testing machine must display all braking force measurements in kilonewtons (kN) and must be capable of measuring a braking force of at least 4kN on each side.
- 13 The indicated braking force must be within 2% up to 5kN and 5% above 5kN.
- 14 The indicated brake force must be within 5% of the actual braking force over the entire operating range.
- 15 The machine must have a way of indicating the difference between brake forces on either side displayed as the ratio of the low reading divided by the higher reading (%).
- 16 The testing machine must be capable of detecting any 'drag force' on each wheel. The drag force is that produced by items such as

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loaded wheel bearings or binding brakes when that brake service system is not energised.

- 17 Each machine must bear a unique serial number issued by its manufacturer.
- 18 Calibration and servicing of the machine must be undertaken at regular intervals in accordance with the manufacturers recommendations, or every 6 months if the manufacturer does not provide recommendations for service or calibration.

### **Division 2.1.1.2 Optional features**

- 1 The testing machine may—
  - (a) be capable of providing inbuilt weighing of the load imposed by each wheel being brake tested; or
  - (b) have listings of manufacturers' individual wheel loadings for all vehicles being brake tested; or
  - (c) have a set of portable scales suitable for weighing individual wheel loads of all vehicles being tested.
- 2 The test machine may be capable of providing an original and duplicate time and dated copy of the results on hard copy material and remain legible for a period of 12 months. The time and date function may be factory set.
- 3 The testing machine may be capable of recording a brake pedal force of up to 1000N + or - 2%.
- 4 The testing machine may have an alphanumeric keyboard to enter various items of vehicle and inspection data.

## **Part 2.1.2 Skid plate brake testing**

### Scope

This specification sets out the prescribed requirements for skid plate or other drive over platform type brake testing machines suitable for testing vehicles up to 5t tare mass.

### **Division 2.1.2.1 Prescribed requirements**

- 1 The machine must provide for independent readings of braking force at each side of the vehicle.
- 2 If the testing machine is designed to test 2 axles at the same time, it must be capable of accepting vehicles with a wheel base measuring up to 4m.
- 3 The testing machine must be capable of brake testing vehicles with a wheel track of at least 1m to 2.2m.
- 4 The testing machine skid plates must have a coefficient of friction of at least 0.6 when measured in combination with dry, original equipment tyres.
- 5 The machine must be capable of repeatedly supporting an axle load of 3.5t without damage.
- 6 The testing machine must indicate the peak and average deceleration over the range of 0 to 1g with an accuracy of 5% of full scale and an output resolution of 1%.
- 7 The testing machine must be installed so the vehicle remains substantially level when being tested.
- 8 The testing machine must be installed to allow ease of entry and exit of the vehicle being tested.

- 9 The manufacturer's recommended test speed for service and emergency brakes must be indicated on the machine and visible to the driver in letters not less than 50mm high.
- 10 The testing machine must be capable of measuring and indicating braking force per wheel group in the range of 0 to 5kN.
- 11 The testing machine must have a way of indicating the difference between brake forces on either side displayed as a ratio of the low reading divided by the higher reading (%).
- 12 Each machine must bear a unique serial number issued by its manufacturer.
- 13 Calibration and servicing of the machine must be undertaken at regular intervals in accordance with the manufacturers recommendations, or every 6 months if the manufacturer does not provide recommendations for service or calibration.

### **Division 2.1.2.2 Optional features**

- 1 The testing machine may be capable of providing an original and duplicate time and dated copy of the results on hard copy material and remain legible for 12 months. The time and date function may be factory set.
- 2 The test machine may be capable of recording a brake pedal force of up to 1000N + or - 2%.
- 3 The test machine may have an alphanumeric keyboard to enter various items of vehicle and inspection data.

## **Part 2.1.3 Vehicle deceleration brake testing**

### Scope

This specification sets out the prescribed requirements for vehicle decelerometers used at vehicle inspection stations.

### **Division 2.1.3.1 Prescribed requirements**

- 1 The testing machine must measure the overall braking effect of a vehicle.
- 2 The testing machine must be electronic in nature.
- 3 The testing machine must indicate the peak deceleration over the range of 0 to 1g with an accuracy of 5% of full scale and maintain that reading until reset.
- 4 Each testing machine must bear a unique serial number issued by the manufacturer.
- 5 Calibration and servicing of the test machine must be undertaken in accordance with the manufacturers recommendations.

### **Division 2.1.3.2 Optional features**

- 1 The testing machine may be capable of providing an original and duplicate time and dated copy of the results on hard copy material and remain legible for 12 months. Time and date may be factory set.
- 2 The testing machine may have an alphanumeric keyboard to enter various items of vehicle and inspection data.

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## **Chapter 2.2 Prescribed requirements for all registrable vehicles**

### **Part 2.2.1 Headlamp aim testing equipment**

#### Scope

This specification sets out the prescribed requirements for headlight aim testing machines used at vehicle inspection stations.

Machines complying with this specification must be suitable for testing the aim of headlights, fog lights and auxiliary driving lights fitted to cars, light and heavy commercial vehicles and motorcycles.

#### **Prescribed requirements**

- 1 The machine must conform with the requirements of SAE Recommended Practice J 600.
- 2 The machine must be capable of testing the aim and intensity of lights, centres of which are not lower than 0.5m and no higher than 1.4m above the surface of the roadway.
- 3 The aim requirements of SAE J 600 must be applied to headlights with an asymmetrical European beam pattern operated in the high beam mode.
- 4 The machine must be either mounted on traversing rails or on fixed axle wheels to provide for lateral movement of the machine across the vehicle being tested. The installation (rails or surface on which the wheels roll) must provide for the reference axis of the machine to be parallel to the plane on which the vehicle is standing.
- 5 The machine must bear a unique serial number issued by its manufacturer.

<b>Schedule 2</b>	Prescribed requirements
<b>Chapter 2.2</b>	Prescribed requirements for all registrable vehicles
<b>Part 2.2.1</b>	Headlamp aim testing equipment

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- 6 Calibration and service of the machine must be undertaken at regular intervals in accordance with the manufacturer's recommendations, or every 6 months if the manufacturer does not provide recommendations for service or calibration.



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## **Part 2.2.2                      Light transmittance testing equipment**

### Scope

This specification sets the requirements for an instrument to measure the light transmittance of vehicle glazing including where tinted plastic film has been applied.

### **Prescribed requirements**

- 1 The instrument must be of sound construction, portable and supply its own energy source.
- 2 The instrument must provide indication to the operator of a variation of its energy supply that would affect the accurate operation of the instrument.
- 3 The instrument may be of 2 components, a light source and a light source receiver. The voltage to the light source must be stabilised within 0.1%.
- 4 The light source receiver may have an analogue or digital display. A peak hold facility is recommended.
- 5 The instrument must be adaptable so as to be able to test light transmittance on all glazing of a vehicle.
- 6A A pre-test check should display a reading of 100% when the light source and receiver are brought into the test position (without a test sample). The instrument reading under sample test conditions must be in a proportion of that 100% with a resolution of 1%.
- 7 The accuracy of the transmittance reading must be within 5% of full scale over the range of 20% to 100%.
- 8 The light source must be representative of illuminant A of the International Commission on Illumination (*C.I.E.*) and be of an

<b>Schedule 2</b>	Prescribed requirements
<b>Chapter 2.2</b>	Prescribed requirements for all registrable vehicles
<b>Part 2.2.2</b>	Light transmittance testing equipment

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incandescent filament source at a nominal colour temperature of 2856°K.

- 9 The light receiver must have a relative spectral sensitivity conforming to the requirements of the C.I.E. 1931 *Standard observer for photopic vision*.
- 10 The machine must bear a unique serial number issued by its manufacturer.
- 11 Calibration and service of the instrument must be undertaken at regular intervals in accordance with the manufacturers recommendations, or every 12 months if the manufacturer does not provide recommendations for service or calibrations.

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## **Part 2.2.3 Noise testing equipment**

### Scope

This specification sets out the requirement for an instrument to measure the noise generated by a vehicle at the exhaust pipe outlet.

### **Prescribed requirements**

- 1 The device must be capable of measuring noise across the range of 50 to 120dB within the A and C frequency rating characteristics.
- 2 The device may have 1 or more frequency range indicators that must overlap by a minimum of 10dB.
- 3 The device must be capable of displaying the maximum noise reading and maintaining that reading until reset. The display must be digital in increments not more than 0.2dB.
- 4 The device must be accurate to + or - 1.5dB.
- 5 Over and under range indication is required at +10dB and -5dB.
- 6 Self calibration indication is required and adjustment must be provided.

*Note* Calibration using an external noise generating device corrected to a sound pressure of + or - 1dB immediately before each noise test is an acceptable alternative to self calibration indication.

- 7 Calibration using an outside noise generating device corrected to a sound pressure level of + or - 1dB must be carried out in accordance with the manufacturers recommendations or every 3 months if the manufacturer does not provide recommendations for service or calibration.

## **U** Dictionary

(see s 3)

*Note 1* The Legislation Act contains definitions and other provisions relevant to this regulation.

*Note 2* For example, the Legislation Act, dict, pt 1, defines the following terms:

- contravene
- exercise
- fire brigade
- function
- home address
- rural fire service
- SES
- the Territory.

*Note 3* Terms used in this regulation have the same meaning that they have in the *Road Transport (Vehicle Registration) Act 1999* (see Legislation Act, s 148.) For example, the following terms are defined in the *Road Transport (Vehicle Registration) Act 1999*, dict:

- authorised person
- drive
- garage address
- heavy vehicle
- inspect
- jurisdiction
- registered operator
- registrable vehicle
- registrable vehicles register (or register)
- trader's plate
- trailer
- unregistered vehicle permit.

