



New South Wales

# Road Transport (Vehicle Registration) Regulation 1998

under the

Road Transport (Vehicle Registration) Act 1997

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Vehicle Registration) Act 1997*.

CARL SCULLY. M.P.

Minister for Roads

## Explanatory note

The objects of this Regulation are as follows:

- (a) to establish a system for the registration of both light and heavy vehicles that is consistent with the uniform national road legislation envisaged by the *National Road Transport Commission Act 1991* of the Commonwealth, and
- (b) to provide for vehicle standards that are applicable to registrable vehicles and for their inspection by authorised persons.

The vehicle standards prescribed by Schedule 4 to the Regulation are (with only necessary drafting changes) substantially the same as those presently contained in Schedule F to the *Motor Traffic Regulations 1935*. In addition to those standards, Schedule 4 to the Regulation makes special provision for plant (clause 1) and for speed limiting devices for certain vehicles (clause 8.1 (4) of the Appendix to Part 6).

This Regulation is made under the *Road Transport (Vehicle Registration) Act 1997*, including sections 8 (1) and 14 (the general regulation-making power) and sections 15, 15A, 16, 23A and 27 (6) and (7) and clause 1 of Schedule 3.

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## Chapter 1 Preliminary

### 1 Name of Regulation

This Regulation is the *Road Transport (Vehicle Registration) Regulation 1998*.

### 2 Commencement

This Regulation commences on 29 June 1998.

### 3 Definitions

Expressions used in this Regulation (or in any particular provision of this Regulation) that are defined in the Dictionary at the end of the Regulation have the meanings set out in the Dictionary.

**Note.** The following expressions are defined in section 4 of the Act:

|                               |                             |
|-------------------------------|-----------------------------|
| Authority                     | registered operator         |
| defective registrable vehicle | registrable vehicle         |
| garage address                | residential address         |
| GCM (gross combination mass)  | road                        |
| GVM (gross vehicle mass)      | road related area           |
| heavy vehicle                 | trader's plate              |
| jurisdiction                  | trailer                     |
| light rail vehicle            | unregistered vehicle permit |
| motor vehicle                 | use                         |
| premises                      | vehicle                     |
| Register                      | vehicle standard            |
| registered                    |                             |

### 4 Application of Act and Regulation

Schedule 1 has effect.

### 5 Notes

The explanatory note, table of contents and notes in the text of this Regulation do not form part of this Regulation.

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| Clause 6  | Road Transport (Vehicle Registration) Regulation 1998 |
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| Part 1    | Eligibility for registration                          |

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## **Chapter 2 Registration process**

### **Part 1 Eligibility for registration**

#### **6 Registered operator of registrable vehicle**

- (1) A person is eligible to be a registered operator of a registrable vehicle if that person is:
  - (a) a natural person who has attained the requisite age, or
  - (b) a corporation.
- (2) Despite subclause (1), the Authority may record in the Register that a person is a registered operator of a registrable vehicle even though the person has not attained the requisite age if it is satisfied that it is appropriate to do so. Any such person is, for the purposes of this Regulation (including renewal of registration), taken to have been eligible to be a registered operator of the vehicle.
- (3) In this clause, *requisite age* means:
  - (a) in the case of a heavy vehicle—18 years of age, or
  - (b) in the case of a light vehicle—16 years of age.

#### **7 Eligible vehicles**

- (1) A registrable vehicle is eligible to be registered without conditions if:
  - (a) the vehicle complies with the applicable vehicle standards for the vehicle, and
  - (b) the requirements of any applicable third party insurance legislation and stamp duty legislation are complied with in respect of the vehicle, and
  - (c) the vehicle is owned by, or is under the management of, a person who is eligible to be a registered operator of the vehicle.

- (2) Despite subclause (1), the Authority may refuse to register a registrable vehicle if the Authority is satisfied that:
- (a) the vehicle has been registered in another State or a Territory, and
  - (b) the registration in that State or Territory has been cancelled or suspended, and
  - (c) the reasons for the cancellation or suspension still exist.

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## Part 2      Applications for registration

### 8 Who may apply for registration?

- (1) Application for registration of a registrable vehicle may be made by:
  - (a) a natural person who is eligible to be a registered operator of a registrable vehicle, or
  - (b) an agent of
    - (i) a natural person who is eligible to be a registered operator of that vehicle, or
    - (ii) a corporation.
- (2) If it appears to the Authority that an application for registration of a registrable vehicle is made by an agent, the Authority must not grant the application unless 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 natural person or corporation seeking registration as a registered operator.
- (3) If more than one natural person is seeking registration as a registered operator of the same light vehicle, any one of those persons may make an application under this clause on behalf of all the persons seeking registration if the Authority is satisfied that the person has the consent of the other persons to make the application on their behalf.
- (4) If more than one natural person or corporation is seeking registration as a registered operator of a light vehicle through an application made by an agent:
  - (a) only one agent can act on behalf of all of the natural persons or corporations seeking registration, and
  - (b) the agent must produce a document referred to in subclause (2) (b) from each of the natural persons or corporations.

**Note.** Clause 89 makes provision for the respective rights, liabilities and obligations of multiple registered operators of the one registrable vehicle.

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- (5) Nothing in this Regulation authorises more than one person to be recorded, or apply to be recorded, as a registered operator of a heavy vehicle.

## 9 Form of application

- (1) An application for registration of a registrable vehicle must be in a form approved by the Authority.
- (2) The Authority may require the applicant to provide to the Authority information about:
- (a) the identity and residential address of each natural person or corporation seeking registration (or on whose behalf an agent is seeking registration) as a registered operator of the registrable vehicle, and
  - (b) an address for the service of notices, and
  - (c) the proposed garage address of the vehicle, and
  - (d) fees, premiums, imposts and similar amounts relating to the vehicle under third party insurance legislation and stamp duty legislation that have been paid or that are payable, and
  - (e) any other matter relevant to the decision whether to register the vehicle or to record a natural person or corporation on the Register as a registered operator of the vehicle.

**Note.** Section 4 of the Act defines *residential address*, in relation to a company or other body corporate, to mean its registered office or any place recorded in the Register as its residential address or business address.

## 10 Supporting evidence

The Authority may request an applicant for registration of a registrable vehicle to submit evidence, in a form approved to the Authority, verifying:

- (a) the identity of any person seeking registration as a registered operator of the vehicle, and
- (b) the means by which the vehicle came into the ownership, or under the management, of that person, and
- (c) the proposed garage address of the vehicle, and

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| Clause 10 | Road Transport (Vehicle Registration) Regulation 1998 |
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- (d) that the vehicle complies with the applicable vehicle standards for the vehicle, and
- (e) the acceptability of non-standard or non-complying vehicles, and
- (f) any other information specified by the Authority in the application form.

### 11 Lodgment of application, supporting evidence and payment

- (1) An applicant for registration of a registrable vehicle must submit to the Authority:
  - (a) the application for registration, and
  - (b) any supporting evidence required by the Authority, and
  - (c) payment or evidence of payment of any applicable fees, premiums, imposts and similar amounts relating to the vehicle under third party insurance legislation and stamp duty legislation and the registration charge payable under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* and the applicable scheduled fee for registration of the vehicle.
- (2) In addition to any applicable scheduled fee for the registration of the vehicle, the applicant must also submit to the Authority payment of any applicable gazetted fee for the issue of number-plates.
- (3) An eligible pensioner is not required to pay any applicable scheduled fee or applicable gazetted fee for the registration of a vehicle or the issue of a number-plate.

### 12 Duration of registration

- (1) Subject to subclauses (2) (b) and (3):
  - (a) a heavy vehicle may be registered for any of the following periods:
    - (i) 3 months, or
    - (ii) 6 months, or
    - (iii) one year, and
  - (b) a light vehicle may be registered for one year.

- 
- (2) An applicant for registration of a registrable vehicle must:
    - (a) nominate an appropriate period specified in subclause (1), or
    - (b) if seeking to register a seasonal vehicle—nominate the period for which registration is sought.
  - (3) An applicant may nominate, and the Authority may approve, a different period of registration for any heavy vehicle or light vehicle than that referred to in subclause (1) if:
    - (a) the Authority considers that it is necessary to do so to achieve a common registration expiry date for vehicles in a fleet, or
    - (b) the Authority considers it appropriate to do so in the circumstances.

### 13 Determination of applications

- (1) The Authority may refuse an application for registration of a registrable vehicle if:
  - (a) the vehicle is not an eligible vehicle, or
  - (b) a provision of this Regulation prevents approval of the application, or
  - (c) the applicant has not complied with a provision of the Act or this Regulation in relation to the registration of the vehicle (including any requirement to submit or pay any fee), or
  - (d) the Authority reasonably believes that:
    - (i) the vehicle or a part of the vehicle is or may be stolen, or
    - (ii) information given in the application for registration is false or misleading, or
    - (iii) there are unpaid fines or pecuniary penalties arising out of the use of the vehicle in Australia, or
    - (iv) the vehicle is being used for an unlawful purpose, or
  - (e) the Authority is not satisfied that the vehicle's garage address is in this State, or

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| Clause 13 | Road Transport (Vehicle Registration) Regulation 1998 |
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- (f) the applicant fails to comply with the requirements of or under a law in force in this State relating to certificates of roadworthiness for, or inspection of, registrable vehicles, or
  - (g) the Authority is, for any reason whatever, of the opinion that the applicant is not a fit and proper person to be the holder of the registration for the vehicle.
- (2) If the Authority approves an application, it must register the registrable vehicle in the name of each person seeking registration (or on whose behalf registration is sought) as a registered operator.

### 14 Conditional registration

- (1) The Authority may register a registrable vehicle conditionally if:
  - (a) the vehicle does not comply with an applicable vehicle standard for the vehicle, or
  - (b) the Authority considers it appropriate for some other reason to register the vehicle conditionally.
- (2) The Authority may refuse to register a registrable vehicle conditionally under subclause (1) (a) if the vehicle does not bear an operations plate or identification plate relating to the vehicle, or a certificate of approved operations has not been issued or accepted by the Authority in respect of the vehicle.
- (3) In determining the conditions to be imposed on the registration of a registrable vehicle that does not comply with an applicable vehicle standard for the vehicle, the Authority must take into account the nature and extent of any failure of the vehicle to meet the requirements of the applicable vehicle standards for the vehicle.
- (4) The Authority may at any time vary any conditions that it imposes on the registration of a registrable vehicle.
- (5) The Authority must notify a registered operator in writing of the conditions, or any variation of the conditions, applicable to the conditional registration of a registrable vehicle. Any such Conditions or variation of conditions have effect only on the notification of the registered operator.



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## Part 3 The Register

### 15 Maintenance of the Register

- (1) **General matters to be recorded in respect of vehicle**  
if the Authority registers a registrable vehicle it must record in the Register, in respect of the vehicle:
- (a) the name of the person who owns or manages the vehicle, and
  - (b) the identification details of the vehicle, and
  - (c) the vehicle's garage address, and
  - (d) each registered operator's name, residential address, and the 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 to the vehicle concerned), and
  - (h) the vehicle's GCM (if applicable to the vehicle concerned), and
  - (i) in the case of a heavy vehicle—the vehicle's nominated configuration, and
  - (j) the name, if appropriate, of any insurer providing third party insurance in respect of the vehicle.

**Note.** Section 4 of the Act defines *residential address*, in relation to a company or other body corporate, to mean its registered office or any place recorded in the Register as its residential address or business address.

- (2) **Other matters that may be recorded**  
The Authority may record in the Register other information for:
- (a) the purposes of the Act and this Regulation, or
  - (b) the purposes of another Act, or
  - (c) other purposes that the Authority considers to be appropriate.

**Note.** See, for example, clauses 44 (5) and 78 (1).

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| Clause 45 | Road Transport (Vehicle Registration) Regulation 1998 |
| Chapter 2 | Registration process                                  |
| Part 3    | The Register  |

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- (3) **Changes in description or configuration to be recorded**  
The Authority must record in the Register any change in the registrable vehicle's description or nominated configuration that is recorded in the Register of which it has been notified under the Act, the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* or this Regulation unless the Authority is satisfied that the information is false.
- (4) **Evidence may be required to verify description and configuration changes**  
The Authority may require evidence in a form acceptable to the Authority verifying that the changes notified under subclause (3) are correct.
- (5) **Register to record information over previous 24 months**  
The Authority must ensure that the Register contains details of all registrable vehicles that are currently registered, or that have been registered within the previous 24 months.
- (6) **Requests for Register searches**  
A registered operator of a registrable vehicle is entitled to request a search of the Register, and to obtain a certificate as to any matter appearing in the Register, in respect of the vehicle, on payment of any applicable gazetted fee for the search.
- (7) **Register information subject to Information Privacy Principles**  
A request for information about the particulars of a registrable vehicle, or a registered operator or former registered operator, of a registrable vehicle, must be treated by the Authority in accordance with the Information Privacy Principles in section 14 of the *Privacy Act 1988* of the Commonwealth.
- (8) **How Information Privacy Principles apply**  
For the purposes of the application of the Information Privacy Principles to a request for information referred to in subclause (7):

  - (a) the information requested is taken to be personal information, and
  - (b) the Authority is taken to be the collector of the information in relation to information it collects and a record-keeper in relation to records of information in its possession or control.

- 
- (9) **Recording of dealing restrictions**  
Without limiting subclause (2), the Authority may also record in the Register information for the purpose of identifying a dealing restriction with respect to a registrable vehicle.
- (10) **Effect of recorded dealing restrictions**  
Despite any other provision of this Regulation, if a dealing with respect to a registrable vehicle contravenes a dealing restriction recorded in the Register in respect of the vehicle, the Authority may:
- (a) if the dealing requires the approval of the Authority—  
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 of the Authority in connection with that dealing.
- (11) **Definitions**  
In this clause:
- dealing*, in relation to a registrable vehicle, means:
- (a) the registration of the vehicle, or
  - (b) the renewal of the registration of the vehicle, or
  - (c) the transfer of the registration of the vehicle.
- dealing restriction*, in relation to a registrable vehicle, means any restriction on a dealing with respect to the vehicle that the Authority has determined should apply to the vehicle.

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| Clause 16 | Road Transport (Vehicle Registration) Regulation 1998 |
| Chapter 2 | Registration process                                  |
| Part 4    | Registration documents                                |

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## Part 4 Registration documents

### 16 Certificates of registration

- (1) If the Authority registers a registrable vehicle, the Authority must issue to the applicant a certificate of registration for the vehicle that includes:
  - (a) the name of each registered operator, and
  - (b) the address (if any) for the service of notices on a registered operator of the vehicle, and
  - (c) the garage address of the vehicle, and
  - (d) the registration number of the vehicle, and
  - (e) the make of the vehicle, and
  - (f) the vehicle's VIN or, if there is no VIN, any chassis number and engine number of the vehicle, and
  - (g) the vehicle's GVM (if applicable to the vehicle concerned), and
  - (h) the vehicle's GCM (if applicable to the vehicle concerned), and
  - (i) in the case of a heavy vehicle—the applicable charging category for the vehicle under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995*, and
  - (j) in the case of a light vehicle—the applicable motor vehicle tax for the vehicle under the *Motor Vehicles Taxation Act 1988*, and
  - (k) the expiry date of the registration, and
  - (l) if the vehicle is conditionally registered—the conditions to which registration of the vehicle is subject.
- (2) The Authority may also include in a certificate of registration such other information as the Authority considers is appropriate.
- (3) On payment of any applicable gazetted fee, the Authority may issue a replacement certificate of registration to the person in whose name the certificate was issued if the Authority is satisfied that the original certificate is lost, stolen, damaged or destroyed.

- 
- (4) A certificate of registration and any renewal of such a certificate issued under this Chapter is to bear the imprint of the Authority's cash register or such other endorsement as may be approved by the Authority recording the payment of any fee or other money payable under the Act or any other Act or this Regulation in connection with the registration or renewal.

## 17 Registration labels

- (1) If the Authority registers a registrable vehicle it must issue a registration label.
- (2) A registration label:
- (a) issued in respect of a motor vehicle (other than a motor vehicle referred to in paragraph (b)) must include:
    - (i) the registration number of the vehicle, and
    - (ii) its make, and
    - (iii) its model or body type (whichever is the more descriptive), and
    - (iv) its VIN or, if there is no VIN, any chassis number and engine number, and
    - (v) the expiry date of the vehicle's registration, and
    - (vi) if the vehicle is conditionally registered—the conditions to which registration of the vehicle is subject, in coded form, and
    - (vii) the vehicle's GVM (if applicable to the vehicle concerned), and
    - (viii) the vehicle's GCM (if applicable to the vehicle concerned), and
    - (ix) if the vehicle is a heavy vehicle—the applicable charging category for the vehicle under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* in coded form, or

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- (b) issued in respect of a trailer or a motor vehicle without a windscreen or fixed windows must be in a form approved by the Authority.

**Note.** In relation to subclause (2) (a) (vi), a list of codes will be available from the Authority.

A registered operator will receive full written explanation of the conditions applying to the vehicle when the registration label is issued.

- (3) A registration label must be affixed:
  - (a) in the case of a motor vehicle fitted with a windscreen or fixed windows:
    - (i) to the lower left (or near side) portion of the front windscreen, or
    - (ii) to any fixed window on the left (or near) side of the vehicle, and
  - (b) in the case of a trailer—on or adjacent to the vehicle's number-plate in such a manner that the characters on the number-plate are not obscured, and
  - (c) in any other case—on or adjacent to the vehicle's rear number-plate in such a manner that the characters on the number-plate are not obscured.
- (4) Despite subclause (3), the registration label must be affixed so that the information on the label is readable from the outside of the vehicle.
- (5) Despite subclause (1), the Authority is not required to issue a registration label in respect of a registrable vehicle that is operated by a State or Territory or the Commonwealth or by an authority of a State or Territory or the Commonwealth.
- (6) If necessary, and on payment of any applicable gazetted fee, the Authority may issue a registration label to the person in whose name a registrable vehicle is registered to replace a registration label that has been lost, stolen, damaged or destroyed.

## Part 5 Number-plates

### Division 1 Interpretation

#### 18 Definitions

In this Part:

*number* includes a letter of the alphabet.

*plate holder*, in relation to a number-plate, means:

- (a) in the case of a trader's plate—the trader to whom the trader's plate has been issued, or
- (b) in the case of any other number-plate—each registered operator of the registrable vehicle in respect of which the number-plate has been issued.

*vehicle number-plate* means a number-plate other than a bicycle-rack number-plate.

#### 19 Application of Part to trader's plates

This Part (except Division 5) does not apply to trader's plates.

**Note.** Part 2 of Chapter 4 provides for the issue and use of trader's plates.

### Division 2 Issue of number-plates

#### 20 Number-plates generally

- (1) If the Authority registers a registrable vehicle it must assign a distinguishing registration number to the vehicle.
- (2) The Authority must issue:
  - (a) for each motor vehicle registered by the Authority (other than a motor vehicle referred to in paragraph (b) or (c))—2 vehicle number-plates bearing the registration number assigned to that motor vehicle, and

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- (b) for each motor cycle or trailer registered by the Authority—at least one vehicle number-plate bearing the registration number assigned to that motor cycle or trailer, and
  - (c) for each other registrable vehicle registered by the Authority—such number of vehicle number-plates as the Authority considers appropriate.
- (3) A vehicle number-plate is to conform to such specifications as the Authority may require and must display:
- (a) the matter “NSW” and such words (if any) as the Authority may determine with the approval of the Minister, or
  - (b) the words “New South Wales” and such other words (if any) as the Authority may determine with the approval of the Minister.

### 21 Special number-plates

- (1) The Authority may enter into an agreement with a registered operator of a registrable vehicle that enables the registered operator to use special number-plates, but only if that agreement is not inconsistent with this Regulation.

**Note.** A *special number-plate* is defined in the Dictionary to mean a number-plate with a number that is comprised of:

- (a) one to 6 letters only, or
  - (b) one to 6 numbers only, or
  - (c) a combination of one or more letters with one or more numbers, being a combination that does not exceed 6 letters and numbers, and:
    - (i) that is not routinely issued by the Authority, or
    - (ii) that the Authority has determined should be treated as a special number.
- (2) If a registrable vehicle has more than one registered operator, the Authority may enter into an agreement referred to in subclause (1) only if each registered operator is a party to the agreement.



- (3) Any such agreement:
  - (a) may enable any registered operator to use the number-plates for a period or indefinitely, subject to the payment of any applicable gazetted fee for the use of that class of number-plate, and
  - (b) may authorise a registered operator to sell the right to use the number-plates, and
  - (c) is subject to clause 23.
- (4) If the Authority enters into such an agreement, it may issue number-plates for that vehicle in accordance with the agreement on payment of any applicable gazetted fee for the issue of the number-plates.

## **22 Bicycle rack number-plates**

- (1) A registered operator of a motor vehicle (other than a motor cycle or a motor tricycle) may apply for a bicycle rack number-plate.
- (2) On receipt of such an application and the payment of any applicable gazetted fee, the Authority may issue, in addition to the vehicle number-plates issued under clause 20, a bicycle rack number-plate having the distinguishing number of the registration of the registrable vehicle on which the number-plate is, by means of the bicycle rack, to be placed.
- (3) A bicycle rack number-plate issued under this clause is to conform to such specifications as the Authority may determine and must display:
  - (a) the matter “NSW” and “bike rack” and such other words as the Authority may determine with the approval of the Minister, or
  - (b) the words “New South Wales” and “bike rack” and such other words as the Authority may determine with the approval of the Minister.
- (4) For the purposes of this Regulation:
  - (a) a bicycle rack number-plate issued under this Regulation is taken to be issued for use on a motor vehicle, and

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- (b) a bicycle rack number-plate displayed, in accordance with this Regulation, on a bicycle rack on a motor vehicle is taken to be placed on the motor vehicle concerned, and
- (c) in determining whether a bicycle rack number-plate has the same number as a vehicle number-plate issued under this Regulation, the following are to be disregarded:
  - (i) any words and matter displayed on the vehicle number-plate as required by clause 20 (3),
  - (ii) the words “NSW–THE PREMIER STATE” (if displayed on the vehicle number-plate),
  - (iii) the words and matter displayed on the bicycle rack number-plate as required by subclause (3).
- (5) A bicycle rack number-plate displayed on a motor vehicle must be illuminated, at all times when the vehicle is driven between the hours of sunset and sunrise, with a white light so as to render visible at a distance of 20 metres each number on the plate.

### 23 Authority may alter distinguishing number of registration

- (1) The Authority may at any time alter the distinguishing number of the registration of a registrable vehicle.
- (2) Without limiting subclause (1), the Authority may alter the distinguishing number of a registrable vehicle if:
  - (a) the distinguishing number comprises one to 6 numbers only, and
  - (b) a registered operator of the vehicle is a corporation, and
  - (c) the Authority is satisfied that a significant change in the ownership or control of the corporation has occurred since that distinguishing number was allocated to that vehicle.
- (3) On altering the distinguishing number of the registration of a registrable vehicle under this clause. the Authority must give written notice to each registered operator of the vehicle requiring the registered operator to return to the Authority, within such period as is specified in the notice, any vehicle number-plate issued under this Regulation in respect of the vehicle.

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- (4) A registered operator of a registrable vehicle must comply with any notice given to the registered operator under subclause (3).  
Maximum penalty (subclause (4)): 20 penalty units.
- (5) On receipt of a vehicle number-plate returned in accordance with the requirements of a notice referred to in subclause (3) (and, if a bicycle rack number-plate is also returned, on receipt of that number-plate), the Authority is to issue to a registered operator of the registrable vehicle concerned a replacement number-plate bearing the distinguishing number, as altered, of the registration of the vehicle for each number-plate that is returned.

### **Division 3 Use of number-plates**

#### **24 Display of number-plates**

- (1) Unless otherwise approved by the Authority, a registered operator of a registered registrable vehicle must ensure that a vehicle number-plate issued by the Authority for the vehicle is permanently affixed to the vehicle so that (assuming the vehicle to be on level ground):
- (a) the number-plate is at all times:
    - (i) in an upright position that is substantially parallel to the vehicle's axles, and
    - (ii) not more than 1.3 metres above ground level, and
  - (b) the numbers on the number-plate are clearly visible from a distance of 20 metres at any point within an arc of 45 degrees from the surface of the number-plate above or to either side of the vehicle, as shown in figures 1 and 2 of diagram 1 (in relation to heavy vehicles) and figures 1 and 2 of diagram 2 (in relation to light vehicles), and
  - (c) any cover on the number-plate:
    - (i) is clear, clean, untinted and flat over its entire surface, and
    - (ii) has no reflective or other characteristics that would prevent the successful operation of a device approved for use under a law relating to the detection of traffic offences, and

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- (d) in the case of a motor vehicle—one number-plate is affixed to the front of the vehicle and another to its rear, and
- (e) in the case of a motor cycle or trailer—at least one number-plate is affixed to its rear.

**DIAGRAM 1—HEAVY VEHICLES**

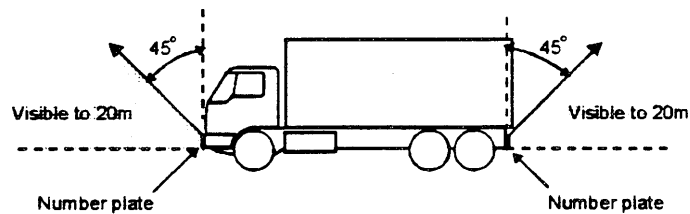


Figure 1

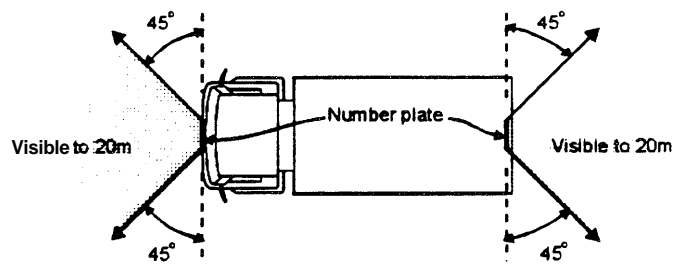


Figure 2

## DIAGRAM 2—LIGHT VEHICLES

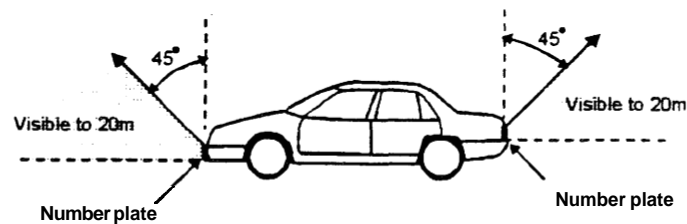


Figure 1

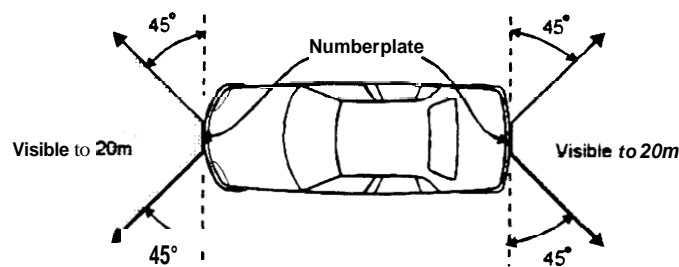


Figure 2

- (2) Subclause (1) (a), (b), (d) and (e) do not apply to a vehicle number-plate of a registrable vehicle if:
- (a) due to the construction of the vehicle it is not practicable to comply with those paragraphs, and
  - (b) the number-plate is affixed in a manner that complies so far as practicable with those paragraphs.

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- (3) Subclause (1) (b) does not apply to the rear vehicle number-plate of a registrable vehicle if:
- (a) the rear number-plate 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 number-plate in accordance with subclause (1) or, when the towed vehicle is not required to display a rear number-plate, the registration number of the registrable vehicle is displayed at the rear of the towed vehicle in a manner that complies so far as practicable with subclause (1).

### **Division 4 Transfer, exchange, reservation and interchange of number-plates**

#### **25 Reservation and interchange of number-plates**

- (1) The Authority may approve the reservation of any number-plate in respect of a registrable vehicle, subject to the payment of any applicable gazetted fee for each 12 month period (or part of that period in excess of 21 days) that the number-plate is to be held.
- (2) On the payment of any applicable gazetted fee, the Authority may approve the interchange between registrable vehicles of vehicle number-plates issued under this Regulation.

#### **26 Transfer of number-plate to another vehicle**

The Authority may transfer a vehicle number-plate of a registrable vehicle to another registrable vehicle if:

- (a) the registration of the registrable vehicle from which the number-plate is to be transferred was cancelled following an application under clause 41 for the surrender of the registration, and
- (b) where the vehicle has one registered operator—the same person is (or is to be) the registered operator of the registrable vehicle to which the number-plate is to be transferred, and

- 
- (c) where the vehicle has more than one registered operator—the Authority is satisfied that each operator who is living consents to the transfer, and
  - (d) where the vehicle from which the number-plate is to be transferred has more than one registered operator—the Authority is satisfied that all the registered operators have consented to the transfer, and
  - (e) the Authority is paid any applicable gazetted fee for the transfer.

**27 Exchange of number-plates**

If a registered operator of a registered vehicle surrenders a vehicle number-plate to the Authority, the Authority may issue another set of vehicle number-plates with a different number from the number of the surrendered number-plate subject to the payment of any applicable gazetted fee for that issue.

**Division 5 Damaged, destroyed or missing number-plates****28 Damaged number-plates**

- (1) If any number-plate issued under this Regulation becomes damaged, a plate holder must, as soon as is practicable:
  - (a) notify the Authority of the fact of such damage, and
  - (b) surrender to the Authority the number-plate and, unless otherwise approved by the Authority, any other number-plate with the same number issued under this Regulation.

Maximum penalty: 20 penalty units.

- (2) The Authority may request a plate holder to pay any applicable gazetted fee for replacing a damaged number-plate.
- (3) On the application of a plate holder who has surrendered vehicle number-plates under this clause, the Authority may issue replacement vehicle number-plates having the same number as the surrendered number-plates on payment of any applicable gazetted fee for the issue.

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- (4) If a bicycle rack number-plate is surrendered under this Regulation, the plate holder may apply for, and the Authority may issue, a new bicycle rack number-plate with the same number as the surrendered bicycle rack number-plate on payment of any applicable gazetted fee for the issue.

### 29 Lost, stolen or destroyed number-plates

- (1) If any vehicle number-plate issued under this Regulation is lost, stolen or destroyed, a plate holder must, as soon as is practicable after discovering the loss, theft or destruction:
- (a) give written notification of the loss, theft or destruction to the Authority, and
  - (b) deliver to the Authority any other number-plate (including a bicycle rack number-plate) with the same number issued under this Regulation unless it too has been lost, stolen or destroyed.

Maximum penalty: 20 penalty units.

- (2) If a bicycle rack number-plate is lost, stolen or destroyed, the plate holder must, as soon as practicable after discovering the loss, theft or destruction, notify the Authority in writing accordingly.

Maximum penalty: 20 penalty units.

- (3) The Authority may request any such plate holder:
- (a) to forward evidence, in a form acceptable to the Authority, verifying the loss, theft or destruction of the number-plate and stating the circumstances connected with it, and
  - (b) if a vehicle number-plate is lost or destroyed—to pay any applicable gazetted fee for that loss or destruction.
- (4) If a number-plate is lost, stolen or destroyed or is delivered to the Authority by the plate holder under subclause (1) (b), the Authority may issue a new number-plate with a number different from the number-plate it replaces on payment of any applicable gazetted fee for the issue.



**30 Recovery of lost or stolen number-plates**

- (1) A person who recovers a lost or stolen number-plate must, as soon as is practicable after recovering the number-plate, give notification of the recovery to the Authority and, unless otherwise directed by the Authority, must also deliver the recovered number-plate to the Authority.

Maximum penalty: 20 penalty units.

- (2) In this clause:

*lost* includes mislaid or unable to be found for any reason.

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| Clause 31 | Road Transport (Vehicle Registration) Regulation 1998 |
| Chapter 2 | Registration process                                  |
| Part 6    | Renewal of registration                               |

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## Part 6 Renewal of registration

### 31 Notice for renewal of registration

- (1) A notice of renewal of registration is a notice:
  - (a) addressed to a registered operator of a vehicle, and
  - (b) stating that, if registration of a registrable vehicle is not renewed on or before a specified date, the registration of the vehicle will expire.
- (2) If the Authority fails to send a notice of renewal, that failure does not affect:
  - (a) the expiry of the vehicle's registration, or
  - (b) the obligation of a registered operator to renew the registration of a vehicle that the operator intends to be used on a road or road related area after the expiry of its existing registration.

### 32 Renewal of registration

- (1) A registered operator may apply for renewal of the registration of a registrable vehicle by submitting to the Authority:
  - (a) an application for renewal of registration in the form approved by the Authority, and
  - (b) the amount of the registration charge payable under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* and the applicable scheduled fee for renewal of registration for the relevant period, and
  - (c) payment or evidence of payment of any applicable third party insurance premium required by third party insurance legislation in respect of the vehicle.
- (2) An applicant for renewal of registration of a registrable vehicle must:
  - (a) if seeking to register the vehicle for a period that differs from the current registration period—nominate a period specified in clause 12 (1), or
  - (b) if seeking to register the vehicle for a period referred to in clause 12 (2) to which paragraph (a) does not apply—nominate the period for which registration is sought.

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- (3) The registration of a registrable vehicle may be renewed:
- (a) not more than 3 months after the expiry of registration of the vehicle, or
  - (b) in the case of a period nominated under subclause (2) (b)—not more than 12 months after the expiry of registration of the vehicle.
- (4) The expiry date of a renewed period of registration must be calculated as if the renewal had commenced:
- (a) on the day after the day recorded in the register as the expiry date of the period of the registration being renewed, or
  - (b) in the case of a registrable vehicle nominated under subclause (2) (b)—on the first day of the nominated period.
- (5) Subclauses (3) and (4) do not have the effect of retrospectively registering a registrable vehicle.
- (6) Subject to subclause (7), the Authority must renew the registration of a registrable vehicle.
- (7) The Authority may refuse to renew the registration of a registrable vehicle if the circumstances are such that if an initial application for registration of the vehicle were being made the Authority would refuse the application under clause 13 (1).
- (8) If:
- (a) the period during which the registration of a registrable vehicle may be renewed has expired, and
  - (b) the registration of the vehicle has not been renewed, and
  - (c) the Authority requests by written notice the registered operator of the vehicle to return the number-plates of the vehicle.

the operator must return the number-plates to the Authority within 14 days of the date specified in the notice.

Maximum penalty (subclause (8)): 20 penalty units.

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Clause 33            Road Transport (Vehicle Registration) Regulation 1998  
Chapter 3            Alteration of registration status  
Part 1                General obligations of registered operators

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## **Chapter 3        Alteration of registration status**

### **Part 1        General obligations of registered operators**

#### **33 Obligations of registered operators**

- (1) Any registered operator of a registered vehicle must notify the Authority, in a form approved by the Authority, not more than 14 days after a change in:
  - (a) the vehicle's garage address, or
  - (b) any operator's name, residential address or address for service of notices.

**Note.** Section 4 of the Act defines *residential address*, in relation to a company or other body corporate, to mean its registered office or any place recorded in the Register as its residential address or business address.

- (2) A registered operator of a heavy vehicle that has been:
  - (a) destroyed or declared by the operator to be a write-off, or
  - (b) declared by an insurer to be a write-off,

must cause notification of those matters to be given to the Authority not more than 14 days after their occurrence.

- (3) If any change is made to a registrable vehicle that:
  - (a) affects its description as described on the certificate of registration for the vehicle in accordance with clause 16 (1) (e)–(h), or
  - (b) would incur liability for an additional charge under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* or the *Motor Vehicles Taxation Act 1988*,

a registered operator must ensure that the vehicle is not used until after:

- (c) the Authority has been notified of the change, and
- (d) any additional fee or charge attributable to the change has been paid.

- (4) A registered operator is not required to comply with subclause (3) (a) if the operator has already provided that information under section 20 of the *Road Transport (Heavy Vehicles Registration Charges) Act 1995*.
- (5) A registered operator of a registrable vehicle must present the vehicle for inspection or testing in accordance with reasonable notice in writing served on the operator by the Authority.
- (6) A registered operator of a registrable vehicle must provide any information reasonably required by the Authority to demonstrate that the garage address recorded in the Register is the vehicle's actual garage address.

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Clause 34      Road Transport (Vehicle Registration) Regulation 1998  
Chapter 3      Alteration of registration status  
Part 2          Transfer of registration

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**Part 2      Transfer of registration**

**34 Obligations of disposers: provision of inspection reports**

- (1) This clause applies only to an examinable vehicle that is not:
  - (a) a public passenger vehicle, or
  - (b) a vehicle for which a person is exempted by the Authority from submitting an inspection report with an application for registration or renewal of registration.
- (2) A person who offers an examinable vehicle for sale to another person must, before or when the other person is shown the vehicle:
  - (a) give an inspection report for the vehicle to the other person, being a report issued within the last month, or
  - (b) make the report available to the other person, so that the report may be read by the other person.

Maximum penalty (subclause (2)): 20 penalty units.

- (3) A person who sells an examinable vehicle (whether as an agent or the principal) must give the purchaser, for retention by the purchaser, before or when the purchaser takes possession of the vehicle, the inspection report referred to in subclause (2).

Maximum penalty (subclause (3)): 20 penalty units.

- (4) The following persons are exempted from this clause:
  - (a) any person, in respect of an offer to sell or the sale of an examinable vehicle that has been, within the last month before the offer or the sale, registered for the first time or the registration of which has been renewed within that month in accordance with this clause,
  - (b) any person, in respect of an offer to sell or the sale of an examinable vehicle:
    - (i) to a dealer, or
    - (ii) at an auction conducted in accordance with section 23B or 23C of the *Motor Dealers Act 1974*, or
    - (iii) to a vehicle-wrecker, or a motor vehicle parts reconstructor, licensed under the *Motor Dealers Act 1974* for the purpose of the vehicle's being demolished or dismantled,

- 
- (c) a dealer, in respect of an offer to sell or the sale by the dealer, in the capacity of a dealer, of an examinable vehicle,
  - (d) a dealer, in respect of an offer to sell or the sale by the vehicle-wrecker, in the capacity of a vehicle-wrecker, of an examinable vehicle that is substantially demolished or dismantled.

(5) In this Regulation:

*examinable vehicle* means any one of the following registrable vehicles:

- (a) motor cars,
- (b) station waggons,
- (c) motor cycles.
- (d) trailers having an unladen weight of less than 1.02 tonnes,
- (e) motor lorries having a GVM of 4.5 tonnes or less,
- (f) any other motor vehicles having a GVM of 4.5 tonnes or less and to which number-plates are attached.

### 35 Obligations of disposers

- (1) A person, or the agent of a person, who disposes of a registered registrable vehicle must, immediately after disposing of the vehicle:
  - (a) complete an application for transfer of registration as disposer in the form approved for that purpose by the Authority and sign it, and
  - (b) give the completed form to the acquirer.
- (2) If the person or agent is a dealer, the person or agent must also, immediately after disposing of the vehicle, notify the Authority of the following:
  - (a) the full names and addresses of the following persons:
    - (i) if the dealer is an agent for another person—the person on whose behalf such vehicle has been disposed of.
    - (ii) the person who has acquired the vehicle.

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- (b) the date of the disposal,
  - (c) the number of any number-plate issued under this Regulation for use on the vehicle.
- (3) This clause and clause 36 do not apply to a passing of possession of a registrable vehicle:
  - (a) under any hiring (not being a hiring under a hire-purchase agreement) or under any lending (not being a lending under a lease agreement) of a registrable vehicle, or
  - (b) to an agent for the purposes of sale or disposal, or to a bailee for the purpose of alteration, repair, renovation, garaging, storing or any other similar purpose not involving the use of the vehicle for the benefit of the bailee.

### 36 Obligations of acquirers

- (1) A person who acquires, or the agent of a person who acquires, a registered registrable vehicle must, as soon as practicable after acquiring the vehicle:
  - (a) complete as the acquirer the form obtained from the disposer as referred to in clause 35 to the extent indicated on the form and sign it, and
  - (b) not more than 14 days after acquiring the vehicle, lodge the completed and signed application with the Authority accompanied by any duty payable under applicable stamp duty legislation and the applicable scheduled fee for transfer of registration of the vehicle.
- (2) Clause 35 and subclause (1) do not apply in relation to a registrable vehicle acquired in accordance with an order of a court in Australia or other legal process.
- (3) If a registered vehicle is acquired in accordance with an order of a court in Australia or other legal process, the person or the agent of the person who acquires the vehicle must:
  - (a) obtain a form of notification of the court order or other legal process and complete the form as the acquirer to the extent indicated on the form and sign it, and



- 
- (b) not more than 14 days after acquiring the vehicle, lodge the completed and signed application with the Authority accompanied by any duty payable under applicable stamp duty legislation and the applicable scheduled fee (if any) for transfer of registration of the vehicle.
  - (4) If the applicable scheduled fee referred to in subclause (1) is expressed, in Schedule 2, to include an additional amount payable by reason of the making of the application after a date or period, the Authority may in a particular case exempt an applicant from liability to pay that additional amount if the Authority is satisfied there is sufficient cause for doing so.

