



Road Transport (Mass, Loading and Access) Amendment (Rear Overhang) Regulation 1999

under the
Roads Act 1993

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Roads Act 1993*.

CARL SCULLY, M.P.
Minister for Roads

Explanatory note

The object of this Regulation is to exempt the rear overhang of a heavy vehicle that complies with Regulation 118 of the *Motor Traffic Regulations 1935* (as in force on 1 July 1996) from the rear overhang requirements set out in clause 7 (2) of Schedule 1 to the *Road Transport (Mass, Loading and Access) Regulation 1996*.

This provision will be of a transitional nature and expire on 1 July 2005. It will also be limited in its application to heavy vehicles that have been continuously registered on and from 1 July 1996 and the registered operator of which has been the same since the commencement of this amendment.

This Regulation is made under the *Roads Act 1993*, including sections 264 (the general regulation-making power) and 264A.

1999 No 554

Clause 1 Road Transport (Mass, Loading and Access) Amendment (Rear Overhang) Regulation 1999

Road Transport (Mass, Loading and Access) Amendment (Rear Overhang) Regulation 1999

1 Name of Regulation

This Regulation is the *Road Transport (Mass, Loading and Access) Amendment (Rear Overhang) Regulation 1999*.

2 Amendment of Road Transport (Mass, Loading and Access) Regulation 1996

The *Road Transport (Mass, Loading and Access) Regulation 1996* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 2)

Schedule 1 Mass and loading requirements for heavy vehicles

Insert after clause 7 (3):

- (4) Subclause (2) does not apply to the rear overhang of an existing vehicle if:
 - (a) the vehicle is operated by a registered operator who, on and from the commencement of this subclause, has been continuously recorded as the registered operator of the vehicle under the *Road Transport (Vehicle Registration) Act 1997*, and
 - (b) the provisions of Regulation 118 (2) of the *Motor Traffic Regulations 1935* (as in force immediately before 1 July 1996) are complied with.
- (5) Subclause (4) ceases to have effect on 1 July 2005.
- (6) In this clause:
existing vehicle means a vehicle that:
 - (a) was registered under the *Traffic Act 1909* on or before 1 July 1996, and
 - (b) has been continuously registered (whether under that Act or the *Road Transport (Vehicle Registration) Act 1997*) since that date.

BY AUTHORITY