**2nd edition ADR**—see schedule 1, section 1.14.

**3rd edition ADR**—see schedule 1, section 1.15.

**50mm kingpin** means a kingpin meeting the dimension requirements for a 50mm kingpin in Australian Standard AS 2175–1990 *Articulated Vehicles Kingpins*.

**75mm kingpin** means a kingpin with the dimensions mentioned in schedule 1, section 1.174.

**90mm kingpin** means a kingpin meeting the dimension requirements for a 90mm kingpin in Australian Standard AS 2175–1990 *Articulated Vehicles Kingpins*.

**administrator of vehicle standards** means the Administrator of Vehicle Standards mentioned in the *Motor Vehicle Standards Act 1989* (Cwlth), section 22.

**adopted standard**—see schedule 1, section 1.22.

**ADR** (or **Australian Design Rule**)—see schedule 1, section 1.11 and section 1.13.

**air brake** means an air-operated or air-assisted brake.

**alternative headlight** means a headlight that is operated instead of another headlight by a dipping device.

**applicable vehicle standards**—see section 103.

**approved corresponding WOV**—see the *Road Transport (General) Regulation 2000*, section 31 (1).

**approved premises**, for part 6.3 (Inspections)—see section 115.

**articulated bus** means a bus with at least 2 rigid sections that allow passengers access between the sections and are connected to allow rotary movement between the sections.

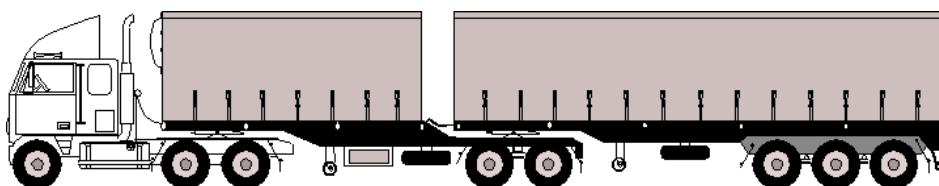
**Australian Design Rule**—see ADR.

**authorised examiner**, for part 6.3 (Inspections)—see section 115.

**axle** means 1 or more shafts, positioned in a line across a vehicle, on which 1 or more wheels intended to support the vehicle turn.

**axle group** means a single, tandem, twinsteer, tri or quad axle group.

**B-double** means a combination consisting of a prime mover towing 2 semitrailers.



### **B-double**

**bicycle rack** means a device designed or adapted—

- (a) to be attached to the rear of a motor vehicle (other than a motorbike or a motortrike); and
- (b) to transport bicycles, wheelchairs, invalid chairs or, if approved by the road transport authority, other apparatus or vehicles.

**bicycle rack numberplate** means a numberplate issued by the road transport authority under this regulation to the registered operator of a motor vehicle for display on a bicycle rack on the vehicle.

**brake** means a device for retarding or controlling the rotation of the wheels of a vehicle and for bringing the vehicle to a stop.

**braking system**, of a vehicle, means all the brakes of the vehicle and all the components of the mechanisms by which they are operated.

**British Standard** means a standard approved for publication on behalf of the British Standards Institution.

*Note* Copies of British Standards are available from offices of Standards Australia.

**British Standards Institution** means the institution of that name established under royal charter in the United Kingdom.

**bus** means a motor vehicle built mainly to carry people that seats more than 9 adults (including the driver).

**business address**, for a corporation, includes the address of the corporation's registered office.

**car** means a motor vehicle built mainly to carry people that—

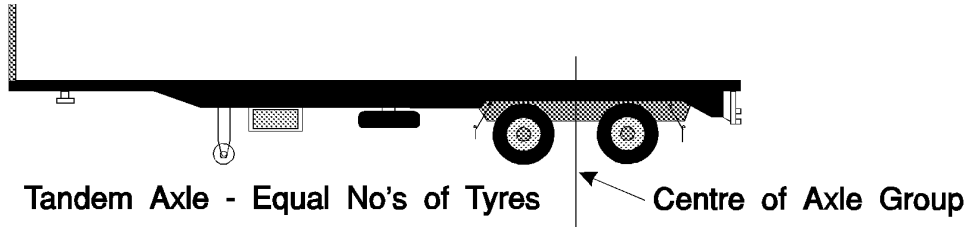
- (a) seats no more than 9 adults (including the driver); and
- (b) has a body commonly known as a sedan, station wagon, coupe, convertible or roadster; and
- (c) has 4 or more wheels.

**car derivative** means a motor vehicle—

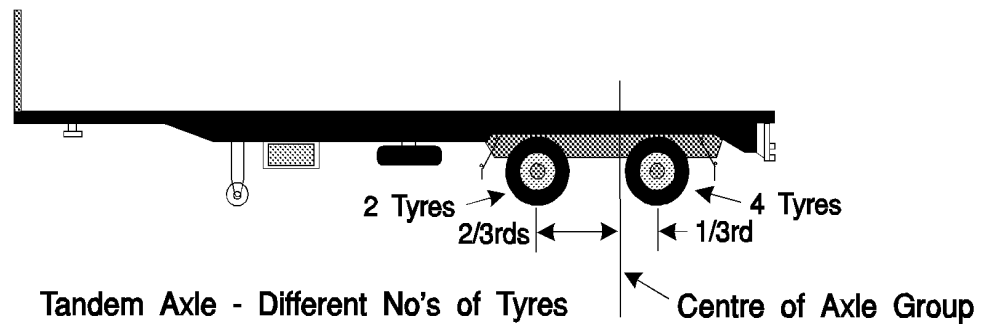
- (a) that is of the kind known as a utility, station wagon or panel van; and
- (b) that is of the same make as a factory-produced car; and
- (c) in which the part of the body form that is in front of the windscreen, and most of the mechanical equipment, are the same or substantially the same as in a factory-produced car.

**centre-line**, of an axle group, means—

- (a) if the group consists of 2 axles, one of which is fitted with twice the number of tyres as the other axle—a line located  $\frac{1}{3}$  of the way from the centre-line of the axle with more tyres towards the centre-line of the axle with fewer tyres; or
- (b) in any other case—a line located midway between the centre-lines of the outermost axles of the group.

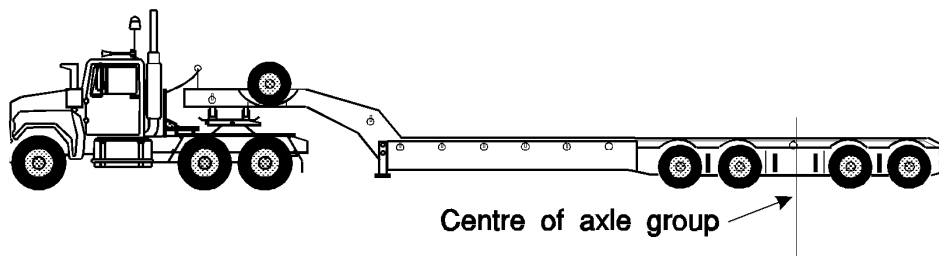
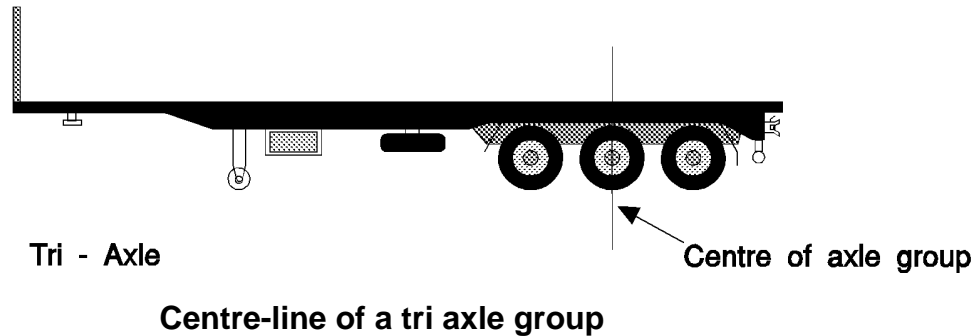


**Centre-line of a tandem axle group fitted with an equal number of tyres on each axle**



**Centre-line of a tandem axle group fitted with different numbers of tyres on each axle**





*certificate of approval*, for part 6.3 (Inspections)—see section 115.

*certificate of approved operations* means a certificate issued or accepted for a registrable vehicle under section 114 (Installation of operations plates, modification of vehicles etc).

*clearance light* means a light that, when operated, provides an indication of the width of a vehicle, together with any load or equipment on it, when viewed either from the front or from the rear of the vehicle.

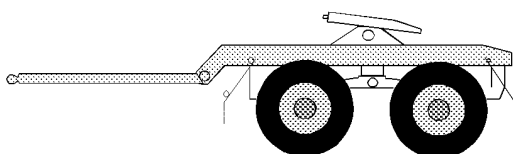
*combination* means a group of vehicles consisting of a motor vehicle connected to 1 or more vehicles.

*compliance plate* means a plate mentioned in schedule 1 (Vehicle Standards), section 1.62 (Compliance plate to be attached to certain motor vehicles) or section 1.63 (Compliance plate to be attached to certain trailers).

**component identification number**, for a vehicle part of a registrable vehicle—see section 154 (Definitions for pt 6.4).

**controlled access bus** means a bus, other than an articulated bus, over 12.5m long.

**converter dolly** means a trailer with 1 axle group or single axle, and a fifth wheel coupling, designed to convert a semitrailer into a dog trailer.



### **Converter dolly**

**daylight** means the period in a day from sunrise to sunset.

**dealer**, in relation to a vehicle, means the holder of a vehicle sale licence under the *Sale of Motor Vehicles Act 1977*.