### **37 Repossession and restoration**

- (1) The holder of a security interest in a registered registrable vehicle must notify the Authority, and apply for transfer of the vehicle, not more than 14 days after:
  - (a) taking possession of the vehicle from a registered operator, or
  - (b) returning possession of the vehicle to a registered operator,
- (2) Notification of taking or returning possession must be in a form approved by the Authority.
- (3) An application for transfer after taking or returning possession of a registered registrable vehicle must be:
  - (a) in a form approved by the Authority for the purpose, and
  - (b) accompanied by the applicable scheduled fee for transfer of registration of the vehicle.

### **38 Registration of the transfer of vehicles and functions of the Authority**

- (1) The Authority may refuse to register the transfer of registration of a registrable vehicle if
  - (a) the registrable vehicle is the subject of a vehicle defect notice that:
    - (i) prohibits use of the vehicle or imposes conditions on the use of the vehicle, and
    - (ii) has not been cleared in accordance with clause 78 (4), or

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- (b) the vehicle is registered on condition that it not be transferred, or
  - (c) the requirements of this Regulation relating to transfer of registration have not been complied with, or
  - (d) the Authority reasonably believes that the ownership, possession, control or description of the vehicle is uncertain, or
  - (e) the person disposing of, or the person acquiring the registrable vehicle, fails to comply with the requirements of a law in force in this State relating to certificates of roadworthiness for, or inspection of, registrable vehicles, or
  - (f) the Authority would refuse an application to register the vehicle under clause 13 (1), or
  - (g) information required to be furnished to the Authority under clause 89 (3) has not been furnished to the Authority, or
  - (h) the Authority is for any reason of the opinion that the person to whom the registration is proposed to be transferred is not a fit and proper person to be a registered operator of the vehicle, or
  - (i) the vehicle has more than one registered operator—the Authority is not satisfied that each registered operator consents to the transfer, or
  - (j) the Authority is satisfied that the effective management of the vehicle has not changed.
- (2) If a set of 2 special number-plates issued in respect of the registration of a registrable vehicle is a set of number-plates for which a fee is payable under clause 21, the Authority may also refuse to transfer the registration of the vehicle until:
- (a) the distinguishing number of the registration has been altered under clause 23, and
  - (b) the number-plates have been surrendered to the Authority.
- (3) The Authority must refuse to register a transfer of registration of a registrable vehicle if an order of a court in Australia prohibits the transfer of registration of the vehicle, and the Authority has been notified of the order.

- (4) The Authority may register the transfer of a registrable vehicle, despite the failure of one of the parties to the transfer to meet a requirement of this Regulation relating to the transfer of registrable vehicles, if the Authority considers it appropriate to do so in the circumstances.
- (5) If the Authority is advised by a registered operator of a registrable vehicle that the vehicle has been disposed of, the Authority may make an entry in the Register to that effect pending the receipt of the application for transfer.
- (6) If the Authority registers a transfer of a registrable vehicle it must issue a new certificate of registration, make an endorsement on the certificate of registration or issue a form of transfer of registration to the person acquiring the vehicle.
- (7) The Authority may, subject to any condition that it thinks fit, exempt any person or class of persons from all or any provisions of this Part (other than this subclause).

### **39 Transfer on death of registered operator**

- (1) On notification of the death of a registered operator of a registrable vehicle, the Authority may transfer the registration to any person who applies to the Authority for the transfer if:
  - (a) the person proves to the satisfaction of the Authority that the person is reasonably entitled to the transfer, and
  - (b) in the case of a vehicle that has more than one registered operator—the Authority is satisfied that the remaining registered operator consents to the transfer, and
  - (c) the certificate of registration for the vehicle is surrendered to the Authority, and
  - (d) the applicable scheduled fee for the transfer is paid and, in the case of a special number-plate, such fees as are fixed by the Authority as are applicable to the special number-plate, are paid.
- (2) A transfer may be cancelled by the Authority if, during the currency of the registration, any person produces probate of the will or letters of administration granted to the person for the estate of the deceased and applies to have the registration transferred to some person other than the person mentioned in subclause (1).

## 1998 No 341

Clause 39      Road Transport (Vehicle Registration) Regulation 1998  
Chapter 3      Alteration of registration status  
Part 2          Transfer of registration

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- (3) On the application of any such other person and the payment of the applicable scheduled fee or, in the case of a vehicle with a special number-plate, of the fee fixed by the Authority, the Authority may transfer the registration to the person.
- (4) Any person to whom a certificate of registration has been transferred under subclause (1) must, in the event of such transfer being cancelled, immediately deliver the certificate of registration to the Authority on being requested so to do.

Maximum penalty (subclause (4)): 20 penalty units.

## **Part 3      Expiry of registration**

### **40   Expiry of registration**

- (1) The registration of a registrable vehicle expires at the end of the day recorded in the Register as the vehicle's registration expiry date.
- (2) A renewal of a registration takes effect:
  - (a) from the expiry of the registration or last preceding renewal, or
  - (b) if reissued by the Authority to take effect from an earlier day, from that day.

## 1998 No 341

Clause 41      Road Transport (Vehicle Registration) Regulation 1998  
Chapter 3      Alteration of registration status  
Part 4          Surrender and cancellation of registration

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### Part 4      Surrender and cancellation of registration

#### 41 Surrender of registration by registered operator

- (1) A registered operator, personally or by an agent who produces written evidence of his or her appointment as agent, may apply to the Authority to surrender the registration of a registrable vehicle.
- (2) A registered operator who applies for surrender of registration of a registrable vehicle must:
  - (a) give to the Authority a statement signed by the operator or agent that the registration label for the vehicle has been destroyed, and
  - (b) if required to do so by the Authority, return the registration certificate and number-plates for the vehicle to the Authority or an agent nominated by the Authority.

Maximum penalty (subclause (2)): 20 penalty units.

- (3) Despite subclause (2), a registered operator is not required to return to the Authority:
  - (a) a registration certificate or number-plate that has been lost or destroyed if the Authority is satisfied that the original registration certificate or number-plate is lost or destroyed, or
  - (b) special number-plates. if retention of the plates is permitted by an agreement with the Authority or by law.
- (4) The Authority must approve an application for the surrender of the registration of a registrable vehicle unless:
  - (a) a registered operator of the vehicle has failed to meet the requirements of this Regulation, or
  - (b) the Authority is taking action to suspend or cancel the registration, or
  - (c) if the vehicle has more than one registered operator—the Authority is not satisfied that each registered operator consents to the surrender.

**Note.** Clause 80 provides for the refund of fees in the case of surrenders or cancellation of registration.

## 42 Suspension or cancellation of registration

- (1) The Authority may suspend or cancel the registration of a registrable vehicle in accordance with clause 43 if:
- (a) a vehicle defect notice relating to the vehicle has not been complied with and the date for compliance specified in the notice has expired, or
  - (b) the vehicle does not comply with the applicable vehicle standards for the vehicle, or
  - (c) any amounts payable in relation to the vehicle under third party insurance legislation, stamp duty legislation, the Act, this Regulation or the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* have not been paid, or
  - (d) a payment in a form other than cash submitted to the Authority as payment of a registration charge or fees or stamp duty (or a third party insurance premium submitted to an insurer) is dishonoured, or
  - (e) a penalty imposed on a registered operator of the vehicle in respect of the operation of the vehicle is unpaid and no court order for the payment of a penalty by instalments has been made, or
  - (f) a registered operator of the vehicle has not complied with a court order for the payment by instalments of a penalty imposed on the registered operator in respect of the operation of the vehicle, or
  - (g) the vehicle has been destroyed or damaged beyond repair, or
  - (h) the Authority reasonably believes that the ownership, possession, control or description of the registrable vehicle as recorded on the Register is uncertain, or
  - (i) the Authority has approved an application to surrender registration of the vehicle under clause 41 (4), or
  - (j) any tax on the vehicle under the provisions of any Act is due and unpaid, or

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Clause 42      Road Transport (Vehicle Registration) Regulation 1998  
Chapter 3      Alteration of registration status  
Part 4          Surrender and cancellation of registration

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- (k) the Authority is satisfied that the registration has been issued erroneously, or
  - (l) the Authority is, for any reason whatever, of the opinion that a registered operator is not a fit and proper person to be the holder of the registration for the vehicle.
- (2) The Authority may suspend the registration of a registrable vehicle for a period not exceeding 3 months if the Authority is satisfied, on the balance of probabilities, that a registered operator of the vehicle has failed to use or manage the vehicle so as to effectively prevent repeated violations of the traffic law (whether by the operator or by another person authorised to use the vehicle).
- (3) Subject to subclause (4), clause 43 does not apply to a decision to suspend registration under subclause (2).
- (4) Before suspending the registration of a vehicle under subclause (2), the Authority:
- (a) must give a registered operator of the vehicle notice in writing of the matters referred to in clause 43 (1) (a) and (b), and
  - (b) may follow such other procedures prescribed by clause 43 or such other procedures as it considers appropriate.
- (5) In this clause, *traffic law* means:
- (a) a provision of the Act or this Regulation, or
  - (b) a provision of the *Traffic Act 1909* or the regulations made under that Act.

### 43 Procedures for suspension and cancellation of registration

- (1) If the Authority decides to suspend the registration of a registrable vehicle, the Authority must give a registered operator notice in writing of:
- (a) the reasons for the suspension, and
  - (b) the date on which the registration is to be suspended, and
  - (c) the action to be taken by the registered operator in order to avoid the suspension or to have the suspension removed.



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- (2) The Authority must not cancel the registration of a registrable vehicle, except following a surrender of registration by a registered operator under clause 41, unless the Authority:
- (a) has suspended the registration and believes that a reason for the suspension still exists, and
  - (b) has served notice on the registered operator that:
    - (i) advises the registered operator that the Authority has decided to cancel the registration of the vehicle and gives the reasons for the decision, and
    - (ii) specifies requirements that must be met if the cancellation is to be avoided, and
    - (iii) states that, if those requirements are not met within 14 days after the date specified in the notice for that purpose, the cancellation will then take effect, and
    - (iv) if there is a right under the Act, the *Traffic Act 1909* or this Regulation to appeal against the decision or to have it reviewed—advises the registered operator of the right of appeal or review.
- (3) Despite subclause (2), the Authority may cancel the registration of a registrable vehicle without first suspending that registration if it is directed to cancel the registration by the State Debt Recovery Office under the *Fines Act 1996*.
- (4) If the requirements stated in the notice are not met within the period specified in the notice, the registration of the vehicle is cancelled at the end of that period.
- (5) As soon as practicable after cancellation of the registration of a registrable vehicle, a registered operator must:
- (a) destroy the registration label for the vehicle, and
  - (b) if required to do so by the Authority, return the vehicle's registration certificate and number-plates to the Authority or an agent nominated by the Authority within 14 days of the date specified in a written notice from the Authority requesting their return.

Maximum penalty (subclause (5)): 20 penalty units.

- (6) On cancelling the registration of a registrable vehicle, the Authority may require a registered operator of the vehicle to pay the applicable gazetted fee for the cancellation.

**1998 No 341**

Clause 44            Road Transport (Vehicle Registration) Regulation 1998  
Chapter 4            Authorised uses of unregistered registrable vehicles  
Part 1                Unregistered vehicle permits

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## **Chapter 4      Authorised uses of unregistered registrable vehicles**

### **Part 1      Unregistered vehicle permits**

#### **44 Issue of unregistered vehicle permits**

- (1) In this clause, *number* includes letter.
- (2) The Authority may issue an unregistered vehicle permit for a registrable vehicle if:
  - (a) it would be unreasonable or impracticable to require that the registrable vehicle be registered during the period of the permit or the vehicle has been driven to a place under clause 17 of Schedule 1 for the purpose of obtaining registration and registration has been refused, and
  - (b) the vehicle complies with any applicable third party insurance legislation.
- (3) An unregistered vehicle permit authorises use of a registrable vehicle on:
  - (a) a road or road related area, or
  - (b) particular roads or road related areas,subject to any condition specified in the permit.
- (4) Unless sooner revoked, an unregistered vehicle permit expires on the expiry date recorded in the permit:
  - (a) if the permit specifies an expiry time—at that time on the expiry date, or
  - (b) if no expiry time is specified—at the end of the day recorded as the expiry date.
- (5) If the Authority issues an unregistered vehicle permit the Authority must:
  - (a) record details of the permit, including any condition to which the permit is subject, in the Register, and
  - (b) assign a temporary identification number to the vehicle.

- (6) Except if otherwise approved by the Authority, an applicant for an unregistered vehicle permit must pay to the Authority any applicable gazetted fee for issue of the permit before it is issued.
- (7) The holder of an unregistered vehicle permit must:
  - (a) display a notice affixed securely to the registrable vehicle in a prominent position depicting the temporary identification number assigned to the vehicle by the Authority, or
  - (b) display such information as may be required or authorised by the Authority.
- (8) An unregistered vehicle permit may be revoked or varied at any time by the Authority.

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|           |   |
|-----------|---|
| Clause 45 | Road Transport (Vehicle Registration) Regulation 1998 |
| Chapter 4 | Authorised uses of unregistered registrable vehicles  |
| Part 2    | Trader's plates                                       |

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## Part 2 Trader's plates

### 45 Issue of trader's plates

- (1) On the payment of the applicable scheduled fee, the Authority may issue one or more trader's plates to any person that the Authority is satisfied:
  - (a) is a manufacturer, or repairer of, or dealer in, unregistered registrable vehicles, and
  - (b) has suitable premises for the purpose.
- (2) A trader's plate issued under this clause:
  - (a) must conform to such specifications as the Authority may determine, and
  - (b) must display:
    - (i) the matter "NSW" and such words (if any) as the Authority may determine with the approval of the Minister, or
    - (ii) the words "New South Wales" and such other words (if any) as the Authority may determine with the approval of the Minister.

### 46 identification labels for trader's plates

- (1) The Authority is to issue an identification label for a trader's plate that indicates the period for which the trader's plate is issued.
- (2) The identification label is to be in a form approved by the Authority.

### 47 Duplicate label

- (1) On the payment of the applicable gazetted fee, the Authority may issue a duplicate identification label if it is satisfied that the original identification label has been lost, destroyed, stolen, mutilated or defaced. The duplicate label is taken to be an identification label issued under clause 46 and the label that it replaces is void.

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- (2) Before the Authority issues a duplicate label, it may:
- (a) require proof that the original identification label was lost, stolen or destroyed, or
  - (b) in the case of a label that has been mutilated or defaced—require the original identification label to be surrendered to the Authority.
- (3) If a person issued with a duplicate identification label later recovers the identification label that it replaced, the person must, as soon as is practicable, notify the Authority of that fact and, unless otherwise directed by the Authority, surrender the original label to the Authority.

Maximum penalty (subclause (3)): 20 penalty units.

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

For the purposes of section 18 (2) (b) of the Act, a registrable vehicle to which a trader's plate is attached may be used on a road or road related area only if:

- (a) the identification label for the trader's plate is affixed to the vehicle in accordance with clause 49, and
- (b) the use of the vehicle is an authorised use under clause 50.

#### **49 Affixing of identification labels**

The identification label for the trader's plate is to 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 in such a manner that the label faces outward from the vehicle,
- (b) the holder must be made from transparent glass or other suitable material so that the label, when it is in the holder, is clearly visible to a person facing the label at a distance of 6 metres from the label.

#### **50 Purposes for which trader's plates may be used**

- (1) Subject to subclause (2), the use of a registrable vehicle to which a trader's plate is affixed on a road or road related area is an authorised use if:

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Clause 50            Road Transport (Vehicle Registration) Regulation 1998  
Chapter 4            Authorised uses of unregistered registrable vehicles  
Part 2                Trader's plates

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- (a) the vehicle (or in the case of a trailer, the vehicle by which it is drawn) is conveying the trader to whom the plate has been issued, the trader's authorised employee or the trader's agent duly authorised in writing, and
  - (b) the vehicle is being driven:
    - (i) for a purpose connected with its manufacture or repair (including painting or any similar process) or connected with or incidental to dealing in the vehicle, or
    - (ii) to the nearest convenient motor registry for registration by the most direct or convenient route, or
    - (iii) for delivery at the address of a person who has acquired it from such a trader.
- (2) Nothing in subclause (1) authorises the use on a road or road related area of a registrable vehicle to which a trader's plate is affixed for the carriage of a load unless:
- (a) the load is carried solely for the purpose of demonstrating to a genuine prospective purchaser the capacity of the vehicle for carrying a particular type of weight of loading, or
  - (b) the vehicle is being driven by the most direct or convenient route to the premises of the trader to whom the plate has been issued from the place at which the trader has manufactured or purchased the vehicle and the loading consists solely of a registrable vehicle manufactured or purchased by such a trader for sale by the trader, or
  - (c) the vehicle is a trailer specially constructed for the carriage of a boat and the loading consists solely of a boat, or
  - (d) the vehicle weighs not more than 2 tonnes unladen and is being driven:
    - (i) by the shortest practicable route to the premises of the trader from the place at which the trader has manufactured or purchased the vehicle and the loading consists solely of goods that are intended for the trader's personal use or for use in his or her business as a trader, or

- (ii) solely for carrying spare parts (being spare parts for use in connection with the repair of registrable vehicles by such a trader) to the trader's premises from a railway station or airport to which they have been consigned to the trader.

### **51 Unauthorised uses of identification labels**

- (1) A person must not drive or allow to be driven, or be in charge of, a registrable vehicle to which a trader's plate is attached on a road or road related area if the identification label attached to the trader's plate:
  - (a) has been altered, mutilated or defaced in any manner, or
  - (b) is not clearly visible and legible, or
  - (c) was issued for attachment to another trader's plate, or
  - (d) contains any incorrect particulars, or
  - (e) is void, or
  - (f) was issued for use in a period that has expired.

Maximum penalty: 20 penalty units.

- (2) A person must not alter or deface an identification label for a trader's plate.

Maximum penalty: 20 penalty units.

- (3) A person must not lend or part with an identification label issued to the person under this Regulation, except as authorised by this Regulation.

Maximum penalty: 20 penalty units.

### **52 Trader to keep and produce record**

A person to whom a trader's plate for a registrable vehicle is issued must:

- (a) in respect of each occasion on which a registrable vehicle is driven on a road or road related area with the plate affixed—cause particulars to be entered in ink on a record in the form prescribed in Schedule 3, and

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|           |   |
|-----------|---|
| Clause 52 | Road Transport (Vehicle Registration) Regulation 1998 |
| Chapter 4 | Authorised uses of unregistered registrable vehicles  |
| Part 2    | Trader's plates                                       |

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- (b) produce any such record for the preceding 6 months for inspection when required so to do by:
  - (i) the Authority, or
  - (ii) any police officer.

Maximum penalty: 20 penalty units.

### **53 Questions regarding use of plate to be answered**

Any driver or person in charge of a registrable vehicle to which a trader's plate is affixed or any person to whom a trader's plate has been issued must, when required so to do by any police officer, immediately answer truthfully all questions that are put to the person concerning the purpose for which the plate is used.

Maximum penalty: 20 penalty units.

### **54 Disposal or cessation of business**

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

Maximum penalty (subclause (1)): 20 penalty units.

- (2) On the application by the person to whom the business has been sold or disposed of and the payment of the applicable scheduled fee, the Authority may transfer to the person the trader's plate issued under this Regulation.

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

- (1) If the Authority is satisfied that a person has ceased for any reason to be entitled to hold a trader's plate issued or transferred to the person, the Authority may request the person immediately to deliver the trader's plate to the Authority.
- (2) Subject to subclause (1), any person to whom a trader's plate has been issued or transferred must, not later than 14 days after the expiration of the period for which the trader's plate was issued, deliver the trader's plate to the Authority.

Maximum penalty (subclause (2)): 20 penalty units.



- (3) A person must not drive or allow to be driven or be in charge of any registrable vehicle on a road or road related area if there is affixed to or displayed upon the vehicle any trader's plate that was issued for a period that has expired.

Maximum penalty (subclause (3)): 20 penalty units.

**1998 No 341**

Clause 56      Road Transport (Vehicle Registration) Regulation 1998  
Chapter 5      Vehicle standards  
Part 1          General requirements

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## **Chapter 5      Vehicle standards**

### **Part 1      General requirements**

#### **56    Applicable vehicle standards**

The *applicable vehicle standards* for a registrable vehicle are the requirements specified in Schedule 4 that apply to the vehicle.

#### **57    Registrable vehicles to comply with vehicle standards specified in Schedule 4**

- (1) A person must not use a registrable vehicle on a road or road related area unless:
  - (a) the vehicle complies with the applicable vehicle standards for the vehicle, and
  - (b) the vehicle and its parts and equipment are suitable for safe use and are in a thoroughly serviceable condition.

Maximum penalty: 20 penalty units.

- (2) Without limiting the liability of any other person under subclause (1), a registered operator (other than a registered operator using a vehicle in contravention of that subclause) of a registrable vehicle that is used in contravention of subclause (1) is also guilty of an offence under that subclause.
- (3) A person is not guilty of an offence under subclause (1) if:
  - (a) the vehicle concerned is used on a road or road related area in accordance with a condition imposed on its use, given expressly or by necessary implication, by a police officer or the Authority under section 26 of the Act, or
  - (b) the vehicle:
    - (i) fails to comply with the dimension limits prescribed by Division 2 of Part 3 of Schedule 4, Division 1 of Part 5 of Schedule 4, Division 2 of Part 4 of the Appendix to Part 6 of Schedule 4, and
    - (ii) is exempted from the dimension limits by the operation of clause 90, or

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- (c) the vehicle is conditionally registered under this Regulation despite a failure to comply with an applicable vehicle standard for the vehicle and is used on a road or road related area in accordance with the conditions of registration, or
  - (d) the vehicle concerned is used on a road or road related area in accordance with the conditions of an unregistered vehicle permit.
- (4) If any person employed by a registered operator of a registrable vehicle to drive the vehicle becomes aware that the vehicle is not in a safe and thoroughly serviceable condition to be used on a road or road related area, the person must:
- (a) prepare, as soon as is practicable, in duplicate, a report on a form supplied to the person for that purpose by the registered operator that includes the prescribed particulars, and
  - (b) retain a copy of the report and, as soon as is practicable:
    - (i) leave the other copy of the report with the registered operator, or
    - (ii) if it is not practicable for the registered operator personally to take delivery of the report — leave the report for the operator with a person, or at a place, appointed by the operator for the purpose.

Maximum penalty (subclause (4)): 20 penalty units.

- (5) A registered operator of any registrable vehicle who employs any person to drive the vehicle must:
- (a) provide the driver with forms for the purposes of subclause (4) and appoint a person with whom or a place at which, any report referred to in that subclause may be left for the operator when it is not practicable for the registered operator to take delivery of it, and
  - (b) retain a copy of any report left with or for the registered operator under subclause (4) for a period of 6 months from the date of the report, and
  - (c) produce the report (or cause it to be produced) for inspection if requested to do so by a police officer or the Authority.

Maximum penalty (subclause (5)): 20 penalty units.

## 1998 No 341

Clause 57      Road Transport (Vehicle Registration) Regulation 1998  
Chapter 5      Vehicle standards  
Part 1          General requirements

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(6) Nothing in subclause (4) or (5) affects the liability of any person under subclause (1) or (2).

(7) In this clause:

*prescribed particulars*, in relation to a report referred to in subclause (4), means:

- (a) the date of the report, and
- (b) the registration number of the vehicle, and
- (c) a statement specifying which parts or equipment of the vehicle need, in the person's opinion, to be repaired, replaced or adjusted to put the vehicle in a safe and thoroughly serviceable condition.

registrable vehicle includes a road train and any component vehicle of a road train and a B-double.

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## Part 2 Standards and certifications

### 58 Compliance with vehicle standards

- (1) The Authority may accept as evidence that a registrable vehicle complies with the applicable vehicle standards for the vehicle:
  - (a) an identification plate relating to the vehicle, or
  - (b) a certificate to that effect issued by the manufacturer of the vehicle.
- (2) In the absence of evidence mentioned in subclause (1), the Authority may, on inspecting the registrable vehicle, issue a certificate to the effect that the vehicle complies with the applicable vehicle standards for the vehicle.

### 59 Non-complying and non-standard vehicles

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

- (a) an operations plate installed on it in accordance with clause 60, or
- (b) a certificate of approved operations issued in accordance with clause 60, or
- (c) an identification plate relating to the vehicle.

### 60 Installation of operations plates and the modification of vehicles

- (1) The Authority may authorise a person to install an operations plate on, or issue a certificate of approved operations for, a registrable vehicle that has been manufactured or modified in such a way that the vehicle does not comply with the applicable vehicle standards for the vehicle.
- (2) An operations plate installed on, or a certificate of approved operations issued for, a registrable vehicle must indicate:
  - (a) any deficiencies in the vehicle's operating characteristics, and
  - (b) any conditions that should be applied to the vehicle's registration.

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|           |   |
|-----------|---|
| Clause 60 | Road Transport (Vehicle Registration) Regulation 1998 |
| Chapter 5 | Vehicle standards                                     |
| Part 2    | Standards and certifications                          |

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- (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 for the vehicle immediately before the modification or addition — the vehicle continues to comply with those 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 specification published by the Authority or is otherwise acceptable to the Authority.

Maximum penalty (subclause (3)): 20 penalty units.

## Part 3 Inspections

### Division 1 When vehicles may be inspected

#### 61 Inspection of vehicles

- (1) The Authority may require a person to present a registrable vehicle for inspection by the Authority or an authorised examiner at a time and place specified in a notice in writing served on the person if
  - (a) the person has control over the vehicle, or
  - (b) the vehicle is registered and the person is a registered operator of the vehicle.
- (2) A person on whom a notice under subclause (1) has been served may, not later than 24 hours before the time specified in the notice, request the Authority to change the time or place of inspection.
- (3) The Authority must consider any request made under subclause (2) and must, if it is reasonable to do so, notify the person of any change in the time or place of inspection.
- (4) A person must comply with:
  - (a) any notice served on the person under subclause (1), or
  - (b) any notification given to the person under subclause (3).

Maximum penalty (subclause (4)): 20 penalty units.

#### 62 Fees for certain inspections

- (1) If an applicable vehicle (other than a mourning coach, private hire car or wedding car) is inspected under clause 61, the Authority may require a registered operator of the vehicle to pay the applicable scheduled fee for the inspection.

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Clause 62            Road Transport (Vehicle Registration) Regulation 1998  
Chapter 5            Vehicle standards  
Part 3                Inspections  
Division 1

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(2) In this clause:

applicable vehicle means:

- (a) a motor lorry that is articulated, or
- (b) a motor lorry (not being an articulated motor lorry), including a tow truck that is not a trailer, with an unladen weight of 5 tonnes or more, or
- (c) a prime mover, or
- (d) a tow truck that is not a trailer with an unladen weight of less than 5 tonnes, or
- (e) a motor lorry (not being an articulated motor lorry or a tow truck) with an unladen weight of more than 2 tonnes but less than 5 tonnes, or
- (f) a trailer, including a trailer that is a tow truck, with an unladen weight of 2.5 tonnes or more, or
- (g) a trailer, that is a tow truck, with an unladen weight of less than 2.5 tonnes, or
- (h) a trailer (not being a trailer that is a tow truck) with an unladen weight of less than 2.5 tonnes, or
- (i) a registrable vehicle constructed principally to carry persons and:
  - (i) equipped to seat more than 8 adult persons, or
  - (ii) in respect of which payment is made for the conveyance of passengers on a road or road related area.

## Division 2 Authorised examiners and inspection stations

### 63 Examiner's authorities

- (1) The Authority may authorise in writing any person who, in its opinion, is suitably qualified:
  - (a) to conduct inspections and tests of registrable vehicles at authorised inspection stations for the purposes of determining whether or not the vehicles are suitable for safe use or comply with the requirements of the Act and this Regulation, and
  - (b) to issue inspection reports relating to those inspections.



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- (2) An examiner's authority:
- (a) applies to the inspection of registrable vehicles generally or to the class or classes of registrable vehicles specified in the authority, and
  - (b) remains in force until it is surrendered, suspended or cancelled, and
  - (c) is to be issued in the manner and in the form approved by the Authority.
- (3) An examiner's authority, or a duplicate of such an authority, must not be issued unless:
- (a) the applicant for the authority or duplicate has paid to the Authority the applicable scheduled fee for the issue of the authority, or
  - (b) the Authority has exempted the applicant from payment of that fee.
- (4) The charge that may be made for the issue of an inspection report referred to in subclause (1) must not be more than the maximum charge for the time being specified by the Authority.
- (5) A person must not:
- (a) conduct an inspection or test of a registrable vehicle for the purpose of determining whether or not the vehicle is suitable for safe use or complies with the Act or this Regulation unless the person is the holder of an examiner's authority, or
  - (b) issue an inspection report relating to such an inspection unless the person is the holder of an examiner's authority.

Maximum penalty (subclause (5)): 20 penalty units.

#### **64 Proprietor's authorities**

- (1) A person may be authorised in writing to use premises for the purpose of conducting inspections and tests of registrable vehicles by authorised examiners if the Authority is satisfied that:
- (a) the premises and the equipment on the premises are suitable for that use, and
  - (b) the person is competent to carry out the responsibilities associated with using the premises for that purpose.

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- (2) A person must not use premises for the purposes of conducting an inspection or test referred to in subclause (1) unless the person is the holder of a proprietor's authority in force in respect of the premises.
- Maximum penalty (subclause (2)): 20 penalty units.
- (3) A proprietor's authority is either:
- (a) a proprietor's authority that is a component licence of a master licence under the *Business Licences Act 1990*, or
  - (b) a proprietor's authority that is being administered under the Act in accordance with an authorisation under Part 2 of Schedule 2 to the *Business Licences Act 1990*.
- (4) A proprietor's authority:
- (a) applies to the inspection of registrable vehicles generally or to the class or classes of registrable vehicles specified in the authority, and
  - (b) remains in force until it is surrendered, suspended or cancelled, and
  - (c) is:
    - (i) in the case of an authority referred to in subclause (3) (a)—to be granted or refused (as the case requires) by the Director of Business Licences under the *Business Licences Act 1990* as authorised by the Authority, or
    - (ii) in the case of an authority referred to in subclause (3) (b)—to be issued or refused by, and, if issued, to be in the manner and in the form approved by, the Authority, and
  - (d) is subject to any condition imposed by this Regulation.
- (5) A proprietor's authority referred to in subclause (3) (b), or a duplicate of such an authority, must not be issued unless:
- (a) the applicant for the authority or duplicate has paid to the Authority the applicable scheduled fee for the issue of the authority, or
  - (b) the Authority has exempted the applicant from payment of that fee.

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**65 Authority may issue rules for the purposes of this Division**

- (1) The Authority may issue rules, not inconsistent with the Act or this Regulation, relating to all or any of the following:
  - (a) the inspection and testing of registrable vehicles to determine whether they are suitable for safe use or comply with the Act or this Regulation,
  - (b) the issue of inspection reports,
  - (c) the use of authorised inspection stations.
- (2) The Authority may, from time to time, alter any rules so issued.
- (3) It is a condition of an examiner's authority that the holder of the authority comply with any rule in force under this clause that is issued to the person.
- (4) If:
  - (a) a person, not being an authorised examiner or an authorised proprietor, requests a copy of any such rules, or
  - (b) an authorised examiner, or an authorised proprietor, to whom a copy of those rules has been issued requests a further copy.

the Authority must issue such a copy or further copy on payment of the applicable gazetted fee. However, the Authority may issue a copy without fee in a particular case.

**66 Books of inspection reports**

On payment of the applicable gazetted fee, the Authority may issue a book of inspection reports to the holder of a proprietor's authority.

**67 Suspension or cancellation of authority to inspect and test registrable vehicles**

- (1) Subject to this clause and clause 68, the Authority may suspend or cancel an examiner's authority or a proprietor's authority if:
  - (a) the holder has failed to comply with any rule in force under clause 65, or
  - (b) the Authority is, for any reason, of the opinion that the holder is not a fit and proper person to continue to hold the authority.

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- (2) The Authority cannot suspend or cancel an examiner's authority or a proprietor's authority unless:
  - (a) the Authority by notice in writing requests the person concerned to show cause why the authority should not be suspended or cancelled on the grounds specified in the notice, and
  - (b) that person replies to the notice or fails to reply within 21 days from the date the notice was issued.
- (3) Subclause (2) does not apply to the suspension of an examiner's authority or a proprietor's authority if the Authority has reason to suspect that the holder of the authority wilfully failed to comply with any rule referred to in clause 65 and is likely to commit further breaches of those rules.
- (4) The holder of an examiner's authority must not breach a condition of the authority.

Maximum penalty (subclause (4)): 20 penalty units.

### 68 Committee of review

- (1) The Authority is to appoint a committee of review to which the Authority may refer for consideration and report to the Authority any case where consideration is being given to the refusal, suspension or cancellation of an examiner's authority or a proprietor's authority.
- (2) The Committee of review is to include:
  - (a) a representative of the Authority, who is to be the chairperson of the committee, and
  - (b) representatives of such organisations associated with trading in or servicing of registrable vehicles as the Authority considers appropriate.
- (3) The committee of review may determine its own procedure for dealing with cases referred to it by the Authority for consideration and report.
- (4) The committee of review must take into consideration any reply to a notice referred to in clause 67 (2) that is received by the Authority before the Authority refers the matter to which the notice relates to the committee.

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- (5) The committee of review is to report to the Authority on any matter referred to it for consideration and must state in the report any recommendation that it wishes to make.
  - (6) If members of the committee of review do not agree on the nature of a recommendation to be so stated, the committee must record the disagreement in its report and may state in the report more than one recommendation.
  - (7) In determining any matter referred to in clause 67, the Authority is to have regard to the report of the committee of review but is not bound to follow any recommendation contained in the report.

#### **69 Notification of decisions by Authority**

- (1) If an application for the issue of an examiner's authority or a proprietor's authority is refused, or if an examiner's authority or proprietor's authority is suspended or cancelled, the Authority must notify the applicant or holder of the authority in writing of the refusal, suspension or cancellation and of the grounds for it.
- (2) A notice of refusal referred to in subclause (1) may be given by the Director of Business Licences on behalf of the Authority if it relates to a proprietor's authority that is a component licence of a master licence under the *Business Licences Act 1990*.
- (3) Subject to subclauses (4) and (6), the decision of the Authority to suspend or cancel an authority has effect on and from the date that is 21 days after the date on which the holder is notified.
- (4) Despite subclause (3), if the Authority has reason to suspect that the holder of an authority has wilfully failed to comply with any rule in force under clause 65 and is likely to commit further breaches of those rules, the decision of the Authority to suspend or cancel the authority may be expressed, in the instrument by which the holder is notified of the decision, to be effective on and from the date on which the holder is notified, and the decision has effect accordingly.
- (5) The date on which a holder is notified under this clause is:
  - (a) if the notice is sent by mail—the date when the notice would be delivered in the ordinary course of post, or
  - (b) if the notice is delivered to the holder personally—the date when it is so delivered.

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- (6) Subject to subclause (3), if the holder of an authority appeals under clause 70 against a decision in respect of the suspension or cancellation of an authority, the decision has effect:
  - (a) only if the court hearing the appeal confirms the decision or the appeal is withdrawn, and
  - (b) subject to any variation of the decision made by that court, and
  - (c) on the date on which that court confirms the decision, or on such later date (if any) as that court orders, or, if the appeal is withdrawn, on the date on which it is withdrawn.
- (7) If the decision to suspend or cancel an authority has effect, the holder must immediately deliver to the Authority any forms issued by the Authority in connection with the authority together with the authority itself. This subclause does not apply to a proprietor's authority that is a component licence of a master licence under the *Business Licences Act 1990*.
- (8) In the case of a proprietor's authority that is a component licence of a master licence under the *Business Licences Act 1990*, a reference in subclause (1) or clause 70 to the Authority's refusing to issue an authority is a reference to the Authority's authorising the Director of Business Licences to refuse to grant the component licence.

### 70 Appeals

- (1) Any person aggrieved by a decision of the Authority to refuse to issue an examiner's authority or a proprietor's authority or to suspend or cancel such an authority, being a decision notified to the person under clause 69, may appeal against the decision to a Local Court constituted by a Magistrate by lodging a notice of appeal with the clerk of any such Court:
  - (a) except as provided by paragraph (b)—not later than 21 days after being so notified, or
  - (b) in the case of a suspension or cancellation of an authority to which clause 69 (3) applies—before the date on which the cancellation or suspension would, but for the appeal, take effect.

- (2) A notice of appeal under subclause (1) is to specify the grounds of the appeal.
- (3) The clerk of a Local Court must give notice of the time and place of the hearing of any appeal under subclause (1) to the Authority and to the appellant, and in the notice to the Authority, is to notify the Authority as to the grounds of the appeal.
- (4) The time of the hearing of an appeal under subclause (1) must be not earlier than 21 days after the date on which the notice under subclause (3) is given to the Authority.
- (5) The hearing of an appeal under subclause (1) may proceed despite any omission or error in a notice under subclause (3) or the failure to give any such notice if the Court is satisfied that the appellant and the Authority had knowledge of the time and place of the hearing and were not prejudiced by any such omission or error or by the failure to give any such notice.
- (6) A report furnished under clause 68 to the Authority, and certified by the Authority to have been so furnished, is to be received in proceedings before a Local Court under this Regulation as evidence of the contents of the report.

**71 Determination of appeals**

- (1) A Local Court is to hear and determine an appeal made to it under clause 70 and may confirm (with or without variation) or disallow the decision appealed against, or make such other order in the circumstances as to the Court seems just.
- (2) For the purposes of varying a decision of the Authority under subclause (1), the Court may exercise only such powers as the Authority could have exercised under this Regulation when making that decision.
- (3) The decision of a Local Court in respect of an appeal made under clause 70 is final and is binding on the appellant and on the Authority.

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Clause 72      Road Transport (Vehicle Registration) Regulation 1998  
Chapter 5      Vehicle standards  
Part 4          Component identification numbers

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## Part 4      Component identification numbers

### 72 Interpretation

In this Part:

*component identification number*, when used in relation to a part of a registrable vehicle, means the number and any accompanying letters or symbols stamped on or otherwise affixed to that part as a means of identifying the part (but does not include any casting number or any number used as a means of identifying a class of parts for manufacturing purposes).

*vehicle part* of a registrable vehicle means:

- (a) the engine of the vehicle, or
- (b) the engine block of the vehicle, or
- (c) in relation to a motor vehicle other than a motor cycle—the chassis, chassis sub-frame or body of the vehicle, or
- (d) in relation to a motor cycle—the frame or the crankcase of the motor cycle.

### 73 Allotment of component identification numbers

- (1) The Authority may allot an engine number for a vehicle part of a registrable vehicle if:
  - (a) there is no component identification number on the vehicle part of the vehicle or the component identification number of any such part appears to have been altered, defaced, removed or obliterated, and
  - (b) the Authority is satisfied that such a number is necessary for the purpose of identifying the vehicle part.
- (2) The Authority may, by notice in writing, require the registered operator of any such vehicle to have the number it has allotted to the vehicle part concerned stamped on the part in such a position as the Authority may specify in the notice.



**74 Altering component identification numbers of vehicle parts without authority**

- (1) A person (other than a manufacturer) must not, without the written authority of the Authority and except in accordance with this Part, stamp or affix (or cause or permit any other person to stamp or affix) any component identification number on or to a vehicle part or a registrable vehicle.

Maximum penalty: 20 penalty units.

- (2) A person must not alter, deface, remove or obliterate any component identification number stamped on or otherwise affixed to a vehicle part of a registrable vehicle otherwise than in accordance with this Part.

Maximum penalty: 20 penalty units.

- (3) A person must not possess a vehicle part of a registrable vehicle knowing that the component identification number stamped on or otherwise affixed to the part has been altered, defaced, removed or obliterated otherwise than in accordance with this Part.

Maximum penalty: 20 penalty units.

**75 Change or replacement of vehicle part**

Any person who changes or replaces a vehicle part of a registrable vehicle must:

- (a) notify the Authority of such change or replacement within 14 days of the change or replacement, and
- (b) specify the following in the notification:
- (i) the date of the change or replacement.
  - (ii) the registration number, if any, of the vehicle.
  - (iii) the name and address of each registered operator of the vehicle,
  - (iv) the make and component identification number of the vehicle part removed from the vehicle,
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- (v) the make and component identification number of the vehicle part substituted for the original vehicle part,
- (vi) the name and address of the person from whom the substituted vehicle part was obtained, and
- (c) retain a copy of the notification in the person's possession for a period of 6 months, and
- (d) produce a copy of any such notification for inspection if requested to do so by any police officer or the Authority.

Maximum penalty: 20 penalty units.

**Note.** Section 7C of the *Traffic Act 1909* empowers police officers to enter premises carrying out vehicle repairs for the purpose of tracing stolen motor vehicles and motor vehicle parts.

### 76 Interference with component identification number

The registered operator of a vehicle part may, if authorised in writing by the Authority, alter, deface, remove or obliterate any component identification number stamped on or otherwise affixed to the part.

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## Part 5 Vehicle defect notices

### 77 Issue of defect notices and formal warnings

- (1) A vehicle defect notice may be stated to be:
- (a) a major vehicle defect notice, if, in the reasonable opinion of the person issuing the notice, the further use of the registrable vehicle in road transport after the time specified in the notice would constitute an imminent and serious safety risk, or
  - (b) a minor vehicle defect notice, if, in the reasonable opinion of the person issuing the notice, deficiencies in the registrable vehicle, if allowed to continue after the time specified in the notice, may constitute a safety risk.

**Note.** Section 26 of the Act provides that a police officer or the Authority may issue a vehicle defect notice.

**Safety risk** is defined in the Dictionary to mean danger to a person, to property or to the environment.

- (2) A vehicle defect notice (whether a major or minor vehicle defect notice) must state:
- (a) the registrable vehicle's registration details including the registration number, unregistered vehicle permit number (if practicable and applicable), expiry date and jurisdiction of registration, and
  - (b) the name of the driver of the registrable vehicle or, if the driver is not present when the notice is issued, the term "registered operator", and
  - (c) to the extent practicable, the registrable 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 type of inspection conducted, and
  - (e) the details of the registrable vehicle's defects and whether the notice is a major defect notice or a minor vehicle defect notice, and
  - (f) the time and date after which the registrable vehicle is not to be used on a road or road related area, and

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Clause 77            Road Transport (Vehicle Registration) Regulation 1998  
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- (g) the means by which the registrable vehicle must be moved to another location following issue of the vehicle defect notice, and
  - (h) the repair requirement, including the date by which repairs must be completed if the vehicle is to be used on a road or road related area, and
  - (i) whether a penalty notice was also served in relation to the defect at that time, and
  - (j) the name, official number or other identification of the person who issued the notice.
- (3) A person who issues a vehicle defect notice, must:
- (a) in the case of a registrable vehicle the driver of which is present—give the notice to the driver, and
  - (b) in the case of a registrable vehicle that is unattended—cause the vehicle defect notice to be affixed to the vehicle, and
  - (c) in the case of a major defect notice—cause a defective vehicle label to be affixed to the registrable vehicle.
- (4) A driver of a registrable vehicle (other than a registered operator of the vehicle) who is given a vehicle defect notice in accordance with subclause (3) must cause the notice to be sent to a registered operator of the vehicle.
- (5) A defective vehicle label must state:
- (a) the registrable vehicle's registration number, and
  - (b) the time and date after which the registrable vehicle is not to be used on a road or road related area, and
  - (c) the means by which the registrable vehicle must be moved to another location following issue of the vehicle defect notice to which the label relates, and
  - (d) the name, official number or other identification of the person who issued the notice, and
  - (e) the date of issue of the label, and
  - (f) the serial number of the defect notice to which the label relates.

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- (6) If a person who is entitled to issue a vehicle defect notice considers that deficiencies in a registrable vehicle do not constitute a safety risk but should be remedied, the person may:
- (a) in the case of a registrable vehicle where the driver is present—give the driver a formal written warning, and
  - (b) in the case of a registrable vehicle that is unattended—cause the formal written warning to be affixed to the vehicle.
- (7) A driver of a registrable vehicle who is given a formal written warning in accordance with subclause (6) must cause the warning to be sent to a registered operator of the vehicle.

#### **78 Recording, clearance and withdrawal of vehicle defect notices**

- (1) If a vehicle defect notice is issued under the Act, the Authority must record in the Register in relation to the vehicle:
- (a) the serial number of the notice, and
  - (b) the date (if any) shown on the notice for the clearance of the vehicle unless that date is later than the date of any recorded certificate of inspection.
- (2) The Authority may conduct or require to be conducted an inspection for the purposes of considering whether the defects described in a vehicle defect notice have been rectified and that the registrable vehicle does not have any other defects.
- (3) A vehicle defect notice may be cleared by the Authority or an authorised person.
- (4) For the purposes of this Regulation, a vehicle defect notice is cleared when:
- (a) the Authority receives evidence, in a form approved by the Authority, that the registrable vehicle is no longer defective, and
  - (b) in the case of a major defect notice—the Authority causes the defective vehicle label to be defaced or removed from the registrable vehicle.
- (5) A person must not deface or remove a defective vehicle label unless authorised to do so by the Authority.

Maximum penalty (subclause (5)): 20 penalty units.

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Clause 98      Road Transport (Vehicle Registration) Regulation 1998  
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- (6) On the vehicle defect notice being cleared, the Authority must make a record in the Register to the effect that the notice has been cleared.
- (7) A person who issues a vehicle defect notice may withdraw that notice at any time and must cause:
  - (a) notice of the withdrawal to be sent to the person to whom the notice was issued, and
  - (b) a record to be made in the Register to the effect that the vehicle defect notice has been withdrawn.

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## Chapter 6 Charges, fees and refunds

### 79 Fees

- (1) The applicable scheduled fee for a service provided by the Authority under this Regulation is the fee specified for that service in Schedule 2.
- (2) The applicable gazetted fee for a service provided by the Authority or in connection with a number-plate (or class of service or number-plate) is the fee fixed for it (or for the class) by the Authority under section 8 of the Act in accordance with subclause (3).

**Note.** Section 8 (1) (k) of the Act enables the Authority to fix fees in connection with registration and the issue and use of number-plates in accordance with the regulations. Section 8 (2) of the Act requires details of any such fees to be published in the Gazette.

- (3) The Authority may fix a fee under section 8 (1) (k) of the Act only if:
  - (a) the fee is fixed with the approval of the Minister, and
  - (b) a fee is not already prescribed by Schedule 2 for the same class of matter.
- (4) The Authority may, in such cases as it thinks fit, reduce the applicable scheduled fee in respect of the registration or renewal of registration of a registrable vehicle the subject of an alternative vehicle maintenance scheme approved by the Authority.
- (5) The maximum amount of the reduction referred to in subclause (4) is:
  - (a) in the case of a fee payable for registration or renewal of registration for a period exceeding 3 months—the whole of the amount of the inspection fee that would be payable for the inspection of the registrable vehicle were such an inspection to be conducted under clause 61, or
  - (b) in the case of a fee payable for registration or renewal of registration for a period of 3 months or less—one quarter of the amount of the inspection fee that would be payable for the inspection of the registrable vehicle were such an inspection to be conducted under clause 61.

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Clause 79      Road Transport (Vehicle Registration) Regulation 1998  
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- (6) On and from 1 July 2000, the fees specified in items 1–3 of Schedule 2 are replaced by the fees and charges specified in the Appendix to that Schedule.

### 80 Refunds of fees

- (1) The Authority may make a partial refund of any applicable scheduled fee or applicable gazetted fee paid in respect of a registrable vehicle if:
- (a) the Authority approves an application for the surrender of the registration of the vehicle, or
  - (b) the Authority cancels the registration of the vehicle and notification of that cancellation has been received by a registered operator.
- (2) A partial refund of an applicable administrative fee in relation to a registrable vehicle is calculated using the formula:

$$\frac{\text{number of days}}{365} \times \text{fee}$$

where:

number of days is the number of unexpired whole days of the registration period of the vehicle, from the date on which the Authority approves an application for surrender made under clause 41 (4) (a) or cancels the registration of the vehicle concerned.

fee is the amount of the applicable scheduled fee or applicable gazetted fee.

- (3) The Authority may deduct from a refund of an applicable scheduled fee or applicable gazetted fee the amount of any unpaid fees incurred in respect of the vehicle.
- (4) If an amount of refund determined in accordance with subclause (2) would comprise an amount which is not a whole number of dollars, the amount of refund is to be adjusted downwards to the next whole number of dollars.



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**81 Registration charges**

- (1) The **registration charge** for a vehicle is:
  - (a) in relation to a heavy vehicle — the amount payable as a registration charge under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995*, or
  - (b) in relation to a light vehicle — the amount payable as motor vehicle tax under the *Motor Vehicles Taxation Act 1988*.
- (2) A heavy vehicle must be registered as an individual vehicle or a towing unit in a category under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995*.

**82 Exemption for eligible pensioners**

- (1) A registrable vehicle that is owned solely by an eligible pensioner or jointly owned by 2 or more eligible pensioners is exempt from an administrative fee only if:
  - (a) it is not used in the course of any trade, business or profession or let out for hire, and
  - (b) it is used solely or principally by the pensioner or pensioners, and
  - (c) it is used substantially for social or domestic purposes or for pleasure, and
  - (d) it is a vehicle or a vehicle of a class or description of vehicles approved for the time being by the Authority.
- (2) Except as provided by subclause (3), an eligible pensioner is entitled to an exemption from administrative fees in respect of one vehicle only.
- (3) An eligible pensioner is entitled to an exemption from administrative fees in respect of 2 vehicles if the pensioner and another eligible pensioner are the joint registered operators of the vehicles and the pensioners are married to each other or reside in the same household.
- (4) In this clause:

**administrative fee** means an applicable gazetted fee or applicable scheduled fee for the registration or renewal of registration of a pensioner's registrable vehicle.

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Clause 83      Road Transport (Vehicle Registration) Regulation 1998  
Chapter 6      Charges, fees and refunds

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### 83 Refund of sums paid for special number-plates

- (1) If a fee has been paid under clause 21 for special number-plates and those number-plates are subsequently surrendered or one or both of the number-plates are lost, stolen or destroyed, the Authority may refund an amount calculated in accordance with the formula set out in subclause (2) to a person who:
  - (a) if the number-plates are transferred under clause 26—is the person who makes an application under that clause, or
  - (b) if the person to whom the number-plates were issued or transferred has died—makes application and proves to the satisfaction of the Authority that he or she is reasonably entitled to the refund, or
  - (c) if a statement in writing as to the loss, theft or destruction of the number-plate or number-plates is made in accordance with clause 29—is the person who makes that statement, or
  - (d) if a registered operator of the vehicle applies to the Authority for cancellation of the registration—is the person who makes that application.
- (2) The amount of refund is calculated in accordance with the formula:

$$R = F \times \frac{M}{T}$$

where:

**R** is the amount of refund.

**F** is the amount of the fee that has been paid under clause 21.

**M** is the number of whole days remaining in the unexpired period of the registration to which the number-plates relate.

**T** is the total number of whole days of the period of registration to which the number-plates relate.

- (3) If an amount of refund determined in accordance with subclause (2) would comprise an amount which is not a whole number of dollars, the amount of refund is to be adjusted downwards to the next whole number of dollars.

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## Chapter 7 Miscellaneous

### Part 1 Offences

#### 84 Use of vehicle offences

- (1) A person must not use, or permit the use of, a registrable vehicle that is conditionally registered in breach of a condition of registration.

Maximum penalty: 20 penalty units.

- (2) A person must not use, or permit the use of, a registrable vehicle in breach of a condition of a defect notice.

Maximum penalty: 20 penalty units.

- (3) A person (other than a person contravening section 18 (1) of the Act) must not cause or permit an unregistered registrable vehicle to be used on a road or road related area.

Maximum penalty: 20 penalty units.

- (4) For the purposes of section 18 (2) (b) of the Act, the use of a registrable vehicle on a road or road related area during any period in which its registration has been suspended by the Authority is permitted if that use has been authorised by the Authority.

#### 85 Number-plate and registration certificate and label offences

- (1) The driver of a registrable vehicle is guilty of an offence if the vehicle is used on a road or in a road related area:
- (a) without bearing number-plates affixed and displayed in accordance with this Regulation, or
  - (b) with a number-plate affixed that was not issued by the Authority or was not issued for that vehicle, or
  - (c) with a number-plate obscured, defaced, or otherwise not legible or displayed contrary to the requirements of clause 24 (1), or

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(d) with the registration label obscured, defaced, or otherwise not legible, or not displayed in accordance with this Regulation, or

(e) with a registration label that has expired.

Maximum penalty: 20 penalty units.

(2) The driver of a registrable vehicle is guilty of an offence if the vehicle is used on a road or in a road related area displaying:

(a) an altered number-plate or registration label, or

(b) the representation of a number-plate or registration label:

(i) other than a number-plate or registration label issued in accordance with this Regulation or another law, and

(ii) that is likely to be mistaken for a number-plate or registration label displayed in accordance with this Regulation.

Maximum penalty: 20 penalty units.

(3) The registered operator of a registrable vehicle (other than the driver of the vehicle) used in contravention of subclause (1) or (2) is also guilty of an offence if it is proved that the operator caused, permitted, allowed or failed to take reasonable precautions to prevent the contravention.

Maximum penalty: 20 penalty units.

(4) This clause does not apply to the use of trader's plates.

### 86 Notification offences

(1) A person must provide notification to the Authority as required by this Regulation.

Maximum penalty: 20 penalty units.

(2) Subclause (1) does not apply to a notification requirement under a provision of this Regulation for the contravention of which a maximum penalty is prescribed by the provision.

(3) A person must not provide false or misleading information to the Authority about the location of the garage address of a registrable vehicle.

Maximum penalty: 20 penalty units.

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## Part 2 Disposal of forfeited vehicles

### 87 How forfeited vehicles may be disposed of under section 27 of the Act

- (1) For the purposes of section 27 (6) of the Act, a forfeited vehicle may be disposed of by public auction or public tender.
- (2) For the purposes of section 27 (6) of the Act, the vehicle may be disposed of otherwise than by sale if the Authority is satisfied on reasonable grounds that the vehicle has no monetary value or that the proceeds of sale would be unlikely to exceed the costs of sale.
- (3) If a forfeited vehicle offered for sale is not sold, the Authority may dispose of the forfeited vehicle otherwise than by sale.

### 88 Proceeds of sales of vehicles seized under section 27 of the Act

- (1) For the purposes of section 27 (7) of the Act, if a forfeited vehicle is sold in accordance with clause 87 the Authority holds the net proceeds of sale (if any) of the vehicle for the person who was the owner of the vehicle immediately before its sale.
- (2) An application for payment of the net proceeds of sale may be made to the Authority at any time within 12 months after the forfeited vehicle was sold.
- (3) The Authority must pay the net proceeds of sale to the applicant if satisfied that the applicant is entitled to the proceeds.

**Note.** The applicant need not be the owner.

- (4) If no application is made within that 12 month period, the Authority may transfer the net proceeds of sale to such of its funds as it considers appropriate. The money then becomes the property of the Authority.
- (5) In this clause:

***net proceeds of sale*** means the proceeds (if any) of a sale of a forfeited vehicle remaining after deduction of:

- (a) the expenses of sale, and
- (b) the fees, charges, taxes and fine that the Authority could have allowed under section 27 (5) of the Act for the waiver of the forfeiture.

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Clause 89      Road Transport (Vehicle Registration) Regulation 1998  
Chapter 7      Miscellaneous  
Part 3          Other provisions

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**Part 3      Other provisions**

**89    More than one person may be recorded as registered operator of light vehicle**

- (1) For the purposes of section 23A (1) of the Act, the name of more than one person (but no more than 2 persons) may be recorded in the Register as a registered operator of a light vehicle either at the time the vehicle is first registered or subsequently.
- (2) If a light vehicle is currently registered in the name of another person, the Authority may record an additional person as a registered operator of the vehicle, but only if it first approves an application by the additional person for the partial transfer of the registration of the vehicle.
- (3) For the purposes of this clause, the Authority may approve an application for the transfer of registration only if:
  - (a) the application is signed by each existing registered operator as indicated on the application form, and
  - (b) the application is accompanied by any duty payable under applicable stamp duty legislation and the applicable scheduled fee for transfer of registration of the vehicle, and
  - (c) the person provides such information and supporting evidence as the Authority may require, and
  - (d) the Authority is satisfied that, had the vehicle been sold to the person and clauses 34–36 been complied with, it would not have refused to transfer the registration of the vehicle to the person under clause 38.
- (4) If the Authority records an additional person as a registered operator of a registrable vehicle after approving the person's application for the transfer of registration, the Authority must issue a new certificate of registration bearing the names of both the existing registered operator and the additional registered operator.

- 
- (5) Subject to this Regulation, if more than one person is recorded as a registered operator of a light vehicle:
- (a) any right, liability or obligation conferred or imposed on a registered operator of the registrable vehicle by the relevant legislation is taken to be conferred or imposed on each person recorded, and
  - (b) each person recorded is taken to have complied with any obligation imposed by the relevant legislation if any one of the persons recorded has (whether personally or through an agent) complied with the obligation, and
  - (c) the Authority is taken to have complied with any obligation to give notice to the registered operator of the vehicle that is imposed by the relevant legislation if it notifies any one or more of the persons recorded.
- (6) In this clause, *relevant legislation* has the same meaning as it has in section 23A of the Act.

#### 90 Application of Road Transport (Mass, Loading and Access) Regulation 1996

- (1) A vehicle is exempted from a dimension limit or any other requirement of this Regulation if the person or vehicle is exempted from that limit or requirement by or under a provision of the *Road Transport (Mass, Loading and Access) Regulation 1996*.
- (2) A breach of this Regulation is to be disregarded in any prosecution if it is to be disregarded under the *Road Transport (Mass, Loading and Access) Regulation 1996*.
- (3) In this clause:
- dimension limit* means a provision of this Regulation that limits or otherwise regulates the dimensions of any registrable vehicle (or any load or projection of the vehicle).

#### 91 Special provisions relating to boat trailers

- (1) Any trailer constructed or that is being used for the conveyance of a boat is taken to comply with an affixing provision if the

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affixed item is securely affixed to a removable panel or panels, constructed of wood, metal or other suitable material and such panel or panels are:

- (a) whilst a boat is being carried on the trailer—securely affixed to the boat in such a manner that the affixed item is in a position and is facing in a direction which would comply with the provisions of this Regulation if the boat comprised part of the trailer, and
- (b) whilst a boat is not being carried on the trailer—securely affixed to the trailer in such a manner that the affixed item is in a position and is facing in a direction which complies with the provisions of this Regulation.

(2) In this clause:

*affixing provision* means any provision of this Regulation relating to:

- (a) the affixing of and any fitting for a number-plate or trader's plate or a registration label or a holder for such a label, or
- (b) the affixing of and any fitting for any light, reflector or flashing light turn signal required or permitted by this Regulation to be fitted to the trailer.

*affixed item*, in relation to an affixing provision, means any number-plate, fitting for the number-plate, trader's plate, registration label, holder for a registration label, light, reflector or flashing light turn signal to which the affixing provision applies.

### 92 Delegation of Authority's powers

For the purposes of section 12 of the Act, the following persons to whom the Authority may delegate all or any of its powers under the Act or this Regulation are prescribed:

- (a) a statutory corporation,
- (b) the holder of a statutory office,
- (c) an officer or employee of a government department or statutory corporation,
- (d) a police officer.



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- (e) a local council,
  - (f) any other person who, in the opinion of the Authority, has appropriate qualifications for the exercise of the power delegated.

### 93 Service of notices on registered operators and delivery of things to Authority

- (1) The Authority may serve any notice under the Act or this Regulation on the registered operator of a registrable vehicle by sending the notice by post or by some other means to the registered operator's residential address, or to the address for service of notices recorded in the Register in relation to the vehicle.

**Note.** Section 4 of the Act defines *residential address*, in relation to a company or other body corporate, to mean its registered office or any place recorded in the Register as its residential address or business address.

- (2) The date on which a registered operator is taken to have been served with a notice under this Regulation is:
  - (a) if the notice is sent by mail—the fourth working day after the notice was posted, or
  - (b) if the notice is delivered to the holder personally—the date when it is so delivered.
- (3) If it is provided in this Regulation that any notification, document or thing must be forwarded, surrendered or delivered to the Authority, it is sufficient compliance with any such provision if the notification, document or thing is forwarded to or surrendered or delivered at a motor registry within the prescribed time.

### 94 Short descriptions of offences

- (1) For the purposes of section 145B of the *Justices Act 1902*, the prescribed expression for an offence created by a provision of the Act or this Regulation specified in Column 1 of Schedule 5 is:
  - (a) the expression specified opposite the provision in Column 2 of that Schedule, or
  - (b) if a choice of words is indicated in that expression, the words remaining after the omission of the words irrelevant to the offence.

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- (2) For the purposes of any proceedings for an offence created by a provision specified in Column 1 of Schedule 5, the prescribed expression for the offence is taken to relate to the offence created by the provision, as the provision was in force when the offence is alleged to have been committed.
- (3) The amendment or repeal of a prescribed expression does not affect the validity of any information, complaint, summons, warrant, notice, order or other document in which the expression is used.
- (4) Subclause (3) applies to any information, complaint, summons, warrant, notice, order or other document (whether issued, given or made before or after the amendment or repeal) that relates to an offence alleged to have been committed before the amendment or repeal.

### **95 Savings and transitional provisions**

Schedule 6 has effect.

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## Schedule 1 Application of Act and Regulation

(Clause 4)

### Part 1 General

#### 1 Definitions

In this Schedule:

*registration provisions* means the provisions of this Regulation concerning the registration of registrable vehicles (including the issue and use of number-plates and the use of unregistered vehicles).

#### 2 Suspension of exemptions

- (1) The Authority may suspend, either indefinitely or for such period as it thinks fit, the operation of clauses 9 and 11 of this Schedule in relation to any registrable vehicle to which any of those clauses would, but for this subclause, apply if, having regard to any of the matters referred to in clause 42 (1) and (2) of this Regulation, the Authority considers such action desirable in the public interest.
- (2) Section 21 (1) and (2) of the *Traffic Act 1909* applies to a decision to suspend the operation of a provision under subclause (1) in the same way as it applies to a decision to suspend an exemption from holding a licence referred to in section 21 (1) (c) of that Act.

#### 3 Application of section 18 of Act to Part 2 vehicles

For the purposes of section 18 (2) (b) of the Act, the use of a vehicle referred to in Part 2 on a road or road related area is permitted under this Regulation.

### Part 2 Vehicles not subject to registration provisions

#### 4 Vehicles on tow trucks

The registration provisions do not apply to a registrable vehicle under tow by a tow truck operating as a tow truck.

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### 5 Vehicles used for work on farms

- (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 operating as an agricultural machine.
- (2) In this clause:

***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.

**Note.** Examples of agricultural implements are irrigating equipment, augers, conveyors, harvester fronts, harvest bins and machinery fully carried on the three-point linkage of a tractor.

Examples of agricultural machinery are tractors and harvesters.

### 6 Vehicles using roads or road related areas to a limited extent in context of primary production

The registration provisions do not apply to any registrable vehicle that is not used on any road or road related area other than for the purpose of being driven across any such road or area when travelling from or to land that is being used solely or mainly for the purpose of primary production.

### 7 Trailers used for roadmaking and other public works

The registration provisions do not apply to any trailer (not being a vehicle constructed, or used, primarily for the conveyance of any goods or materials, or a caravan being used for tours for recreation purposes) that is hauled by a motor vehicle that is registered and is used solely:

- (a) for the purposes of road construction, maintenance (including cleansing, sweeping, watering or any similar process) or repair, or
- (b) on a public park or on land dedicated or reserved from sale by the Crown for public health, recreation, enjoyment or other public purposes of a like nature, or on land owned

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by or leased to or vested in a local council or the Crown, for rolling tennis courts, cricket wickets, lawns or pathways or improving the surface of the ground or for similar work, and not let out on hire,

and which is not used on any road or road related area otherwise than while at, or proceeding to or returning from, the place where the road construction, maintenance or repair of other work is performed.

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

- (1) The registration provisions do not apply to any golf vehicle or green keeping vehicle being driven directly across a road or road related area that intersects with or traverses 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 observe any such game, or
  - (b) is proceeding to or from the golf course to be used for or in connection with the rolling or maintenance or surface improvement of any part of the golf course, or
  - (c) is proceeding 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 clause:

***golf course*** means an area of land (which includes tees, fairways, greens, rough, pathways, bunkers and bridges) designed and used for the playing of golf.

***golf vehicle*** means:

- (a) a motorised buggy or cart that is designed and used to carry any golfer, spectator or golfing equipment on a golf course, or
- (b) a motor cycle having an engine capacity not exceeding 50 ml that is used to carry a golfer, spectator or golf equipment on a golf course, or
- (c) any trailer that is being drawn by any such vehicle.

*green keeping vehicle* means any vehicle used solely or principally for or in connection with the rolling or maintenance or surface improvement of any part of a golf course.

## 9 Vehicles temporarily in New South Wales

- (1) The registration provisions do not apply to a registrable vehicle that:
  - (a) is temporarily in New South Wales, and
  - (b) is:
    - (i) registered in another State or a Territory or in a foreign country, or
    - (ii) if unregistered—permitted to be used in accordance with an interstate permit law or interstate trader's plate law,if it meets the requirements of subclause (2).
- (2) The requirements to be met by a registrable vehicle referred to in subclause (1) are:
  - (a) that the vehicle carry, conspicuously displayed in the required manner and condition, all number-plates and labels that it is at that time required to carry:
    - (i) in the case of a vehicle registered outside this jurisdiction in the other State, Territory or country in which it is registered, or
    - (ii) in the case of an unregistered vehicle permitted to be used in another State or a Territory in that State or Territory,  
under a law of that State, Territory or country, as the case may be, and
  - (b) in the case of a vehicle described in subclause (1) (b) (ii)—that the vehicle is used in accordance with any conditions of any permit or other authority that apply in the State or Territory, so far as they are capable of being applied to the use of the vehicle outside that State or Territory.

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(3) In this clause:

interstate permit law means a law of another State or Territory that substantially corresponds to the provisions of this Regulation concerning unregistered vehicle permits.

*interstate trader's plate law* means a law of another State or a Territory that substantially corresponds to the provisions of this Regulation concerning trader's plates.

**10 Vehicles registered under the Interstate Road Transport Act 1985 (Cth)**

The registration provisions do not apply to any registrable vehicle registered under the *Interstate Road Transport Act 1985* of the Commonwealth and on which is clearly displayed as required by or under that Act the number allotted and the current registration label issued in respect of the vehicle's registration:

- (a) while carrying passengers or goods between prescribed places within the meaning of that Act, or
- (b) while being driven or left standing for any purpose that is incidental to the carriage of passengers or goods between those places.

**11 Trailers registered in Victoria**

- (1) The registration provisions do not apply to any trailer (other than a trailer used to carry a boat) that:
  - (a) satisfies the prescribed requirements, and
  - (b) is being towed by a motor vehicle that is registered in Victoria, and
  - (c) if it obscures the number-plate of that motor vehicle—displays (whether by painting or otherwise) on its rear the registration number of the vehicle so that the number is clearly distinguishable at a distance of 20 metres from the rear.

(2) In this clause:

***prescribed requirements***, in relation to a trailer, means that the trailer:

- (a) is not used in the course of trade, and
- (b) is exempt from registration in Victoria, and
- (c) weighs less than 200 kilograms unladen, and
- (d) has a manufactured width that does not exceed the width of the vehicle towing the trailer, and
- (e) is of a length (including the draw bar and any load) that does not exceed 3 metres.

#### **42 Vehicles used to fight rural fires**

The registration provisions do not apply to any registrable vehicle that is used on a road or road related area only if the vehicle:

- (a) is attached to a rural fire brigade formed under the *Rural Fires Act 1997* and has painted on it, or securely affixed to it, a sign clearly identifying the rural fire brigade to which it is attached, and
- (b) is used to convey persons or equipment to or from the work of preventing, mitigating or suppressing fires in rural fire districts (including clearing fire breaks or removing inflammable material), and
- (c) is travelling on the public street for the purpose referred to in paragraph (b) or any of the following purposes:
  - (i) to attend a fire, incident or other emergency in accordance with the *Rural Fires Act 1997*,
  - (ii) to assist other emergency services organisations at incidents and at emergencies under the control of those organisations,
  - (iii) to convey persons or equipment for the purpose of training those persons in relation to any of the purposes referred to in this paragraph,



- (iv) for a purpose necessary or incidental to the service or repair of the vehicle,
- (v) to perform such other functions of the NSW Rural Fire Service as the Commissioner of the NSW Rural Fire Service or a fire control officer appointed under the *Rural Fires Act 1997* may approve for the purposes of the exemption.

### **13 Police vehicles**

The registration provisions do not apply to any registrable vehicle that is being used in connection with police work and to which is affixed a number-plate issued by the Authority for the purpose of being substituted for the number-plate that would otherwise be required to be affixed to the vehicle by this Regulation.

### **14 Lawn mowers**

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

### **15 Pedal cycles**

The registration provisions do not apply to any registrable vehicle comprising a pedal cycle to which is attached one or more auxiliary propulsion motors having a combined maximum power output not exceeding 200 watts.

### **16 Vehicles used by certain disabled persons**

The registration provisions do not apply to any registrable vehicle that:

- (a) is specially constructed to be used, and while on a road or road related area is used, solely for the conveyance of a person with a disability that substantially impairs the person's mobility, and

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- (b) weighs not more than 110 kg when unladen, and
- (c) is not capable of travelling at more than 10 km/h.

#### **17 Vehicles being driven to registration and associated places**

- (1) The registration provisions do not apply to any 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 motor registry, or
  - (b) to the nearest convenient vehicle inspection station or authorised inspection station to determine whether the registrable vehicle complies with the applicable vehicle standards for that vehicle, or
  - (c) in the course of inspection or testing of the motor vehicle for the purpose of making the determination referred to in paragraph (b), or
  - (d) to the nearest practicable weighbridge to determine the weight of the motor vehicle, or
  - (e) from a motor registry or from a vehicle inspection station where registration of the vehicle has been refused for any purpose, except where the condition of the vehicle is such that a direction has been issued that the vehicle must not be driven on a road or road related area before necessary repairs are effected, to the nearest convenient place at which necessary repairs and adjustments to the vehicle may be effected or at which the vehicle may be garaged, or
  - (f) from an authorised inspection station to the nearest convenient place at which necessary repairs and adjustments to the vehicle may be effected or at which the vehicle may be garaged, or
  - (g) to the nearest convenient office of a licensed insurer under the *Motor Accidents Act 1988* for the purpose of obtaining third party insurance for the vehicle in accordance with that Act, or

- (h) to the nearest convenient location for any other purpose directly associated with the registration process.
- (2) Subclause (1) does not apply to a heavy vehicle returning from any such registration or inspection location.
- (3) The registration provisions do not apply to a registrable vehicle that:
  - (a) is being driven for the purpose of obtaining an unregistered vehicle permit, and
  - (b) is proceeding by the most direct or convenient route to the nearest place at which a permit can be obtained under this Act,until it reaches that place.
- (4) In this clause, *direct or convenient route* includes the route to the nearest place at which the registrable vehicle can be weighed or inspected for the purpose of obtaining registration.

### **18 Vehicles that are being inspected**

The registration provisions do not apply to any registrable vehicle the registration of which has expired but to which the number-plates are still affixed while the vehicle is being driven by an authorised examiner to determine whether the vehicle complies with the applicable vehicle standards for the vehicle.

## **Part 3 Vehicles to which Act does not apply**

### **19 Light rail vehicles**

The Act does not apply to any light rail vehicle.

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Schedule 2 Scheduled fees

**Schedule 2 Scheduled fees**

(Clause 79)

| <b>Column 1</b>  | <b>Column 2</b>    | <b>Column 3</b>                   |
|--|--------------------|-----------------------------------|
| <b>Fee category</b>  | <b>Amount (\$)</b> | <b>Provision</b>                  |
| 1. Registration or renewal of registration of a motor vehicle or trailer for a period exceeding 3 months in the case Of  |                    | Clauses 11 (1) (c) and 32 (1) (b) |
| (a) a motor vehicle (not being a motor vehicle referred to in paragraph (b), (c), (d), (e) or (f))..   | 46                 |                                   |
| (b) a public passenger vehicle:  |                    |                                   |
| (i) in the case of a bus (not being a bus registered in the name of the State Transit Authority) or other vehicle with an unladen weight of 5 tonnes or more equipped to seat more than 8 adult persons .....            | 242                |                                   |
| (ii) in the case of a bus (not being a bus registered in the name of the State Transit Authority) or other vehicle with an unladen weight of less than 5 tonnes equipped to seat more than 8 adult persons..             | 144                |                                   |
| (iii) in the case of a taxi-cab (not being a taxi-cab licensed under the <i>Passenger Transport Act 1990</i> to operate in a transport district within the meaning of the <i>Transport Administration Act 1988</i> ).... | 144                |                                   |

## Road Transport (Vehicle Registration) Regulation 1998

## Scheduled fees

## Schedule 2

| Column 1  | Column 2    | Column 3                          |
|---|-------------|-----------------------------------|
| Fee category  | Amount (\$) | Provision                         |
| (iv) in the case of any other public passenger vehicle (not being a mourning coach, private hire car or wedding car) .....  | 144         |                                   |
| (c) an articulated motor lorry .....  | 203         |                                   |
| (d) a motor lorry (not being an articulated motor lorry), including a tow truck that is not a trailer, with an unladen weight of 5 tonnes or more or a prime mover .          | 144         |                                   |
| (e) a trailer, including a trailer that is a tow truck, with an unladen weight of 2.5 tonnes or more .....  | 104         |                                   |
| (f) a tow truck that is not a trailer, with an unladen weight of less than 5 tonnes or a trailer, that is a tow truck, with an unladen weight of less than 2.5 tonnes.. ..... | 95          |                                   |
| 2. Registration or renewal of registration of a motor vehicle or trailer for a period not exceeding 3 months in the case of   |             | Clauses 11 (1) (c) and 32 (1) (b) |
| (a) a motor vehicle referred to in item 1 (a) .....   | 17          |                                   |
| (b) a motor vehicle referred to in:   |             |                                   |
| item 1 (b) (i) .....  | 66          |                                   |
| item 1 (b) (ii) .....   | 42          |                                   |
| item 1 (b) (m) .....  | 42          |                                   |
| item 1 (b) (iv) .....   | 42          |                                   |
| (c) a motor vehicle or trailer referred to in:  |             |                                   |
| item 1 (c) .....  | 56          |                                   |
| item 1 (d) .....  | 42          |                                   |
| item 1 (e) .....  | 32          |                                   |
| item 1 (f) .....  | 29          |                                   |

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Schedule 2 Scheduled fees

| Column 1   | Column 2                                   | Column 3   |
|--|--|--|
| Fee category   | Amount (\$)                                | Provision  |
| 3. Transfer of registration of motor vehicle or trailer:   |  | Clause 36 (1) (b) and (3) (b), 37 (3) (b) and 39 (1) (d) |
| (a) where application for transfer is made within 14 days of acquiring a motor vehicle or trailer:   |  |  |
| (i) in the case of any person who is the holder of a licence under the <i>Motor Dealers Act 1974</i> or of any law of another State, or of a Territory or of the Commonwealth, that corresponds to a dealer's licence, or a wholesaler's licence under that Act..... | 25   |  |
| (ii) in any other case .....   | 40   |  |
| (b) where application for transfer is made after the period referred to in paragraph (a) .....   | 73 in addition to the fee in paragraph (a) |  |
| 4. Issue, or renewal, of a trader's plate:   |  | Clause 45 (1)  |
| (a) in the case of a trader's plate for use on a motor vehicle other than a motor cycle:   |  |  |
| (i) a yearly rate .....  | 270  |  |
| (ii) a monthly rate .....  | 23   |  |
| (b) in the case of a trader's plate for use on a motor cycle:  |  |  |
| (i) a yearly rate .....  | 66   |  |
| (ii) a monthly rate .....  | 7  |  |
| 5. Transfer of a trader's plate.. .....  | 20   | Clause 54 (2)  |

## Road Transport (Vehicle Registration) Regulation 1998

Scheduled fees

Schedule 2

| <b>Column 1</b>  | <b>Column 2</b>    | <b>Column 3</b>  |
|--|--------------------|------------------|
| <b>Fee category</b>  | <b>Amount (\$)</b> | <b>Provision</b> |
| 6. Inspection of applicable vehicle by an authorised person (other than an inspection to which item 8 applies):  |                    | Clause 62        |
| (a) in the case of an articulated motor lorry .....  | 157                |                  |
| (b) in the case of a bus or other vehicle with an unladen weight of 5 tonnes or more equipped to seat more than 8 adult persons .....  | 98                 |                  |
| (c) in the case of a motor lorry (not being an articulated motor lorry), including a tow truck that is not a trailer, with an unladen weight of 5 tonnes or more or a prime mover .....              | 98                 |                  |
| (d) a motor lorry (not being an articulated motor lorry or a tow truck) with an unladen weight of more than 2 tonnes but less than 5 tonnes .....  | 32                 |                  |
| (e) in the case of a bus or other vehicle with an unladen weight of less than 5 tonnes equipped to seat more than 8 adult persons .....  | 49                 |                  |
| (f) in the case of a taxi-cab or other public passenger vehicle (not being a public passenger vehicle referred to in paragraphs (b) or (e) or mourning coach, private hire car or wedding car) ..... | 49                 |                  |
| (g) in the case of a trailer, including a trailer that is a tow truck, with an unladen weight of 2.5 tonnes or more .....  | 58                 |                  |

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Schedule 2 Scheduled fees

| Column 1<br>Fee category   | Column 2<br>Amount (\$) | Column 3<br>Provision |
|--|-------------------------|-----------------------|
| (h) in the case of a tow truck that is not a trailer with an unladen weight of less than 5 tonnes or a trailer, that is a tow truck, with an unladen weight of less than 2.5 tonnes .....  | 49                      |                       |
| (i) in the case of a trailer (not being a trailer that is a tow truck) with an unladen weight of less than 2.5 tonnes .....  | 14                      |                       |
| (j) in the case of a motor cycle .....   | 14                      |                       |
| (k) in the case of any other registrable vehicle .....   | 23                      |                       |
| 7. Inspection by an authorised officer of a registrable vehicle that is a re-inspection to determine whether work required as a consequence of a previous inspection has been carried out: |                         | Clause 62             |
| (a) where a defect notice directs that faults be rectified within a specified period of time and authorises the use of the vehicle during that time .....                                  | 28                      |                       |
| (b) all other re-inspections .....   | 58                      |                       |
| 8. Examiner's authority:   |                         | Clause 63 (3)         |
| (a) issue of authority .....   | 112                     |                       |
| (b) duplicate of authority .....   | 14                      |                       |
| 9. Proprietor's authority:   |                         | Clause 64 (5)         |
| (a) issue of authority .....   | 224                     |                       |
| (b) duplicate of authority .....   | 14                      |                       |



**Appendix Certain fees payable on and from  
1 July 2000**

| Column 1<br>Fee category  | Column 2<br>Amount (\$) | Column 3<br>Provision             |
|---|-------------------------|-----------------------------------|
| 1. Registration or renewal of registration of a motor vehicle or trailer for a period exceeding 3 months in the case of   |                         | Clauses 11 (i) (c) and 32 (1) (b) |
| (a) a motor vehicle (not being a motor vehicle referred to in paragraph (b), (c), (d), (e) or (f)) .....  | 41                      |                                   |
| (b) a public passenger vehicle:   |                         |                                   |
| (i) in the case of a bus (not being a bus registered in the name of the State Transit Authority) or other vehicle with an unladen weight of 5 tonnes or more equipped to seat more than 8 adult persons .....       | 237                     |                                   |
| (ii) in the case of a bus (not being a bus registered in the name of the State Transit Authority) or other vehicle with an unladen weight of less than 5 tonnes equipped to seat more than 8 adult persons .....    | 139                     |                                   |
| (iii) in the case of a taxi-cab (not being a taxi-cab licensed under the Passenger Transport Act 1990 to operate in a transport district within the meaning of the <i>Transport Administration Act 1988</i> ) ..... | 139                     |                                   |

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| Column 1<br>Fee category   | Column 2<br>Amount (\$) | Column 3<br>Provision             |
|--|-------------------------|-----------------------------------|
| (iv) in the case of any other public passenger vehicle (not being a mourning coach, private hire car or wedding car) .....   | 139                     |                                   |
| (c) an articulated motor lorry .....   | 198                     |                                   |
| (d) a motor lorry (not being an articulated motor lorry), including a tow truck that is not a trailer, with an unladen weight of 5 tonnes or more or a prime mover .....   | 139                     |                                   |
| (e) a trailer, including a trailer that is a tow truck, with an unladen weight of 2.5 tonnes or more.....  | 99                      |                                   |
| (f) a tow truck that is not a trailer, with an unladen weight of less than 5 tonnes or a trailer, that is a tow truck, with an unladen weight of less than 2.5 tonnes..... | 90                      |                                   |
| 2. Registration or renewal of registration of a motor vehicle or trailer for a period not exceeding 3 months in the case of:   |                         | Clauses 11 (1) (c) and 32 (1) (b) |
| (a) a motor vehicle referred to in item 1 (a) .....  | 16                      |                                   |
| (b) a motor vehicle referred to in:  |                         |                                   |
| item 1 (b) (i) .....   | 65                      |                                   |
| item 1 (b) (ii) .....  | 41                      |                                   |
| item 1 (b) (iii) .....   | 41                      |                                   |
| item 1 (b) (iv) .....  | 41                      |                                   |
| (c) a motor vehicle or trailer referred to in:   |                         |                                   |
| item 1 (c) .....   | 55                      |                                   |
| item 1 (d) .....   | 41                      |                                   |
| item 1 (e) .....   | 31                      |                                   |
| item 1 (f) .....   | 28                      |                                   |

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Schedule 2

| Column 1  | Column 2                                   | Column 3   |
|---|--|--|
| Fee category  | Amount (\$)                                | Provision  |
| 3. Transfer of registration of motor vehicle or trailer:  |  | Clause 36 (1) (b) and (3) (b), 37 (3) (b) and 39 (1) (d) |
| (a) where application for transfer is made within 14 days of acquiring a motor vehicle or trailer ..... | 20   |  |
| (b) where application for transfer is made after the period referred to in paragraph (a) .....          | 73 in addition to the fee in paragraph (a) |  |

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Schedule 3 Record of use of trader's plate

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**Schedule 3 Record of use of trader's plate**

(Clause 52)

| Date | No of trader's plate | Make of vehicle | Purpose for which used | Driver's name and address | Time vehicle left | Time vehicle (or plate) returned | Remark |
|------|----------------------|-----------------|------------------------|---------------------------|-------------------|----------------------------------|--------|
|      |                      |                 |                        |                           |                   |                                  |        |

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## Schedule 4 Vehicle standards

(Clause 56)

### Part 1 General

#### 1 Application of Schedule

- (1) Subject to this clause and except where the context of this Schedule otherwise indicates or requires, every registrable vehicle that is, or is to be, driven on a road or road related area:
  - (a) must be provided with the items of equipment appropriate for the vehicle set out in, and conforming with the provisions of, this Schedule, and
  - (b) must be so constructed and equipped that it will comply with all other provisions appropriate to the vehicle that are specified in this Schedule.
- (2) The provisions of this Schedule (other than this clause) do not apply to any plant.
- (3) However, any such plant must comply with any technical specifications entitled "Plant Vehicles: Registration Options Manual" and "Plant Vehicle Certification Manual" published by the Authority from time to time.
- (4) In this clause:

*plant* means a motor vehicle that wholly comprises:

  - (a) a machine or implement that is not capable of carrying any load other than tools and accessories usually carried, or
  - (b) a crane or a fork lift truck.