**defect notice** means a defect notice under the Act, section 25 (4) (a).

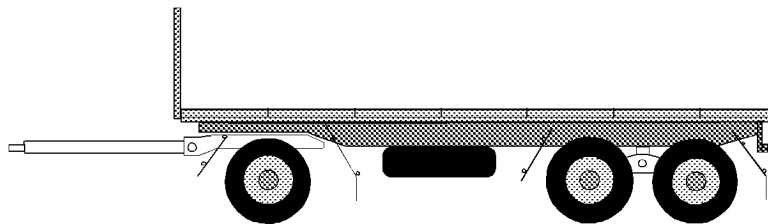
**designated place** means a place designated by the road transport authority.

**dipping device** means a device by which the driver of a motor vehicle can, from the normal driving position—

- (a) if the vehicle has 1 headlight—dip the main beam of light projected by the headlight, or turn off the headlight and simultaneously turn on an alternative headlight; or
- (b) if the vehicle has 2 headlights—dip the main beam of light projected by each headlight, or turn off the headlights and simultaneously turn on 2 alternative headlights; or
- (c) if the vehicle has 4 headlights in sets of 2—turn off the high beam in each set.

**dog trailer** means a trailer (including a trailer consisting of a semitrailer and converter dolly) with—

- (a) 1 axle group or single axle at the front that is steered by connection to the towing vehicle by a drawbar; and
- (b) 1 axle group or single axle at the rear.



### **Dog trailer**

**drawbar** means a part of a trailer (other than a semitrailer) connecting the trailer body to a coupling for towing purposes.

**D-value** means the theoretical horizontal reference force between towing vehicle and trailer.

**eligible vehicle** means a vehicle eligible for registration under section 26.

**emergency brake** means a brake designed to be used if a service brake fails.

**emergency vehicle** means a vehicle driven, or intended to be driven, by an emergency worker driving the vehicle in the course of his or her duties as an emergency worker.

**emergency worker**—see the *Road Transport (Safety and Traffic Management) Regulation 2000*, section 33 (1), definition of **emergency worker**.

**examiners register**, for part 6.3 (Inspections)—see section 115.

***fifth wheel coupling*** means a device, other than the upper rotating element and the kingpin (which are parts of a semitrailer), used with a prime mover, semitrailer or converter dolly, to allow quick coupling and uncoupling and to provide for articulation.

***fog light*** means a front fog light or a rear fog light.

***front fog light*** means a light used to improve the illumination of the road in case of fog, snowfall, heavy rain or a dust storm.

***glazing*** means material fitted to the front, sides, rear or interior of a vehicle, through which the driver or a passenger can obtain a view of the road, but does not include a coating added after manufacture of the material.

***GTM*** (or ***gross trailer mass***) means the mass transmitted to the ground by the axles of a trailer when the trailer is loaded to its GVM and connected to a towing vehicle.

***high-beam***, for a headlight or front fog light fitted to a vehicle, means that the light is built or adjusted so, when the vehicle is standing on level ground, the top of the main beam of light projected is above the low-beam position.

***historic vehicle*** means a motor vehicle, other than a veteran vehicle or a vintage vehicle, built not less than 30 years before—

- (a) the day it was last registered; or
- (b) if it is unregistered and is to be registered—the date of registration.

***identification label***, for a trader's plate, means an identification label for the plate issued under section 90 (Identification labels for trader's plates) or section 92 (Replacement identification labels).

***identification plate***, for a vehicle, means a plate authorised to be placed on the vehicle, or taken to have been placed on the vehicle, under the *Motor Vehicle Standards Act 1989* (Cwlth).

***implement*** means a motor vehicle that—

- 
- (a) is built—
- (i) as an excavator, road grader, road-roller, bulldozer, forklift truck or similar item of equipment; or
  - (ii) to perform a function that equipment mentioned in subparagraph (i) can perform; and
- (b) is not built on a chassis of a type normally used in the construction of a truck.

***infringement notice***—

- (a) means a notice served under the *Road Transport (General) Act 1999*, section 24 (Service of infringement notices generally) or section 36 (Service of infringement notices on responsible persons for vehicles); and
- (b) includes a notice (however described) served on a person under the law of another jurisdiction that gives the person the option of paying an amount for an offence instead of being charged with the offence.

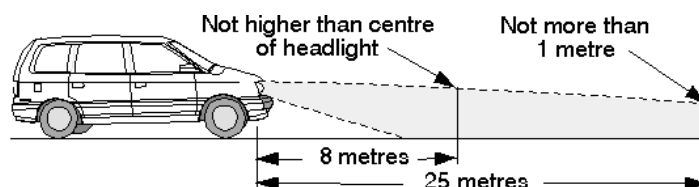
***left***, for a vehicle, means to the left of the centre of the vehicle when viewed by a person in the vehicle who is facing towards the front of the vehicle.

***light vehicle*** means a registrable vehicle that is not a heavy vehicle.

***lost*** includes mislaid or unable to be found for any reason.

***low-beam***, for a headlight or front fog light fitted to a vehicle, means that the light is built or adjusted so, when the vehicle is stopped on level ground, the top of the main beam of light projected is—

- (a) not higher than the centre of the headlight or fog light, when measured 8m in front of the vehicle; and
- (b) not more than 1m higher than the level where the vehicle is standing, when measured 25m in front of the vehicle.



### A headlight in the low-beam position

**major defect notice**—see section 159 (1) (a) (Issue of defect notices and formal warnings).

**minor defect notice**—see section 159 (1) (b).

**moped** means a motorbike or motortrike with an engine cylinder capacity of not over 50ml and a maximum speed of not over 50km/h.

**motorbike** means any motor vehicle that has 2 wheels, and includes a 2-wheeled motor vehicle with a sidecar attached to it that is supported by a 3rd wheel.

**motortrike** means a motor vehicle with 3 wheels, but does not include a 2-wheeled motorbike with a sidecar attached to it that is supported by a 3rd wheel.

**motor vehicle certification board** means the body that—

- (a) is known under the name Australian Motor Vehicle Certification Board; and
- (b) consists of representatives of the Commonwealth, each of the States and the ACT and Northern Territory; and
- (c) has, as an objective, to ensure that vehicles supplied for use in, built in, or imported into, Australia are designed and built to—
  - (i) comply with the requirements of Australian Design Rules; or

- (ii) provide a level of safety that is equivalent to that provided by Australian Design Rules.

**mudguard** means a fitting or device, with or without a mudflap, that is built and fitted to a vehicle in a way that will, as far as practicable, catch or deflect downwards any stone, mud, water or other substance thrown up by the rotation of the wheel to which the fitting or device is fitted.

**national standard**—see schedule 1, section 1.12 and section 1.13.

**night** means the period between sunset on one day and sunrise on the next day.

**nominated configuration**, for a registration period of a registrable vehicle, means the configuration, nominated by the registered operator, in which the vehicle will operate for the registration period.

**non-standard registration number** means a number that is determined to be a non-standard registration number under section 47.

**number** includes a letter of the alphabet.

**numberplate** means a vehicle numberplate or bicycle rack numberplate.

**operations plate** means a plate installed on a registrable vehicle in accordance with section 114 (Installation of operations plates, modification of vehicles etc).

**operator**, for part 6.1 (which is about general requirements for vehicle standards)—see section 105.

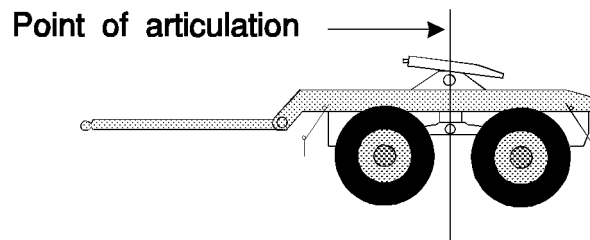
**owner**—

- (a) of a prescribed right to a non-standard registration number—see section 46; or
- (b) of premises—see section 115.

**plate-holder**, of a numberplate—see section 46.

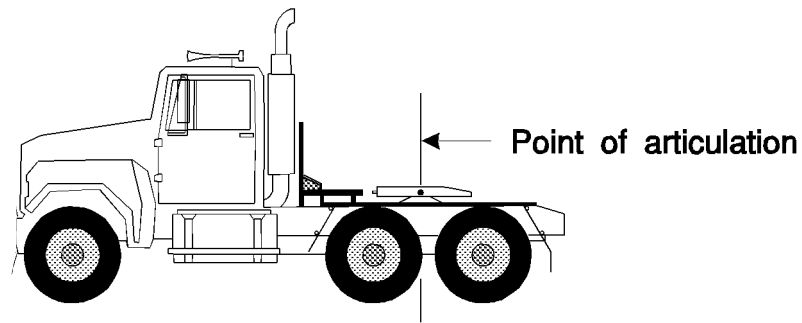
**point of articulation** means—

- (a) the axis of a kingpin for a fifth wheel; or
- (b) the vertical axis of rotation of a fifth wheel coupling; or
- (c) the vertical axis of rotation of a turntable assembly; or
- (d) the vertical axis of rotation of the front axle group, or single axle, of a dog trailer; or
- (e) the coupling pivot point of a semitrailer.