#### 2 Definitions

- (1) In this Schedule:

*bus* does not include a forward-control passenger vehicle.

**Note.** The Dictionary at the end of the Regulation defines *bus* to mean a motor car constructed primarily for the carriage of persons and equipped to seat more than 9 adult persons (counting the driver).

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#### Schedule 4 Vehicle standards

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(2) A reference in this Schedule:

- (a) to a clause of this Schedule is a reference to a clause contained in this Schedule, and
- (b) to a clause of this Regulation is a reference to a clause of this Regulation other than a clause in any Schedule to this Regulation.

### 3 References to registration before the commencement of the Act

A reference in this Schedule to the registration of a vehicle on a date occurring before the commencement of the Act is taken to be a reference to its registration under the *Traffic Act 1909* before that date.

### 4 Date of manufacture of vehicle

If, in respect of a registrable vehicle imported into Australia, an application is or was made in New South Wales:

- (a) on or after 1 January 1984, for registration of the vehicle as a public passenger vehicle, or
- (b) on or after 1 July 1987, for registration of the vehicle as a motor lorry having a GVM exceeding 12 tonnes,

the date of manufacture of the vehicle is, for the purposes of this Schedule, taken to be the date of entry of the vehicle into Australia.

### 5 Optional items

If in a provision of this Schedule, a second edition ADR or third edition ADR it is provided or indicated that any item of equipment is optional and the item is used on a registrable vehicle to which the provision is applicable, the item must conform with the requirements of that provision.

### 6 Alteration of specifications

- (1) A motor car or motor car derivative must not be altered from its specifications, as originally manufactured, so that it no longer

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complies with the requirements of a second edition ADR or third edition ADR applicable to that vehicle or altered in any of the following respects:

- (a) by fitting a wheel rim which does not conform to the relevant dimensional standards for wheel rims set down 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 more than 25 mm beyond the maximum specified by the axle or vehicle manufacturer,
  - (c) by fitting a wheel nut which does not engage the thread of the wheel stud for at least the same length as the wheel nut provided by the vehicle manufacturer or the fitting of a wheel nut which does not match the taper on the wheel stud hole,
  - (d) by fitting a tyre other than that appropriate to the wheel rim as specified in the Tyre and Rim Standards Manual issued by the Tyre and Rim Association of Australia or in any applicable second edition ADR or third edition ADR,
  - (e) so that any part of it other than a tyre or wheel rim will contact a road surface in the case of the complete deflation of a tyre,
  - (f) by welding or heating an axle, stub axle, steering arm or steering knuckle support.
- (2) A motor vehicle, other than a motor car or motor car derivative, must not be altered from its specifications, as originally manufactured, so that it no longer complies with the requirements of a second edition ADR or a third edition ADR applicable to that vehicle.
  - (3) If a vehicle is altered from its specifications, as originally manufactured, the Authority may require the owner to supply such information about the alterations as the Authority considers necessary.
  - (4) Despite subclauses (1) and (2), a vehicle may be altered from its specifications as originally manufactured if the alteration only gives effect to any subsequent second edition ADR or third edition ADR applicable to a vehicle of that category.

**7 Compliance with third edition ADR as alternative to compliance with Schedule**

Nothing in Parts 2–4 prevents a registrable vehicle from being constructed and equipped so as to comply with any relevant requirement of a provision of a third edition ADR as an alternative to being constructed and equipped to comply with any relevant requirements of a corresponding provision of Parts 2–4.

**8 Application of Australian Design Rules to categories of vehicle**

- (1) For the purposes of this Schedule, a second edition ADR or third edition ADR is applicable to a category of registrable vehicle if the ADR is expressed to apply to that category.
- (2) If this Schedule requires that any part or item of equipment of a registrable vehicle comply with a second edition ADR or third edition ADR and the Rule conflicts with a requirement of this Schedule, the ADR prevails.
- (3) If any part or item of equipment of a registrable vehicle is required to comply with Part 6 (including the Appendix to that ADR) and that requirement conflicts with a requirement of Part 5, the requirement in Part 5 prevails to the extent of the conflict.

**9 Lighting devices that can be attached to vehicles**

A device capable of projecting light must not be attached to any registrable vehicle unless it is a device required or permitted to be attached to the vehicle by this Schedule.

**10 General requirement to keep vehicles in good order**

In addition to complying with the above requirements, the weight of any registrable vehicle and everything in its construction, form, equipment, working and general condition must be such that:

- (a) it will not contravene any provision of any Act or other law, and
- (b) it will not cause danger or unreasonable annoyance to any person.



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**11 Compliance plates to be affixed to certain vehicles**

Any motor vehicle (other than a tractor, a trailer or an implement) registered for the first time on or after 1 August 1972 must have securely and prominently affixed within the engine compartment or other position approved by the Authority a plate approved by the Australian Motor Vehicle Certification Board that:

- (a) identifies the specific vehicle, and
- (b) indicates that it meets the standards and procedures administered by the Australian Motor Vehicle Certification Board for that class of vehicle.

**12 Trailer compliance plates**

- (1) This clause applies to the following trailers:
  - (a) a trailer manufactured on or after 1 January 1986, and having an individual gross trailer weight rating (as determined by the Authority) of more than 15 tonnes, but not more than 60 tonnes,
  - (b) a semi-trailer manufactured on or after 1 January 1986, and having an individual gross trailer weight rating (as determined by the Authority) of more than 20 tonnes, but not more than 60 tonnes,
  - (c) a trailer or semi-trailer manufactured on or after 1 January 1986, and having an individual gross trailer weight rating (as determined by the Authority) of more than 4.5 tonnes, but not more than 60 tonnes.
- (2) At or after the time of the first registration of a trailer to which this clause applies, the trailer must have securely and prominently affixed to it in a position designated by the Australian Motor Vehicle Certification Board a plate approved by that Board that:
  - (a) identifies the specific vehicle, and
  - (b) indicates that it meets the standards and procedures administered by the Australian Motor Vehicle Certification Board for that class of vehicle.

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Schedule 4 Vehicle standards

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**13 Special requirements for vehicles used by disabled persons**

The Authority may require that any registrable vehicle be specially constructed, equipped or adapted in a manner not provided for in this Schedule if:

- (a) it is to be used by a person who is suffering from a physical disability, or
- (b) it is to be used in such other circumstances as may be necessary in the interests of public safety.

**14 Authority may exempt vehicle from requirement of Schedule**

The Authority may exempt any particular vehicle or class of vehicle from any requirement of this Schedule.

**Part 2 Lights and reflectors for vehicles not subject to the lighting requirements of third edition ADRs**

**Division 1 General**

**15 Application of Part**

This Part applies to all motor vehicles or trailers except:

- (a) vehicles to which Part 6 applies, and
- (b) vehicles that are required by Part 5 to be constructed and equipped so as to comply with the lighting requirements of the third edition ADRs.

**Division 2 Compulsory lighting equipment**

**Subdivision 1 Headlights**

**16 Headlights**

- (1) Every motor vehicle (except any trailer, motor cycle with or without a side car and three wheeled motor vehicle that does not exceed 1.5 m in width) must be equipped with:
  - (a) two headlights, one on each side having their centres equidistant from the centre line of the vehicle, but not less

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- than 600 mm apart, at equal height from the ground, of approximately equal candle power, and, subject to clause 32 of this Schedule, capable of an effective range of at least 50 m, or
- (b) four headlights, in sets of two, one set on each side, having their centres equidistant from the centre line of the vehicle, but not less than 600 mm apart, at equal height from the ground, each set of approximately equal candle power, and, subject to clause 33 of this Schedule, capable of an effective range of at least 50 m.
- (2) Every motor cycle (except a motor tricycle) must be equipped with one headlight capable, subject to clause 33 of this Schedule, of an effective range of at least 50 m.
- (3) Every motor cycle with an engine not exceeding 200 ml capacity and with a lighting system so designed and constructed so as not to have an effective range of at least 50 m must comply with the following:
- (a) if the engine capacity does not exceed 100 ml—the motor cycle must be equipped with one headlight capable of an effective range of at least 12 m,
  - (b) if the engine capacity exceeds 100 ml but does not exceed 200 ml—the motor cycle must be equipped with one headlight capable of an effective range of at least 25 m.
- (4) Every motor cycle with a sidecar must be equipped with:
- (a) one headlight as described in subclause (2) or (3) (whichever is appropriate), and
  - (b) a light affixed to the sidecar of a power not exceeding 7 watts:
    - (i) that when lighted will show a clear white light visible in darkness at a distance of at least 200 m from the front of the vehicle, and
    - (ii) that is so affixed that no part of the vehicle or its loading extends outwards for more than 300 mm from its centre.

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- (5) Every three wheeled vehicle (other than a motor cycle with a sidecar or sidebox attached to it that is not more than 1.5 m wide) must comply with the following:
- (a) if the width of the vehicle does not exceed 1 m—the vehicle must be equipped with one headlight as described in subclause (2) or (3) (whichever is appropriate),
  - (b) if the width of the vehicle exceeds 1 m but does not exceed 1.5 m—the vehicle must be equipped with:
    - (i) one headlight as described in subclause (2) or (3) (whichever is appropriate) and a light affixed to each side of the vehicle of a power not exceeding 7 watts that when lighted will show clear white light visible in darkness at a distance of at least 200 m from the front of the vehicle and that is so affixed that no part of the vehicle or its equipment on that side of the vehicle projects more than 150 mm laterally from its centre, or
    - (ii) two headlights as described in subclause (1) or, if the vehicle has an engine and lighting system as described in subclause (3), two headlights having such effective range described in that subclause as is appropriate.

**Subdivision 2 Rear lights**

**17 Rear lights for motor vehicles manufactured before 4 January 1988**

- (1) Every motor vehicle manufactured before 1 January 1988, and every motor cycle whenever manufactured, must be equipped with either one or two lights, of a power not exceeding 7 watts, affixed to the rear of the vehicle.
- (2) If a single light is affixed under this clause, it must be placed:
  - (a) in the centre, or to the right-hand or off-side of the centre, of the rear of the vehicle, and
  - (b) at a height not exceeding 1 m from the ground.

- 
- (3) If 2 such lights are so affixed, they must be placed as referred to in clause 18 (2) of this Schedule.
  - (4) Every such light must be capable of showing a clear red light rearwards of the vehicle, visible in darkness at a distance of 200 m.

**18 Rear light for motor vehicle manufactured on or after 1 January 1988**

- (1) Every motor vehicle (other than a motor cycle) manufactured on or after 1 January 1988, and every trailer, semi-trailer or pole trailer manufactured on or after that date, must be equipped with 2 lights, each of a power not exceeding 7 watts, affixed to the rear of the vehicle.
- (2) They must be placed:
  - (a) symmetrically about the longitudinal centre of the rear of the vehicle, and
  - (b) at an equal height (not exceeding 1.5 m) from the ground, and
  - (c) so that the distance between the outer edge of the illuminated area of each light and the rear lateral extremity of the vehicle is not greater than 400 mm.
- (3) Every such light must be capable of showing a clear red light rearwards of the vehicle, visible in darkness at a distance of 200 m.

**19 Rear light requirements for all motor vehicles**

- (1) Every motor vehicle must be equipped with one or more lights capable of projecting white light so that they will illuminate and render easily visible at a distance of 20 m each letter, symbol or figure on the number-plate (other than a bicycle rack number-plate) carried on the rear of the vehicle.
- (2) Such light may comprise part of a single light described in clause 17 (2) of this Schedule or may be a separate light.

### **Subdivision 3 Clearance and side marker lights and reflectors (other than rear reflectors)**

#### **20 Motor vehicles with load 2.2 m or more in width**

- (1) Every motor vehicle or trailer (except an articulated vehicle), which with any loading on them are 2.2 m or more in width, must be equipped with the following:
  - (a) on the forepart, two clearance lights, one on each side,
  - (b) on the rear, two clearance lights, one on each side (except in the case of a bus, this requirement applies only to a vehicle registered for the first time on or after 1 January 1960),
  - (c) in the case of a vehicle which exceeds 7.5 m in length—two side marker lights, one on each side at the rear.
- (2) It is sufficient compliance with the requirement in subclause (1) (c) if the rear clearance lights are so constructed and affixed that the light from each of them is visible at right angles to the side of the vehicle to which it is affixed.
- (3) If the motor vehicle is a bus, the requirements of subclause (1) (b) or (c) apply to that bus only if the bus was registered for the first time on or after 1 January 1960.

#### **21 Articulated vehicles**

Every articulated vehicle, irrespective of width, must be equipped with the following:

- (a) in respect of the hauling unit—two clearance lights, one on each side facing to, and visible from, the front,
- (b) in respect of a semi-trailer:
  - (i) on the front, two clearance lights, one on each side, and
  - (ii) on the rear, two clearance lights, one on each side (and if the semi-trailer exceeds 7.5 m in length, at least one clearance light on each side spaced approximately evenly between the front and rear clearance lights), and

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- (iii) on each side, two side marker lights, one at or near the front and one at or near the rear, and where the semi-trailer exceeds 7.5 m in length, at least one side marker light on each side spaced approximately evenly between the front and rear side marker lights.

## 22 Trailers other than pole type trailers

- (1) Trailers (other than pole type trailers), which with any loading on them are 2.2 m or more in width or which project more than 150 mm laterally on either side beyond the motor vehicles by which they are drawn, must be equipped with the following:
  - (a) on the front, two clearance lights, one on each side,
  - (b) on the rear, two clearance lights, one on each side and where the trailer exceeds 7.5 m in length, at least one clearance light on each side spaced approximately evenly between the front and rear clearance lights,
  - (c) on each side, two side marker lights, one at or near the front, and one at or near the rear, and where the trailer exceeds 7.5 m in length, at least one side marker light on each side spaced approximately evenly between the front and rear side marker lights.
- (2) It is sufficient compliance with this clause if two clearance lights, one on each side, and two side marker lights, one on each side, are affixed:
  - (a) at the front of any trailer which projects more than 150 mm laterally on either side beyond the motor vehicle by which it is drawn but which is less than 2.2 m in width and is not more than 7.5 m in length or at the centre of any such trailer if there is no suitable position for the mounting of such lights at the front, or
  - (b) at the centre of any trailer on which there is no suitable position for mounting lights at the front and at the rear.

### 23 Pole type trailers

Every pole type trailer must be equipped with the following:

- (a) at or near each end of the forward facing section of the bolster, or, where there is more than one bolster, of the foremost bolster, two reflectors facing squarely to the front,
- (b) at or near each end of the bolster, or, where there is more than one bolster, the rearmost bolster, one clearance light, or, at or near each end of the rearward facing section of such bolster, two reflectors facing squarely to the rear,
- (c) at or near each end of the bolster, or, where there is more than one bolster, of any one of them, one side marker light or two reflectors facing squarely to the side,
- (d) along the entire length of the right-hand and left-hand faces of the pole, red reflectors spaced at intervals of not more than 1.25 m.

### 24 Motor vehicle fitted with one or more bolsters and designed to draw pole type trailers

Every motor vehicle fitted with one or more bolsters and designed to draw pole type trailers must be equipped with the following:

- (a) at or near the front of the vehicle, one clearance light on each side,
- (b) at or near each end of the forward facing section of the bolster, or, where there is more than one bolster, of the foremost bolster, two reflectors facing squarely to the front,
- (c) at or near each end of the bolster, or where there is more than one bolster, of the rearmost bolster, one clearance light or, at or near each end of the rearward facing section of such bolster, two reflectors facing squarely to the rear,
- (d) at or near each end of the bolster, or, where there is more than one bolster, of any one of them, one side marker light or two reflectors facing squarely to the side.



**Subdivision 4 Brake lights****25 General requirements**

- (1) Every motor vehicle or trailer (except a vehicle referred to in clause 26 of this Schedule) must be equipped with at least one brake light.
- (2) Every motor vehicle (not including a motor cycle), trailer, semi-trailer or pole trailer first registered on or after 1 January 1986 must be equipped with 2 or more brake lights affixed to the rear of the vehicle.
- (3) For the purposes of subclause (2), at least one pair of brake lights must have their centres equidistant from the vertical centre line of the vehicle and be at equal height from the ground.

**26 Exemptions from requirements of Subdivision**

This Subdivision does not apply to:

- (a) any motor vehicle or trailer first registered before 1 January 1934, or
- (b) any motor cycle first registered before 1 January 1960, or
- (c) any motor cycle (other than a motor tricycle), the engine of which does not exceed 200 ml capacity.

**Subdivision 5 Rear reflectors****27 General requirements**

- (1) Every motor vehicle (except a motor cycle without a sidecar) must be equipped with two red reflectors, symmetrically affixed one to each side to its rear.
- (2) Every motor cycle without a sidecar must be equipped with one red reflector at its rear.

## **Subdivision 6 Side lights**

### **28 General requirements for motor vehicles (except trailers and motor cycles)**

- (1) Every motor vehicle (except a trailer or motor cycle) first registered on or after 1 July 1971 must be equipped as follows:
  - (a) the vehicle must have two lights, of a power not exceeding 7 watts, affixed to the front of the vehicle, one on each side, of, and having their centres equidistant from, the centre line of the vehicle but not less than 600 m apart and,
  - (b) the lights must be placed so that no part of the vehicle or any loading or equipment on one side of the vehicle extends more than 500 m beyond the centre line of the light on that side of the vehicle.
- (2) Such lights must be capable of showing a white light visible under normal atmospheric conditions at a distance of 200 m from the front of the vehicle.

### **29 Motor cycles and motor tricycles**

Every motor cycle with sidecar or motor tricycle first registered on or after 1 July 1971 must be equipped with a light or lights of a power not exceeding 7 watts, affixed on the forward part of the motor cycle or motor tricycle.

## **Subdivision 7 Flashing warning lights**

### **30 Street vending vehicles**

Every street vending vehicle must be equipped with a flashing warning light that complies with clause 157 (5) of this Schedule and is mounted on the roof of the vehicle.

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**Division 2      General requirements with regard to  
compulsory equipment prescribed in  
Division 1****Subdivision 1      General****31    Application of Division**

This Division applies to any item of equipment prescribed in Division 1.

**Subdivision 2      Headlights other than alternative  
headlights****32    General requirements for headlights (other than alternative  
headlights)**

- (1) Each headlight (other than an alternative headlight) must:
  - (a) be so fitted that its centre is not higher than 1.4 m from the ground nor in the case of a motor vehicle first registered on or after the 1 January 1961, less than 600 mm from the ground, and
  - (b) be capable of showing white light only and of projecting its main beam of light in front of the vehicle, and
  - (c) in the case of any motor vehicle (not being a motor vehicle which has an engine with a capacity of 200 ml or less) first registered on or after 1 January 1934—be equipped with a dipping device by means of which:
    - (i) in the case of a motor vehicle (other than a motor vehicle fitted with four headlights in sets of two, or a motor vehicle fitted with an alternative headlight or headlights)—the beam of light projected from the light can be deflected downwards, or both downwards and to the left, to such an extent that the top of the high-intensity portion of the light at a distance of 7.6 m in front of the vehicle is not higher than the level of the centre of the light and, at a distance of 22 m in front of the vehicle, is not more than 1 m above the level on which the vehicle stands, and

- (ii) in the case of a motor vehicle fitted with four headlights, in sets of two, one set on each side—the light from each set can be extinguished and, at the same time, the light from one light in each set can be brought into operation, so that the beam of light projected from such light is deflected downwards, or both downwards and to the left, as specified in subparagraph (i), and
  - (iii) in the case of a motor vehicle fitted with an alternative headlight or headlights—the light from the headlight can be extinguished and, at the same time, the light from the alternative headlight or headlights brought into operation, so that the beam of light projected from such light or lights is deflected downwards, or both downwards and to the left, as specified in subparagraph (i).
- (2) The headlights must be such that when the beam of light from them is in the dip position they will have an effective range of at least 25 m.

### **33 Lights without dipping devices**

In any case where the light is not required to be equipped with a dipping device, it must be such that the beam of light projected from it must:

- (a) be deflected downwards to such an extent that the top of the high-intensity portion of the light at a distance of 7.6 m in front of the vehicle is not higher than the level of the centre of the light and, at a distance of 22 m in front of the vehicle, is not more than 1 m above the level on which the vehicle stands, and
- (b) have, in conjunction with any other headlight required to be alight at the time, an effective range of at least 25 m.

### **Subdivision 3 Alternative headlights**

#### **34 General requirements for alternative headlights**

Every alternative headlight must comply with the requirements set out in clause 32 (1) (a) and (b) of this Schedule and must be such that the beam of light projected from it conforms to the requirements of clause 33 (a) and (b) of this Schedule,

**35 Motor vehicles equipped with two lights**

If a motor vehicle is equipped with two such lights, they must be of approximately equal candle power and must be affixed one on each side of the vehicle equidistant from its centre line, at equal height from the ground, and so that the centres of the lights are not less than 600 mm apart.

**Subdivision 4 Rear lights****36 General requirements for rear lights**

Every rear light must:

- (a) be so wired that if already alight it will remain lighted or if not already alight it will become lighted whenever any headlight or alternative headlight, but not additional headlight, with which the motor vehicle is equipped is lighted, or
- (b) be so wired, and the switch controlling the lighting of such light in such a position or so constructed that the light cannot be extinguished by any person on or within the motor vehicle.

**Subdivision 5 Clearance and side marker lights and reflectors (other than rear reflectors)****37 Colour of clearance lights, side marker lights and reflectors**

- (1) A clearance light mounted at or near the front of the motor vehicle or trailer as required by clauses 20 (1) (a), 21 (a) and 24 (a) of this Schedule and at the front or centre of a trailer referred to in clause 22 (1) of this Schedule must be capable of displaying an amber light to the front of the vehicle.
- (2) A clearance light mounted at or near the rear of a motor vehicle or trailer, not being an articulated motor vehicle, as required by clause 20 (1) (b) of this Schedule, must be capable of displaying a red light to the rear of the vehicle.

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- (3) A clearance light other than those referred to in subclauses (1) and (2) must be capable of showing both an amber light to the front and a red light to the rear of the motor vehicle.
- (4) Side marker lights must be capable of showing light as follows:
  - (a) if mounted near the front of a vehicle—amber,
  - (b) if mounted near the rear of a vehicle—red,
  - (c) if a side marker other than those referred to in subparagraphs (a) and (b)—amber.
- (5) However, it is sufficient compliance with this clause in cases where side marker lights and clearance lights are mounted in combination if the combination of such lights is capable of displaying an amber and red light to the side of the vehicle.
- (6) Reflectors facing to the front of a vehicle must be capable of reflecting an amber colour and those facing to the rear or to the side of a vehicle, a red colour, except that any reflector facing to the side at the end of a bolster on a hauling vehicle may be capable of reflecting an amber colour.

### **38 Mounting of clearance lights and side marker lights**

- (1) Clearance lights and side marker lights must be so affixed that:
  - (a) no part of the vehicle or any loading or equipment thereon on the side to which any such light is affixed projects more than 150 mm laterally from the centre of such light, and
  - (b) in the case of any semi-trailer— all such lights are as far as practicable of the same height above the level of the ground on which the vehicle stands, and
  - (c) in the case of any motor vehicle or trailer (other than a pole type trailer)—the rear clearance lights and rear side marker lights are not more than 300 mm forward of the rearmost point of the side of the vehicle to which any such light is affixed and, in the case of a semi-trailer or trailer, the front clearance lights and front side marker lights are not more than 300 mm rearward of the foremost point of the side of the vehicle to which any such light is affixed, and

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- (d) the centre of any such light affixed at or near the rear of a motor vehicle or trailer is not less than 600 mm nor more than 1.5 m above the level of the ground on which the vehicle stands, and
- (e) a clearance light referred to in clause 20 (1) (a) or 21 (a) of this Schedule may be mounted on an external rear vision mirror or its supports if no part of the lens of that light is visible to the driver when seated in the normal driving position.
- (2) In the case of any motor vehicle or trailer first registered on or after 1 January 1960 that has two or more headlights, clearance lights (where required at or near the front of the vehicle) must be so affixed that the centres of them are not less than 750 mm above the centres of the headlights.

**39 Clearance light capable of displaying an amber light to front and red light to rear**

If it is provided in this Schedule that a clearance light must be capable of displaying an amber light to the front and a red light to the rear, two separate lights may be affixed to the vehicle if such lights comply with the requirements of this Schedule with regard to the colour of the light to be displayed and the position of the clearance light for which they are substituted.

**40 Power of lights**

Every clearance light and side marker light must be of a power not exceeding 7 watts and must be capable of showing a clear light visible in darkness at a distance of 200 m.

**41 Clearance light and side marker light may be combined**

A clearance light and a side marker light may be combined as one light provided the combined light is capable of giving illumination as required in this Schedule in relation to both a clearance light and a side marker light.

#### **42 Form of reflectors**

Any reflector may be in the form of reflecting sheeting or tape or other efficient reflecting material.

#### **43 Reflectors on bolsters**

Reflectors required on a bolster fitted to a motor vehicle must be so affixed that the centres of the reflectors are not more than 1.5 m above the ground and so that no part of the vehicle or any loading or equipment on it on the side to which such reflectors are affixed projects more than 250 mm laterally from the outside extremity of any such reflector.

### **Subdivision 6 Brake lights**

#### **44 General requirements for brake lights**

- (1) Any brake light must:
  - (a) be affixed at the rear of the motor vehicle or trailer, and
  - (b) when lighted display a clear red or amber light to the rear of the vehicle so that it will be visible at a distance of 60 m by day or night, and
  - (c) be so affixed that the centre of the light is not higher than 1.5 m or less than 350 mm from the level of the ground on which the vehicle stands and so that it, or where there are two or more such lights, one of them, is in the centre, or to the right-hand or off-side of such vehicle, and
  - (d) be such that it will light when any of the service brakes on a vehicle or combination of vehicles are applied.
- (2) If a motor vehicle or trailer was first registered on 1 January 1961, it is sufficient compliance with subclause (1) (b) if a red light only is displayed to the rear of the vehicle.

### **Subdivision 7 Side lights**

#### **45 General requirements for side lights**

Alight required to be fitted to a vehicle by clauses 28 and 29 of this Schedule must be so wired that if already alight it will remain lighted or if not already alight will become lighted when any headlight or alternative headlight with which the motor vehicle is equipped is lighted.



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**Subdivision 8 Rear reflectors****46 General requirements for rear reflectors**

A rear reflector:

- (a) must be red, and
- (b) must be so affixed that:
  - (i) the centre of the rear reflector where practicable is not higher than 1 m from the ground and in any case is not higher than 1.5 m from the ground, and
  - (ii) no part of the vehicle on the side to which the reflector is affixed projects more than 250 mm laterally from the outside extremity of the reflector where the vehicle or trailer is 2.2 m or more in width, or more than 400 mm laterally from the outside extremity of the reflector where the vehicle or trailer is less than 2.2 m in width, and
- (c) must be such that, at any time between the hours of sunset and sunrise, when the upper beam of light from any headlight complying with the provisions of this Schedule and placed at a distance not exceeding 100 m is projected directly on to the reflector it will give a reflection of light that is clearly visible to the driver of the motor vehicle or trailer to which such light is affixed, and
- (d) must be affixed in a vertical position facing squarely to the rear, and
- (e) must be unobscured and clean, and
- (f) may be in the form of a reflecting lens fitted to any rear light required or permitted by this Schedule, and
- (g) may be in the form of reflecting sheeting or tape or other efficient reflecting material, and
- (h) must, where fitted to a motor vehicle (other than a trailer) manufactured on or after 1 January 1986:
  - (i) comply with the requirements of Class 1 Reflectors specified in the British Standard AU 40: Part 2: 1965—“Motor Vehicle Lighting and Signalling Equipment—Part 2. Reflex reflectors for vehicles, including cycles”, as in force on 31 December 1965, or

- (ii) comply with the requirements of the Society of Automotive Engineers Standard J594f—“Reflex Reflectors”, as revised in January 1977, or
  - (iii) if of reflective material, be not less than 40 sq cm in area and not less than 50 mm in depth, and must comply with the requirements of Class 1 material specified in Australian Standard 1906, Part 1—1976—“Retroreflective Materials and Devices—Part 1—Retroreflective Material”, as in force on 5 May 1976, and
- (i) must, where fitted to a trailer and consisting of reflective material, not be, except as provided by subparagraph (h) (iii), less than 25 sq cm in area and must have a minimum depth of not less than 25 mm.

## **Subdivision 9 Wiring of lights and prevention of glare**

### **47 Requirement of wiring of lights**

- (1) The wiring of any light prescribed by this Schedule in respect of any motor vehicle or trailer and any return conductor as prescribed in subclause (2) must:
- (a) consist of stranded wire of a suitable size and material, and
  - (b) be effectively supported at intervals of not more than 600 mm, except in the case of any pole type trailer so constructed that the length of the pole forward of the trailer frame can be altered, and
  - (c) be soldered and effectively insulated at all joints, except where a joint is made by a connector that provides effective insulation and electrical contact, and
  - (d) be located in such a position that it cannot become overheated, cannot contact moving parts, nor constitute a fire hazard due to its proximity to the fuel system, and
  - (e) be protected from chafing and the edges of all holes in metal through which the wiring passes, must be rolled, or bushed with a grommet of suitable insulating material.

- (2) Every trailer must be equipped with an electrical conductor of a suitable size and material, and independent of the trailer coupling, which provides a return path between the electrical lighting circuit (including any signalling circuit) of the trailer and that of any vehicle hauling it.

#### **48 Electrical connection between trailers and towing vehicles**

If a motor vehicle or trailer first registered on or after 1 January 1988 is equipped with a socket or plug forming part of an electrical connector for use with a trailer or towing vehicle, the socket or plug must comply with Australian Standard 2513-1982 "Electrical Connectors for Trailer Vehicles" as in force on that date.

#### **49 Reduction of glare**

Any light attached to a motor vehicle or trailer must be so constructed and adjusted that it will prevent, as far as possible, any glare from the light shown by it adversely affecting the vision of any person.

### **Division 4 Optional lights**

#### **Subdivision 1 General**

##### **50 Application of Division**

In addition to the compulsory lighting equipment required under Division 2, motor vehicles may be equipped with lights and signalling devices as provided in this Division or with such additional lights and signalling devices as may be approved by the Authority.

#### **Subdivision 2 Optional rearward facing lights**

##### **51 All vehicles may have optional rearward facing lights**

- (1) A motor vehicle or trailer may be equipped with:
- (a) lights that are capable of displaying to the rear of the vehicle a red light, and

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- (b) subject to clause 115 of this Schedule not more than two reversing lights capable of showing white or amber light to the rear and so arranged that they will where practicable light only when the vehicle is proceeding backwards and, if two lights are used, they must be of the same colour and symmetrically placed.
- (2) Except in the case of any rear light referred to in subclause (1) (a) fitted to a tow-truck, the centre of any such rear light must not be higher than 1.5 m from the ground and of any such reversing light not higher than 1 m from the ground.

### **Subdivision 3 Optional forward facing lights**

#### **52 Optional forward facing lights for vehicles first registered before 1 July 1971**

A motor vehicle or trailer first registered before 1 July 1971 may be equipped with two lights of a power not exceeding 7 watts that will show a white light to the front of the vehicle. Any such lights must be affixed symmetrically to the vehicle.

### **Subdivision 4 Interior lights**

#### **53 All motor vehicles may have interior lights**

A motor vehicle may be equipped with any light to illuminate the interior of the vehicle for the convenience of the driver and any other person in it and that will not project any light other than that necessary for such purpose.

### **Subdivision 5 Signal lights**

#### **54 All vehicles may have signal lights**

- (1) A motor vehicle or trailer may be equipped with a light or lights complying with the requirements of clause 113 of this Schedule for the purpose of indicating an intention of turning to the right or to the left.

- (2) However, when any such light is fitted to, and facing to the rear of, a tow-truck, the requirements that any such light should be at the rear of the vehicle and not more than 1.9 m above ground level, do not apply.

## **Subdivision 6 Front fog lights**

### **55 Front fog lights for motor vehicles except motor cycles**

A motor vehicle (except a motor cycle) may be equipped with:

- (a) two fog lights affixed to the front of the vehicle, one on each side of and equidistant from the centre line of the vehicle, at equal height from the ground and so that the centres of such lights are not less than 600 mm apart, or
- (b) one fog light if there are also affixed symmetrically to the front of the vehicle and at equal height from the ground, two lights of a power not exceeding 7 watts each, the centres of which are not less than 1 m apart.

### **56 Front fog lights for motor cycles**

A motor cycle may be equipped with one front fog light.

### **57 General requirements for front fog lights**

Any fog light referred to in this Subdivision must conform with the following requirements:

- (a) it must be capable of showing white or amber light only,
- (b) the axis of the beam of light from it must be deflected downwards or both downwards and to the left,
- (c) its centre must not be higher than the centre of any compulsory headlight or of any alternative headlight affixed to the vehicle.

## **Subdivision 7 Rear fog lights**

### **58 Rear fog lights for vehicles except motor cycles**

A motor vehicle (except a motor cycle) or trailer may be equipped with:

- (a) two fog lights affixed to the rear of the vehicle, one on each side of and equidistant from the centre line of the vehicle, and at equal height from the ground, or
- (b) one fog light affixed to the rear of the vehicle and placed in line with, or to the right of, the centre line of the vehicle.

### **59 Rear fog lights for motor cycles**

A motor cycle may be equipped with one rear fog light.

### **68 General requirements for rear fog lights**

Any fog light affixed to the rear of a motor vehicle must conform to the following requirements:

- (a) it must be capable of showing red light only and have a power not exceeding 27 watts,
- (b) the axis of the beam of light from it must be deflected downwards or both downwards and to the left,
- (c) its centre must not be higher than 1.5 m or lower than 400 mm from the ground,
- (d) the distance between its centre and the centre of any brake light must be not less than 100 mm,
- (e) when lighted, there must be an indicator that will inform the driver that the fog light is so lighted.

## **Subdivision 8 Spot or search light**

### **61 Spot or search lights for all motor vehicles**

A motor vehicle may be equipped with a spot or search light.

**Subdivision 9 Additional headlights****62 Additional headlights for all motor vehicles**

- (1) A motor vehicle may be equipped at its front with one or two additional headlights with an effective range of at least 30 m.
- (2) The centre of any such light must not be higher than 1.4 m from the ground and any such light must be capable of showing white light only and of projecting its main beam in front of the vehicle.
- (3) The provisions of clauses 32 and 33 of this Schedule do not apply to such lights.

**Subdivision 10 Flashing warning lights****63 Vehicles that may be equipped with flashing warning lights**

- (1) The following vehicles may be equipped with a light or lights that comply with clause 157 (1)–(4) of this Schedule:
  - (a) ambulances,
  - (b) police vehicles,
  - (c) fire fighting vehicles,
  - (d) mines rescue or other rescue vehicles,
  - (e) Red Cross vehicles used for conveyance of blood for urgent transfusions,
  - (f) public utility service vehicles,
  - (g) tow-trucks,
  - (h) motor breakdown service vehicles,
  - (i) vehicles used for the delivery of milk which are required to stop at frequent intervals,
  - (j) buses used solely or principally for the conveyance of children to or from school,

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- (k) vehicles exceeding the length, width and height limits of this Schedule,
  - (l) vehicles frequently used to transport loads that exceed the maximum length, width and height limits of this Schedule,
  - (m) vehicles used to escort vehicles referred to in paragraph (k) or (l),
  - (n) vehicles used by the Authority,
  - (o) vehicles used by an employee of a council of a local government area for the purposes of enforcing excess weight limits legislation (within the meaning of Regulation 95AA (2) of the *Motor Traffic Regulations 1935*),
  - (p) such other vehicles as are approved by the Authority.
- (2) A motor vehicle or trailer that has flashing light turn signals that show amber light to the front may be equipped with a device that will cause the flashing light turn signals fitted to the front and rear and on both sides of the vehicle to flash simultaneously and regularly at a rate of not less than 60 and not more than 120 flashes per minute.
- (3) When all such light signals fitted to a motor vehicle or trailer are flashing simultaneously, there must be an indicator that will inform the driver, by visible and audible means, that the signals are flashing.

#### **64 Fire brigade emergency site command vehicles**

A fire brigade emergency site command vehicle may be fitted with a light that complies with clause 157 (6) of this Schedule.

#### **Subdivision 11 Daylight operating lights**

#### **65 General requirements for all motor vehicles**

A motor vehicle may be fitted with a light referred to in clause 28, 29 or 52 of this Schedule incorporating in it a second light source capable of showing a white light to the front of the vehicle of a power not exceeding 21 watts that must:



- 
- (a) become lighted when the ignition or electrical control switch is in the “engine-on” position and when the headlight, alternative headlight or side light control is in the “light-off” position, and
  - (b) be extinguished when the headlight, alternative headlight or side light control is in the “light-on” position.

### **Part 3      Equipment (other than lights and reflectors) for vehicles not subject to third edition ADRs**

#### **Division 1      General**

##### **66    Application of Part**

This Part applies to all motor vehicles or trailers except:

- (a) vehicles to which Part 6 applies, and
- (b) vehicles that are required by Part 5 to be constructed and equipped so as to comply with the third edition ADRs whether or not including the lighting requirements of the rules.

#### **Division 2      Dimensions of vehicles**

##### **67    Application of Division**

Except where otherwise provided, the limits prescribed in this Division refer to the motor vehicle or trailer together with any loading or equipment on the vehicle.

##### **68    References to axles**

For the purposes of this Division, if an axle referred to in paragraph (b) (ii), (iii) or (iv) of the definition of *rear overhang* in the Dictionary at the end of this Regulation is a retractable axle or a steerable axle, that axle is, if it is the foremost axle of the 2 axles or of the group referred to in that paragraph of the definition, to be disregarded in determining the point referred to in that paragraph of the definition.

**69 Length of motor vehicles—general**

The length of a motor vehicle (other than an articulated vehicle, a bus or a trailer) must not exceed 12.5 m.

**70 Length of articulated vehicles**

- (1) The length of an articulated vehicle (other than an articulated bus) must not exceed 19 m.
- (2) The distance from the point of articulation of an articulated vehicle (other than an articulated bus) to the foremost extremity of the rear overhang of its semi-trailer must not exceed 9.5 m.
- (3) Subclause (2) does not apply in relation to an articulated vehicle the semi-trailer of which consists of a low-loader float.