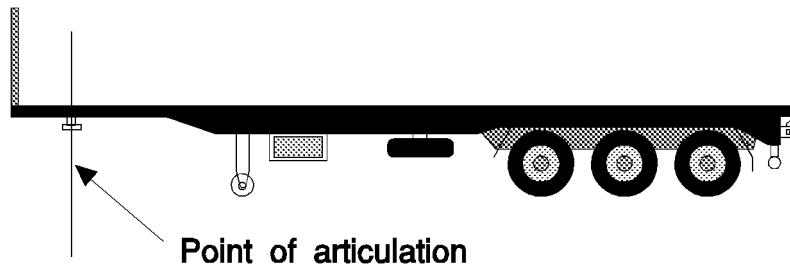


**Point of articulation—fifth wheel coupling on a converter dolly (forming the front axle group of a dog trailer)**





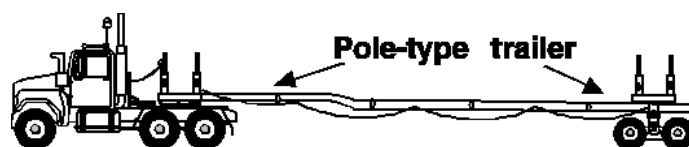
**Point of articulation—fifth wheel on a prime mover**



**Point of articulation—axis of a kingpin for fifth wheel**

*pole-type trailer* means a trailer that—

- (a) is attached to a towing vehicle by a pole, or an attachment fitted to a pole; and
- (b) is ordinarily used for transporting loads, such as logs, pipes, structural members or other long objects, that can generally support themselves like beams between supports.



### **Pole-type trailer**

***police vehicle*** means a vehicle driven, or intended to be driven, by a police officer in the course of the police officer's duty.

***prescribed requirements***, for premises and equipment on premises—see section 115.

***prescribed right***, to a non-standard registration number—see section 46 (Definitions for pt 3.5).

***proprietor***, of premises—see section 115.

***prime mover*** means a motor vehicle built to tow a semitrailer.

***public passenger vehicle***—see the *Road Transport (Public Passenger Services) Act 2001*, dictionary.

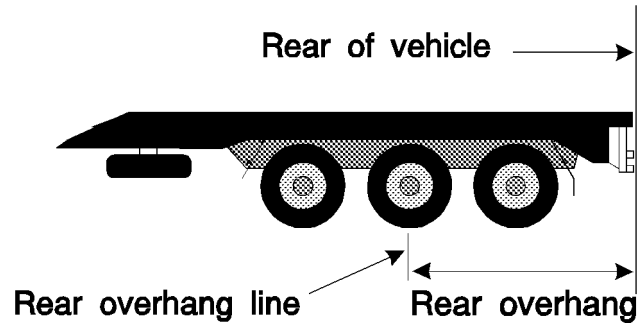
***quad axle group*** means a group of 4 axles, in which the horizontal distance between the centre-lines of the outermost axles is over 3.2m, but not over 4.9m.

***rear fog light*** means a light used on a vehicle to make it more easily visible from the rear in dense fog.

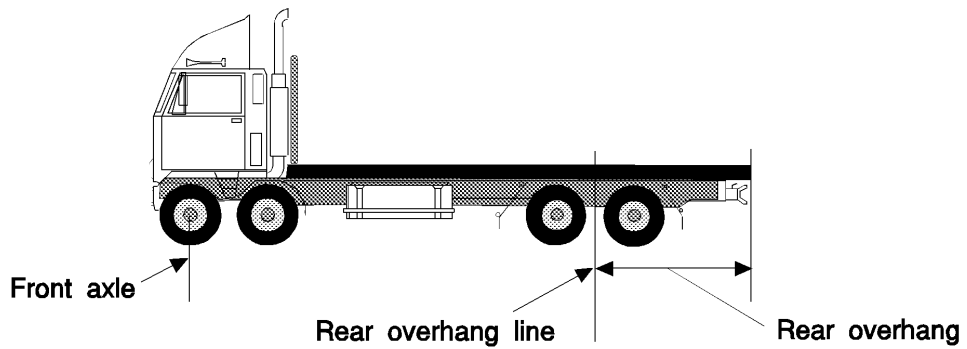
***rear overhang***, of a vehicle, means the distance between the rear overhang line and the rear of the vehicle.

***rear overhang line***, of a vehicle, means—

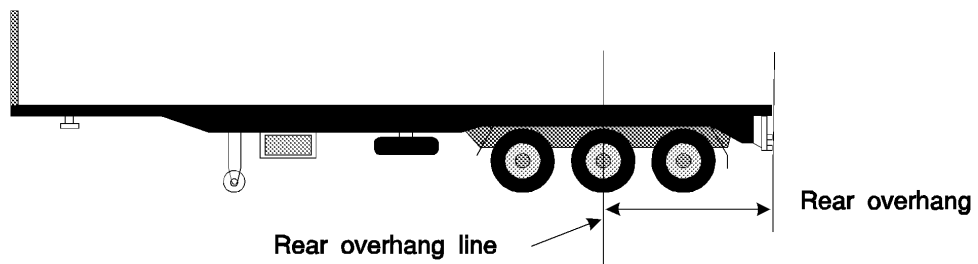
- (a) if there is a single axle at the rear of the vehicle—the centre-line of the axle; or
- (b) if there is an axle group at the rear of the vehicle—the centre-line of the axle group, decided without regard to the presence of any steerable axle unless all axles in the group are steerable.



**Rear overhang and rear overhang line—vehicle with tri axle group at rear**



**Rear overhang and rear overhang line—motor vehicle**



**Rear overhang and rear overhang line—semitrailer**

**registered vehicle** means a registrable vehicle registered under the Act.

**registration certificate**, for a vehicle, means a registration certificate issued for the vehicle under section 40 (Registration certificates).

**registration charge category** means—

- (a) for a heavy vehicle—the vehicle’s type under the *Road Transport Charges (Australian Capital Territory) Act 1993* (Cwlth); or
- (b) for a light vehicle—the vehicle’s category under the current determination of the Minister under the *Road Transport (General) Act 1999*, section 96 determining the fees, charges and other amounts payable in relation to the registration of vehicles.

**registration label**, for a vehicle, means a registration label issued for the vehicle under section 44 (Registration labels).

**registration number**, for a registrable vehicle, means the distinguishing registration number given to the vehicle under section 49 (1) (Vehicle numberplates).

**registration provisions**, for chapter 2 (Application of regulation)—see section 6.

**relevant vehicle registration authority** means—

- (a) for a registered vehicle or a vehicle that has been, but is no longer, registered in any jurisdiction—the vehicle registration authority that last registered the vehicle; or
- (b) if the vehicle has never been registered—the vehicle registration authority for the jurisdiction where the vehicle is used or intended to be used.

**responsible person**, for a vehicle—see the *Road Transport (General) Act 1999*, section 10.

**right**—

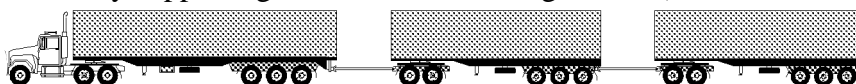
- (a) to a non-standard registration number—see section 46; and
- (b) for a vehicle—means to the right of the centre of the vehicle when viewed by a person in the vehicle who is facing to the front of the vehicle.

**road tank vehicle** has the same meaning as in the 6th edition of the *Australian Code for the Transport of Dangerous Goods by Road and Rail* as approved by the Competent Authorities Panel, the Australian Committee for the Transport of Dangerous Goods and the Transport Ministers of Australia and published jointly by—

- (a) the National Road Transport Commission under the *National Road Transport Commission Act 1991* (Cwlth); and
- (b) the Federal Office of Road Safety (now known as the Australian Transport Safety Bureau).

*Note* The Commonwealth Act mentioned in par (a) has been repealed and replaced by the *National Transport Commission Act 2003* (Cwlth).

**road train** means a combination, other than a B-double, consisting of a motor vehicle towing at least 2 trailers (counting a converter dolly supporting a semitrailer as a single trailer).

**Road train**

**road transport legislation**—see the *Road Transport (General) Act 1999*, section 6.

**seasonal vehicle** means a vehicle of a kind declared to be a seasonal vehicle under section 31 (Duration of registration) if the vehicle is used during part of the year only.

**seatbelt** means a belt or similar device that is fitted to a motor vehicle and designed to restrain or limit the movement of a person who is seated in the vehicle and wearing the belt or device, if the vehicle suddenly accelerates or decelerates.

**semitrailer** means 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.

**service brake**, for a vehicle, means the brake normally used to decelerate the vehicle.

**sidecar** means any car, box or other receptacle attached to the side of a motorbike and for the transport of which a 3rd wheel is provided.

**side marker light** means a light that, when operating, is visible from the side of the vehicle where it is attached.

**single axle** means an axle not forming part of an axle group.

**single axle group** means a group of at least 2 axles in which the horizontal distance between the centre-lines of the outermost axles is less than 1m.

**station wagon** means a car—

- (a) in which the part of the body form adjacent to and in front of the front seat or seats, and most of the mechanical equipment, are the same or substantially the same as in a car of the same make; and
- (b) in which the body is carried without significant reduction in height from the front seat or seats to, or substantially towards, the rear of the vehicle; and
- (c) that has an entrance at the rear suitable for loading and unloading goods; and

- (d) that is built with a rear seat or seats that can be folded or removed readily to provide additional floor space for goods; and
- (e) that, when the seat or seats immediately to the rear of the front seat or seats are in position to seat people, the vehicle has a substantial space for goods in proportion to the overall size of the interior of the vehicle.

***steerable axle***, for a vehicle, means an axle the wheels of which are connected to a steering mechanism for the vehicle.

***tandem axle group*** means a group of at least 2 axles in which the horizontal distance between the centre-lines of the outermost axles is at least 1m, but not over 2m.

***tare mass***, for a motor vehicle, means—

- (a) for a motorbike or motortrike—the mass of the vehicle when ready for use, unoccupied and unladen, with all fluid reservoirs filled to nominal capacity (except the fuel tank which must be empty) and with all standard equipment and any options fitted; and
- (b) for any other vehicle—the mass of the vehicle when ready for use, unoccupied and unladen, with all fluid reservoirs filled to nominal capacity (except for the fuel tank which must contain 10L of fuel) and with all standard equipment and any options fitted.