**71 Length of semi-trailers**

- (1) The length of a semi-trailer that is constructed or equipped to carry livestock must not exceed 12.5 m.
- (2) The length of a semi-trailer that is not constructed or equipped to carry livestock, and that does not consist of a low-loader float, must not exceed 13.7 m.
- (3) A semi-trailer must not have any part which projects more than 1.9 m radially forward of the axis of its pivot pin.
- (4) The distance from the point of articulation of a semi-trailer to the rearmost extremity of the rear overhang must not exceed 12.3 m.
- (5) For the purposes of this clause, the length of a semi-trailer does not include any refrigeration or other auxiliary equipment, or of any loading space, of a reduced width at the front of the semi-trailer.

**72 Length of articulated buses**

- (1) The length of an articulated bus must not exceed 18 m.
- (2) The distance from the foremost extremity of the rear overhang of the forward portion of an articulated bus to the point of articulation of the bus must not exceed 40% of the distance from the centre of the foremost axle of the bus to that foremost extremity.

**73 Length of trailers**

- (1) The length of a pig trailer must not exceed 12.5 m.
- (2) The length of the body of a dog trailer that is being used to carry livestock must not exceed 12.5 m.
- (3) The length of the body of a dog trailer that is not being used to carry livestock must not exceed 13.7 m.
- (4) In the case of a trailer with 2 axle groups that was first registered on or after 1 January 1983, the distance from the point of coupling of the trailer to the centre of the foremost axle must not exceed 5 m.
- (5) In the case of a trailer that has 1 axle group, the distance from the point of coupling of the trailer to the foremost extremity of the rear overhang must not exceed 8.5 m.

**74 Length of buses**

The length of a bus must not exceed 12.5 m.

**75 Width**

The width of any motor vehicle or trailer (excluding any rear vision mirror, side mounted light, signalling device and tyre pressure monitoring system) must not exceed 2.5 m.

**76 Height**

- (1) The height of a double-deck bus must not exceed 4.4 m.
- (2) The height of any other motor vehicle or trailer must not exceed 4.3 m.

**77 Dimensions of certain motor vehicles may exceed limits in clauses 69, 75 and 76**

The dimensions of a motor vehicle or trailer may exceed those prescribed in clause 69 or 75 of this Schedule if:

- (a) it is not designed for the purpose of conveying passengers or goods or is carrying an indivisible load, and

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- (b) the length of the motor vehicle or trailer does not exceed 14 m, and
- (c) the width of the motor vehicle or trailer does not exceed 3 m (excluding any rear vision mirror, signalling device and tyre pressure monitoring system).

### Division 3 Trailer couplings

#### 78 Couplings between certain vehicles

Any coupling for use between a motor vehicle and any trailer, caravan or other vehicle to be towed by it and to control the movement of the trailer, caravan or other vehicle must comply with the following requirements:

- (a) it must be constructed so that:
  - (i) it will permit sufficient angular movement between the two vehicles, and
  - (ii) it can be disconnected regardless of the angle of the towed vehicle to the towing vehicle, and
  - (iii) any vehicle being towed cannot become accidentally disconnected from the towing vehicle,
- (b) it must be such that it will prevent, as far as possible, lateral swing of the vehicle being towed,
- (c) the brackets or other means of securing its forward or rearward portions to the towing vehicle and the vehicle to be towed must be of sufficient strength and rigidity,
- (d) it must be of sufficient strength to be capable of drawing with safety the vehicle to be towed and any loading or equipment on it,
- (e) in the case of a coupling fitted to a trailer first registered on or after 1 August 1963 — it must have clearly and permanently stamped, moulded or otherwise branded on its main component:
  - (i) means of identifying its manufacturer, and
  - (ii) the maximum gross weight of the trailer it is designed to tow.

**79 Additional coupling requirements**

- (1) In addition to the requirements of clause 78 of this Schedule, there must be affixed to a substantial portion of the towing vehicle and shackled, welded or bolted to the frame, tow bar or other substantial portion of the trailer or other towed vehicle, a safety connection consisting of a chain or chains, or a wire rope or wire ropes, which will hold in tow the trailer or towed vehicle in the event of a failure or accidental detachment of the trailer coupling.
- (2) Any such safety connection must be as short as practicable and be so connected and affixed that:
- (a) it is not liable to accidental disconnection but is readily detachable from the towing vehicle, and
  - (b) it permits all normal angular movements of the coupling without more slack than is necessary, and
  - (c) it will prevent the forward end of the drawbar from striking the ground in the event of accidental disconnection of the coupling, and
  - (d) if it consists of more than one chain or wire rope, the chains or wire ropes are in a crossed-over position.
- (3) Any chain or wire rope in such a safety connection must:
- (a) if a chain—be of welded iron links, and
  - (b) if a wire rope—have a strength of at least that of a chain of the same diameter, and
  - (c) be of a size specified in the following table:

**Table**

| Gross weight of trailer                            | Minimum size of chain or wire rope |
|--|------------------------------------|
| Up to 500 kg.....                                  | 6.3 mm diameter                    |
| Exceeding 500 kg but not exceeding 1.3 tonnes..... | 9.5 mm diameter                    |
| Exceeding 1.3 tonnes .....                         | 12.6 mm diameter                   |

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- (4) This clause does not apply to any trailer, semi-trailer or pole-type trailer to which clause 89 (2) of this Schedule applies.

**80 Trailers and semi-trailers**

- (1) A trailer must not be of such weight or dimensions that it will be likely to prevent the driver of a vehicle drawing it from safely controlling it and the vehicle.
- (2) A semi-trailer must be securely joined to the forward portion of an articulated vehicle.

**Division 4 Ground clearance**

**81 Definition**

In this Division, *ground clearance* means the vertical distance from a point on the underside of a vehicle to the surface of the roadway when that vehicle is standing on a flat level section of roadway under any condition of loading.

**82 Clearance requirements**

- (1) In respect of a vehicle registered for the first time on or after 1 January 1960, ground clearance between consecutive axles at any point on the underside of that vehicle more than 1 metre from the nearest axle must not be less than that specified in the following table:

**Table**

| Distance in metres between two consecutive axles |                      | Ground clearance in millimetres |
|--|----------------------|---------------------------------|
| <i>Exceeding</i>                                 | <i>Not exceeding</i> |                                 |
| 2  | 4                    | 120                             |
| 4  | 5                    | 150                             |
| 5  | 6                    | 180                             |
| 6  | 7                    | 210                             |
| 7  | 8                    | 240                             |
| 8  | 9                    | 270                             |
| 9  | 10                   | 300                             |

- (2) In respect of a vehicle registered for the first time on or after 1 July 1977, ground clearance at any other point on the underside of the vehicle except its tyres, wheels and wheel hubs must not be less than 100 millimetres.

## **Division 5 Mudguards and rear markings**

### **83 General mudguard requirements**

Every motor vehicle or trailer (except a vehicle referred to in clause 84 of this Schedule) must be equipped with a mudguard for each wheel on the foremost axle and for each wheel on the rearmost axle and, in the case of a motor cycle and sidecar, a mudguard for the wheel of the sidecar.

### **84 Vehicles excepted from clause 83**

Clause 83 does not apply to the following:

- (a) any motor vehicle used solely or principally to haul a trailer, semi-trailer or pole-type trailer, but only in respect of the rearmost wheels,
- (b) any pole-type trailer used solely or principally for work in a forest,
- (c) any fork lift truck,
- (d) any other vehicle where the body of the vehicle is such that mudguards are unnecessary or impracticable.

### **85 Further general requirements**

Any mudguard that a vehicle is required to be equipped with under this Division must comply with the following requirements:

- (a) it must be so constructed and affixed that:
  - (i) it will, as far as practicable, catch or deflect downwards any stones, mud, water or other substance thrown upwards by the rotation of the wheels, and

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- (ii) in the case of a motor vehicle (other than a motor cycle) or trailer—it will itself, or in conjunction with other components of the vehicle or its body or chassis, prevent direct contact with the upper half of the wheel in a forward collision,
- (b) its width must not be less than the overall width of the wheel or wheels for which it is provided (except that if the motor vehicle or trailer has a body of the tray type, the width of which, with any loading or equipment on it, is 2.2 m or exceeds 2.2 m, the width of the mudguard must not be less than 380 mm),
- (c) it must be in good order and condition, and free from any cracks and tears and any sharp or jagged edges.

#### **86 Special requirements for certain wide or loaded vehicles**

If any motor vehicle or trailer has:

- (a) any loading or equipment on it that is or exceeds 2.2 m in width, and
- (b) a body of the tray type,

that portion of the external surface of any mudguard affixed to it that is visible to the rear of the vehicle must be white or silver in colour and, in addition, there must be displayed by painting or other process across the full width of the rearmost portion of the tray, a horizontal band of a uniform depth of at least 75 mm and white or silver in colour.

### **Division 6 Rear marking plates**

#### **87 General requirements for rear marking plates**

- (1) Every motor vehicle and motor vehicle and trailer combination having a gross vehicle weight exceeding 12 tonnes must have securely affixed to the rear of the motor vehicle or, in the case of a motor vehicle and trailer combination, the trailer:
  - (a) a matching pair of rear marking plates as illustrated in Figure 1 to this clause, or
  - (b) a single rear marking plate as illustrated in Example 1 of Figure 2 to this clause, or
  - (c) a matching pair of rear marking plates as illustrated in Example 2 or 3 of Figure 2 to this clause.



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- (2) Each rear marking plate must:
- (a) have a surface consisting of a material which is retroreflective and that has a photometric performance and a durability not less than the standard level specified for class 2 retroreflective material by Australian Standard 1906—Retroreflective Materials and Devices for Road Traffic Control Purposes Part 1—1976—Retroreflective Materials, and
  - (b) bear the name of the manufacturer of the plate and a statement identifying the class of material used in the plate and the standard to which the material has been manufactured.
- (3) Each rear marking plate in or to the effect of the form illustrated in Figure 1 to this clause must have dimensions that do not vary by more than 5 mm or 5 degrees, as the case may be, from the dimensions specified in that Figure.
- (4) The surface area of the rear marking plate (if only one is affixed), or the combined surface area of the rear marking plates (if a pair is affixed), must be at least 0.32 square metres.
- (5) Each rear marking plate must be so affixed to the motor vehicle or trailer, as the case may require, that:
- (a) it faces rearwards of the motor vehicle or trailer, and
  - (b) no part of the plate extends beyond the outside extremities of the motor vehicle or trailer, and
  - (c) the lower edge of the plate is horizontal and, where practicable, not higher than 1.5 m nor less than 400 mm from the ground, and
  - (d) the outermost edge of the plate is, where practicable, within 150 mm of the outside extremity of the side of the motor vehicle or trailer nearest to that edge, and
  - (e) it forms an angle (if any) of not more than 20 degrees to a transverse vertical plane at a right angle to the vertical plane through the longitudinal axis of the motor vehicle or trailer.

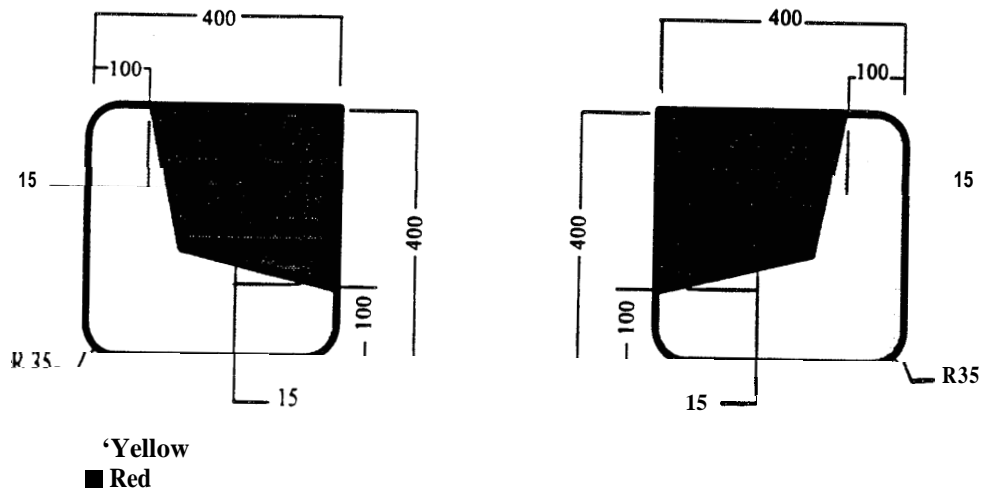
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- (6) The rear marlung plate (if only one is affixed), or the rear marlung plates (if a pair is affixed) must be positioned, to the extent that it is reasonably practicable, symmetrically in relation to the longitudinal axis of the motor vehicle or trailer.
- (7) If a motor vehicle or motor vehicle and trailer combination 7.5 m or more in length is permitted by Regulation 54 (8) of the *Motor Traffic Regulations 1935* to display on the rear of it the words "DO NOT OVERTAKE TURNING VEHICLE", such wording may be displayed in black letters not less than 50 mm in height in black lettering on the yellow portion of one of the rear marlung plates as prescribed in subclause (1) (a).
- (8) Subclauses (1)–(6) do not apply to a bus being used to provide a regular passenger service and operating solely on roads or road related areas for which there is provision for the lighting of the road or road related area by means of street lighting.

FIGURE 1

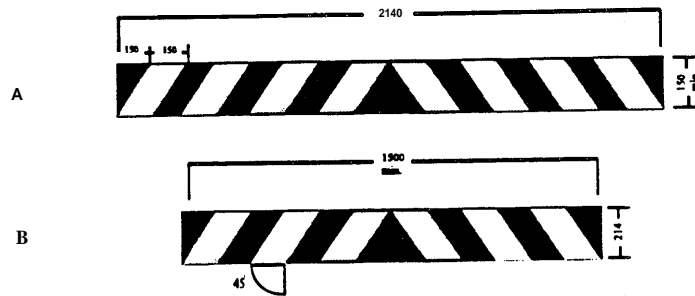


Dimensions in mm.

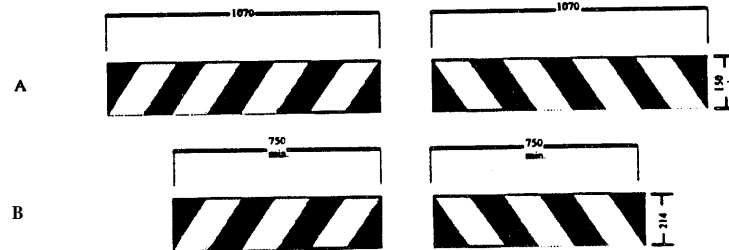
General tolerance on all dimensions  $\pm 5$ mm or  $\pm 5$ .

FIGURE 2

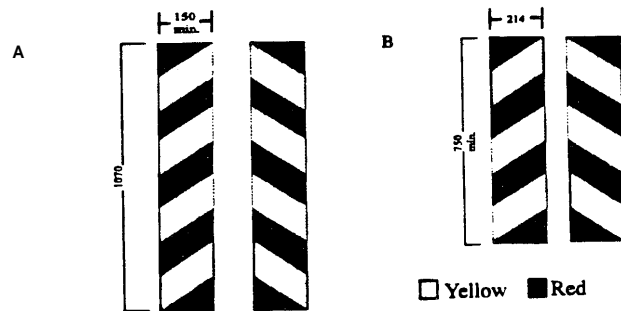
EXAMPLE 1



EXAMPLE 2



EXAMPLE 3



Note: The dimensions shown are typical dimensions only. There are no restrictions on maximum overall size of alternative rear marker reflector plates. The minimum width or height dimensions are shown in the diagrams, with corresponding dimensions to achieve the required surface area. The total installed plate area must not be less than 0.32 m<sup>2</sup> per vehicle set.

## Division 7 Brakes

### 88 Requirements for motor vehicles (other than motor cycles, trailers and semi-trailers)

- (1) Every motor vehicle, including the forward portion of an articulated vehicle (other than a motor cycle, trailer or semi-trailer), must be equipped with:
  - (a) one efficient braking system comprising brakes capable of acting directly on all road wheels, with two separate methods of actuation, such brakes being so arranged that, in the event of failure of either method of actuation, there will remain effective braking on not less than two wheels, or
  - (b) two independent and efficient braking systems, one capable of acting directly on not less than half the number of road wheels or where the vehicle has less than four wheels, on two wheels.
- (2) In the case of a motor vehicle registered for the first time on or after 1 January 1934, the service brakes must not act through the differential.
- (3) emergency brake of any braking system must be operated by a separate lever fitted with a ratchet or locking device capable of holding the lever in any desired position and the brake must be applied by direct mechanical action without the intervention of any hydraulic, electrical or pneumatic device.
- (4) When braking is applied to any wheel, it must be applied with equal force to all wheels on the same transverse axis of the vehicle.
- (5) Every bus which is fitted with an air assisted or vacuum assisted braking system must have a reservoir or reserve capacity for air or vacuum, as the case may be, incorporated in such braking system.
- (6) Every motor vehicle or trailer which is fitted with an air operated or vacuum operated braking system must have a reservoir or reserve capacity for air or vacuum, as the case may be incorporated in such braking system.

- 
- (7) The reservoir or reserve capacity required by this clause must be of adequate volume to ensure that, if the engine stops, or the source of air or vacuum fails, an application of the service brakes can be made which is capable of stopping the vehicle in accordance with the requirements specified in clauses 94 and 95 of this Schedule.
  - (8) Reservoirs required under this clause must be of adequate strength, and air reservoirs must be provided with a drain plug or other means to permit removal of water or other foreign matter which may accumulate at the lowest point of the reservoir.
  - (9) Any reservoir or reserve capacity required under this clause must be so safeguarded by a check valve or equivalent device that, in the event of failure or leakage in its connection to the source of air or vacuum, the air or vacuum reserve must not be depleted by the failure or leakage.
  - (10) Every motor vehicle used to tow a trailer, semi-trailer or pole-trailer required to be equipped with brakes must be equipped with means by which, in the event of breakaway of the trailer, semi-trailer or pole-trailer, the service brakes of the motor vehicle will remain fully operative and capable of stopping the motor vehicle in accordance with the requirements specified in clauses 94 and 95 of this Schedule.
  - (11) In the case of a motor vehicle that is a tractor or implement that is not mounted on a conventional motor vehicle chassis, it is sufficient for the purposes of this clause if the vehicle is equipped with at least one effective braking system capable of stopping and holding the vehicle.
  - (12) Subject to subclause (13), the following vehicles must, on and from the time of first registration, be equipped with a braking system complying with second edition ADR Number 35 for Commercial Vehicle Braking Systems:
    - (a) every motor car derivative (not being a station waggon) manufactured on or after 1 January 1979,
    - (b) every motor vehicle having a gross vehicle weight not exceeding 4.5 tonnes manufactured on or after 1 July 1979 (except a motor car, a station waggon, a motor cycle, an implement and a combination of motor vehicle and trailer),

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- (c) every bus manufactured on or after 1 July 1980, and
  - (d) every motor vehicle manufactured on or after 1 July 1980 (except a motor car, a station waggon, a motor cycle, an implement and a combination of motor vehicle and trailer).
- (13) Every motor vehicle manufactured on or after 1 September 1983 (except a motor, car, a station waggon, a forward-control passenger vehicle, a motor cycle, an implement and a combination of a motor vehicle and trailer or semi-trailer) must, at or after the time of the first registration, be equipped with a braking system complying with second edition ADR Number 35A for Commercial Vehicle Braking Systems, except, in the case of a vehicle manufactured before 1 July 1984, clause 2.1.2.2 of that Australian Design Rule.
- (14) Every forward-control passenger vehicle manufactured on or after 1 January 1986 must, at or after the time of the first registration, be equipped with a braking system complying with second edition ADR Number 35A for Commercial Vehicle Braking Systems.

#### **89 Trailers, pole-trailers and semi-trailers**

- (1) Every trailer, pole-trailer or semi-trailer must be equipped with an efficient brake that operates on not less than two wheels and, except in the case of a trailer that is equipped with overrun brakes, so constructed that it can be applied from the driver's seat of the hauling vehicle.
- (2) Every trailer exceeding a mass limit of 2 tonnes first registered on or after 1 January 1960 and semi-trailers and pole-trailers first registered on or after 1 January 1961 must be equipped with:
- (a) if fitted with an air or vacuum operated braking system—a storage reservoir for air or vacuum as the case may be which meets the requirements of clause 88 (5)–(10) of this Schedule, and
  - (b) a braking system of such a character that it will be applied automatically and promptly upon breakaway from the towing vehicle.

- 
- (3) Means must be provided to maintain application of the brakes in the event of breakaway for at least 15 minutes.
  - (4) Every trailer first registered on or after 1 November 1980 must be equipped with an efficient parking brake:
    - (a) that is of such a character that it can be applied when the trailer is not coupled to a towing vehicle, and
    - (b) that is held on by direct mechanical action without the intervention of any hydraulic, electrical or pneumatic design.

#### **90 Motor cycles**

- (1) Subject to subclauses (2) and (3), a motor cycle must be equipped with two independent and efficient service braking systems, one capable of acting directly on the front wheel and the other on the rear wheel.
- (2) Subject to subclause (3) a motor cycle manufactured on or after 1 March 1976 must, at or after the time of the first registration, comply with second edition ADR Number 33 for Motorcycle Brake Systems.
- (3) On or after the time of its first registration, a motor cycle manufactured on or after 1 March 1988, must comply with second edition ADR Number 33A for Motor Cycle and Moped Braking Systems.

#### **91 Other requirements**

Any braking system required by clause 88, 89 or 90 of this Schedule must be fitted with a device or devices that will enable the adjustment or taking up of the normal wear of the brakes. Such a device or devices must be capable of being secured or locked over the whole of its or their effective range.

#### **92 Brake linkages**

The brake tubing and brake hose and the brake cables, rods and other linkage used in any brake system must be so constructed as

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to ensure adequate, reliable and continued functioning and be *so* fitted to the vehicle as to prevent chafing, kinking or other mechanical damage under normal motion of any part of the vehicle.

### 93 Hydraulically operated braking system

A motor vehicle or trailer having a hydraulically operated braking system must, at or after the time of the first registration, have hydraulic brake hoses, and all connections fitted to the ends thereof, which comply with second edition ADR Number 7 for Hydraulic Brake Hoses.

### 94 Performance ability of brakes

Every brake with which a motor vehicle or trailer is equipped must be capable of stopping the vehicle within a reasonable distance under the conditions prevailing at the time of its application.

### 95 Special provisions of performance ability

(1) **General**

Without limiting the generality of clause 94 of this Schedule, and subject to clause 143 of this Schedule, the following subclauses apply to the brakes specified.

(2) **Service brakes**

The service brake of a motor vehicle (other than a bus) must be such that the motor vehicle or, where there is a trailer or other vehicle attached to it, the motor vehicle and the trailer or other vehicle. when travelling on a dry, smooth. level road, free from loose material. can at all times, when fully loaded:

- (a) be stopped from a speed of 30 km/h by one sustained application of the brake within the distance specified in respect of the class of vehicle or vehicles concerned in column 2 of Table A of this clause, and



- (b) be decelerated to a stop from any higher speed at which the vehicle operates by one sustained application of the brake at the average deceleration rate specified in column 3 of Table A of this clause and applicable to the class of vehicle or vehicles concerned, and

**Table A**

| Column 1                      | Column 2                                     | Column 3  |
|-------------------------------|--|---|
| Class of vehicle              | Metres to stop when brake applied at 30 km/h | Average deceleration rate in metres per second per second |
| Under 2.5 tonnes mass limit   | 9  | 3.9   |
| 2.5 tonnes mass limit or over | 14   | 2.5   |

- (c) the service brake of a bus must be such that the vehicle when unladen and travelling at a speed of 30 km/h on a dry, smooth, level road, free from loose material, can at all times, be stopped by one sustained application of the brake within a distance of 12 m and can be decelerated to a stop from any higher speed at which the vehicle operates at an average rate of not less than 2.9 m per second per second.

(3) **Emergency brake**

The emergency brake affixed to any vehicle must be capable of holding the vehicle and any trailer or semi-trailer attached to it stationary on any grade.

The emergency brake of a motor vehicle must be such that the vehicle, when travelling at a speed of 30 km/h on a dry, smooth, level road, free from loose material, can, at all times, and under all conditions of loading:

- (a) be stopped by application of the brake within the distance specified in respect of the class of vehicle or vehicles concerned in column 2 of Table B of this clause, and

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- (b) be decelerated by one sustained application of the brake at the average deceleration rate specified in column 3 of Table B of this clause and applicable to the class of vehicle or vehicles concerned.

**Table B**

| <b>Column 1</b>               | <b>Column 2</b>                                     | <b>Column 3</b>  |
|-------------------------------|---|--|
| <b>Class of vehicle</b>       | <b>Metres to stop when brake applied at 30 km/h</b> | <b>Average deceleration rate in metres per second per second</b> |
| Under 2.5 tonnes mass limit   | 22  | 1.6  |
| 2.5 tonnes mass limit or over | 34  | 1  |

**Division 8 Miscellaneous**

**96 Application of Division**

Except where otherwise specified or indicated, this Division applies to all motor vehicles or trailers.

**97 Steering**

- (1) The vehicle must be capable of being readily steered and must have steering arms and connections which will eliminate danger of any accidental detachment or over-locking. All steering connections are to be secured with bolts fitted with nuts and such nuts are to be locked or pinned.
- (2) Except in the case of a motor cycle or other motor vehicle that is steered by means of handle bars, the steering wheel or control must be arranged on the right-hand or off-side of the vehicle.
- (3) In the case of a motor vehicle (other than a motor cycle) that is steered by means of handle bars, the steering control may be central but must not be arranged on the left-hand or near-side of the vehicle.

- (4) In the case of a motor cycle:
- (a) the handle bars must be symmetrical on either side of the front wheel and steering head assembly, and
  - (b) the distance between extreme points of the handle bars must not be less than 550 mm, and
  - (c) the handle bars must not extend vertically above the part of the steering head to which such handle bars are attached for a greater distance than 380 mm, and
  - (d) if the handle bars extend vertically above that part of the steering head to which they are attached by a greater distance than 205 mm—the distance between the extreme points of such handle bars must not be less than 660 mm.
- (5) If the steering mechanism or any part of it is in an exposed position, it must be suitably protected.

**98 Steering column**

- (1) Subject to subclause (2), a motor car (other than a bus, a multi-purpose vehicle or a forward-control passenger vehicle) or motor car derivative must, on and from the time of its first registration, have a steering column complying with second edition ADR Number 10A for Steering Columns.
- (2) A motor car (other than a bus, a multi-purpose vehicle or a forward-control passenger vehicle) or motor car derivative manufactured on or after 1 January 1973 must, on and from the time of its first registration, have a steering column complying with second edition ADR Number 10B for Steering Columns.

**99 Turning circle**

- (1) A motor vehicle (other than an articulated bus) must be capable of continuously turning either to the left or to the right within a circle of diameter not exceeding:
- (a) except as provided in subparagraph (b)—25 m, or
  - (b) in the case of a bus of a length greater than 11 m—26 m,
- as determined by reference to the extreme outer edge of the tyre track at ground level.

- (2) An articulated bus (excluding any rear vision mirror or signalling device attached to it) must be capable of continuously turning either to the left or to the right wholly within a circular path of which the inner diameter is 10.6 m and the outer diameter is 24 m.

#### 100 Front and rear overhang

- (1) In this clause, *rear overhang* has the meaning given in the Dictionary at the end of this Regulation, with the following qualification:
- if there are 2 or more axles in the rear half of the vehicle and the rearmost of those axles is a retractable axle or a steerable axle, that axle is to be disregarded in determining the point referred to in paragraph (b) (ii), (iii) or (iv) of the definition.
- (2) The rear overhang of an articulated vehicle must not exceed 60% of the distance between the point of articulation of the vehicle and the foremost extremity of the rear overhang of its semi-trailer, or 3.7 m, whichever is the shorter length.
- (3) The rear overhang of a trailer with 1 axle group that was first registered on or after 1 January 1983 must not exceed the length of the loading space forward of the foremost extremity of the rear overhang, or 3.7 m, whichever is the shorter length.
- (4) The rear overhang of a trailer with 2 axle groups must not exceed 60% of the distance between the centre of the foremost axle and the foremost extremity of the rear overhang, or 3.7 m, whichever is the shorter length.
- (5) The rear overhang of a bus must not exceed 60% of the distance between the centre of the foremost axle and the foremost extremity of the rear overhang, or 3.7 m, whichever is the shorter length.
- (6) A motor tricycle, or a motor cycle to which a sidecar is attached, must not have any part which projects more than 600 mm ahead of the outer extremity of the front wheel or more than 900 mm behind the outer extremity of the rear wheel.

- (7) A motor cycle (other than a motor tricycle or a motor cycle to which a sidecar is attached) must not have any part which projects more than 150 mm ahead of the outer extremity of the front wheel or more than 300 mm behind the outer extremity of the rear wheel.
- (8) The rear overhang of a motor vehicle (other than an articulated vehicle, trailer, bus, motor cycle or mobile crane) must not exceed 60% of the distance between the centre of the foremost axle and the foremost extremity of the rear overhang, or 3.7 m, whichever is the shorter length.

#### **101 Loading space**

In the case of a motor lorry (except a motor lorry having a tare weight of less than 2 tonnes and a rear overhang not exceeding 50% of the distance between the centre of the front axle and the foremost extremity of the rear overhang):

- (a) with an unladen weight not exceeding 50% of the lorry's mass limit — the length of the loading space to the rear of the foremost extremity of the rear overhang must not exceed 90% of the length of the loading space forward of that extremity, and
- (b) with an unladen weight exceeding 50% of the lorry's mass limit — the length of the loading space to the rear of the foremost extremity of the rear overhang must not exceed the length of the loading space forward of that extremity.

#### **102 Drip tray**

The vehicle must be so equipped that no inflammable material can drop on any exhaust pipe, starter motor, generator or other electrical equipment. If a drip tray is fixed underneath the carburettor, it must be so constructed that any overflow of petrol will not remain in the tray.

#### **103 Glazing in windscreens, windows and interior partitions**

- (1) Subject to subclause (3), vehicles first registered on or after 1 January 1942 must be equipped with safety glass in the windscreen.

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- (2) Subject to subclause (3), vehicles (other than caravans) first registered on or after 1 January 1962 must be equipped with safety glass or non-shatterable transparent material wherever transparent material is used in windows and interior partitions.
- (3) All glass in windscreens, windows and interior partitions in motor vehicles (other than caravans) must, at or after the time of the first registration of those vehicles, comply with second edition ADR Number 8 for Safety Glass.
- (4) Without affecting the generality of subclause (3), no part of the glazing of any windscreen, window (other than a sun roof) or interior partition in any motor vehicle is to have:
  - (a) a luminous transmittance of less than 70%, or
  - (b) a reflectance of more than 10%.
- (5) Subclause (4) (a) does not apply in relation to:
  - (a) any part of the glazing of a windscreen situated above the level of:
    - (i) the highest point of the windscreen swept by the windscreen wipers, or
    - (ii) the point situated at a distance from the highest point of the windscreen of not more than 10% of the distance from the highest point of the windscreen to the lowest point of the windscreen (each of those points being measured along the vertical axis of the driver's seating position in the motor vehicle).whichever is the lower, or
  - (b) any part of the glazing of a window (other than a windscreen) or interior partition of a motor vehicle which was first registered (whether or not in New South Wales) before 1 August 1994, if that part of the glazing has a luminous transmittance of not less than:
    - (i) 35% (except when subparagraph (ii) applies), or
    - (ii) the luminous transmittance it had immediately before 1 August 1994 if it had a luminous transmittance of less than 35% at that time, or

- 
- (c) any part of the glazing of a window (other than a windscreen) or interior partition of a motor vehicle which was first registered (whether or not in New South Wales) on or after 1 August 1994, if:
    - (i) that part of the glazing has a luminous transmittance of not less than 3596, and
    - (ii) the motor vehicle is equipped with an external rear vision mirror, or external rear vision mirrors, complying with the requirements of clause 117 of this Schedule, or
  - (d) any part of the glazing of a window or interior partition in a caravan, or
  - (e) any part of the glazing of a windscreen, window or interior partition in a motor vehicle which was first registered before 1 July 1984, being glazing which was fitted to the motor vehicle on or before the date on which it was so registered.
- (6) For the purposes of subclauses (4) and (5):
- (a) the luminous transmittance or reflectance of glazing must be determined in accordance with the luminous transmittance test or the reflectance test, as the case may require, set out in any technical specification published by or adopted by the Authority from time to time, and
  - (b) a reference to glazing includes a reference to glazing as coated with any substance which has the effect of altering the luminous transmittance or reflectance of that glazing.

#### 104 Seat belts and anchorages

- (1) Subject to subclauses (3), (4), (5) and (6), every vehicle manufactured on or after 1 January 1969 must at or after the time of its first registration, be equipped for all front seat positions with seat belt anchorage points and seat belts complying with second edition ADRs Numbers 5A and 4 respectively

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- (2) Subject to subclauses (3), (4), (5) and (6), every vehicle manufactured on or after 1 January 1971 must at or after the time of its first registration, in addition to the requirements of subclause (1), be equipped for all rear seat positions with seat belt anchorage points and seat belts complying with second edition ADRs Numbers 5A and 4 respectively.
- (3) Subject to subclauses (5) and (6), at or after the time of the first registration:
  - (a) a motor car, a motor car derivative or a multi-purpose vehicle manufactured on or after 1 January 1974, and
  - (b) every motor vehicle manufactured on or after 1 July 1974,must be equipped for all seat positions with seat belts complying with second edition ADR Number 4A.
- (4) At or after its time of the first registration:
  - (a) a motor car, a motor car derivative or a multi-purpose vehicle manufactured on or after 1 January 1975, and
  - (b) every motor vehicle (except a bus) manufactured on or after 1 July 1975, and
  - (c) every bus manufactured on or after 1 September 1983 having a gross vehicle weight not exceeding 3.5 tonnes,must be equipped with seat belt anchorage points complying with second edition ADR Number 5B for Seat Belt Anchorages.
- (5) Subject to subclause (6), at or after the time of the first registration:
  - (a) a motor car, a motor car derivative or a multi-purpose vehicle manufactured on or after 1 January 1975, and
  - (b) every motor vehicle manufactured on or after 1 July 1975,must be equipped for all seat positions with seat belts complying with second edition ADR Number 4B.
- (6) Subject to subclause (7) at or after the time of the first registration:
  - (a) a motor car, a motor car derivative or a multi-purpose vehicle manufactured on or after 1 January 1976, and



- (b) every motor vehicle (except a bus) manufactured on or after 1 July 1976, and
  - (c) every bus manufactured on or after 1 September 1983 having a gross vehicle weight not exceeding 3.5 tonnes,  
must be equipped with seat belts complying with second edition ADR Number 4C for Seat Belts.
- (7) At or after the time of the first registration:
- (a) every motor car or station waggon manufactured on or after 1 January 1984, and
  - (b) every forward-control passenger vehicle manufactured on or after 1 January 1986, and
  - (c) every bus manufactured on or after 1 January 1987 having a gross vehicle weight not exceeding 3.5 tonnes and with not more than 12 seating positions including the driver's,  
must be equipped with seat belts complying with second edition ADR Number 4D for Seat Belts.
- (8) Every motor car and motor car derivative first registered on or after 1 January 1965 and before 1 January 1969 must be equipped for each front seat position which is adjacent to the side of the vehicle with a seat belt that:
- (a) has been installed in accordance with instructions issued by the manufacturer of the seat belt, and
  - (b) at the time of its installation has not previously been installed and used in a motor vehicle, and
  - (c) is of:
    - (i) a type referred to in Australian Standard AS E35 prepared by the Standards Association of Australia as a Combination Belt (High) and has been manufactured in accordance with that Standard, or
    - (ii) some other type approved by the Authority

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- (9) Nothing in this clause applies to or in respect of:
- (a) a motor cycle, or
  - (b) an implement.

### 105 Child restraint anchorages

- (1) Subject to subclause (2), at or after the time of the first registration:
- (a) a motor car (other than a motor car with a hinged or folding rear seat or a bus) manufactured on or after 1 July 1976, and
  - (b) every motor car (other than a bus) or station waggon manufactured on or after 1 January 1977,

must be equipped for each rear seat position with an upper anchorage point complying with second edition ADR Number 34 for Child Restraint Anchorages.

- (2) At or after the time of the first registration:
- (a) each rear seat position of every motor car and station waggon manufactured on or after 1 January 1985, and
  - (b) at least 3 rear seating positions in every forward-control passenger vehicle manufactured on or after 1 January 1986, and
  - (c) at least 3 rear seating positions in every bus manufactured on or after 1 January 1987 having a gross vehicle weight not exceeding 3.5 tonnes and with not more than 12 seating positions including the driver's,

must be equipped with an upper anchorage point complying with second edition ADR Number 34A for Child Restraint Anchorages.

### 106 Child restraint anchorage bolts in drive yourself vehicles

- (1) Subject to subclause (2):
- (a) every motor car (other than a motor car with a hinged or folding rear seat and a bus) manufactured on or after 1 July, 1976, and

- (b) every motor car (other than a bus) and every station waggon manufactured on or after 1 January 1977, and
- (c) every forward-control passenger vehicle manufactured on or after 1 January 1986, and
- (d) every bus manufactured on or after 1 January 1987 having a gross vehicle weight not exceeding 3.5 tonnes and with not more than 12 seating positions including the driver's.

that is a drive yourself vehicle (as referred to in the Table to Schedule 2 to the *Miscellaneous Acts (Transport Accidents Compensation) Amendment Act 1987*) must be fitted with a child restraint anchorage bolt of a type approved by the Authority.

- (2) A child restraint anchorage bolt referred to in this clause must be fitted to a child restraint anchorage point which complies with second edition ADR Number 34 or 34A.

#### 107 Seats and seat anchorages

- (1) Every seat must be soundly constructed and securely affixed to the motor vehicle.
- (2) Subject to subclause (3), at or after the time of the first registration:
  - (a) a motor car or a station waggon, and
  - (b) a motor car derivative (not being a station waggon) manufactured on or after 1 August 1972, and
  - (c) 3 multi-purpose vehicle manufactured on or after 1 January 1973, and
  - (d) every motor vehicle manufactured on or after 1 July 1973, must be equipped with seat anchorages complying with second edition ADR Number 3 for Seat Anchorages for Motor Vehicles.
- (3) At or after the time of the first registration, a bus manufactured on or after 1 September 1983, having a gross vehicle weight not exceeding 3.5 tonnes must be equipped for all front seat positions with seat anchorages complying with second edition ADR Number 3 for Seat Anchorages for Motor Vehicles.

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- (4) At or after the time of the first registration:
- (a) a motor car or a station waggon manufactured on or after 1 January 1977, and
  - (b) every forward-control passenger vehicle manufactured on or after 1 January 1986, and
  - (c) every bus manufactured on or after 1 January 1987 having a gross vehicle weight not exceeding 3.5 tonnes and with not more than 12 seating positions including the driver's, must be equipped with seat anchorages complying with second edition ADR Number 3A for Seat Anchorages for Motor Vehicles.
- (5) Nothing in this clause applies to or in respect of:
- (a) a motor cycle, or
  - (b) an implement.

**108 Door latches and hinges**

- (1) Door latches and hinges on every motor vehicle must be so constructed that the doors are securely affixed to the vehicle and capable of remaining securely fastened when closed.
- (2) A motor vehicle that is:
- (a) a motor car or motor car derivative, or
  - (b) a multi-purpose vehicle manufactured on or after 1 January 1973, or
  - (c) a motor vehicle manufactured on or after 1 July 1974, or
  - (d) a bus manufactured on or after 1 September 1983, having a gross vehicle weight not exceeding 3.5 tonnes,
- must, at or after the time of its first registration, be equipped with side door retention components, including locks, latches, hinges and other items designed to support the door, complying with second edition ADR Number 2 for Door Latches and Hinges.

- (3) Nothing in this clause applies to or in respect of the doors of the following:
- (a) a bus, other than a bus referred to in subclause (2) (d).
  - (b) a trailer,
  - (c) a motor vehicle which are folding or roll-up doors,
  - (d) a motor vehicle which are capable of being readily removed from and reattached to the vehicle, if the vehicle is designed or manufactured for operation either with or without those doors attached.

**109 Windows**

- (1) Every window must be sound and properly fitted and each movable window must be fitted with a suitable device to enable it to be opened and closed.
- (2) At least half of the number of windows must be capable of being opened.