***third-party policy***—see the *Road Transport (General) Act 1999*, section 158.

***total loss***, in relation to a vehicle—see the *Road Transport (General) Act 1999*, section 83C.

***tow truck*** means a truck that—

- (a) is built or used for towing broken-down or damaged vehicles; and

- (b) includes, or has permanently attached to it, a crane or similar apparatus for—
  - (i) lifting a vehicle partly clear of the ground; and
  - (ii) keeping it partly clear of the ground while towing it.

**tractor** means a motor vehicle that—

- (a) is built mainly to supply motive power for machinery or to haul another vehicle; and
- (b) cannot carry a load (other than tools, spare parts, fuel, water, oil, or other accessories, necessary for use in connection with the vehicle) or any part of the weight of a vehicle being towed or its load.

**traffic offence detection device**—see the *Road Transport (Safety and Traffic Management) Act 1999*, dictionary.

**transport enforcement vehicle** means a vehicle used by authorised persons to enforce the road transport legislation.

**tri axle group** means a group of at least 3 axles, in which the horizontal distance between the centre-lines of the outermost axles is over 2m, but not over 3.2m.

**truck** means a motor vehicle (whether or not in combination with a trailer) that is built mainly—

- (a) to carry goods or merchandise or to carry materials used in a trade, business or industry; or
- (b) for use in work other than carrying people;

but does not include a motorbike or tractor.

**turntable** means a bearing built to carry vertical and horizontal loads, but does not allow quick separation of its upper and lower rotating elements, and that is used to connect and allow articulation between—

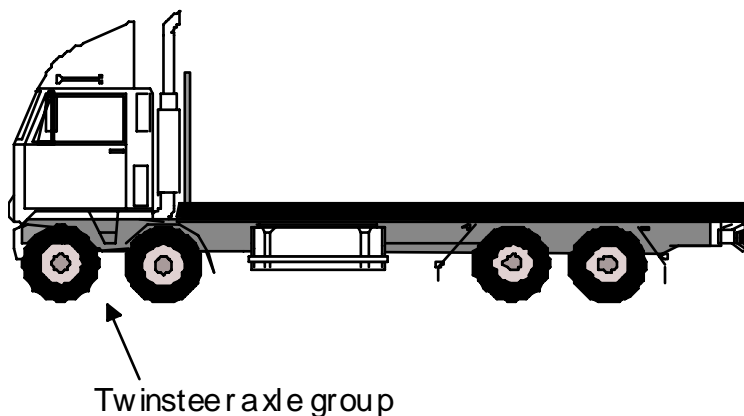
- (a) a prime mover and a semitrailer; or



- (b) the steering axle or axle group of a dog trailer and the body of the trailer; or
- (c) a fifth wheel coupling and the vehicle to which it is mounted.

***twinsteer axle group*** means a group of 2 axles—

- (a) with single tyres; and
- (b) fitted to a motor vehicle; and
- (c) connected to the same steering mechanism; and
- (d) the horizontal distance between the centre-lines of which is at least 1m, but not over 2m.



### **Twinsteer axle group on a motor vehicle**

***unleaded petrol motor vehicle*** means a vehicle required to be manufactured to operate on unleaded petrol in accordance with the requirements of an applicable ADR.

***unregistered vehicle*** means an unregistered registrable vehicle.

***vacuum brakes*** means vacuum-operated or vacuum-assisted brakes.

***vehicle identifier***—see the *Road Transport (General) Act 1999*, section 83B.

**vehicle inspection station** means a place operated by or for the road transport authority to find out whether registrable vehicles comply with the applicable vehicle standards for the vehicles.

**vehicle numberplate** means a numberplate issued by the road transport authority under this regulation other than a bicycle rack numberplate, and, in division 3.5.6 (Damaged, lost, stolen or destroyed numberplates), includes a trader's plate.

**vehicle part**, of a registrable vehicle—see section 154 (Definitions for pt 6.4 (Component identification numbers)).

**vehicle registration authority** means the road transport authority or the corresponding authority of another jurisdiction.

**veteran vehicle** means a motor vehicle built before 1919.

**VIN**, of a vehicle, means the vehicle identification number allocated to the vehicle in accordance with the ADRs.

**vintage vehicle** means a motor vehicle built after 1918 and before 1931.

**windscreen**, of a vehicle, means the main front windscreen of the vehicle, but does not include a wind deflector or other subsidiary windscreen.

**written-off** vehicle—see the *Road Transport (General) Act 1999*, section 83B.

**written-off vehicles register**—see the *Road Transport (General) Act 1999*, section 83B.

**yellow** includes amber.

## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

### 2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	par = paragraph/subparagraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	pt = part
exp = expires/expired	r = rule/subrule
Gaz = gazette	renum = renumbered
hdg = heading	reloc = relocated
IA = Interpretation Act 1967	R[X] = Republication No
ins = inserted/added	RI = reissue
LA = Legislation Act 2001	s = section/subsection
LR = legislation register	sch = schedule
LRA = Legislation (Republication) Act 1996	sdiv = subdivision
mod = modified/modification	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired

## Endnotes

3 Legislation history

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### 3 Legislation history

This regulation was originally the *Road Transport (Vehicle Registration) Regulations 2000*. It was renamed under the *Legislation Act 2001*.

#### **Road Transport (Vehicle Registration) Regulation 2000 SL2000-12**

notified 29 February 2000 (Gaz 2000 No S6)  
s 1, s 2 commenced 29 February 2000 (IA s 10B)  
remainder commenced 1 March 2000 (s 2 and see Gaz 2000 No S5)

as amended by

#### **Road Transport Legislation Amendment Regulations 2000 SL2000-22 pt 3**

notified 18 May 2000 (Gaz 2000 No 20)  
commenced 18 May 2000 (s 1)

#### **Road Transport (Vehicle Registration) Regulations Amendment 2001 SL2001-7**

notified 28 February 2001 (Gaz 2001 No S10)  
s 1 commenced 28 February 2001 (IA s 10B)  
remainder commenced 1 March 2001 (s 1)  
s 9, s 12 disallowed 29 March 2001

#### **Road Transport Legislation Amendment Act 2001 A2001-27 sch 4**

notified 24 May 2001 (Gaz 2001 No 21)  
s 1, s 2 commenced 24 May 2001 (IA s 10B)  
sch 4 commenced 24 May 2001 (s 2)

#### **Legislation (Consequential Amendments) Act 2001 A2001-44 pt 350**

notified 26 July 2001 (Gaz 2001 No 30)  
s 1, s 2 commenced 26 July 2001 (IA s 10B)  
pt 350 commenced 12 September 2001 (s 2 and see Gaz 2001  
No S65)

#### **Road Transport Legislation Amendment 2002 SL2002-2 pt 7**

notified LR 27 February 2002  
s 1, s 2 commenced 27 February 2002 (LA s 75)  
pt 7 commenced 1 March 2002 (s 2 and see CN 2002 No 2)

**Road Transport Legislation Amendment Act 2002 A2002-23 ss 15-25**

notified LR 9 September 2002

s 1, s 2 commenced 9 September 2002 (LA s 75)

ss 15-25 commenced 28 January 2003 (s 2 (3) and CN2002-16)

**Statute Law Amendment Act 2002 A2002-30 pt 3.75**

notified LR 16 September 2002

s 1, s 2 taken to have commenced 19 May 1997 (LA s 75 (2))

pt 3.75 commenced 17 September 2002 (s 2 (1))

**Road Transport Legislation Amendment Regulations 2002 (No 2)****SL2002-31 pt 6**

notified LR 31 October 2002

s 1, s 2 commenced 31 October 2002 (LA s 75 (1))

pt 6 commenced 28 January 2003 (s 2 (2) and CN2002-16)

**Road Transport Legislation (Taxi Services) Amendment Regulations 2003 (No 1) SL2003-32 pt 3**

notified LR 22 September 2003

s 1, s 2 commenced 22 September 2003 (LA s 75 (1))

pt 3 commenced 23 September 2003 (s 2)

**Emergencies Act 2004 A2004-28 sch 3 pt 3.21**

notified LR 29 June 2004

s 1, s 2 commenced 29 June 2004 (LA s 75 (1))

sch 3 pt 3.21 commenced 1 July 2004 (s 2 (1) and CN2004-11)

**Road Transport Legislation Amendment Regulations 2004 (No 1)****SL2004-47 pt 6**

notified LR 9 September 2004

s 1, s 2 commenced 9 September 2004 (LA s 75 (1))

pt 6 commenced 10 September 2004 (s 2)

**Road Transport Legislation (Hire Cars) Amendment Regulation 2005 (No 1) SL2005-4 sch 2 pt 2.6**

notified LR 7 March 2005

s 1, s 2 commenced 7 March 2005 (LA s 75 (1))

sch 2 pt 2.6 commenced 9 March 2005 (s 2 and see Road Transport (Public Passenger Services) (Hire Cars) Amendment Act 2004 A2004-69, s 2 and LA s 79)

## Endnotes

3 Legislation history

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**Statute Law Amendment Act 2005 A2005-20 sch 3 pt 3.60**

notified LR 12 May 2005

s 1, s 2 taken to have commenced 8 March 2005 (LA s 75 (2))

sch 3 pt 3.60 commenced 2 June 2005 (s 2 (1))

**Road Transport Legislation Amendment Regulation 2005 (No 1)  
SL2005-39 pt 5**

notified LR 14 December 2005

s 1, s 2 commenced 14 December 2005 (LA s 75 (1))

pt 5 commenced 15 December 2005 (s 2)

**Road Transport Legislation Amendment Act 2006 A2006-26 pt 5**

notified LR 14 June 2006

s 1, s 2 commenced 14 June 2006 (LA s 75 (1))

pt 5 commenced 2 July 2006 (s 2 and CN2006-12)