**110 Warning device**

- (1) The vehicle must be fitted in a convenient position with a horn or other alarm in good working order and capable of giving sufficient warning of the presence of the vehicle.
- (2) No exhaust whistle. compression whistle. siren-horn or alternating dual-tone horn, or other device capable of producing a sound resembling that produced by any such whistle or horn is to be attached to a motor vehicle unless the vehicle is:
  - (a) an ambulance, or
  - (b) a police vehicle, or
  - (c) a fire fighting vehicle, or
  - (d) a mines or other rescue vehicle, or
  - (e) a Red Cross vehicle used for conveyance of blood for urgent transfusions, or
  - (f) a vehicle to which such exhaust whistle. compression whistle. siren-horn or alternating dual-tone horn or other device is attached with the written approval of the Authority.
- (3) This clause does not apply to a trailer. pole-trailer or semi-trailer.

### 111 Windscreen wipers and washers

- (1) Subject to subclause (6), any vehicle other than a motor cycle which has a windscreen must be equipped with a device (referred to in this clause as a *windscreen wiper*) capable of effectively removing rain, snow or other moisture from the windscreen.
- (2) Any such windscreen wiper must be so located that it will operate on the portion of the windscreen immediately in front of the driver and give the driver a sufficient view of the road in front of the vehicle.
- (3) It must be so constructed and situated that it can be controlled or operated by the driver from the driver's seat of the vehicle.
- (4) In the case of any such vehicle first registered on or after 1 January 1934, the windscreen wiper must be one that can be operated automatically.
- (5) Subject to subclause (6), vehicles first registered on or after 1 January 1960:
  - (a) in the case of every vehicle which has a windscreen which extends beyond the area immediately in front of the driver—must be equipped with a windscreen wiper or wipers acting on each section of the windscreen on each side of its central vertical line, and
  - (b) any vacuum windscreen wiper fitted to a vehicle must be so constructed and equipped that it continues to operate effectively irrespective of any change in the engine intake manifold pressure.
- (6) At or after the time of the first registration of a motor vehicle having a windscreen and that is:
  - (a) a motor car or a motor car derivative manufactured on or after 1 January 1973, or
  - (b) a multi-purpose vehicle manufactured on or after 1 January 1974, or
  - (c) a forward-control passenger vehicle manufactured on or after 1 January 1986, or

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- (d) a bus manufactured on or after 1 January 1987 having a gross vehicle weight not exceeding 3.5 tonnes and with not more than 12 seating positions including the driver's, must be equipped with windscreen wipers and washers complying with second edition ADR Number 16 for Windscreen Wipers and Washers.

### 112 Windscreen demisters

- (1) At or after the time of the first registration:
- (a) a motor car, or
  - (b) a station waggon, or
  - (c) a motor car derivative (not being a station waggon) manufactured on or after 1 January 1973, or
  - (d) a multi-purpose vehicle (not being a vehicle in which, by reason of the vehicle's construction, a demisting device would be ineffective) manufactured on or after 1 January 1973, or
  - (e) a motor vehicle manufactured on or after 1 July 1973, or
  - (f) a bus manufactured on or after 1 September 1983, having a gross vehicle weight not exceeding 3.5 tonnes,
- must be equipped with a device which is designed to keep the interior of the windscreen free of condensation and which complies with second edition ADR Number 15 for Demisting of Windscreens.
- (2) Subclause (1) does not apply to or in respect of:
- (a) a bus (other than a bus referred to in subclause (1) (f)), or
  - (b) a motor cycle, or
  - (c) an implement.

### 113 Signalling devices

- (1) Any of the following vehicles must have affixed to it at a point on the right-hand or off-side of the vehicle, adjacent to and

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readily visible to the driver, a signalling device capable of giving a “Stop” and a “Turn Right” signal clearly visible at a distance of not less than 30 m to the front and to the rear:

- (a) a bus,
  - (b) any motor vehicle or any trailer drawn by the vehicle the construction or loading of which is such that it would prevent the driver of the vehicle from giving, by use of driver’s arm and hand, a clear indication of intention to turn or diverge to the right or to stop or slow down suddenly, or
  - (c) any other vehicle where the distance from the centre of the top portion of the steering column of the vehicle to the outer limits of the vehicle and any loading thereon, on the right-hand or off-side of the vehicle, exceeds 600 mm.
- (2) The following conditions apply to any signalling device required under subclause (1):
- (a) it must be capable of giving the signal by means of a replica of a human hand affixed to an arm and, in the case of the “Stop” signal, the palm of the hand must be turned to the front with the fingers extending upwards when the device is operated,
  - (b) it must be capable of giving both the “Stop” and “Turn Right” signals.
  - (c) the replica of the human hand must be at least 150 mm long and its width must not be less than one-half of its length.
  - (d) when not in use it must be so affixed to the vehicle that it is not likely to mislead the driver of any other vehicle or any person controlling traffic.
  - (e) the replica of the human hand must be white or yellow in colour and it may be illuminated by means of a white or amber light and, in addition, it may be equipped with reflectors or reflectorised material capable of giving a reflection of white or amber light.



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- (f) it must be capable of giving a signal which is clearly visible to the front and rear of the vehicle, whether such vehicle is loaded or not, at a distance of 30 m.
- (3) It is sufficient compliance with the requirements of subclause (2) if the “Turn Right” signal can be given by means of a direction turn signal light complying with the requirements of item 4 of the Table in subclause (6) and if the “Stop” signal can be given by means of a brake light complying with the requirements of clause 44 of this Schedule.
- (4) Subject to clause 114 of this Schedule, on and after 1 June 1963 there must be affixed to:
- (a) any motor vehicle first registered on or after that date.
  - (b) any combination of motor vehicle and trailer or semi-trailer any portion of which was first registered on or after that date, and
  - (c) any combination of motor vehicle and trailer or semi-trailer the hauling unit of which is equipped with direction turn signal lights.
- direction turn signal lights complying with the requirements of item 4 of the Table in subclause (6).
- (5) The requirements of subclause (4) do not apply to:
- (a) any motor cycle.
  - (b) any trailer which is part of a combination of vehicle and trailer which is less than 7.5 m in length or to any pole type trailer if, in any such case, the direction turn signal lights on the hauling vehicle are visible from the rear beyond any loading on the trailer, or
  - (c) any vehicle which is exempted by the Authority from the requirements of Division 2 of Part 2 of this Schedule with regard to lights.
- (6) Any of the signalling devices specified in the following Table may be affixed to any motor vehicle for use in substitution for hand signals required by this Regulation or the *Motor Traffic Regulations 1935*:
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**Table**

- 1 Any device complying with subclauses (1)–(3).
- 2 A “Semaphore” type of signalling device mounted in front of or near the driver’s seat for the purpose of indicating a “Turn Right” movement.

The device must be fixed in such a position that the driver whilst retaining the driver’s normal driving position can by direct view or by means of a mirror or other suitable device readily ascertain whether or not the signalling device is functioning effectively. The signalling device must comply with the following conditions:

  - (a) The direction indicator when in actual operation must be in the form of an illuminated sign of amber colour of a minimum illuminated length of 150 mm and of a maximum illuminated breadth not exceeding one-fourth of the illuminated length and not less than 25 mm. The illuminated surface must be visible from both the front and rear of the vehicle.
  - (b) The indicator must not be less than 500 mm above the level of the ground on which the vehicle stands nor higher than 2 m and when in operation it must project horizontally at least 150 mm beyond the widest part of the vehicle or its loading, and remain in that position. The light in the indicator may remain steady or flash between 60 and 120 times per minute.
  - (c) It must be capable of giving a signal which is clearly visible to the front and rear of the vehicle whether such vehicle is loaded or not, at a distance of 30 m.
  - (d) The device when not in use must be so affixed that it will not be likely to mislead the driver of any other vehicle or any person controlling traffic.
- 3 A semaphore type of signalling device fitted on the left or near-side of the vehicle and conforming to the general conditions prescribed in item 2 of this Table. for the purpose of indicating a driver’s intention to “Turn Left”.
- 4 Direction turn signal lights to indicate a “Turn Right” or “Turn Left” movement complying with the following:
  - (a) The signal equipment consists of two lights facing forward, one on each side of the front of the vehicle, and two lights facing rearward, one on each side of the rear of the vehicle, or in the case of a motor lorry less than 7.5 m in length or a motor car. the signal equipment may consist of only one light on each side of the vehicle showing light to the front and to the rear or in the case of a trailer. the signal equipment may consist of only one light on each side of the vehicle showing light to the rear.

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This is subject to the following:

- (i) In the case of all articulated vehicles and rigid vehicles 7.5 m or more in length, the front signal lights must be arranged and constructed, or an additional light must be provided at each side at the front of the vehicle so that, in either case, the signals can be seen by the driver of an overtaking vehicle.
  - (ii) In the case of a motor vehicle hauling a trailer, the signal equipment on the hauling vehicle may consist of two lights facing forward, one on each side of the front, with, if the combination of hauling vehicle and trailer is 7.5 m or more in length, two lights facing rearward, one on each side of the rear, or may consist of one light on each side showing light to the front and to the rear.
- (b) The signal lights are symmetrically placed not less than 750 mm apart and not more than 500 mm from the extreme width of the vehicle in the case of any vehicle other than a motor cycle and mounted not less than 400 mm nor more than 2 m above ground level in the case of every vehicle.
  - (c) The switching on of such light is followed by the appearance of the light within a maximum period of one second and the light flashes regularly at a rate of not less than 60 nor greater than 120 per minute.
  - (d) The light emitted by such signal lights is readily visible both by day and night from the front or rear of the vehicle as the case may be, at a distance of 30 m.
  - (e) There is an indicator which will inform the driver by visible or audible means when the signals are functioning correctly.
  - (f) Signal lights on the same side of a vehicle or combination of vehicles must flash in phase and must be operated by the same control switch.
- (7) There may be affixed to any motor vehicle for use as supplementary to any other signals required or authorised under this Regulation or the *Motor Traffic Regulation 1935* any semaphore type of signalling device mounted in a position otherwise than in accordance with subclause (6) but complying in other respects with the provisions of the subclause.
  - (8) Any light from any signalling device referred to in this clause must be white or amber in colour when projected forward, and red or amber in colour when projected to the rear. However, any

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such amber light must only be projected to the rear from any such device in the case of any vehicle first registered on or after 1 January 1960.

- (9) Any signalling device referred to in this clause must be such that it can be operated readily.

#### 114 Direction turn signal lights

- (1) At or after the time of the first registration:
- (a) a motor car, motor car derivative or multi-purpose vehicle manufactured on or after 1 January 1973, and
  - (b) every motor vehicle manufactured on or after 1 July 1973 (except a motor cycle, an implement and a trailer),
- must be equipped with direction turn signal lights complying with second edition ADR Number 6 for Direction Turn Signal Lamps.
- (2) A motor cycle manufactured on or after 1 January 1979 must be equipped with 4 direction turn signal lights and such lights must comply with the following requirements:
- (a) one pair of the lights must be capable of displaying a flashing amber coloured signal to the front of the motor cycle and the other pair capable of displaying a flashing amber coloured signal to the rear of the motor cycle,
  - (b) the lights of each pair of lights referred to in paragraph (a) must be symmetrically positioned in relation to the centre line of the motor cycle and the distance between the centres of the lights of each pair of lights must not be less than 300 mm.
  - (c) the heights of both lights in a pair of signal lights referred to in paragraph (a). when measured from the centre of the lights to ground level. when the motor cycle is in an upright position, must both be equal and each not less than 425 mm.
  - (d) each signal light positioned on the same side of the centre line of the motor cycle must flash in phase and must be operated by the same control switch.

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- (e) the switching on of a signal light must be followed by the appearance of the amber coloured signal within a maximum period of one second and the light, when switched on, must flash regularly at a rate of not less than 60 and not more than 120 flashes per minute,
  - (f) each signal light on the motor cycle must be:
    - (i) of the same power, which must not be less than 5 watts and not more than 27 watts, and
    - (ii) visible under normal conditions of daylight up to a distance of not less than 60 m,
  - (g) if the light of a signal light, when switched on, is not visible under normal conditions of daylight to the driver of the motor cycle, an indicator capable of informing the driver by visible means whether the signal is functioning correctly must be fitted to the motor cycle.
- (3) Unless otherwise approved by the Authority:
- (a) all motor vehicles or trailers manufactured on or after 1 January 1986 must be equipped with an indicator that, when the direction turn signal lights fitted to the motor vehicle are flashing, will inform the driver by visible and audible means, when the driver is seated in the normal driving position, that the lights are so flashing, and
  - (b) the indicator must, in the event of the defective operation of any of the turn signal lights, show a marked change in frequency, remain continuously off, or if not normally continuously on, remain continuously on.

### 115 Reversing signal lights

At or after the time of the first registration:

- (a) a motor car or a motor car derivative manufactured on or after 1 August 1972, and
- (b) a multi-purpose vehicle manufactured on or after 1 January 1973, and
- (c) every motor vehicle manufactured on or after 1 July 1973. (except a motor cycle, a bus, an implement and a trailer), and

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- (d) every motor vehicle manufactured on or after 1 July 1975 (except a motor cycle, an implement and a trailer),

must be equipped with lights complying with second edition ADR Number 1 for Reversing Signal Lamps.

#### 116 Hazard warning light device

Every motor vehicle or trailer manufactured on or after 1 September 1983 (except a motor cycle) must be equipped with:

- (a) a device which is capable of causing all direction turn signal lights fitted to the vehicle to flash simultaneously and regularly at a rate of not less than 60, and not more than 120, times per minute, and
- (b) an indicator which, when the direction turn signal lights fitted to the vehicle are so flashing, will inform the driver by visible and audible means, when the driver is seated in the normal driving position, that the lights are so flashing.

#### 117 Rear vision mirror

- (1) There must be affixed to a motor vehicle a mirror or mirrors so designed and fitted and of such dimensions as to be capable of reflecting, as far as practicable, to the driver of the vehicle, whilst retaining his or her normal driving position, a clear view of the road to the rear of the vehicle and of any following or overtaking vehicle. Such a mirror or mirrors must be of such a kind, or affixed to the vehicle in such a manner, as to comply with any other requirement provided by this clause in respect of a class or description of vehicles that includes that vehicle.
- (2) At least one such mirror must be affixed to the exterior of each side of the vehicle:
  - (a) if the vehicle is constructed for the carriage of goods (not being a station waggon), or
  - (b) if the vehicle is a bus, or
  - (c) if the maximum width of any trailer or other vehicle drawn by the vehicle is greater than that of the vehicle, or

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- (d) if because of the manner in which the vehicle is constructed, equipped or loaded, or because of the fact that the vehicle is drawing a trailer or other vehicle, or for any other reason, the driver cannot, by means of a mirror fixed to the interior of the vehicle, have reflected to him or her as far as practicable a clear view of the road to the rear of the vehicle and of any following or overtaking vehicle.
- (3) Subject to subclause (4), a mirror affixed to the exterior of a vehicle must not project more than 150 mm beyond the extreme width of the vehicle (any equipment, other than any signalling device, included).
- (4) In the case of a vehicle drawing a trailer or other vehicle wider than itself, any such mirror affixed to the exterior of the vehicle may project more than 150 mm beyond the extreme width of the vehicle (any equipment, other than any signalling device, included) by not more than half the distance by which the width of the trailer or other drawn vehicle exceeds the width of the drawing vehicle.
- (5) In subclauses (3) and (4), *mirror* includes the fittings by which it is affixed to the vehicle.
- (6) Any such mirror affixed to the exterior of a vehicle with a manufacturer's gross vehicle weight of 2 tonnes or more (other than a motor car derivative) must have a reflecting surface of at least 150 sq cm in area.
- (7) Except as provided in subclause (8), any such mirror affixed to a motor vehicle manufactured on or after 1 January 1975 must be designed with a flat reflecting surface.
- (8) Any such mirror affixed to a motor cycle may be designed with a convex reflecting surface having a radius of curvature of not less than 1.2 m.
- (9) At or after the time of the first registration:
- (a) a motor car or a motor car derivative manufactured on or after 1 August 1972, and
  - (b) a multi-purpose vehicle manufactured on or after 1 January 1973, and

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- (c) a forward-control passenger vehicle manufactured on or after 1 January 1986, and
  - (d) a bus manufactured on or after 1 January 1987 having a gross vehicle weight not exceeding 3.5 tonnes and with not more than 12 seating positions including the driver's,
- must be equipped with:
- (e) an internal rear vision mirror, except where the design of the vehicle does not provide for internal rear vision, and
  - (f) a rear vision mirror fitted externally to the left-hand or near side of the vehicle where the design of the vehicle does not provide for internal rear vision, and
  - (g) in either case, a rear vision mirror fitted externally to the right-hand or off-side of the vehicle.

complying with second edition ADR Number 14 for Rear Vision Mirrors.

- (10) Every motor cycle manufactured on or after 1 January 1983 must have 2 rear vision mirrors fitted to the motor cycle in positions that, in relation to the axis about which the handlebar rotates for the purpose of changing the direction of the motor cycle, are symmetrical.

#### **118 Number-plates—position and fittings**

- (1) There must where necessary, be securely fastened:
  - (a) in the case of a motor vehicle (other than a motor cycle) to the front and rear of the vehicle, and
  - (b) in the case of a trailer, to the rear of the vehicle.

a device of a type approved by the Authority, in such a position as will enable the number-plates of the vehicle to be affixed in accordance with the requirements of this clause.
- (2) In the case of a motor vehicle (other than a trailer or motor cycle):
  - (a) the front number-plate must be located in front of and parallel to the front axle so that it is in the centre or to the right-hand or left-hand side of the centre of the vehicle and, unless otherwise approved by the Authority, no part of it is higher than 1.3 m from the ground, and



- (b) the rear number-plate must be located at the rear of, and parallel to, the rear axle so that it is in the centre or to the right-hand or left-hand side of the centre of the vehicle and, unless otherwise approved by the Authority, no part of it is higher than 1.3 m from the ground.
- (3) In the case of a motor vehicle whose number-plates are of different sizes, the smaller number-plate is to be located at the front of the vehicle, and the larger number-plate at the rear of the vehicle, in accordance with subclause (2).
- (4) In the case of a motor cycle:
  - (a) any front number-plate must be located at the front of the motor cycle on the mudguard or other suitable support so that the plate is facing forward and the centre of the plate is not less than 300 mm from the ground, and
  - (b) the rear number-plate must be located at the rear of the motor cycle so that the plate is facing to the rear and the centre of the plate is not less than 300 mm from the ground.
- (5) In the case of a trailer, the rear number-plate must be located behind and parallel to the rear axle so that it is in the centre or to the right-hand or left-hand side of the centre of the vehicle and, unless otherwise approved by the Authority, no part of it is higher than 1.3 m from the ground.

#### **119 Avoidance of danger and nuisances**

All parts and fittings of a motor vehicle or trailer must be such that:

- (a) they will not be likely to render unsafe the use of the vehicle, or to cause injury or annoyance to any person, and
- (b) subject to clause 145 of this Schedule, an undue amount of smoke will not be projected from the exhaust or elsewhere and the outlet of the exhaust must be so affixed that the exhaust will not be projected directly onto the roadway, and

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- (c) an undue amount of oil or grease will not be dropped onto the roadway, and
- (d) undue or avoidable noise or vibration will not be caused.

### **120 Crank-case ventilation**

All motor vehicles (other than motor cycles) powered by a four stroke petrol engine and first registered on or after 1 September 1970 must be so constructed or so fitted that crank-case gases are not permitted to escape into the atmosphere.

### **121 Silencer**

Every vehicle must have securely affixed to it an efficient silencing device so constructed that all exhaust from the engine is projected through the device in such a manner that it will prevent the creation of undue noise.

### **122 Driver's view**

The vehicle must be so constructed or equipped that the driver will have a view of traffic on each side of it and in all directions in front of it, sufficient to enable the driver to drive it with safety.

### **123 Engine number**

An identification number must be clearly and legibly stamped directly on the main component of the engine of the motor vehicle.

### **124 Vehicle to travel backwards or forwards**

Any motor vehicle that, when unladen, weighs more than 300 kg, must be capable of being driven backwards and forwards.

### **125 Holder for registration label**

Any registration label in a registration label holder must be clearly displayed through transparent colourless glass or other suitable material.

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**126 Ventilation—motor vehicles constructed principally for the carriage of goods**

- (1) Effective means of ventilation must be provided for the driver otherwise than by means of windows and door openings.
- (2) It is sufficient compliance with this requirement if the vehicle is equipped with suitably placed pivoted or hinged windows.

**127 Tyres**

- (1) Every tyre fitted to a motor vehicle or trailer:
  - (a) must be free from any apparent defect likely to render unsafe the use of the vehicle or likely to cause or result in injury to any person or damage to any goods in or on the vehicle, and
  - (b) must have a tread pattern of a depth not less than 1.5 mm on all parts of it that normally come into contact with the road surface, and
  - (c) together with its rim, must be of a size and capacity sufficient to carry the total weight of the vehicle and its loading.
- (2) The tyres must not be fitted with cleats or any other gripping device of a type likely to cause damage, other than normal wear and tear, to roads, road related areas, bridges or culverts.
- (3) No tyre fitted to any motor car, motor cycle or other motor vehicle being of the type known as a coupe utility, station wagon or panel van of the same make as a motor car and in which the forward part of the body form and the greater part of the mechanical equipment are the same as a motor car, must be treated by the process known as re-grooving.
- (4) Subject to subclauses (5)–(9), at or after the time of the first registration:
  - (a) if passenger car tyres are fitted to a motor car (other than a bus), a motor car derivative or a multi-purpose vehicle, manufactured on or after 1 January 1973, or a forward-control passenger vehicle with up to 8 seating positions, including the driver's, manufactured on or after 1 January 1986—such tyres must comply with second edition ADR Number 24 for Tyre Selection, and

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- (b) if passenger car tyres are fitted to a motor car (other than a bus) or a motor car derivative, manufactured on or after 1 January 1974—such tyres must comply with second edition ADR Number 23 for New Pneumatic Passenger Car Tyres.
- (5) Subject to subclauses (7) and (9), every motor car (other than a bus) and station waggon manufactured on or after 1 January 1984 must, at or after the time of the first registration, be equipped with tyres which comply with second edition ADR Number 23A for New Pneumatic Passenger Car Tyres.
- (6) Subject to subclauses (8) and (9), at or after the time of the first registration:
  - (a) every motor car derivative and multi-purpose vehicle manufactured on or after 1 January 1984, and
  - (b) a forward-control passenger vehicle with up to 8 seating positions including the driver's, manufactured on or after 1 January 1986,  
  
must be equipped with tyres which comply with second edition ADR Number 23A for New Pneumatic Passenger Car Tyres, or with tyres that are labelled by the manufacturer of the tyres as suitable for light trucks by the designation "L.T.", or such other tyres as the Authority may approve.
- (7) Subject to subclause (9), at or after the time of the first registration:
  - (a) every motor car (other than a bus) and station waggon manufactured on or after 1 January 1986, and
  - (b) every bus manufactured on or after 1 January 1987 having a gross vehicle weight not exceeding 3.5 tonnes and with not more than 12 seating positions including the driver's,  
  
must be equipped with tyres which comply with second edition ADR Number 23B for New Pneumatic Passenger Car Tyres.
- (8) Subject to subclause (9), every motor car derivative, multi-purpose vehicle and forward-control passenger vehicle manufactured on or after 1 January 1986 must, at or after the time of the first registration, be equipped with tyres which

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comply with second edition ADR Number 23B for New Pneumatic Passenger Car Tyres, or with tyres which are labelled by the manufacturer of the tyres as suitable for light.

- (9) At or after the time of the first registration:
- (a) every motor car (other than a bus), station waggon, motor car derivative, multi-purpose vehicle and forward-control passenger vehicle manufactured on or after 1 January 1986, and
  - (b) every bus manufactured on or after 1 January 1987 having a gross vehicle weight not exceeding 3.5 tonnes and with not more than 12 seating positions including the driver's,
- must be equipped with tyres selected in accordance with the requirements made in relation to tyre selection by second edition ADR Number 24A for Tyre Selection.
- (10) On or after 1 January 1980 no tyre that has been treated by the process known as retreading is to be fitted to any motor car, motor car derivative or multi-purpose vehicle unless such tyre complies with the provisions of Australian Standard AS 1973—Retreaded Pneumatic Passenger Car Tyres.

## 128 Axle groupings and suspension systems

- (1) For the purposes of this clause:
- (a) the distance between the centres of 2 axles is the distance between the transverse parallel vertical planes in which the centres of the axles lie, and
  - (b) 2 axles with centres not more than 1 m apart are taken to be equivalent to a single axle, and
  - (c) 3 axles with centres not more than 2 m apart are taken to be equivalent to a tandem axle group, and
  - (d) 4 or more axles with centres not more than 3.2 m apart are taken to be equivalent to a tri-axle group.
- (2) Any trailer (other than a semi-trailer) must be supported by only 1 or 2 axle groups.

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- (3) Any semi-trailer must be supported by only 1 axle group that must be located towards the rear of the vehicle.
- (4) Any other motor vehicle (including the forward portion of an articulated vehicle but not an articulated vehicle), except a motor cycle and an implement, must be supported by only 2 axle groups, one of which must be located towards the front of the vehicle and the other towards the rear.
- (5) A rigid motor vehicle (including the forward portion of an articulated vehicle and including a trailer) that is supported by 2 axle groups must have all the wheels of the front axle group connected to a steering mechanism for the vehicle.
- (6) Any tandem axle group or tri-axle group that supports a motor vehicle or trailer (other than an implement) and that is not at the front of the vehicle must have a load-sharing suspension system approved by the Authority.
- (7) This clause applies to any motor vehicle or trailer or, as the case may be, any axle group supporting a motor vehicle or trailer:
  - (a) first registered on or after 28th April 1978, or
  - (b) first registered before 28 April 1978, if the motor vehicle, trailer or axle group, as the case may be, complies with this paragraph on or after that date, or
  - (c) first registered before 28 April 1978, if the number or location of the axles of the motor vehicle or trailer is altered on or after that date,

unless the Authority by writing exempts that vehicle or, as the case may be, that axle group from the application of this clause.

#### **129 Motor cycle with sidecar**

- (1) A sidecar must not be so attached to a motor cycle nor be of such weight or dimensions that it will prevent the driver from safely driving the vehicle or from having a sufficient view to the front, rear and either side of the vehicle to enable the driver to drive the vehicle with safety.

- (2) A sidecar must not be affixed to the right-hand or off-side of a motor cycle.

**130 Pillion riding**

If a motor cycle is to be used for pillion riding, there must be securely affixed to the cycle for use by the pillion rider a suitably constructed and located footrest on each side and a suitable seat in a serviceable condition.

**131 Television sets and other visual display units**

Any television receiver, visual display unit or visual display monitor (including any associated equipment) must be securely mounted in such a position that:

- (a) except if that receiver, unit or monitor is used as a driver's aid, the screen or any part of it is not directly or indirectly visible to the driver from the driving position, and
- (b) its controls, other than the sound volume control and the main switch, are not within the driver's reach, and
- (c) the screen or any part of it will not distract the attention of the driver of any other motor vehicle, and
- (d) it does not obscure the driver's vision, and
- (e) it does not impede the movement of the driver or any passenger in the vehicle, and
- (f) it is not likely to increase the risk of injury to any occupant of the vehicle.

**132 Wheel-rims**

At or after the time of the first registration:

- (a) a motor car (other than a bus) or a motor car derivative, and
  - (b) a multi-purpose vehicle manufactured on or after 1 January 1973, and
  - (c) a bus manufactured on or after 1 January 1987, having a gross vehicle weight not exceeding 3.5 tonnes and with not more than 12 seating positions including the driver's,
- must be fitted with wheel-rims complying with second edition ADR Number 20 for Safety Rims.

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### 133 Instrument panels

The instrument panel fitted to a motor car (other than a bus) or a motor car derivative manufactured on or after 1 January 1973 must, at or after the time of the first registration of that vehicle, comply with second edition ADR Number 21 for Instrument Panels.

### 134 Internal sun visors

At or after the time of the first registration:

- (a) a motor car (other than a bus) or a motor car derivative, manufactured on or after 1 August 1972, and
- (b) a multi-purpose vehicle manufactured on or after 1 January 1973, and
- (c) every motor vehicle manufactured on or after 1 July 1973 (other than an implement, a motor cycle or a trailer),

must be equipped with internal sun visors complying with second edition ADR Number 11 for Internal Sun Visors.

### 135 Head restraints

- (1) Subject to subclause (2), at or after the time of the first registration:

- (a) a motor car (other than a bus) or a motor car derivative, manufactured on or after 1 August 1972, and
- (b) a multi-purpose vehicle manufactured on or after 1 January 1974,

must be equipped with head restraints complying with second edition ADR Number 22 for Head Restraints for each front seat position adjacent to a side wall of the vehicle.

- (2) At or after the time of the first registration:

- (a) a motor car, a motor car derivative or a multi-purpose vehicle, manufactured on or after 1 January 1975, and
- (b) a forward-control passenger vehicle manufactured on or after 1 January 1986, and



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- (c) a bus manufactured on or after 1 January 1987 having a gross vehicle weight not exceeding 3.5 tonnes and with not more than 12 seating positions including the driver's, must be equipped with head restraints complying with second edition ADR Number 22A for Head Restraints.

**136 Anti-theft locks**

- (1) Subject to subclause (2), at or after the time of the first registration:

- (a) a motor car (other than a bus) or a motor car derivative, manufactured on or after 1 August 1972, and
- (b) a multi-purpose vehicle manufactured on or after 1 January 1973,

must be equipped with a locking device complying with second edition ADR Number 25 for Anti-theft Locks.

- (2) At or after the time of the first registration:

- (a) a motor car, a motor car derivative or a multi-purpose vehicle manufactured on or after 1 January 1978, and
- (b) a forward-control passenger vehicle manufactured on or after 1 January 1986, and
- (c) a bus manufactured on or after 1 January 1987 having a gross vehicle weight not exceeding 3.5 tonnes and with not more than 12 seating positions including the driver's,

must be equipped with a locking device complying with second edition ADR Number 25A for Anti-theft Locks.

**137 Standard controls for automatic transmission**

- (1) If a motor vehicle (other than a motor cycle) manufactured on or after 1 August 1972 and before 1 January 1976 is equipped with automatic transmission. the automatic transmission and the controls for it must, at or after the time of the first registration of that motor vehicle. comply with second edition ADR Number 9 for Standard Controls for Automatic Transmissions.

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- (2) If a motor vehicle (other than a motor cycle or an implement) manufactured on or after 9 January 1976 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 in such a location that they will be readily visible to the driver, and
  - (b) the sequence of transmission control lever positions must:
    - (i) include a neutral position (whereby no power is transmitted to the driving wheels) located between the reverse drive and forward drive positions, and
    - (ii) in cases where a park position (whereby forward or rearward movement of the vehicle is prevented) is included, be such that the park position is located at the end of the sequence adjacent to the reverse drive position, and
  - (c) the engine starter must be inoperative when the transmission control lever is in a forward or reverse drive position.
- (3) If a motor car or a motor car derivative manufactured on or after 9 January 1976 is equipped with automatic transmission:
- (a) if the transmission control lever is located on the steering column:
    - (i) the movement of the lever from neutral to reverse must be clockwise except that in cases where 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 anti-clockwise, 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, and
  - (b) if the transmission control lever is located in a position other than on the steering column:

- (i) all lever positions must be to the left of the vertical longitudinal plane through the centre of the steering wheel, and
- (ii) 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.

**138 Glare reduction in field of view**

At or after the time of the first registration:

- (a) a motor car (other than a bus), a motor car derivative or a multi-purpose vehicle, manufactured on or after 1 January 1973, and
- (b) every motor vehicle manufactured on or after 1 July 1973, except a motor cycle, an implement and a trailer,

must comply with second edition ADR Number 12 for Glare Reduction in Field of View.

**139 Vehicle engine emission control**

(1) At or after the time of the first registration:

- (a) a motor car (other than a bus) or a station wagon manufactured on or after 1 August 1972 must comply with second edition ADR Number 26 for Vehicle Engine Emission Control, and
- (b) subject to paragraphs (c), (d), (e) and (f), a motor car (other than a bus) or a station wagon manufactured on or after 1 January 1974 must, in addition to the requirements of paragraph (a), comply with second edition ADR Number 27 for Vehicle Engine Emission Control, and
- (c) a motor car (other than a bus) or a motor car derivative equipped with a petrol fuelled spark ignition internal combustion engine and having an engine displacement of 850 millilitres or more, manufactured on or after 1 July 1976 and before 1 January 1982 must, while being operated with petrol, comply with second edition ADR Number 27A for Vehicle Emission Control, and

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- (d) a motor car (other than a bus) or a motor car derivative equipped with a petrol fuelled spark ignition internal combustion engine and having an engine displacement of 850 millilitres or more, manufactured on or after 1 January 1982 and before 1 September 1983 must, while being operated with petrol, comply with second edition ADR Number 27B for Vehicle Emission Control, and
- (e) a motor car or motor car derivative equipped with a petrol fuelled spark ignition internal combustion engine and having an engine displacement of 850 millilitres or more, must, while being operated with petrol:
  - (i) if the vehicle is manufactured on or after 1 September 1983 and before 1 July 1985—comply with second edition ADR Number 27C for Vehicle Emission Control, or
  - (ii) if the vehicle is manufactured on or after 1 July 1985 and before 1 January 1986—comply with second edition ADR Number 27C for Vehicle Emission Control or with second edition ADR Number 37 for Vehicle Emission Control, and
- (f) the following vehicles, while being operated with petrol, comply with second edition ADR Number 36 for Exhaust Emission Control for Heavy Duty Vehicles:
  - (i) a motor vehicle, except a motor car (other than a bus), a motor car derivative, a forward-control passenger vehicle, a multi-purpose vehicle, a motor cycle and an implement, equipped with a petrol fuelled spark ignition internal combustion engine and having an engine displacement of 850 millilitres or more, manufactured on or after 1 July 1978 and before 1 January 1986.
  - (ii) a multi-purpose vehicle equipped with a petrol fuelled spark ignition internal combustion engine and having an engine displacement of 850 millilitres or more, manufactured on or after 1 January 1979 and before 1 January 1986.

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- (iii) a motor vehicle, except a motor car (other than a bus), a motor car derivative, a forward-control passenger vehicle, a motor cycle and an implement, equipped with a petrol fuelled spark ignition internal combustion engine and having an engine displacement of 850 millilitres or more, manufactured on or after 1 July 1979 and before 1 January 1986, and
  - (iv) subject to paragraph (i), a forward-control passenger vehicle manufactured on or after 1 January 1986, and
  - (g) subject to paragraphs (h), (i) and (j), a motor car or a motor car derivative equipped with a petrol fuelled spark ignition internal combustion engine, manufactured on or after 1 January 1986 must, while being operated with petrol, comply with second edition ADR Number 37 for Vehicle Emission Control, and
  - (h) the following vehicles must, while being operated with petrol, comply with second edition ADR Number 36A for Exhaust Emission Control for Heavy Duty Vehicles:
    - (i) a forward-control passenger vehicle or a multi-purpose vehicle equipped with a petrol fuelled spark ignition internal combustion engine having an engine displacement of 850 millilitres or more and having a gross vehicle weight exceeding 2.7 tonnes, manufactured on or after 1 January 1988.
    - (ii) any motor vehicle, except a motor car and a motor car derivative, equipped with a petrol fuelled spark ignition internal combustion engine having an engine displacement of 850 millilitres or more and having a gross vehicle weight exceeding 2.7 tonnes, manufactured on or after 1 July 1988, and
  - (i) the following vehicles must, while being operated with petrol, comply with second edition ADR Number 40 for Light Duty Vehicle Emission Control:

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- (i) a forward-control passenger vehicle or a multi-purpose vehicle equipped with a petrol fuelled spark ignition internal combustion engine and having a gross vehicle weight not exceeding 2.7 tonnes, manufactured on or after 1 January 1988,
  - (ii) a motor vehicle, except a motor car (other than a bus), a motor car derivative, a motor cycle and an implement, equipped with a petrol fuelled spark ignition internal combustion engine and having a gross vehicle weight exceeding 2.7 tonnes, manufactured on or after 1 July 1988, and
- (j) the following vehicles must, while being operated with petrol, comply with second edition ADR Number 41 for Mandatory Operation on Unleaded Petrol:
- (i) a forward-control passenger vehicle or a multi-purpose vehicle equipped with a petrol fuelled spark ignition internal combustion engine and having a gross vehicle weight exceeding 2.7 tonnes, manufactured on or after 1 January 1988,
  - (ii) a motor cycle manufactured on or after 1 March 1988.
  - (iii) a motor vehicle, except a motor car and a motor car derivative, equipped with a petrol fuelled spark ignition internal combustion engine and having a gross vehicle weight exceeding 2.7 tonnes, manufactured on or after 1 July 1988.
- (2) In subclause (1), a reference to a petrol fuelled spark ignition internal combustion engine includes a reference to a spark ignition internal combustion engine that, in addition to being manufactured or adapted for operation with petrol, is manufactured or adapted for operation with some other fuel.

#### 140 Location and visibility of instruments

- (1) Subject to subclause (2), if a motor car (other than a bus) or a motor car derivative, manufactured on or after 1 January 1973 is equipped with any of the following instruments:

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- (a) speedometer,
  - (b) turn signal light indicators,
  - (c) high beam indicator.
  - (d) tachometer,
  - (e) odometer,
  - (f) stop light failure indicator,
  - (g) brake failure indicator,
  - (h) oil temperature and pressure indicators.
  - (i) water temperature indicator.
  - (j) battery charge failure indicator.
  - (k) fuel level indicator,

those instruments must, at or after the time of the first registration of that motor vehicle, be located so as to comply with second edition ADR Number 18 for Location and Visibility of Instruments.

- (2) If a motor car (other than a bus) or a motor car derivative, manufactured on or after 1 September 1983 is equipped with any of the instruments specified in subclause (1), those instruments must, at or after the time of the first registration of the vehicle, be located so as to comply with second edition ADR Number 18A for Location and Visibility of Instruments.

#### 141 Speedometers

Every motor vehicle (not being a trailer) manufactured on or after 1 July 1973 and capable of being driven at a speed in excess of 40 kilometres per hour on a level road must be fitted with a speedometer which must:

- (a) indicate the speed at which the vehicle is being driven in kilometres per hour, and
- (b) indicate, when the vehicle is travelling at a speed in excess of 50 kilometres per hour, a speed that is not more than 10% less than the actual speed, and
- (c) be readily visible to the driver.

**142 Motor vehicle noise**

- (1) Subject to subclauses (2)–(4), at or after the time of the first registration:
- (a) a motor car (other than a bus), a motor car derivative or a multi-purpose vehicle manufactured on or after 1 January 1974, and
  - (b) every petrol engined motor vehicle manufactured on or after 1 July 1974 except a motor cycle and an implement, and
  - (c) every motor vehicle manufactured on or after 1 July 1975 except an implement,

must comply with second edition ADR Number 28 for Motor Vehicle Noise.

- (2) At or after the time of the first registration:
- (a) every motor vehicle, except a motor car (other than a bus), a motor car derivative, a multi-purpose vehicle, a motor cycle and an implement, manufactured on or after 1 July 1980, and
  - (b) a motor car, a motor car derivative or a multi-purpose vehicle, manufactured on or after 1 January 1981,

must comply with second edition ADR Number 28A for Motor Vehicle Noise.

- (3) At or after the time of the first registration, a motor cycle manufactured on or after 1 January 1986 must comply with second edition ADR Number 39 for Motorcycle and Moped Noise.

- (4) At or after the time of the first registration, a motor cycle manufactured on or after 1 March 1988 must comply with second edition ADR Number 39A for Motorcycle Noise.

**143 Hydraulic braking systems**

At or after the time of the first registration, a motor car (other than a bus) manufactured on or after 1 January 1977, equipped with hydraulic service brakes, must comply with second edition ADR Number 31 for Hydraulic Braking Systems.



**144 Side door strength**

At or after the time of the first registration, a motor car (other than a bus) manufactured on or after 1 January 1977 must comply with second edition ADR Number 29 for Side Door Strength.

**145 Diesel engine exhaust smoke emissions**

At or after the time of the first registration, every diesel powered motor vehicle manufactured on or after 1 July 1976 (other than an implement) must comply with second edition ADR Number 30 for Diesel Engine Exhaust Smoke Emissions.

**Part 4 Special provisions for buses not subject to third edition ADRs****Division 1 General****146 Application of Part**

This Part applies to all buses except:

- (a) buses required by Part 5 to be constructed and equipped so as to comply with the third edition ADRs, whether or not including the lighting requirements of the ADRs specified in clause 15 of this Schedule, and
- (b) buses to which Part 6 applies.

**147 Requirements of this Part additional to other provisions of Schedule**

- (1) In addition to complying with the other provisions of this Schedule, a bus must be constructed or equipped with the items of equipment set out in this Part.
- (2) The Authority may approve of a modification of all or any of the provisions of Division 2 in the case of a bus equipped to seat not more than 12 adults including the driver and used or intended to be used for the conveyance of school children or children with

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disabilities or employees of the owner or for a similar purpose if the Authority is satisfied that it is so constructed and equipped that it is safe to be used for that purpose.