**Road Transport Legislation (Accreditation and Licensing)  
Amendment Regulation 2006 (No 1) SL2006-59 pt 5**

notified LR 18 December 2006

s 1, s 2 commenced 18 December 2006 (LA s 75 (1))

pt 5 commenced 1 January 2007 (s 2 and CN2006-24)

**Road Transport (Vehicle Registration) Amendment Regulation 2007  
(No 1) SL2007-2**

notified LR 24 January 2007

s 1, s 2 commenced 24 January 2007 (LA s 75 (1))

remainder commenced 25 January 2007 (s 2)

**Road Transport (Vehicle Registration) Amendment Regulation 2008  
(No 1) SL2008-16**

notified LR 17 April 2008

s 1, s 2 commenced 17 April 2008 (LA s 75 (1))

remainder commenced 18 April 2008 (s 2)

**Road Transport Legislation Amendment Regulation 2008 (No 1)  
SL2008-30 pt 3**

notified LR 7 July 2008

s 1, s 2 commenced 7 July 2008 (LA s 75 (1))

pt 3 commenced 8 July 2008 (s 2)

**ACT Civil and Administrative Tribunal Legislation Amendment Act 2008 (No 2) A2008-37 sch 1 pt 1.94**

notified LR 4 September 2008  
s 1, s 2 commenced 4 September 2008 (LA s 75 (1))  
sch 1 pt 1.94 commenced 2 February 2009 (s 2 (1) and see ACT Civil and Administrative Tribunal Act 2008 A2008-35, s 2 (1) and CN2009-2)

**Road Transport Legislation Amendment Regulation 2009 (No 1) SL2009-6 pt 5**

notified LR 11 March 2009  
s 1, s 2 commenced 11 March 2009 (LA s 75 (1))  
pt 5 commenced 16 March 2009 (s 2 and CN2009-7)

**Road Transport (Third-Party Insurance) Amendment Act 2009 A2009-16 sch 3 pt 3.5**

notified LR 30 June 2009  
s 1, s 2 commenced 30 June 2009 (LA s 75 (1))  
sch 3 pt 3.5 commenced 5 July 2009 (s 2)

**Road Transport (Mass, Dimensions and Loading) Act 2009 A2009-22 sch 1 pt 1.13**

notified LR 3 September 2009  
s 1, s 2 commenced 3 September 2009 (LA s 75 (1))  
sch 1 pt 1.13 awaiting commencement (s 2)

*Note* default commencement under LA s 79: 3 March 2010

**Dangerous Goods (Road Transport) Act 2009 A2009-34 sch 1 pt 1.4**

notified LR 28 September 2009  
s 1, s 2 commenced 28 September 2009 (LA s 75 (1))  
sch 1 pt 1.4 awaiting commencement (s 2)

*Note* default commencement under s 2 (2): 28 September 2010 (LA s 79 does not apply to this Act)

**Statute Law Amendment Act 2009 (No 2) A2009-49 sch 3 pt 3.66**

notified LR 26 November 2009  
s 1, s 2 commenced 26 November 2009 (LA s 75 (1))  
sch 3 pt 3.66 commenced 17 December 2009 (s 2)

## Endnotes

4 Amendment history

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### 4 Amendment history

#### **Name of regulation**

s 1 am R10 LA

#### **Commencement**

s 2 om Act 2001 No 27 amdt 4.33

#### **Definitions—the dictionary**

s 3 hdg bracketed note exp 17 September 2002 (s 5 (3))

s 3 am Act 2001 No 44 amdt 1.3813

#### **Diagrams—the dictionary**

s 4 hdg bracketed note exp 17 September 2002 (s 5 (3))

#### **Notes**

s 5 hdg bracketed note exp 17 September 2002 (s 5 (3))

s 5 am Act 2001 No 44 amdt 1.3814; Act 2002 No 30 amdt 3.782  
(2), (3) exp 17 September 2002 (s 5 (3))

#### **Meaning of *registration provisions***

s 6 hdg bracketed note exp 17 September 2002 (s 5 (3))

#### **Suspension of exemptions**

s 7 hdg bracketed note exp 17 September 2002 (s 5 (3))

#### **Application of Act, s 18 to pt 2.2 vehicles**

s 8 hdg bracketed note exp 17 September 2002 (s 5 (3))

#### **Vehicles on tow trucks**

s 9 hdg bracketed note exp 17 September 2002 (s 5 (3))

#### **Vehicles used for agricultural work**

s 10 hdg bracketed note exp 17 September 2002 (s 5 (3))

#### **Vehicles using roads or road related areas to a limited extent during primary production**

s 11 hdg bracketed note exp 17 September 2002 (s 5 (3))

#### **Trailers used for road construction and other public works**

s 12 hdg bracketed note exp 17 September 2002 (s 5 (3))

#### **Golf and green keeping vehicles used on roads or road related areas**

s 13 hdg bracketed note exp 17 September 2002 (s 5 (3))

#### **Vehicles temporarily in the ACT**

s 14 hdg bracketed note exp 17 September 2002 (s 5 (3))

#### **Vehicles registered under Interstate Road Transport Act 1985**

s 15 hdg bracketed note exp 17 September 2002 (s 5 (3))

#### **Trailers exempt from registration in another jurisdiction**

s 16 hdg bracketed note exp 17 September 2002 (s 5 (3))



**Vehicles used to fight rural fires**

s 17 hdg bracketed note exp 17 September 2002 (s 5 (3))  
s 17 sub A2004-28 amdt 3.63

**Police vehicles**

s 18 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Lawn mowers**

s 19 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Bicycles with auxiliary motors**

s 20 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Vehicles used by certain people with disabilities**

s 21 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Vehicles being driven to obtain registration etc**

s 22 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Vehicles being inspected**

s 23 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Self-propelled elevating work platforms**

s 24 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Registered operator of registrable vehicle**

s 25 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Eligible vehicles**

s 26 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Who may apply for registration?**

s 27 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Information that may be required for registration application**

s 28 hdg bracketed note exp 17 September 2002 (s 5 (3))  
s 28 am A2009-49 amdt 3.164, amdt 3.165; pars renum R22 LA

**Supporting evidence for registration application**

s 29 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Giving authority registration application and supporting evidence**

s 30 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Duration of registration**

s 31 hdg bracketed note exp 17 September 2002 (s 5 (3))  
s 31 am 2001 No 7 s 3, s 4; Act 2001 No 44 amdt 1.3815

**Deciding applications for registration—general**

s 32 hdg bracketed note exp 17 September 2002 (s 5 (3))  
s 32 am 2002 No 2 s 38; Act 2002 No 23 s 16  
sub SL2003-32 s 19  
am SL2005-4 amdt 2.51

## Endnotes

4 Amendment history

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### **Deciding applications for registration—written-off vehicles**

s 32A ins Act 2002 No 23 s 17  
am SL2002-31 s 26, s 27, s 32

### **Deciding applications for registration—public passenger vehicles**

s 32AA ins SL2005-39 s 32

### **Deciding applications for registration—taxis**

s 32B ins Act 2002 No 23 s 17  
om SL2002-31 s 28  
ins SL2003-32 s 20  
am SL2004-47 s 48; par renum R12 LA

### **Deciding applications for registration—certain hire cars**

s 32C ins SL2005-4 amdt 2.52  
(2), (3) (defs *original operator*, *private hire car*, *small bus*),  
(4) exp 1 July 2010 (s 32C (4))

### **Conditional registration**

s 33 hdg bracketed note exp 17 September 2002 (s 5 (3))

### **General information to be recorded in register**

s 34 hdg bracketed note exp 17 September 2002 (s 5 (3))  
s 34 am A2009-49 amdt 3.166, amdt 3.167; pars renum R22 LA

### **Other information that may be recorded in register**

s 35 hdg bracketed note exp 17 September 2002 (s 5 (3))

### **Recording of dealing restrictions**

s 36 hdg bracketed note exp 17 September 2002 (s 5 (3))

### **Changes in description or configuration to be recorded**

s 37 hdg bracketed note exp 17 September 2002 (s 5 (3))

### **Register to record information over previous 2 years**

s 38 hdg bracketed note exp 17 September 2002 (s 5 (3))

### **Searches of registrable vehicles register etc**

s 39 hdg bracketed note exp 17 September 2002 (s 5 (3))

### **Registration certificates**

s 40 hdg bracketed note exp 17 September 2002 (s 5 (3))  
s 40 am 2001 No 7 s 5

### **Recovery of lost or stolen registration certificates**

s 43 hdg bracketed note exp 17 September 2002 (s 5 (3))

### **Registration labels**

s 44 hdg bracketed note exp 17 September 2002 (s 5 (3))

### **Using a vehicle without registration label etc**

s 45 hdg bracketed note exp 17 September 2002 (s 5 (3))  
s 45 am SL2007-2 s 4

**Streamlined registration procedures**

s 45A ins 2001 No 7 s 6

**Definitions for pt 3.5**

s 46 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Determination of non-standard registration numbers**

s 47 sub Act 2001 No 44 amdt 1.3816

**Application of pt 3.5 to trader's plates**

s 48 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Vehicle numberplates**

s 49 hdg bracketed note exp 17 September 2002 (s 5 (3))

s 49 am 2001 No 7 s 7

**Bicycle rack numberplates**

s 50 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Dimensions, layout etc of numberplates**

s 51 sub Act 2001 No 44 amdt 1.3817

**Authority may change registration number**

s 52 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Nature of prescribed rights**

s 53 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Selling rights to non-standard registration numbers**

s 54 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Assignment of rights**

s 55 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Display of numberplates**

s 59 hdg bracketed note exp 17 September 2002 (s 5 (3))

s 59 am 2002 No 2 s 39

**Using vehicle without numberplate etc**

s 60 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Swapping of numberplates**

s 61 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Transfer of numberplate to another vehicle**

s 62 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Exchange of numberplates**

s 63 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Damaged numberplates**

s 64 hdg bracketed note exp 17 September 2002 (s 5 (3))

## Endnotes

### 4 Amendment history

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#### **Lost, stolen or destroyed numberplates**

s 65 hdg bracketed note exp 17 September 2002 (s 5 (3))

#### **Recovery of lost or stolen numberplates**

s 66 hdg bracketed note exp 17 September 2002 (s 5 (3))

#### **Notice of renewal for registration**

s 67 hdg bracketed note exp 17 September 2002 (s 5 (3))

s 67 am 2001 No 7 s 8; SL2008-30 s 6

#### **Renewal of registration**

s 68 hdg bracketed note exp 17 September 2002 (s 5 (3))

s 68 am 2001 No 7 s 10, s 11

(2) sub 2001 No 7 s 9

disallowed 29 March 2001

(2A) ins 2001 No 7 s 9

disallowed 29 March 2001

(13) exp 31 March 2002 (s 68 (13))

am Act 2001 No 44 amdt 1.3818; Act 2002 No 23 s 18, s 19;

SL2002-31 s 29; SL2003-32 s 21, s 22; SL2005-4 amdt 2.53

#### **Seasonal vehicles—maximum registration renewal period**

s 68A ins 2001 No 7 s 12

disallowed 29 March 2001

ins Act 2002 No 23 s 19

#### **Obligation to notify change of name or address etc**

s 69 hdg bracketed note exp 17 September 2002 (s 5 (3))

s 69 am A2009-49 amdt 3.168, amdt 3.169

#### **Obligation to notify if vehicle destroyed or written off**

s 70 hdg bracketed note exp 17 September 2002 (s 5 (3))

s 70 om Act 2002 No 23 s 20

#### **Obligations in relation to changed vehicles**

s 71 hdg bracketed note exp 17 September 2002 (s 5 (3))

#### **Verification of register and monitoring of compliance**

s 72 hdg bracketed note exp 17 September 2002 (s 5 (3))

s 72 am A2009-49 amdt 3.170; pars renum R22 LA

#### **Obligations of disposers**

s 73 hdg bracketed note exp 17 September 2002 (s 5 (3))

#### **Obligations of acquirers**

s 74 hdg bracketed note exp 17 September 2002 (s 5 (3))

#### **Interim entry about disposal of vehicle**

s 75 hdg bracketed note exp 17 September 2002 (s 5 (3))

#### **Repossession and restoration**

s 76 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Transfer on death of registered operator**

s 77 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Transfer of suspended registration**

s 77A ins SL2008-16 s 4

**When transfer of registration may or must be refused**

s 78 hdg bracketed note exp 17 September 2002 (s 5 (3))

s 78 am 2001 No 7 s 13; Act 2002 No 23 s 21, s 22; SL2002-31 s 32

**Action on approval of application for transfer**

s 79 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Exemptions from pt 4.2**

s 80 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Expiry of registration**

s 81 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Return of numberplates if registration expires**

s 82 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Surrender of registration by registered operator**

s 83 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Suspension or cancellation of registration**

s 84 hdg bracketed note exp 17 September 2002 (s 5 (3))

s 84 am Act 2002 No 23 s 23; SL2002-31 s 32; SL2005-39 s 33

**Procedures for suspension and cancellation of registration**

s 85 hdg bracketed note exp 17 September 2002 (s 5 (3))

s 85 am Act 2002 No 23 s 24; SL2002-31 s 32; SL2009-6 s 35

**Re-establishment of cancelled registration**

s 85A ins SL2008-16 s 5

**Issue of unregistered vehicle permits etc**

s 86 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Obligations of holder of unregistered vehicle permit**

s 87 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Issue of trader's plates**

s 88 hdg bracketed note exp 17 September 2002 (s 5 (3))

s 88 am Act 2001 No 44 amdt 1.3819; A2009-16 amdt 3.7

**Identification labels for trader's plates**

s 90 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Replacement identification labels**

s 92 hdg bracketed note exp 17 September 2002 (s 5 (3))

## Endnotes

4 Amendment history

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### **Recovery of lost or stolen identification labels**

s 93 hdg bracketed note exp 17 September 2002 (s 5 (3))

### **Use of vehicles with trader's plates on road or road related area**

s 94 hdg bracketed note exp 17 September 2002 (s 5 (3))

### **Attaching of identification labels**

s 95 hdg bracketed note exp 17 September 2002 (s 5 (3))

### **Authorised use of trader's plates**

s 96 hdg bracketed note exp 17 September 2002 (s 5 (3))

s 96 am SL2009-6 s 36; ss renum R20 LA

### **Unauthorised uses of identification labels**

s 97 hdg bracketed note exp 17 September 2002 (s 5 (3))

### **Trader to make, keep and produce records**

s 98 hdg bracketed note exp 17 September 2002 (s 5 (3))

s 98 am SL2009-6 s 37

### **Questions about use of plate to be answered**

s 99 hdg bracketed note exp 17 September 2002 (s 5 (3))

### **Disposal or cessation of business**

s 100 hdg bracketed note exp 17 September 2002 (s 5 (3))

### **Return of trader's plate**

s 101 hdg bracketed note exp 17 September 2002 (s 5 (3))

### **What are the applicable vehicle standards?**

s 103 hdg bracketed note exp 17 September 2002 (s 5 (3))

### **Road transport authority may exempt vehicle etc from certain provisions**

s 104 hdg bracketed note exp 17 September 2002 (s 5 (3))

### **Motor vehicles and trailers to be properly maintained**

s 107 am SL2009-6 s 38

### **Emission control systems to be fitted and properly maintained**

s 108 am SL2009-6 s 38

### **Compliance with applicable vehicle standards**

s 112 hdg bracketed note exp 17 September 2002 (s 5 (3))

### **Noncomplying and non-standard vehicles**

s 113 hdg bracketed note exp 17 September 2002 (s 5 (3))

### **Installation of operations plates, modification of vehicles etc**

s 114 hdg bracketed note exp 17 September 2002 (s 5 (3))

s 114 am Act 2001 No 44 amdt 1.3820, amdt 1.3821

### **Definitions for pt 6.3**

s 115 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Eligibility to apply for authorisation as examiners**

s 116 hdg bracketed note exp 17 September 2002 (s 5 (3))  
s 116 am Act 2001 No 44 amdt 1.3822, amdt 1.3823; SL2006-59  
s 32

**Application procedure for authorisation**

s 117 hdg bracketed note exp 17 September 2002 (s 5 (3))  
s 117 am SL2003-32 s 23

**When applications for authorisation can be refused**

s 118 hdg bracketed note exp 17 September 2002 (s 5 (3))  
s 118 am 2001 Act No 27 amdt 4.34

**Authorisation of examiners and certificates of appointment**

s 119 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Approval of application for additional class of vehicles**

s 120 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Examiners register**

s 121 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Change of name or address of authorised examiner**

s 122 hdg bracketed note exp 17 September 2002 (s 5 (3))

**When authority may take action in relation to authorisation**

s 124 hdg bracketed note exp 17 September 2002 (s 5 (3))  
s 124 am 2000 No 22 s 6  
sub SL2006-59 s 33

**Procedures for authority taking action in relation to authorisation**

s 125 hdg bracketed note exp 17 September 2002 (s 5 (3))  
s 125 am 2000 No 22 s 7; A2008-37 amdt 1.442

**Return of certificate of appointment on cancellation or suspension**

s 126 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Eligibility for approval of premises**

s 127 hdg bracketed note exp 17 September 2002 (s 5 (3))  
sub SL2006-59 s 34  
s 127 am SL2006-59 s 35

**Application procedure for approval of premises**

s 128 hdg bracketed note exp 17 September 2002 (s 5 (3))  
s 128 am SL2003-32 s 24

**Inspection of premises before approval**

s 129 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Approval of premises and certificates of approval**

s 131 hdg bracketed note exp 17 September 2002 (s 5 (3))

## Endnotes

4 Amendment history

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**Approval of application for additional class of vehicles**

s 132 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Automatic cancellation of approval of premises**

s 134 hdg bracketed note exp 17 September 2002 (s 5 (3))

**When authority may take action in relation to approval of premises**

s 135 hdg bracketed note exp 17 September 2002 (s 5 (3))

s 135 sub SL2006-59 s 36

**Procedures for authority taking action in relation to approval of premises**

s 136 hdg bracketed note exp 17 September 2002 (s 5 (3))

s 136 am 2000 No 22 s 8; am A2008-37 amdt 1.443; ss renum R19  
LA

**Return of certificate of approval on cancellation or suspension**

s 137 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Certificate of approval to be displayed at approved premises**

s 138 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Manuals and design rules to be kept at approved premises**

s 139 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Notice to be displayed at approved premises**

s 140 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Proprietor of approved premises to give notice on ceasing to be proprietor**

s 141 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Change of name of proprietor of approved premises**

s 142 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Inspection of vehicles**

s 143 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Vehicles to be inspected on request**

s 144 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Duties of authorised examiners inspecting and testing vehicles**

s 145 hdg bracketed note exp 17 September 2002 (s 5 (3))

s 145 am SL2009-6 s 39

**Issue of certificates of inspection etc**

s 146 hdg bracketed note exp 17 September 2002 (s 5 (3))

**People by whom inspections may be carried out**

s 147 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Fees payable on inspection**

s 148 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Offences relating to unauthorised people and unapproved premises**

s 149 hdg bracketed note exp 17 September 2002 (s 5 (3))



**Review of decision of authorised examiner**

s 150 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Inspections**

s 151 hdg bracketed note exp 17 September 2002 (s 5 (3))  
s 151 om A2006-26 s 41