### **Division 2 Additional requirements for buses**

#### **148 Driver's guard-rail**

Where necessary, there must be a suitable guard-rail or panel fitted to a bus:

- (a) that will prevent any passenger from accidentally coming into contact with the driver or the control levers of the vehicle, and
- (b) that will prevent any passenger from obstructing the driver's view.

#### **149 Inside mirror**

A mirror must be suitably affixed to the inside of a bus that has such dimensions and so affixed that it will reflect to the driver, whilst retaining, his or her normal driving position, a view of doors and door approaches of the vehicle.

#### **150 Fuel tank**

- (1) The fuel tank and the fuel tank filler pipe must not be located in the interior of the bus, in the engine compartment, or in any separate compartment for the driver.
- (2) The fuel tank filler pipe must be situated so that it is not less than 900 mm from either side of any exit (including any emergency exit) and must be arranged so that any overflow or leakage of fuel cannot accumulate.

#### **151 Emergency exits for single-deck buses**

- (1) In the case of a single-deck bus not provided for in subclause (2), there must be:
  - (a) at least one emergency exit at the extreme rear of the passenger compartment measuring not less than 1.3 m by 530 mm, or

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- (b) at least one emergency exit fitted in the roof of the rear half of the passenger compartment having a minimum area of 7000 square centimetres and no dimension less than 530 mm and, in the case of a bus first registered on or after 1 January 1963 that does not have a door accessible to passengers fitted in each side of the vehicle, there must be located in the rear half of the passenger compartment on the side on which a door is not fitted, an emergency exit measuring not less than 600 mm by 530 mm.
- (2) In the case of a single-deck bus with its engine or any other obstruction at its rear, there must be emergency means of exit as prescribed in subclause (1) (b) near the centre of the passenger compartment.
- (3) At the rear of a double-deck bus there must be at least two emergency exits, one situated above and the other below the level of the floor of the upper deck. Any such exit must measure not less than 1.3 m by 530 mm.
- (4) However, it is sufficient compliance with subclause (3) if:
- (a) the bus is fitted with a rear platform, and
  - (b) access from outside the vehicle to the platform extends transversely across the rear of the bus for a distance of not less than 450 mm, and
  - (c) there is at the rear of the bus at least one emergency exit situated above the level of the floor of the upper deck complying in other respects with the requirements of subclause (3).
- (5) Any emergency exit:
- (a) must be clear of any obstruction, and
  - (b) must, where necessary, be equipped inside and outside with a suitable opening and closing device, and
  - (c) must be indicated by a prominent notice inside and outside the bus displaying the words "Emergency Exit".

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### **152 Fire extinguishers**

- (1) Every bus must be equipped with the number of fire extinguishers required by the Authority, being fire extinguishers of a type and capacity approved by the Authority.
- (2) A fire extinguisher with which a bus is equipped:
  - (a) must be maintained in good order and condition, and
  - (b) must be kept in a position where it is readily available for use.

### **153 Removable and opening interior fittings**

Every hatch, cover, interior door and other removable or opening panel in the interior of a bus must be adequately secured to prevent the likelihood of accidental opening or dislodgment.

## **Part 5 Construction and equipment requirements for vehicles manufactured on or after 1 January 1989**

### **Division 1 General**

#### **154 Application of Part**

This Part applies to motor vehicles and trailers manufactured on or after 1 January 1989.

#### **155 Application of third edition ADRs**

- (1) Except as provided by subclauses (2) and (3), a motor vehicle or trailer to which this Part applies must be constructed and equipped so as to comply with the relevant requirements of the third edition ADRs applicable to the category of vehicle concerned.
- (2) Subclause (1) does not apply to a motor vehicle or trailer that is constructed and equipped in compliance with approval given by the Australian Motor Vehicle Certification Board before 1 January 1989 for the particular model of motor vehicle or trailer concerned.

- (3) A motor vehicle or trailer that is manufactured on or after 1 January 1989 but before 1 July 1991 is not required to be constructed and equipped so as to comply with the relevant lighting requirements of the third edition ADRs applicable to the category of motor vehicle or trailer concerned.

#### **156 Minimisation of oil or grease pollution**

The parts and fittings of a motor vehicle or trailer must not be such that they cause an undue amount of oil or grease to be dropped onto the roadway.

### **Division 2 Specific purpose vehicle requirements**

#### **Subdivision 1 Lighting equipment**

#### **157 Flashing warning lights**

- (1) The following vehicles may be fitted with a light or lights, at least one of which must be mounted on top of the vehicle, capable of displaying a flashing or rotating light:
- (a) ambulances.
  - (b) police vehicles,
  - (c) fire-fighting vehicles.
  - (d) mines rescue or other rescue vehicles.
  - (e) Red Cross vehicles used for conveyance of blood for urgent transfusions.
  - (f) public utility service vehicles,
  - (g) tow-trucks.
  - (h) motor breakdown service vehicles.
  - (i) vehicles used for the delivery of milk and which are required to stop at frequent intervals.
  - (j) buses used solely or principally for the conveyance of children to or from school.

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- (k) vehicles exceeding the length, width and height limits of this Schedule.
- (l) vehicles frequently used to transport loads that exceed the maximum length, width and height limits of this Schedule and vehicles used to escort such vehicles,
- (m) vehicles used by the Authority,
- (n) vehicles used by an employee of a council of a local government area for the purposes of enforcing excess weight limits legislation,
- (o) such other vehicles as are approved by the Authority.
- (2) Any such light must be capable of displaying:
  - (a) in the case of an ambulance, fire-fighting vehicle, mines rescue or other rescue vehicle or Red Cross vehicle—a red light, or
  - (b) in the case of a police vehicle—a blue light or a blue and a red light, or
  - (c) in the case of a vehicle used by the Authority or a vehicle used by a council of a local government area for the purposes of enforcing excess weight limits legislation (within the meaning of Regulation 95AA (2) of the *Motor Traffic Regulations 1935*)—a crimson light, or
  - (d) in the case of any other vehicle—an amber light unless otherwise approved by the Authority.
- (3) The lens of any such light must not be visible, either directly or indirectly, to the driver of the motor vehicle or trailer to which it is fitted when that driver is seated in the normal driving position.
- (4) The light from any such light mounted on the top of the vehicle must be visible in normal sunlight from a distance of at least 200 m to a driver approaching that vehicle from any direction.
- (5) Street vending vehicles must be fitted with a flashing warning light mounted on the roof of the vehicle. Any such light must:
  - (a) be capable of displaying a rotating, flashing, amber-coloured light, and

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- (b) commence to emit light within 1 second of being switched on, and
  - (c) when switched on, flash regularly at a rate of not less than 60 times per minute, and
  - (d) be connected to an indicator which will inform the driver, by visible and audible means, that the light is flashing, and
  - (e) emit light that is visible in normal sunlight from a distance of at least 200 m to a driver approaching the vehicle from any direction.
- (6) Fire brigade emergency site command vehicles may be provided with a light mounted on top of the vehicle and capable of displaying a rotating green light.

The light from any such light must be visible in normal sunlight from a distance of at least 200 m to a driver approaching the vehicle from any direction.

## Subdivision 2 Road trains

### 158 20 metre double combinations

- (1) In the case of a 20 metre double combination:
  - (a) the distance from the point of articulation of the articulated vehicle to the foremost extremity of the rear overhang must not exceed 5.5 m, and
  - (b) the distance from the point of articulation of the trailer to the foremost extremity of the rear overhang must not exceed 5.5 m, and
  - (c) the length of the drawbar must not be less than 2 m.
- (2) For the purpose of this clause, where an axle referred to in paragraph (b) (ii), (iii) or (iv) of the definition of *rear overhang* in the Dictionary at the end of this Regulation is a retractable axle or a steerable axle, that axle must, if it is the foremost axle of the 2 axles or of the group referred to in the relevant paragraph of the definition, be disregarded in determining the point referred to in that paragraph of the definition.

**159 Service brakes**

- (1) Subject to subclause (4), every wheel on a component vehicle of a road train must be braked by a pneumatic brake system, which must be activated by one foot-operated control valve.
- (2) The brake system of a road train must be such that:
  - (a) each axle group of every trailer of the road train is supplied by not less than one air reservoir tank and relay valve, and the air reservoir tank must have an air capacity which is not less than 8 times the volume of all the brake actuation chambers supplied by that air reservoir tank, and
  - (b) the hauling unit of the road train must be supplied by an air reservoir tank which has an air capacity that is not less than 12 times the volume of all of the brake actuation chambers supplied by that air reservoir tank, and
  - (c) it is capable, within one minute after 3 full brake applications have been completed within a 10 second period, of increasing the air pressure in each air reservoir tank of the brake system to not less than 75% of the air brake test pressure of that brake system, and
  - (d) 15 minutes after the air compressor of the brake system has fully pressurised that brake system, and without that air compressor again working during that period, the air pressure of the brake system is not less than 90% of the air brake test pressure of that brake system, and
  - (e) the pressure within a brake chamber of an axle of the road train is, not later than 1.5 seconds after a rapid application of the foot-operated control valve of that brake system has been completed, not less than 65% of the air brake test pressure of that brake system, and
  - (f) the pressure within the brake chamber of each axle of the road train must, not later than 1.5 seconds after the release of the foot-operated control valve of that brake system, fall from 95% to 5% of the air brake test pressure of that brake system.



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- (3) Any tap-in device that is installed in the brake system for the purpose of any demonstration that the road train has a brake system that complies with the requirements of subclause (2) c), (d), (e) and (9) must not be installed except by or at the direction of the owner of the vehicle in which it is installed.
  - (4) With the approval of the Authority, the wheels of any road train may be braked by a brake system other than a brake system referred to in subclause (1) but only if that brake system complies with subclauses (2) and (3).

#### **160 Brake line couplings**

A brake line between any 2 component vehicles of a road train must not be connected otherwise than by means of a polarized, clear-bore brake coupling.

#### **161 Parking brakes on hauling units**

- (1) The hauling unit of any road train must be fitted with spring-actuated parking brakes to not less than:
  - (a) in the case of a hauling unit with 2 axles—one of those axles, and
  - (b) in the case of a hauling unit with more than 2 axles—2 of those axles.
- (2) A springactuated parking brake referred to in subclause (1) must be such that:
  - (a) when it is applied it remains applied, irrespective of the leakage or exhaustion of air from the brake system of the hauling unit to which it is fitted, and
  - (b) it cannot be released, unless there is a means available for the immediate reapplication of the parking brake or the service brake system, except by the use of tools at the brake actuator of such parking brake.

#### **162 Child restraint anchorage bolts in drive yourself vehicles**

- (1) Every motor vehicle that is a drive yourself vehicle (as referred to in the Table to Schedule 2 to the *Miscellaneous Acts (Transport Accidents Compensation) Amendment Act 1987*) must be fitted with a child restraint anchorage bolt of a type approved by the Authority.

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- (2) The child restraint anchorage bolt must be fitted to a child restraint anchorage point if the vehicle concerned is one required by the third edition ADRs to have a child restraint anchorage.

### Division 3 Exemptions

#### 163 Exemption by operation of clause 90

- (1) The limits prescribed by this Part for the dimensions of motor vehicles and trailers do not apply to a vehicle that is exempted from the dimension limits by the operation of clause 90 of this Regulation.
- (2) Except where otherwise provided in this Part or in the third edition ADRs, such limits refer to the motor vehicle or trailer together with any loading or equipment on the vehicle.

#### 164 Vehicle dimensions

- (1) The length of an articulated vehicle (other than an articulated bus) may exceed 17.5 m but must not exceed 19.0 m.
- (2) The distance from the point of articulation of an articulated vehicle to the foremost extremity of the rear overhang of its semi-trailer must not exceed 9.5 m.
- (3) The rear overhang of an articulated vehicle (other than an articulated bus):
  - (a) may exceed 50% of the distance between the point of articulation of the vehicle and the foremost extremity of the rear overhang of its semi-trailer, or 3.2 m. whichever is the shorter length, but
  - (b) must not exceed 60% of the distance between the point of articulation of the vehicle and the foremost extremity of the rear overhang of its semi-trailer, or 3.7 m. whichever is the shorter length.
- (4) The length of a semi-trailer that is being used to carry livestock must not exceed 12.5 m.
- (5) The length of a semi-trailer that is not being used to carry livestock must not exceed 13.7m.

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- (6) For the purposes of this clause, the length of a semi-trailer does not include any refrigeration or other auxiliary equipment, or of any loading space, of a reduced width at the front of the semi-trailer.
  - (7) The length of a bus may exceed 12.2 m but must not exceed 12.5 m.
  - (8) The rear overhang of a bus with a single axle towards the rear may exceed 3.2 m but must not exceed 60% of the distance between the centre of the foremost axle and the foremost extremity of the rear overhang, or 3.7 m. whichever is the shorter length.
  - (9) The length of a pig trailer may exceed 11 m but must not exceed 12.5 m.
  - (10) The length of the body of a dog trailer that is being used to carry livestock may exceed 11 m but must not exceed 12.5 m.
  - (11) The length of the body of a dog trailer that is not being used to carry livestock may exceed 11 m but must not exceed 13.7 m.
  - (12) The distance from the point of articulation of a low-loader float to the foremost extremity of the rear overhang may exceed 9.5 m.
  - (13) The distance from the point of articulation of a low-loader float to the rearmost extremity of the rear overhang may exceed 12.3 m.
  - (14) The length of a motor vehicle or trailer (other than an articulated vehicle, bus, pig trailer or dog trailer) may exceed 11 m but must not exceed 12.5 m.
  - (15) The rear overhang of a vehicle (other than an articulated vehicle, bus, low-loader float, trailer, motor cycle or a mobile crane):
    - (a) may exceed 3.2 m, but
    - (b) must not exceed 60%, of the distance between the centre of the foremost axle and the foremost extremity of the rear overhang, or 3.7 m. whichever is the shorter length.
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### 165 Dimensions of certain motor vehicles may exceed limits in ADRs

- (1) The dimensions of a motor vehicle may exceed the motor vehicle length and width limits contained in the third edition ADRs applying to a rigid motor vehicle (other than a bus or a semi-trailer) if
  - (a) it is not designed for the purpose of conveying passengers or goods or is carrying an indivisible load, and
  - (b) the length of the motor vehicle does not exceed 14 m, and
  - (c) the width of the motor vehicle does not exceed 3 m (excluding any rear vision mirror, side mounted light, signalling device and tyre pressure monitoring system).
- (2) The dimensions of a motor vehicle may exceed the motor vehicle height limits contained in the third edition ADRs applying to a motor vehicle (other than a double-deck cattle trailer) if the height of the motor vehicle does not exceed 4.6 m.

### 166 Dimensions of certain buses

If a bus exceeds 12.5 m because of the operation of clause 90 of this Regulation, the rear overhang of the bus must not exceed 70%, of the distance between the centre of the foremost axle and the foremost extremity of the rear overhang, or 4.9 m, whichever is the shorter length.

## Part 6 Construction and equipment standards for heavy motor vehicles not subject to the provisions of Parts 2–4

### Division 1 General

#### 467 Application of Part

This Part applies to motor vehicles (whenever built) that have a GVM over 4.5 tonnes and combinations of motor vehicles (whenever built) that have, or include, a vehicle that has a GVM over 4.5 tonnes.

### **168 Interpretation**

- (1) Part 10 of the Appendix to this Part applies to the interpretation of the whole of this Part.
- (2) Unless the contrary intention appears, the limits prescribed in the Appendix to this Part for the dimensions of a motor vehicle refer to the motor vehicle together with any loading or equipment on the vehicle.

### **169 Compliance with Appendix to Part**

A motor vehicle, or a combination, to which this Part applies must comply with the Appendix to this Part.

### **170 Approvals by Authority**

Any approval given under this Part by the Authority may be given unconditionally or subject to one or more conditions. An approval that is subject to one or more conditions does not apply in a case where those conditions are not satisfied.

## **Division 2 Modifications to Appendix**

### **171 Flashing warning lights**

Despite clause 5.38 (1) and (2) of the Appendix to this Part, a vehicle may be fitted with a light or lights that would, if the vehicle were one to which clause 157 (1)–(4) and (6) of this Schedule applied, satisfy the requirements of that subclause.

## **Division 3 Exceptions to requirements as to dimensions**

### **172 Dimensions of vehicles regulated by permit**

The limits prescribed in the Appendix to this Part for the dimensions of motor vehicles do not apply to a vehicle that is exempted from the dimension limits by the operation of clause 90 of this Regulation.

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### **173 Vehicle lengths**

- (1) Despite clause 4.6 (1) (a) of the Appendix to this Part, the distance from the point of articulation of a low-loader float to the foremost extremity of the rear overhang may exceed 9.5 m.
- (2) Despite clause 4.6 (1) (b) of the Appendix to this Part, the distance from the point of articulation of a low-loader float to the rearmost extremity of the rear overhang may exceed 12.3 m.

### **174 Vehicle dimensions**

The dimensions of a rigid motor vehicle may exceed the length and width limits that apply to it under the Appendix to this Part if:

- (a) the vehicle is not designed to carry passengers or goods or, though designed to carry goods, is carrying an indivisible load, and
- (b) the vehicle is not a semi-trailer, and
- (c) the length of the vehicle does not exceed 14 m, and
- (d) the width of the vehicle does not exceed 3 m (excluding any rear vision mirror, side mounted light, signalling device and tyre pressure monitoring system).

### **175 Rear overhang of controlled access bus**

Despite clause 4.8 (4) of the Appendix to this Part, the rear overhang of a controlled access bus must not exceed 70% of the distance between the centre of the foremost axle and the foremost extremity of the rear overhang, or 4.9 m, whichever is the shorter length.

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## Appendix to Part 6 of Schedule 4

### Heavy Vehicle Standards

#### Introductory note

The Vehicle Standards in the Appendix apply to all motor vehicles, and trailers, over 4.5 tonnes GVM, whenever they were built, unless they have been exempted. Some of the Standards in the Appendix relate to combinations of vehicles.

In most cases, if a vehicle meets all of the Standards in the Appendix, it is suitable for use on the road without special restrictions. However, some very large vehicles may be restricted as to where they can travel by other regulations under the *Traffic Act 1909*. Furthermore, Part 6 modifies the Appendix to some extent (see clauses 167–175 of this Schedule), and in the case of conflict between Part 5 and Part 6 (including the Appendix), Part 5 prevails (clause 8 (3) of this Schedule).

The Standards in the Appendix are intended to be read with the Australian Design Rules (ADRs), which are a set of rules for designing and building vehicles. The ADRs do not cover vehicles built before 1969 or combinations of vehicles of any age. These are covered in Parts 2 to 9 of this Appendix. The ADRs did not cover every safety feature for vehicles built between 1969 and 1988. The Appendix is intended to complement the ADRs for vehicles built during this period. If a vehicle is covered by both an ADR and the Appendix, and the two are inconsistent, the vehicle must generally comply with the ADR (but see above).

The Appendix also requires a vehicle subject to an ADR to continue to comply with the applicable ADRs (unless exempted). A vehicle must continue to comply with the Appendix, even if it is modified. Codes of Practice such as the “National Code of Practice: Heavy Vehicle Modifications”, issued by the Federal Office of Road Safety in Vehicle Standards Bulletin 6, provide advice to help decide whether a modified vehicle complies with the ADRs. It is recommended that modifications be made in accordance with the Code. Modifications not covered in, or not consistent with, the Code may also be permitted, but the owner must ensure that the vehicle continues to comply with the ADRs, the Appendix and this Regulation in general. Copies of the Code may be obtained from the Federal Office of Road Safety and Regional Development, Department of Transport, Canberra.

Other Acts and Regulations may have additional administrative requirements for modified vehicles.

## Part 1 Application of ADRs

**Note.** This Part sets out how the second and third edition of the ADRs and the other requirements in this Appendix are applied to vehicles over 4.5 tonnes in gross vehicle mass. Vehicles subject to ADRs are required to continue to comply with the relevant ADRs throughout their life. Any vehicle is allowed to meet a more recent standard instead of the one that applied to it when it was built. An earlier standard need not be complied with if it is inconsistent with a later standard dealing with the same thing on the same vehicle, and the vehicle complies with the later standard. Older vehicles are allowed to be fitted with any equipment that is allowed on newer vehicles. As explained in the Introductory Note, modified vehicles must still comply with this Appendix.

### Compliance with second edition ADRs

- 1.1 (1)** A vehicle to which a second edition ADR applies must comply with the ADR.
- 1.1 (2)** For the purpose of subclause (1), a second edition ADR applies to a vehicle if the cover sheet of the document containing the ADR includes a recommendation by the Australian Transport Advisory Council that vehicles in a category that includes the vehicle:
- (a) comply, or be designed to comply, with the ADR, or
  - (b) be equipped with a thing that complies with the ADR, or
  - (c) have instruments located so as to comply with the ADR.
- 1.1 (3)** Despite subclause (a), a vehicle need not comply with a requirement of a second edition ADR if:
- (a) the requirement has been superseded by, or is inconsistent with, a requirement of a third edition ADR, and
  - (b) the vehicle complies with the third edition ADR requirement.

### Compliance with third edition ADRs

- 1.2 (1)** A vehicle to which a third edition ADR applies must comply with the ADR.



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**Limitations on application of the ADRs****1.3 (1)** Despite clauses 1.1 and 1.2:

- (a) a vehicle (other than a personally imported vehicle) that:
  - (i) has been approved as a nonstandard vehicle under the Motor Vehicle Standards Act 1989 of the Commonwealth, or
  - (ii) fails to comply with a requirement of the ADR in a minor or inconsequential respect and is the subject of an approval under section 10 (2) of the Motor Vehicle Standards Act 1989 of the Commonwealth which allows plates to be placed on the vehicle, and
- (b) continues to comply with the conditions (if any) of that approval,  
need not comply with a requirement of an ADR if it has been exempted from that requirement under that approval.

**1.3 (2)** Despite clauses 1.1 and 1.2, the luminous transmittance requirements in clause 3.16 (3) apply to a vehicle instead of the corresponding requirements in the relevant ADR.**1.3 (3)** Despite clauses 1.1 and 1.2, the requirements of clause 2.18 (5)–(7) (relating to the speed at which a tyre must be suitable for road use) apply to a vehicle instead of the tyre speed category requirements in the relevant ADR.**1.3 (4)** Despite clause 1.2, the requirements of:

- (a) clause 5.38 (3) (b) relating to the colour of a light that flashes on an emergency vehicle or police vehicle, and
- (b) clause 5.38 (3) (c) relating to the colour of reflectors on an emergency vehicle or police vehicle,  
apply to a vehicle instead of the corresponding requirements in the relevant ADR.

**Additional equipment on vehicles****1.4 (1)** If a third edition ADR permits a vehicle to be fitted with equipment, a vehicle may be fitted with the equipment, even though the vehicle was built before the date specified in the ADR for the type of vehicle.

## Part 2 General safety requirements

**Note.** To allow a vehicle to be operated safely, every aspect of the vehicle needs to be properly designed to minimise the potential for accidents or 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 safety features of a more general nature.

### Division 1 All vehicles

#### Steering

- 2.1 (1) The centre of at least one steering control of a motor vehicle must be to the right of, or in line with, the centre of the vehicle.
- 2.1 (2) 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.
- 2.1 (3) Failure of a non-mechanical component of the steering system must not prevent effective steering of the vehicle.

#### Turning ability

- 2.2 (1) A motor vehicle must be able to turn both left and right, within a circle not exceeding 25 metres in diameter, measured by the outer edge of the tyre track at ground level.

#### Ability to travel backwards and forwards

- 2.3 (1) A motor vehicle must be capable of being driven both backwards and forwards by the driver when the driver is in the normal driving position.

#### Internal or external protrusions

- 2.4 (1) A vehicle must not have fitted to it an object or fitting that:
- (a) protrudes from the vehicle in a way that is reasonably likely to increase the risk of injury to a person, and
  - (b) is not technically essential to the vehicle.
- 2.4 (2) An object or fitting that is technically essential to a vehicle must be designed, built and fitted to the vehicle in a way that minimises the risk of bodily injury to a person making contact with the vehicle.

**Note.** An example of an object that protrudes but is not technically essential to a vehicle is a bonnet mascot that is rigid and is not designed to spring away on impact.

A bull bar that unduly increases the risk of injury to a person would not be allowed to be fitted. However, a well-designed bull bar that minimises the greater risk of bodily injury in an accident involving contact with the bull bar would be allowed.

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**Driver's view and control of vehicle**

- 2.5 (1)** A motor vehicle must be built:
- (a) to allow the driver a view of the road and of traffic to the front and to the sides of the vehicle, and
  - (b) with its controls located, so that the driver can drive it safely.
- 2.5 (2)** The rearmost position of any passenger seat in a motor vehicle must not be located more than 100 millimetres in front of the rearmost position of the driver's seat.

**Seating**

- 2.6 (1)** A seat provided for a driver or passenger in a vehicle must be securely attached to the vehicle.

**Mudguards**

- 2.7 (1)** A vehicle must have firmly fitted to it:
- (a) a mudguard for each wheel or for adjacent wheels, and
  - (b) for all axles on a vehicle that is part of a B-double—spray suppression devices complying with Parts 1 and 2 of British Standard AU200-1984 "Spray Reducing Devices for Heavy Goods Vehicles", as in force at the commencement of this Appendix, and available from offices of the Standards Association of Australia.
- 2.7 (2)** Subclause (1) (a) does not apply to a vehicle if:
- (a) its construction or use makes it unnecessary or impracticable to provide mudguards, or
  - (b) the body or part of the body of the vehicle acts as a mudguard.

**Note.** Examples of vehicles to which subclause (2) (a) applies are timber jinkers, most road-making plant and some agricultural implements.

- 2.7 (3)** A mudguard fitted to a vehicle must, when the wheels of the vehicle are in position for it to move straight ahead:
- (a) reduce the danger of a person contacting the moving wheels, and

- (b) in the case of the rear wheels:
  - (i) cover the overall tyre width of the wheel or wheels for which it is provided, and
  - (ii) be fitted so that the height above the ground of the lowest edge of the rear of the mudguard is not more than one third of the horizontal distance of that edge from the centre of the rearmost axle.

**2.7 (4)** Despite subclause (3), a mudguard may be at least:

- (a) 230 millimetres above the ground, or
- (b) on a vehicle built to be used off road— 300 millimetres above the ground.

**2.7 (5)** The external surface of a rear mudguard, except a mudflap, that can be seen from the rear of the vehicle to which it is fitted must be coloured white or silver if the vehicle:

- (a) is at least 2.2 metres wide, excluding mirrors, side-mounted lights, signalling devices and reflectors, and
- (b) has a body the vertical measurement of which is less than 300 millimetres at the rear, measured from the lowest point of the body above the ground to the highest point, and
- (c) is not fitted with rear marking plates in accordance with clause 5.39.

#### **Horns and alarms**

**2.8 (1)** A motor vehicle must have fitted to it at least one horn or other device capable of giving sufficient audible warning to other road users of the approach or position of the vehicle.

**2.8 (2)** A motor vehicle must not have fitted to it a device capable of producing a sound resembling the sound of a siren, bell, exhaust whistle, compression whistle or repeater horn.

**2.8 (3)** Subclause (2) does not apply to:

- (a) an emergency vehicle or police vehicle, or
- (b) a motor vehicle which is 25 or more years old and is fitted as an emergency vehicle or police vehicle if:
  - (i) the vehicle is used for exhibition purposes, or
  - (ii) it is part of a person's collection of vehicles that were formerly emergency vehicles or police vehicles, or
- (c) a motor vehicle fitted with an anti-theft alarm device producing a sound described in subclause (2), if the device cannot be operated while the vehicle is moving.

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- 2.8 (4)** A motor vehicle may be fitted with a device which emits a regular, intermittent sound while the vehicle is rolling backwards or in reverse gear.
- 2.8 (5)** A device described in subclause (4) must not be louder than is reasonably necessary for a person close to the vehicle and the driver to be able to hear the device.

**Rear vision mirrors**

- 2.9 (1)** A rear vision mirror or mirrors must be fitted to a motor vehicle in accordance with this clause in such a way that the driver can clearly see by reflection a clear view of:
- (a) the road to the rear of the vehicle, and
  - (b) any following or overtaking vehicle.
- 2.9 (2)** A mirror fitted to a motor vehicle must not project more than 150 millimetres beyond the widest part (excluding lights and reflectors) of the motor vehicle or combination of vehicles including the motor vehicle.
- 2.9 (3)** Despite subclause (2), a rear vision mirror fitted to a motor vehicle may project beyond the widest part (excluding lights and reflectors) of the vehicle or combination by not more than 230 millimetres if the mirror can fold or collapse to project not more than 150 millimetres beyond that part.
- 2.9 (4)** A mirror on the left side of a motor vehicle must have a reflecting surface of at least 150 square centimetres.
- 2.9 (5)** At least one rear vision mirror on the right side of a motor vehicle must have a flat reflecting surface if:
- (a) the vehicle has only one steering control, and
  - (b) the centre of the steering control is to the right of, or in line with, the centre of the vehicle.
- 2.9 (6)** 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.

**Automatic transmissions**

- 2.10 (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.

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- 2.10 (2)** A motor vehicle that is:
- (a) fitted with automatic transmission, and
  - (b) built after 1975,
- must have in the driver's compartment an indicator showing the transmission control position.

- 2.10 (3)** Subclauses (1) and (2) do not apply to a motor vehicle that has less than 4 wheels.

#### **Diesel engines**

- 2.11 (1)** A motor vehicle propelled by a compression ignition engine (commonly known as a diesel engine") must be fitted with a device that prevents the engine from being started accidentally or inadvertently.

#### **Bonnet latching**

- 2.12 (1)** A motor vehicle with a moveable body panel, forward of the windscreen, that covers an engine, luggage, storage or battery compartment, must be provided with a device to secure that panel.
- 2.12 (2)** 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 be provided with a primary device and a secondary device to secure the panel.

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

- 2.13 (1)** The wiring of the electrical equipment of a vehicle, other than the high tension ignition wiring, must:
- (a) be supported at intervals of not more than 600 millimetres, unless the vehicle is a pole-type trailer with a pole whose length can be adjusted, 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 close enough to the fuel system to constitute a fire hazard, and
  - (d) be protected from chafing.
- 2.13 (2)** The electrical connectors between vehicles and trailers, for the operation of the vehicle lights prescribed in this Appendix, must comply with Australian Standard AS 2513-1982 "Electrical Connections for Trailer Vehicles".

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- 2.13 (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 the towing vehicle.
- 2.13 (4)** In addition, the electrical wiring, connections and installations of a semi-trailer, dog trailer or converter dolly used after 30 June 1998 in a road train more than 19 metres long must comply with third edition ADR 63 whether or not it was built before the date specified in the ADR for that type of vehicle.

#### **Television and visual display units**

- 2.14 (1)** A television receiver or visual display unit must not be installed in a motor vehicle if any part of the image on the screen is visible to the driver from the normal driving position.
- 2.14 (2)** Subclause (1) does not apply to the installation of a driver's aid in any motor vehicle or a destination sign in a bus.

**Note.** Examples of display units that are considered to be drivers' aids are: rearview screens, ticket-issuing machines, navigational or intelligent highway and vehicle system equipment, vehicle monitoring devices, dispatch systems and closed circuit television security cameras.

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

#### **Windscreens and windows**

- 2.15 (1)** Glazing used in a windscreen, window, or an interior partition of a vehicle must be of material approved by the Authority if the vehicle was built on or after 1 July 1953.

#### **Window tinting**

- 2.16 (1)** Glazing in a motor vehicle must have a luminous transmittance of not less than:
- (a) 75% in the case of a windscreen of a vehicle built after 1971, and
  - (b) 70% in any other case

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**2.16 (2)** Subclause (1) does 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.

**2.16 (3)** Despite subclause (1) (b):

- (a) glazing behind the rear of the driver's seat, whether in a side or rear window or interior partition, may be coated so as to achieve a luminous transmittance of not less than 35%.
- (b) glazing in a side window forward of the rear of the driver's seat may, with the approval of the Authority, be coated so as to reduce its luminous transmittance below 70%.

**2.16 (4)** Windscreen glazing to which subclause (1) applies must not be coated so as to reduce its luminous transmittance.

**2.16 (5)** Glazing that has been coated to reduce its luminous transmittance must not have a reflectance of more than 10%.

**2.16 (6)** In this clause:

*glazing* means material fitted to the front, sides, rear or interior of a motor vehicle, through which a driver or a passenger can obtain a view of the road, but does not include a coating added after manufacture of the material.

*luminous transmittance* of glazing means the proportion of light that is able to pass through the glazing expressed as a percentage of the light that would be transmitted if the glazing were not present.

**Windscreen wipers and washers**

**2.17 (1)** A motor vehicle fitted with a windscreen must be fitted with at least one windscreen wiper.

**2.17 (2)** At least one windscreen wiper fitted to a 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 vehicle when the windscreen is wet, and
- (b) be able to be operated by the driver of the vehicle from a normal driving position, and
- (c) if fitted to a vehicle built after 1934—be driven by any continuous means, and



- 
- (d) if fitted to a vehicle built after 1959:
    - (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 vehicle to allow the driver an adequate view of the road ahead of the vehicle when the windscreen is wet, and
    - (ii) if operated by engine manifold vacuum—be provided with a vacuum reservoir or pump to maintain efficient operation of the wiper while the vehicle is in motion.

**2.17 (3)** A motor vehicle built after 31 December 1982 and fitted with 3 windscreen must also be fitted with a windscreen washer that can direct water on to the exterior of the windscreen within the area swept by a windscreen wiper so that the windscreen wiper can spread the water to the whole area swept by the windscreen wiper.

**2.17 (4)** A windscreen washer must be able to be operated from a normal driving position.

**2.17 (5)** Despite subclauses (1) and (3), if the driver in a normal driving position can obtain an adequate view of the road ahead of the motor vehicle when the windscreen is obscured, the vehicle need not be fitted with a windscreen wiper or washer.

#### **Wheels and tyres**

**2.18 (1)** A vehicle built after 1932 must be fitted with pneumatic tyres.

**2.18 (2)** The wheels and tyres fitted to an axle of a vehicle must be of sufficient size and capacity to carry the portion of the GVM transmitted to the ground through the axle.

**2.18 (3)** The size and capacity of a pneumatic tyre to be fitted to a vehicle must be determined using a cold inflation pressure that does not exceed the lesser of:

- (a) the pressure recommended by the manufacturer of the tyre, or
- (b) in the case of:
  - (i) 3 radial ply tyre—825 kilopascals, or
  - (ii) another tyre—700 kilopascals.

**2.18 (4)** A tyre fitted to a vehicle must be free of any apparent defect which could make the vehicle unsafe.

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- 2.18 (5)** A tyre fitted to a vehicle must be suitable for road use at:
- (a) a speed of at least 100 kilometres an hour, or
  - (b) if the vehicle cannot travel at a speed of 100 kilometres an hour—its top speed.
- 2.18 (6)** A tyre retreaded before the commencement of this Appendix must not be used on a vehicle if
- (a) the tyre is of a kind to which a standard in Part A of Table 2 applies, and
  - (b) it was retreaded after the issue of that standard, and
  - (c) it was not retreaded in accordance with one of the standards in Part A or B of Table 2.
- 2.18 (7)** A tyre retreaded after the commencement of this Appendix must not be used on a vehicle if:
- (a) the tyre is of a kind to which the standard in Part B of Table 2 applies, and
  - (b) it was not retreaded in accordance with that standard.

#### **Table 2**

##### **Part A:**

- (a) Australian Standard AS 1973–1976, entitled “Retreaded Pneumatic Passenger Car and Light Truck Tyres”.
- (b) Australian Standard AS 1973–1985, entitled “Retreaded Pneumatic Passenger Car and Light Truck Tyres”.

##### **Part B:**

- (c) Australian Standard AS 1973–1993, entitled “Pneumatic Tyres—Passenger Car, Light Truck and Truck/Bus—Retreading and Repair Processes”.

**Note.** Australian Standard AS 1973 requires various markings on retreaded tyres which may include a speed rating less than that originally marked on the tyre.

#### **Tyre tread**

- 2.19 (1)** A tyre of a vehicle must not have cleats or other gripping devices that could damage the road surface.

- 2.19 (2)** Except at tread wear indicators, a tyre fitted to a vehicle must have a tread pattern at least 1.5 millimetres deep in a band that runs continuously:
- (a) across the tyre width that normally comes into contact with the road, and
  - (b) around the whole circumference of the tyre.
- 2.19 (3)** A vehicle must not be fitted with a tyre that has been treated by re-cutting or re-grooving the tread rubber, unless the tyre was:
- (a) constructed with an extra thickness of rubber designed for the purpose of re-cutting or re-grooving, and
  - (b) labelled to indicate the construction.

### **Part 3 Vehicle marking**

#### **Introduction**

This Part contains requirements that help to identify a vehicle and to warn other motorists that the vehicle may be unusually long.

#### **Vehicle and engine identification numbers**

- 3.1 (1)** A motor vehicle must have an individual engine identification number stamped, embossed or otherwise permanently displayed on the vehicle.
- 3.1 (2)** A motor vehicle built after 1930 must have an engine identification number located on its engine block.
- 3.1 (3)** A motor vehicle built on or after 1 January 1960 may have an engine identification number on a plate that is fixed to an engine block using screws or rivets if the number is also stamped, embossed or otherwise permanently displayed on the engine block.
- 3.1 (4)** A vehicle must have an individual vehicle identification number clearly stamped, embossed or otherwise permanently displayed on a substantial part of its frame or chassis.
- 3.1 (5)** A vehicle or engine identification number required under this clause must be located where it can be read easily without having to use tools to remove a part of the vehicle that would otherwise obstruct the reader's view.
- 3.1 (6)** In this clause, *number* includes letters.

**White or silver band on certain vehicles**

- 3.2 (1)** A vehicle that:
- (a) is at least 2.2 metres wide, and
  - (b) has a body the vertical measurement of which is less than 300 millimetres at the rear, measured from the lowest point of the body above the ground to the highest point, and
  - (c) is not fitted with rear marking plates in accordance with clause 5.39,
- must have a white or silver band at least 75 millimetres high across the full width of the rearmost part of the body of the vehicle.

**Warning signs for combinations more than 22 metres long**

- 3.3 (1)** A combination more than 30 metres long must have “ROAD TRAIN” warning signs in accordance with this clause and clause 3.5.
- 3.3 (2)** A combination more than 22 metres long but not more than 30 metres long must have warning signs in accordance with this clause and clause 3.5 that are:
- (a) in the case of a road train, “ROAD TRAIN” warning signs or a “LONG VEHICLE” warning sign, or
  - (b) in the case of a B-double, or other combination that is not a road train, a “LONG VEHICLE” warning sign.
- 3.3 (3)** Subclauses (1) and (2) do not apply to the extent that they are inconsistent with the conditions of a notice or permit issued under the Act or the Regulations under the Act.
- 3.3 (4)** The words on a “ROAD TRAIN” or “LONG VEHICLE” warning sign must be in black upper-case letters at least 180 millimetres high in typeface Series B(N), complying with Australian Standard AS 1744 “Forms of Letters and Numerals for Road Signs”.
- 3.3 (5)** If a “ROAD TRAIN” or “LONG VEHICLE” warning sign is in two pieces, one word must appear on one piece and the other word on the other piece.
- 3.3 (6)** “ROAD TRAIN” warning signs must be used in pairs and fitted horizontally, one at the front and the other at the rear of the combination concerned.
- 3.3 (7)** A “LONG VEHICLE” warning sign must be fitted horizontally to the rearmost part of the combination concerned.

**Warning signs not to be used in other cases**

- 3.4 (1)** A “ROAD TRAIN” warning sign or a “LONG VEHICLE” warning sign must not be used on a vehicle or combination except in accordance with clause 3.3.

**Specifications for warning signs**

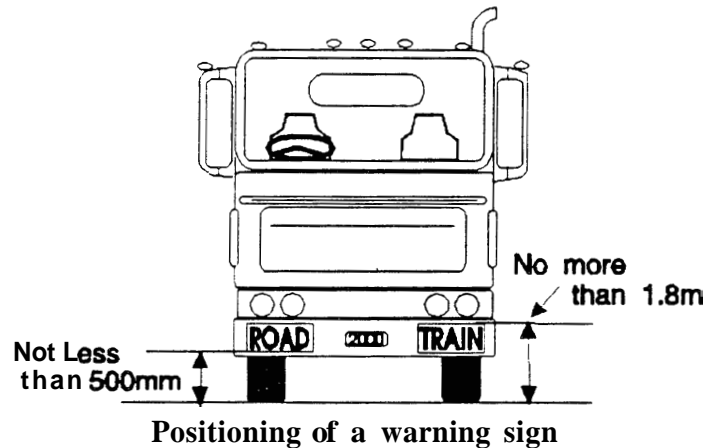
- 3.5 (1)** A warning sign must be:
- (a) durable, and
  - (b) built in 1 or 2 pieces from sheet steel 0.8 millimetres thick or an alternative material of at least equivalent stiffness, unless it is designed to be fixed to a vehicle body using an adhesive.
- 3.5 (2)** A warning sign must be at least 1020 millimetres wide and 250 millimetres high.
- 3.5 (3)** A warning sign must be coated with yellow retro-reflective material (class I or class 2) which meets Australian Standard AS 1906 “Retro-reflective Materials and Devices for Road Traffic Control Purposes”.
- 3.5 (4)** A warning sign must have a black border.
- 3.5 (5)** A warning sign must show the sign manufacturer’s name or logo, and the brand and class of retro-reflective material used, in block letters not more than 10 millimetres high.
- 3.5 (6)** A warning sign must be mounted so that no part of the sign is:
- (a) more than 1.8 metres above the ground, or
  - (b) less than 500 millimetres above the ground.