**Inspection of approved premises and equipment**

s 151A ins 2000 No 22 s 9  
s 151A om A2006-26 s 42

**Issue of replacement certificates of appointment and approval**

s 152 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Minister may determine maximum fees for inspections**

s 153 sub Act 2001 No 44 amdt 1.3824

**Authorisation and approval of premises guidelines—relevant offences**

s 153A ins SL2006-59 s 37

**Definitions for pt 6.4**

s 154 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Allocation of component identification numbers by authority**

s 155 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Stamping component identification numbers without authority etc**

s 156 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Change or replacement of vehicle part**

s 157 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Authority may authorise interference with component identification number**

s 158 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Issue of defect notices and formal warnings**

s 159 hdg bracketed note exp 17 September 2002 (s 5 (3))  
s 159 am SL2004-47 s 49

**Recording, clearance and withdrawal of defect notices**

s 160 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Authorised use of vehicles with suspended registration**

s 161 hdg bracketed note exp 17 September 2002 (s 5 (3))

**2 individuals may be recorded as registered operator of light vehicle**

s 162 hdg bracketed note exp 17 September 2002 (s 5 (3))

**Application of the Road Transport (Mass, Dimensions and Loading) Act**

s 163 hdg bracketed note exp 17 September 2002 (s 5 (3))  
s 163 sub A2009-22 amdt 1.29

**Special provisions about boat trailers**

s 164 hdg bracketed note exp 17 September 2002 (s 5 (3))

## Endnotes

4 Amendment history

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### **Saving and transitional**

ch 8 hdg exp 1 July 2001 (s 178 (1))

### **Definitions for ch 8**

s 165 exp 1 July 2001 (s 178 (1))

### **Certain minors eligible to be registered operators of heavy vehicles**

s 166 exp 1 July 2001 (s 178 (1))

### **Existing registered vehicles with interstate garage addresses**

s 167 exp 1 July 2001 (s 178 (1))

### **Authorised examiners and certificates**

s 168 exp 1 July 2001 (s 178 (1))

### **Approved premises**

s 169 exp 1 July 2001 (s 178 (1))

### **Existing disqualifications**

s 170 exp 1 July 2001 (s 178 (1))

### **Existing procedures for revocation of appointment or cancellation of approval**

s 171 exp 1 July 2001 (s 178 (1))

### **Existing offences in relation to authorised examiners and approved premises**

s 172 exp 1 July 2001 (s 178 (1))

### **Certificates of inspection**

s 173 exp 1 July 2001 (s 178 (1))

### **Display of registration labels on certain registrable vehicles**

s 174 exp 1 July 2001 (s 178 (1))

### **Existing suspensions**

s 175 exp 1 July 2001 (s 178 (1))

### **Rights in relation to previous approved numbers**

s 176 exp 1 July 2001 (s 178 (1))

### **Rights in relation to previous special numbers**

s 177 exp 1 July 2001 (s 178 (1))

### **Expiry of ch 8**

s 178 exp 1 July 2001 (s 178 (1))

### **Vehicle Standards**

sch 1 hdgs bracketed notes exp 17 September 2002 (s 5 (3))

### **General**

sch 1 pt 1.1 hdg note 2 sub SL2009-6 s 40

### **Object of sch 1**

sch 1 s 1.1 am A2005-20 amdt 3.393

**References in sch 1 to provisions**

sch 1 s 1.3 om A2005-20 amdt 3.394

**Additional requirements for taxis**

sch 1 div 1.5.3 hdg ins 2002 No 2 s 40

**Public passenger vehicles to have fire-extinguisher**

sch 1 s 1.60A ins 2002 No 2 s 40  
sub SL2003-32 s 25; SL2005-4 amdt 2.54; SL2005-39 s 34

**Warning signs for combinations over 22m long**

sch 1 s 1.65 am A2009-22 amdt 1.30

**Vehicle configuration and dimensions**

sch 1 pt 1.7 note am A2009-22 amdt 1.31

**Stationary noise levels—car-type vehicles and motorbikes and motortrikes**

sch 1 s 1.158 (3), (4) exp 1 January 2001 (s 1.158 (4))  
ss renum R10 LA

**Speed limiting**

sch 1 s 1.164 am SL2009-6 s 41

**Dictionary**

dict am Act 2002 No 30 amdt 3.783; A2004-28 amdt 3.64;  
A2009-49 amdt 3.171  
def **another jurisdiction** om R10 LA  
def **approved corresponding WOV** ins SL2002-31 s 30  
def **Australian Transport Council** om R10 LA  
def **authorised person** om R10 LA  
def **business address** ins A2009-49 amdt 3.172  
def **corresponding WOV** ins Act 2002 No 23 s 25  
om SL2002-31 s 31  
def **drive a vehicle** om R10 LA  
def **driver** om R10 LA  
def **emergency worker** sub A2005-20 amdt 3.395  
def **garage address** om R10 LA  
def **GVM** (or **gross vehicle mass**) om R10 LA  
def **heavy vehicle** om R10 LA  
def **home address** om R10 LA  
def **infringement notice** ins SL2003-32 s 27  
def **inspector** om R10 LA  
def **jurisdiction** om R10 LA  
def **motor vehicle** om R10 LA  
def **operator** ins SL2005-4 amdt 2.55  
def **public passenger vehicle** ins SL2005-39 s 35  
def **public vehicle** om 2001 Act No 27 amdt 4.35  
def **register** om R10 LA  
def **registered operator** om R10 LA  
def **registrable vehicle** om R10 LA

## Endnotes

### 5 Earlier republications

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def **registrable vehicles register** om R10 LA  
def **road** om R10 LA  
def **road related area** om R10 LA  
def **road tank vehicle** sub A2005-20 amdt 3.396; A2009-34  
amdt 1.8  
def **road transport authority** (or **authority**) om R10 LA  
def **seasonal vehicle** ins 2001 No 7 s 14  
def **taxi** sub 2002 No 2 s 40  
om SL2003-32 s 26  
def **the Act** om Act 2001 No 44 amdt 1.3825  
def **total loss** ins Act 2002 No 23 s 25  
def **trader's plate** om R10 LA  
def **trailer** om R10 LA  
def **unregistered vehicle permit** om R10 LA  
def **use** om R10 LA  
def **vehicle** om R10 LA  
def **vehicle identifier** ins Act 2002 No 23 s 25  
def **written-off** ins Act 2002 No 23 s 25  
def **written-off vehicles register** ins Act 2002 No 23 s 25

## 5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (\*) in column 1. Electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	not amended	1 March 2000
2	Act 2001 No 44	12 September 2001
3	SL 2002 No 2	1 March 2002
4	SL 2002 No 2	1 April 2002
5*	Act 2002 No 30	24 September 2002
6	SL2002-31	28 January 2003
7	SL2003-32	23 September 2003
8	A2004-28	1 July 2004

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<b>Republication No</b>	<b>Amendments to</b>	<b>Republication date</b>
9	SL2004-47	10 September 2004
10	SL2004-47	1 November 2004
11	SL2005-4	9 March 2005
12	A2005-20	2 June 2005
13*	SL2005-39	15 December 2005
14	A2006-26	2 July 2006
15	SL2006-59	1 January 2007
16	SL2007-2	25 January 2007
17	SL2008-16	18 April 2008
18	SL2008-30	8 July 2008
19	A2008-37	2 February 2009
20	SL2009-6	16 March 2009
21	A2009-16	5 July 2009

## Endnotes

5 Uncommenced amendments

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### 6 Uncommenced amendments

The following amendments have not been included in this republication because they were uncommenced at the republication date:

<p><b>Road Transport (Mass, Dimensions and Loading) Act 2009 A2009-22 sch 1 pt 1.13</b></p>
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## Part 1.13 Road Transport (Vehicle Registration) Regulation 2000

### [1.29] Section 163

*substitute*

#### 163 Application of the Road Transport (Mass, Dimensions and Loading) Act

- (1) A person or vehicle is exempted from a dimension limit or any other requirement of this regulation if the person or vehicle is exempted from the limit or requirement under the *Road Transport (Mass, Dimensions and Loading) Act 2009*.

*Note 1* A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any regulation (see Legislation Act, s 104).

*Note 2* The *Road Transport (Mass, Dimensions and Loading) Regulation 2000* exempts vehicles from requirements in this regulation.

- (2) A breach of this regulation is to be disregarded in a prosecution if it is to be disregarded under the *Road Transport (Mass, Dimensions and Loading) Act 2009*.

- (3) In this section:

***dimension limit*** means a provision of this regulation that limits or otherwise regulates the dimensions of a registrable vehicle (or a load or projection of the vehicle).

**[1.30] Schedule 1, section 1.65 (4)**

*substitute*

- (4) Subsections (1), (2) and (3) do not apply to the extent of any inconsistency with a notice or permit under the *Road Transport (Mass, Dimensions and Loading) Act 2009* that applies to the combination.

*Note 1* A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any regulation (see Legislation Act, s 104).

*Note 2* The *Road Transport (Mass, Dimensions and Loading) Regulation 2009* provides for notices and permits.

**[1.31] Schedule 1, part 1.7, note**

*omit*

*Road Transport (Dimensions and Mass) Act 1990*

*substitute*

*Road Transport (Mass, Dimensions and Loading) Act 2009*

**Dangerous Goods (Road Transport) Act 2009 A2009-34  
sch 1 pt 1.4**

## **Part 1.4 Road Transport (Vehicle Registration) Regulation 2000**

**[1.8] Dictionary, definition of *road tank vehicle* and note**

*substitute*

*road tank vehicle* has the same meaning as in the 7th edition of the *Australian Code for the Transport of Dangerous Goods by Road and Rail* published by the Commonwealth.

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