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### Left hand drive sign

- 3.6 (1) A motor vehicle that has the centre of a steering control to the left of the centre of the vehicle must have the words "LEFT HAND DRIVE" on the rear of the vehicle in letters at least 75 millimetres high in a contrasting colour to any background.

## Part 4 Vehicle configuration and dimensions

**Note.** This Part sets out various requirements covering suspensions 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 specified in this Part apply to a vehicle and any load it may be carrying.

Specific requirements for loaded vehicles are covered in other regulations under the *Traffic Act 1909*. Those regulations also include a number of different size limits to cater for vehicles from which the load is allowed to protrude, for example those regulations deal with height and allowable rear overhang of car carriers.

**Division 1      Axles****Axle configuration**

- 4.1 (1)** A motor vehicle, other than an articulated bus, must have only:
- (a) a single axle group, a twinsteer axle group or a single axle towards the front of the vehicle, and
  - (b) one axle group or a single axle towards the rear of the vehicle.
- 4.1 (2)** An articulated bus must have on:
- (a) its front section:
    - (i) only a single axle group, a twinsteer axle group or a single axle towards the front of the section, and
    - (ii) only one axle group or a single axle towards the rear of the section, and
  - (b) a section other than its front section—only one axle group or single axle.
- 4.1 (3)** A trailer, other than a semi-trailer, must have only:
- (a) one axle group or a single axle, or
  - (b) axle groups or 2 single axles in the following configuration:
    - (i) one 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) one axle group or single axle towards the rear of the vehicle.
- 4.1 (4)** A semi-trailer must have only one axle group or a single axle.
- 4.1 (5)** The axle group or single axle must be located towards the rear of the semi-trailer.
- 4.1 (6)** A semi-trailer that is extendible, or is fitted with sliding axles, must:

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- (a) have a securing device that:
  - (i) can securely fix the extendible part or the sliding axles to the rest of the semi-trailer in any position of adjustment provided, and
  - (ii) is located in a position that can prevent accidental or inadvertent release, if it is mounted on the chassis of the semi-trailer, and
  - (iii) is fitted with a visible or audible warning device to indicate to a person standing beside the semi-trailer that the device is not engaged, and
  - (iv) is fitted with a means of preventing loss of air from the air brake supply, if the device uses air from the brake system and fails in a way that allows air to escape, and
  - (v) is held in the applied position by direct mechanical action without the intervention of any hydraulic, electric or pneumatic device, and
- (b) be built so that the adjustable parts of the semi-trailer remain connected if the securing device fails.

#### **Relation between axles in an axle group**

- 4.2 (1)** The axles in an axle group, other than a twinsteer axle group, fitted to a vehicle must relate to each other through a load-sharing suspension system.

#### **Minimum axle spacing**

- 4.3 (1)** The centre lines of adjacent axles that are not in the same axle group on a vehicle with a GVM of more than 12 tonnes must be at least 2.5 metres apart.

## **Division 2 Dimensions**

### **Width**

- 4.4 (1)** A vehicle must not be more than 2.5 metres wide.
- 4.4 (2)** For the purposes of subclause (1), the width of a vehicle is measured without taking into account rear vision mirrors, lights, signalling devices or reflectors that:
- (a) are mounted on either side of the vehicle, and
  - (b) comply with this Appendix.

### **Length of single vehicles**

- 4.5 (1)** A motor vehicle, other than an articulated bus or a controlled access bus, must not be more than 12.5 metres long.



**4.5 (2)** A controlled access bus must not be more than 14.5 metres long.

**4.5 (3)** An articulated bus must not be more than 18 metres long.

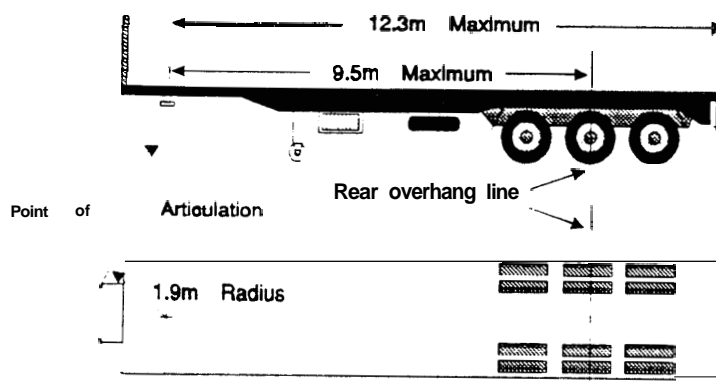
**Length of single trailers**

**4.6 (1)** On a semi-trailer or a dog trailer:

(a) the distance between the point of articulation at the front and the rear overhang line must not be more than 9.5 metres, and

(b) the distance between the point of articulation at the front and the rear of the trailer must not be more than 12.3 metres.

**4.6 (2)** A projection forward of the point of articulation at the front of a semi-trailer must be contained within a radius of 1.9 metres from the point of articulation.



**Maximum dimensions of a semi-trailer**

**4.6 (3)** If a semi-trailer has more than one point of articulation at the front, it must meet the requirements of subclauses (1) and (2) when measured at at least one of the points.

**4.6 (4)** In addition to meeting the other requirements of this clause, a trailer built to carry cattle, sheep, pigs or horses must not have more than 12.5 metres of its length available for the carriage of animals.

- 4.6 (5)** For the purposes of subclause (4), the length available for the carriage of animals on a trailer must be 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 (as the case requires), and any intervening partitions must be disregarded.

**Length of combinations of vehicles**

- 4.7 (1)** A combination must not be more than 19 metres long.
- 4.7 (2)** Despite subclause (1):
- (a) a B-double must not be more than 25 metres long, and
  - (b) a road train must not be more than 53.5 metres long, and
  - (c) a combination (other than a B-double or road train) that is designed to carry vehicles on more than one deck must not be more than 23 metres long.
- 4.7 (3)** In a B-double built to carry cattle, sheep, pigs or horses, the two semi-trailers must not have more than 18.8 metres of their combined length available for the carriage of animals.
- 4.7 (4)** For the purposes of subclause (3), the length available for the carriage of animals on a trailer must be 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 (as the case requires), and any intervening partitions must be disregarded.

**Rear overhang**

- 4.8 (1)** The rear overhang of a semi-trailer, or a dog trailer consisting of a semi-trailer and converter dolly, must not exceed the lesser of:
- (a) 60% of the distance between the point of articulation at the front and the rear overhang line, and
  - (b) 3.7 metres.
- 4.8 (2)** A semi-trailer with more than one point of articulation at the front must comply with subclause (1) when measured at the same point used for measurement of compliance with clause 4.6 (3).
- 4.8 (3)** The rear overhang of a trailer with only one axle group or single axle, other than a semi-trailer, must not exceed the lesser of:
- (a) the length of the load carrying area, or body, ahead of the rear overhang line, and
  - (b) 3.7 metres.

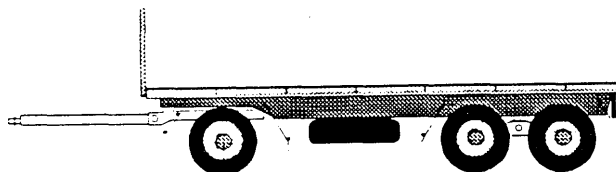
**4.8 (4)** The rear overhang of a vehicle not described in subclause (1) or (3) must not exceed the lesser of:

- (a) 60% of the distance between the centre of the front axle and the rear overhang line, and
- (b) 3.7 metres.

#### **Trailer drawbar length**

**4.9 (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 the centre line of the front single axle of the trailer must:

- (a) not exceed 5 metres, and
- (b) not be less than 3 metres, if the trailer is used in a road train more than 19 metres long.



► Drawbar length ◀

#### **Length of a drawbar on a dog trailer**

**4.9 (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 one axle group or single axle, other than a semi-trailer, must not exceed 8.5 metres.

#### **Height**

**4.10 (1)** A vehicle must not be more than 4.3 metres high.

**4.10 (2)** Despite subclause (1):

- (a) the height of a vehicle built to carry cattle, sheep, pigs or horses may exceed 4.3 metres but must not exceed 4.6 metres, and
- (b) the height of a double-deck bus may exceed 4.3 metres but must not exceed 4.4 metres.

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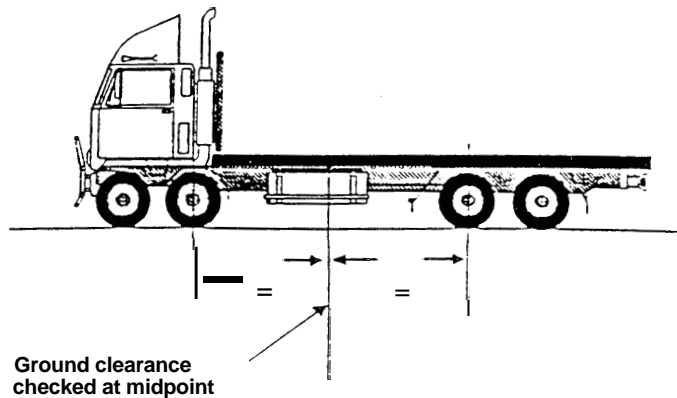
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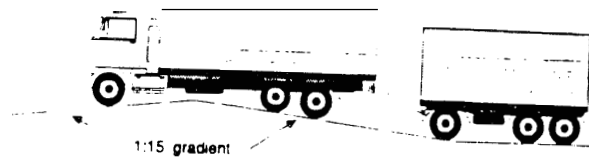
**Ground clearance**

**4.11 (1)** A motor vehicle or combination must have a ground clearance of:

- (a) at least 100 millimetres at any point within 1 metre of an axle, and
- (b) at least one-thirtieth of the distance between the centres of adjacent axles at the mid-point between them, and
- (c) at any other point—at least the distance that allows the vehicle or combination to pass over a peak in a road, the gradient on either side of which is 1:15, when the wheels of one 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.



**Ground clearance at the mid-point between 2 axles**



**Ground clearance over a peak in the road**

**Division 3 Additional requirements for a converter dolly****Axle arrangement on a converter dolly**

**4.12 (1)** A converter dolly must have a single axle group, a tandem axle group or a single axle.

**Construction of a converter dolly**

**4.13 (1)** A converter dolly must be built so that the torque reaction generated in the dolly by braking forces can be:

- (a) transmitted through a towing coupling built for the purpose into a towing vehicle, or
- (b) absorbed or dissipated by a limited travel suspension system fitted to a tandem axle group on the dolly.

**Converter dolly coupling**

**4.14 (1)** The fifth wheel coupling of a converter dolly must be able to pivot about a horizontal axis transverse to the vehicle.

**4.14 (2)** A converter dolly built as referred to in clause 4.13 (1) (a) must have a fixed drawbar.

**4.14 (3)** The drawbar of a converter dolly built as referred to in clause 4.13 (1) (b) must be hinged to the front of the dolly chassis in a way that allows the drawbar to swing up and down.

**Converter dolly suspension**

**4.15 (1)** A tandem axle group supporting a converter dolly built as referred to in clause 4.13 (1) (a) must have a single point or air bag suspension system.

**4.15 (2)** A tandem axle group supporting a converter dolly built as referred to in clause 4.13 (1) (b) must have a suspension system incorporating:

- (a) at least 4 laminated springs, or
- (b) leading and trailing arms, or
- (c) torsion bars, or
- (d) air bags.

**Part 5 Lights and reflectors**

**Note.** This Part deals with how the lights on a vehicle are fitted and work so that the driver can see the road, pedestrians and other vehicles at night, and can signal to others. Unless this Appendix prohibits the fitting of a particular kind of light or reflector, it may be fitted to a vehicle.

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The *Motor Traffic Regulations 1935* state when certain lights must be switched on. The visibility requirements for lights in this Part apply to lights switched on at times when the Regulations require them to be switched on. The requirements in this Part for a light, other than a brake light or direction indicator light, to be visible over a specified distance apply only at night.

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 General requirements for lights

#### Prevention of glare

- 5.1 (1)** 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.

#### Pairs of lights

- 5.2 (1)** If lights are required by this Appendix to be fitted in pairs to a vehicle:
- (a) one light must be fitted on each side of the longitudinal axis of the vehicle, and
  - (b) the centre of each light of the pair must be the same distance from the longitudinal axis of the vehicle, and
  - (c) the centre of each light of the pair must be at the same height above ground level, and
  - (d) each light of the pair must project approximately the same amount of light of the same colour.

### Division 2 Headlights

Headlights to be fitted to a vehicle

- 5.3 (1)** A motor vehicle must have fitted to it a pair of low-beam headlights.
- 5.3 (2)** If a motor vehicle built after 1934 is capable of travelling at a speed of more than 60 kilometres an hour:
- (a) each low-beam headlight referred to in subclause (1) must be able to work in the high-beam position, or
  - (b) the motor vehicle must have an additional pair of headlights that can work in the high-beam position.
- 5.3 (3)** A motor vehicle may have further pairs of headlights fitted to it
- 5.3 (4)** In spite of subclause (3), a motor vehicle first registered before 1 October 1995 may have one or two additional headlights fitted.

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**How should headlights be fitted?**

- 5.4 (1)** The centres of low-beam headlights fitted as a pair on a motor vehicle with 4 or more wheels must be at least 600 millimetres apart.
- 5.4 (2)** Subclause (1) does not apply to a motor vehicle built before 1970 if the centres of its low-beam headlights were less than 600 millimetres apart when built and if they are not closer than the original distance at which they were built.
- 5.4 (3)** The centre of a low-beam headlight fitted to a motor vehicle built after June 1953 must be:
- (a) at least 500 millimetres above ground level, and
  - (b) not more than 1.4 metres above ground level.
- 5.4 (4)** Headlights must be fitted to a motor vehicle so that their light does not reflect off the motor vehicle into the driver's eyes.

**Performance of headlights**

- 5.5 (1)** When operating, a headlight or additional headlight fitted to a motor vehicle must:
- (a) show, only white light, and
  - (b) project its main beam of light ahead of the vehicle, and
  - (c) illuminate the road ahead of the vehicle.

**Effective range of headlights**

- 5.6 (1)** A low-beam headlight must illuminate a distance of at least 25 metres.
- 5.6 (3)** A high-beam headlight must illuminate a distance of at least 50 metres.

**Changing headlights from high-beam to low-beam position**

- 5.7 (1)** A motor vehicle built after 31 December 1934 and capable of travelling at a speed of more than 60 kilometres an hour 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

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(b) if the vehicle was built after June 1953—a device to indicate to the driver that the headlights are in the high-beam position.

**5.7 (2)** A headlight fitted to a vehicle not fitted with a dipping device described in subclause (1) (a) must operate in the low-beam position.

**5.7 (3)** When a headlight fitted to a vehicle is switched to the low-beam position, the other headlights on the vehicle must operate only in the low-beam position or be extinguished.

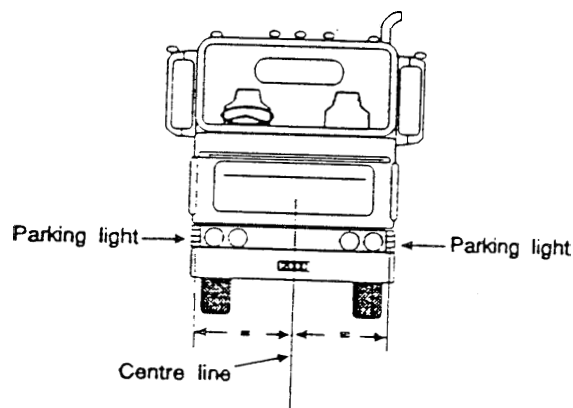
**Division 3 Parking lights**

**Parking lights**

**5.8 (1)** A pair of parking lights must be fitted to the front of a motor vehicle built after June 1953.

**5.8 (2)** A pair of parking lights fitted to a motor vehicle with 3 or more wheels must be fitted with the centre of each light:

- (a) at least 600 millimetres from the centre of the other light, and
- (b) not more than 510 millimetres from the nearer of the two sides of the vehicle.



**Location of parking lights on a vehicle**



- 5.8 (3)** In spite of subclause (1), a motor vehicle first registered before 1 July 1971 need not be fitted with parking lights.
- 5.8 (5)** When operating, a parking light must:
- (a) show a white light visible 200 metres from the front of the vehicle, and
  - (b) not use more power than 7 watts.
- 5.8 (6)** A parking light fitted to a motor vehicle built on or after 1 January 1970 must be wired so that, when a headlight on the vehicle is switched on, the parking light:
- (a) stays on if it is already switched on, or
  - (b) comes on if it is not already switched on.

#### **Division 4 Daytime running lights**

##### **Daytime running lights**

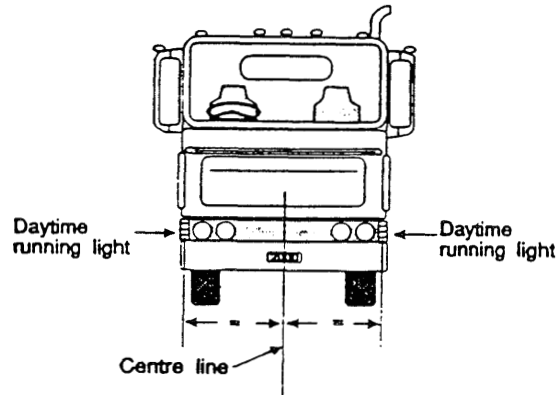
- 5.9 (1)** A pair of daytime running lights may be fitted to a motor vehicle.
- 5.9 (2)** A pair of daytime running lights fitted to a vehicle with 4 or more wheels must be fitted with the centre of each light:
- (a) at least 600 millimetres from the centre of the other light, and
  - (b) not more than 510 millimetres from the nearer of the two sides of the vehicle.

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**Location of daytime running lights on a vehicle**

- 5.9 (3)** When operating, a daytime running light must:
- (a) show, a white light visible from the front of the vehicle, and
  - (b) not use more power than 25 watts.
- 5.9 (4)** Daytime running lights must be wired so that they are extinguished when a headlight or parking light is switched on.

**Division 5 Tail lights**

**Tail lights**

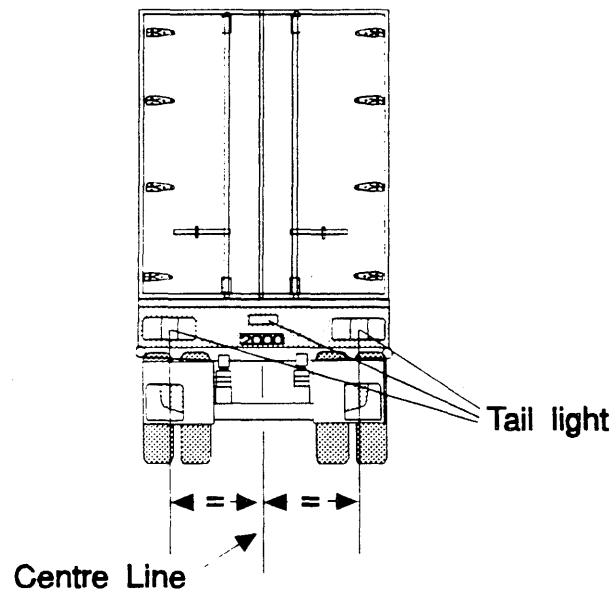
- 5.10 (1)** A vehicle must have fitted on or towards its rear at least one tail light, with its centre not more than 1.5 metres above ground level.
- 5.10 (2)** A trailer built after June 1973 must have at least 2 tail lights, at least one being fitted on or towards each side of the rear of the trailer and having its centre not more than 1.5 metres above ground level.
- 5.10 (3)** A vehicle may have fitted to it one or more additional tail lights at any, height above ground level.

**Pattern of fitting tail lights**

**5.11 (1)** If only one 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.

**5.11 (3)** If two or more tail lights are fitted to a vehicle at least two must be fitted as a pair.

**Note.** Clause 5.2 describes how pairs of lights must be fitted.

**Location of tail lights on a vehicle**

**5.11 (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 clause 5.17 (3).

**Performance of tail lights**

**5.12 (1)** When operating, a tail light must:

- (a) show a red light visible 200 metres from the rear of the vehicle, and
- (b) not use more power than 7 watts.

**Wiring of tail lights**

- 5.13 (1) A tail light must be wired to operate when a parking light or headlight on the vehicle is operating.

**Division 6 Number-plate lights**

**Number-plate lights**

- 5.14 (1) At least one number-plate light must be fitted to the rear of a vehicle.
- 5.14 (2) When operating, the number-plate light or lights must illuminate a number-plate on the rear of the vehicle with white light, so that the characters on the number-plate can be easily read at night 20 metres from the rear of the vehicle.
- 5.14 (3) A number-plate 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 number-plate, and
  - (d) must be wired to operate when a parking light, headlight or tail light on the vehicle is operating.

**Division 7 Clearance lights**

**Front clearance lights**

- 5.15 (1) Front clearance lights may only be fitted to a vehicle that is at least 1.8 metres wide.
- 5.15 (2) A pair of front clearance lights must be fitted to a vehicle that is at least 2.2 metres wide, or a prime mover.
- 5.15 (3) The centre of a front clearance light must be:
- (a) not more than 400 millimetres from the side of the vehicle, and
  - (b) if the vehicle was built after June 1953, at least 750 millimetres higher than the centre of any low-beam headlight fitted to the vehicle.
- 5.15 (4) A front clearance light may be mounted on an external rearview 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.

- 
- 5.15 (5)** When operating, a front clearance light must:
- (a) show a yellow or white light visible 200 metres from the front of the vehicle, and
  - (b) not use more power than 7 watts.

**External cabin lights**

- 5.16 (1)** A motor vehicle fitted with front clearance lights may also have additional forward-facing lights on or above the roof of its cabin.
- 5.16 (2)** The additional forward-facing lights must be symmetrically spaced on each side of the longitudinal axis of the vehicle, with their centres at least 120 millimetres apart.
- 5.16 (3)** When operating, an additional forward-facing light must:
- (a) show a yellow or white light, and
  - (b) not use more power than 7 watts.

**Rear clearance lights**

- 5.17 (1)** Rear clearance lights may only be fitted to a vehicle that is at least 1.8 metres wide.
- 5.17 (2)** A pair of rear clearance lights must be fitted to the rear of a vehicle that is at least 2.2 metres wide.
- 5.17 (3)** The centre of a rear clearance light must be:
- (a) not more than 400 millimetres from the side of the vehicle, and
  - (b) at least 600 millimetres above ground level, if practicable.
- 5.17 (4)** When operating, a rear clearance light must:
- (a) show a red light visible 200 metres from the rear of the vehicle, and
  - (b) not use more power than 7 watts.

**Division 8 Side marker lights**

**Which vehicles need side marker lights?**

- 5.18 (1)** A pair of side marker lights must be fitted towards the rear of the sides of a motor vehicle that is more than 7.5 metres long and at least 2.2 metres wide.

- 5.18 (2)** A motor vehicle built to draw a pole-type trailer must have a side marker light fitted to each side of the vehicle's cross-bar or bolster. A pole-type trailer with a single cross-bar or bolster must also have a side marker light fitted to each side of the cross-bar or bolster.
- 5.18 (3)** A pole-type trailer with at least 2 cross-bars or bolsters must have fitted to each side of:
- (a) the front cross-bar or bolster a light which, when operating, shows a yellow light to the front, and
  - (b) the back cross-bar or bolster a light which, when operating, shows a red light to the rear.
- 5.18 (4)** At least 2 side marker lights must be fitted towards each side of:
- (a) a trailer that is:
    - (i) up to 7.5 metres long, and
    - (ii) at least 2.2 metres wide, and
    - (iii) not a pole-type trailer, or
  - (b) a semi-trailer that is up to 7.5 metres long.
- 5.18 (5)** At least 3 side marker lights must be fitted towards each side of:
- (a) a trailer that is:
    - (i) more than 7.5 metres long, and
    - (ii) at least 2.2 metres wide, and
    - (iii) not a pole-type trailer, or
  - (b) a semi-trailer that is more than 7.5 metres long.

**Location of side marker lights**

- 5.19 (1)** The centre of a side marker light must be not more than 150 millimetres from the nearer of the two sides of the vehicle.
- 5.19 (2)** The centre of a front side marker light must be:
- (a) fitted to a motor vehicle on its side towards the front of the vehicle with no part of the lens visible to the driver, or
  - (b) fitted to a trailer:
    - (i) within 300 millimetres of the foremost point of the side of the trailer, or
    - (ii) if the construction of the trailer makes it impracticable to comply with subparagraph (i)—as close as practicable to the front of the trailer.

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- 5.19 (3)** The centre of a rear side marker light fitted to a vehicle must be:
- (a) within 300 millimetres of the rearmost point of the side of the vehicle, or
  - (b) if the construction of the vehicle makes it impracticable to comply with paragraph (a)— as close as practicable to the rear of the vehicle.
- 5.19 (4)** The centres of adjacent side marker lights fitted to the side of a vehicle must be equal distances apart.
- 5.19 (5)** Subclauses (2)–(4) do not apply to side marker lights fitted to a cross-bar or bolster of
- (a) a pole-type trailer, or
  - (b) a motor vehicle built to tow a pole-type trailer.
- 5.19 (6)** Only the rearmost side marker lights need be fitted if compliance with subclauses (2) (b) (ii) and (3) (b) would mean that the front and rear side marker lights would be less than 2.5 metres apart.
- 5.19 (7)** A side marker light must be fitted to a vehicle so that:
- (a) its centre is not more than 1.5 metres above ground level (if practicable) and in any case not more than 2.1 metres above ground level, and
  - (b) its centre is at least 600 millimetres above ground level, and
  - (c) it is, as far as practicable, in a row of side marker lights along the side of a vehicle.
- 5.19 (8)** A vehicle fitted with side marker lights in accordance with subclause (7) may have fitted to it additional side marker lights with centres at any height at least 600 millimetres above ground level.

#### **Performance of side marker lights**

- 5.20 (1)** When operating, a side marker light must:
- (a) show light visible for 200 metres from the vehicle, and
  - (b) not use more power than 7 watts
- 5.20 (2)** When operating, a side marker light, other than a light referred to in clause 5.18 (3), must show yellow light towards the front of the vehicle and red light towards the rear of the vehicle.

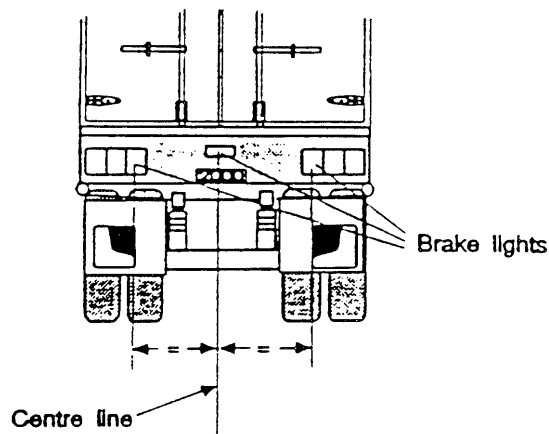
#### **Side marker lights and rear clearance lights**

- 5.21 (1)** The rearmost side marker light of a vehicle may also be a rear clearance light for the purposes of clause 5.17.

## Division 9 Brake lights

### Fitting brake lights

- 5.22 (1) A brake light must be fitted to the rear of a vehicle built after 1934.
- 5.22 (2) A pair of brake lights must be fitted to the rear of
- (a) a vehicle (other than a trailer) built after 1 October 1991 that has 4 or more wheels, and
  - (b) a trailer built after 1 October 1991.
- Note. Clause 5.2 describes how pairs of lights must be fitted.**
- 5.22 (3) The centre of a brake light must be:
- (a) at least 350 millimetres above ground level, and
  - (b) not more than 1.5 metres above ground level (if practicable) and in any case not more than 2.1 metres above ground level.
- 5.22 (4) A vehicle to which subclause (1) or (2) applies may have one or more additional brake lights, with their centres at any height but at least 350 millimetres above ground level.
- 5.22 (5) If only one brake 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.



Location of brake lights on a vehicle



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**Performance and operation of brake lights**

- 5.23 (1)** When operating, a brake light must show a red light visible 30 metres from the rear of the vehicle at any time.
- 5.23 (2)** A brake light fitted to a motor vehicle must come on, if it is not already on, when:
- (a) a service brake is applied, if the vehicle has 4 or more wheels or is built after 1974, or
  - (b) the rear wheel brake is applied, if the vehicle has 3 wheels or less and was built before 1975.
- 5.23 (3)** Subclause (2) does not require a brake light to operate when the controls in a vehicle are in a position that makes it impossible for the engine to operate.
- 5.23 (4)** A brake light on a trailer must come on:
- (a) when the brake light of the towing vehicle is switched on in accordance with subclause (2), and
  - (b) when any device which independently activates the brakes fitted to the trailer (other than a device which is automatically activated if the trailer breaks away from the towing vehicle) comes into operation.
- 5.23 (5)** A brake light may be operated by an engine brake, a retarder or similar device.
- 5.23 (6)** An engine brake, retarder or similar device operating a brake light must not interfere with the proper operation of the brake light.

**Division 10 Reversing lights****Reversing lights**

- 5.24 (1)** One or more reversing lights may be fitted to the rear of a vehicle and on each side near the rear of the vehicle.
- 5.21 (2)** A reversing light must:
- (a) when operating, show white or yellow light to the rear or to the side and rear of the vehicle, and
  - (b) have its centre not more than 1.2 metres above ground level.
- 5.24 (3)** A reversing light fitted to a motor vehicle must be wired so that it operates only when the vehicle is reversing or is in reverse gear.

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- 5.24 (4)** A reversing light fitted to a trailer must be wired so that it operates only when a motor vehicle towing the trailer is reversing or is in reverse gear.
- 5.24 (5)** A yellow reversing light may also operate as a direction indicator light.

**Note.** The third edition ADRs only allow white reversing lights.

### **Division 11 Direction indicator lights**

#### **Direction indicator lights on a motor vehicle**

- 5.25 (1)** A motor vehicle built on or after 1 September 1966 that has 4 or more wheels must have:
- (a) a pair of direction indicator lights fitted on its front or towards its front, facing forward, and
  - (b) a pair of direction indicator lights fitted on its rear or towards its rear, facing backwards.

#### **Direction indicator lights on a trailer**

- 5.26 (1)** A pair of direction indicator lights must be fitted, facing backwards, on the rear or towards the rear of a trailer built after June 1973.

#### **Location of direction indicator lights**

- 5.27 (1)** A pair of direction indicator lights must be fitted so that the centre of each light is:
- (a) at least 600 millimetres from the centre of the other light, and
  - (b) at least 350 millimetres above ground level, and
  - (c) not more than 1.5 metres above ground level (if practicable) and in any case not more than 2.1 metres above ground level.

**Note.** Clause 5.2 describes how pairs of lights must be fitted.

- 5.27 (2)** A vehicle fitted with direction indicator lights in accordance with subclause (1) may be fitted with additional pairs of direction Indicator lights with centres at any height, at least 350 millimetres above ground level.

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**Operation and visibility of direction indicator lights**

**5.28 (1)** A direction indicator light fitted on a vehicle must:

- (a) when operating, display regular flashes of light at a rate of not less than 60, and not more than 120, flashes per minute, and
- (b) be capable of being operated by a person in the driving position of the vehicle, and
- (c) be wired to an audible or visible device in the vehicle that informs the driver of the vehicle that the direction indicator light is operating, and
- (d) flash at the same time and at the same rate as any other lights of the same type fitted on the same side of the vehicle.

**5.28 (2)** The flashes of light referred to in subclause (1) (a) must be:

- (a) if the light faces forwards—white or yellow, or
- (b) if the light faces backwards:
  - (i) yellow, or
  - (ii) if the vehicle was built before July 1973—yellow or red, or
- (c) if the light faces outwards from the side of the vehicle:
  - (i) white or yellow towards the front and side, and
  - (ii) if the vehicle was built before July 1973—yellow or red towards the rear and side, and
  - (iii) if the vehicle was built in July 1973 or later—yellow towards the rear and side.

**Note.** The ADRs only allow yellow direction indicator lights.

**5.28 (3)** If a vehicle's direction indicator lights show 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 informs the driver when the lights are operating simultaneously.

**5.28 (4)** When operating, a direction indicator light must be visible at all times 30 metres from:

- (a) if the light is facing forward—the front of the vehicle, or
- (b) if the light is facing backward—the rear of the vehicle, or
- (c) if the light is facing outwards from the side of the vehicle—that side of the vehicle.

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- 5.28 (5)** When operating, each direction indicator light of one pair of lights fitted on or towards the front of a motor vehicle that is a prime mover or that is more than 7.5 metres long must be visible at all times at a point that is:
- (a) 1.5 metres at right angles away from the side of the vehicle on which the light is fitted, and
  - (b) in line with the rear of the vehicle.

### Division 12 Fog lights

#### Front fog lights

- 5.29 (1)** A pair of front fog lights may be fitted to a motor vehicle.
- 5.29 (2)** Front fog lights fitted to a motor vehicle must be within 400 millimetres of their respective sides of the vehicle unless their centres are at least 600 millimetres apart.
- 5.29 (3)** If the top of a 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.
- 5.29 (4)** A front fog light must:
- (a) project white or yellow light in front of the vehicle, and
  - (b) be a low-beam light, and
  - (c) be capable of being switched on and off independently of any headlight, and
  - (d) be fitted so that the light from it does not reflect off the vehicle into the driver's eyes.

#### Rear fog lights

- 5.30 (1)** A vehicle may have fitted to its rear:
- (a) a pair of rear fog lights, or
  - (b) one rear fog light fitted on, or to the right of, the centre of the vehicle.
- 5.30 (2)** A rear fog light must:
- (a) have its centre:
    - (i) not more than 1.5 metres above ground level, and
    - (ii) not nearer than 100 millimetres to the centre of any brake light, and

- (b) project red light behind the vehicle, and
- (c) not use more power than 27 watts, and
- (d) have incorporated in its wiring an independent telltale located in the driver's view showing when the light is switched on.

### **Division 13 Interior lights**

#### **Interior lights**

- 5.31 (1)** A vehicle may be fitted with interior lights that illuminate any interior part of the vehicle.
- 5.31 (2)** An interior light must show only light necessary for its purpose.

### **Division 14 Reflectors generally**

#### **General requirements for reflectors**

- 5.32 (1)** A reflector fitted to a vehicle must show 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 45 metres from the reflector, and
  - (b) complies with this Appendix.
- 5.32 (2)** The reflection must be clearly visible from the position of the headlight.

### **Division 15 Reflectors at the back of a vehicle**

#### **Rear reflectors**

- 5.33 (1)** A motor vehicle or trailer (other than a pole-type trailer) must have a rear-facing red reflector towards each side of its rear.
- 5.33 (2)** A pole-type trailer must have at least 4 rear-facing red reflectors on its back cross-bar or bolster.
- 5.33 (3)** The centres of the reflectors must be:
- (a) at the same height above ground level, and
  - (b) not more than 1.5 metres above ground level.
- 5.33 (4)** A reflector fitted to a motor vehicle, or to a trailer, must be not more than 400 millimetres from the nearer of the two sides of the vehicle.
- 5.33 (5)** A vehicle fitted with rear-facing red reflectors in accordance with subclause (1) or (2), may be fitted with additional red reflectors at any height above ground level or any distance from the side of the vehicle.

**Division 16 Reflectors on the side of a vehicle**

**Compulsory side reflectors on pole-type trailers**

- 5.34 (1)** Yellow or red side-facing reflectors must be fitted along the length of the left and right faces of the pole of a pole-type trailer at intervals of not more than 1250 millimetres.
- 5.34 (2)** Additional side-facing reflectors may be fitted in accordance with clause 5.35 to a pole-type trailer.

**Optional side-facing reflectors on vehicles in general**

- 5.35 (1)** A vehicle may be fitted with side-facing reflectors.
- 5.35 (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 17 Front reflectors**

**Compulsory front reflectors on trailers**

- 5.36 (1)** A front-facing white or yellow reflector must be fitted towards each side of the front of:
- (a) a semi-trailer, other than a pole-type trailer, and
  - (b) the front cross-bar or bolster of a pole-type trailer, and
  - (c) a trailer that is at least 2.2 metres wide.
- 5.36 (2)** Each reflector must:
- (a) have its centre at the same height above ground level, and
  - (b) have its centre not more than 1.5 metres above ground level, and
  - (c) be not more than 400 millimetres from the side of the vehicle that is nearer the reflector.
- 5.36 (3)** Additional reflectors may be fitted to a trailer in accordance with clause 5.37.

**Optional front reflectors**

- 5.37 (1)** A motor vehicle may have one or more front-facing white or yellow reflectors fitted towards each side of its front.

- 5.37 (2)** The centres of a pair of reflectors must be:
- (a) at the same height above ground level, and
  - (b) equidistant from the longitudinal axis of the vehicle, and
  - (c) at least 600 millimetres apart.

### **Division 18 Other lights, rear marking plates or reflectors**

#### **Additional lights and reflectors**

- 5.38 (1)** A vehicle may display a light or reflector of a type that is not described in this Appendix.

**Note.** The ADRs allow particular types of vehicles to be fitted with a range of lights and reflectors, additional to those described in this Part (eg flashing yellow lights on tow trucks). Under clause 1.4 of this Appendix, those lights and reflectors may also be fitted to vehicles to which third edition ADRs do not apply.

- 5.38 (2)** Subclause (1) does not allow the display on a vehicle of:
- (a) a light that flashes, or
  - (b) a light or reflector that:
    - (i) shows red light to the front, or
    - (ii) shows white light to the rear, or
    - (iii) is similar in size, colour and intensity to a traffic light, or
    - (iv) is shaped or located in a way that reduces the effectiveness of a light or reflector that is specified by this Appendix.
- 5.38 (3)** Despite subclause (2):
- (a) an emergency vehicle or a police vehicle may have one or more lights that flash and show:
    - (i) either blue light or red and blue light if the vehicle is a police vehicle, or
    - (ii) either red light or red and blue light if the vehicle is an ambulance or fire fighting vehicle, or
    - (iii) magenta light if the vehicle has an interception or apprehension role, or
    - (iv) yellow light if the vehicle is any other emergency vehicle, and

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- (b) an emergency vehicle or a police vehicle may have one or more reflectors that:
  - (i) show a reflection of red light to the front, or
  - (ii) show a reflection of white light to the rear, or
  - (iii) are similar in size, colour and intensity to traffic lights.

**5.38 (4)** Despite subclause (2), any of the following vehicles may display at least one light that flashes and shows yellow light in any direction:

- (a) a vehicle built or fitted for use in a hazardous position on a road.
- (b) a vehicle or combination that is required to operate in accordance with the conditions of a notice or permit relating to the operation of a vehicle or combination whose mass or dimensions exceed the limits fixed by or under the Act.
- (c) a vehicle built or fitted to accompany a vehicle or combination of the kind referred to in paragraph (b).
- (d) a bus that is fitted with a sign to indicate to other road users that it is carrying children.

#### **Rear marking plates**

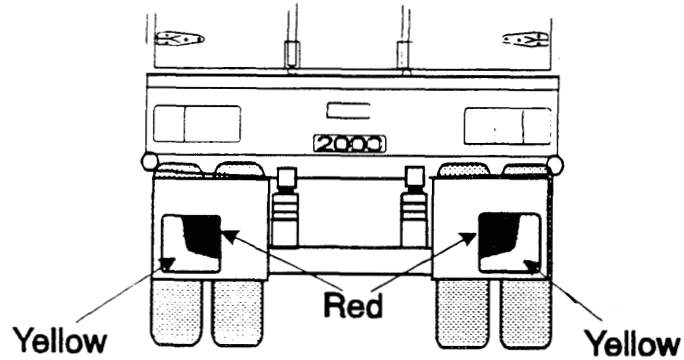
**5.39 (1)** Rear marking plates must be fitted to:

- (a) a motor vehicle, other than a bus with specific provision for standing passengers, that has a GVM of more than 12 tonnes, or
- (b) a trailer that has a GTM of more than 10 tonnes, in accordance with clause 13.6.101 of third edition ADR 13/00.

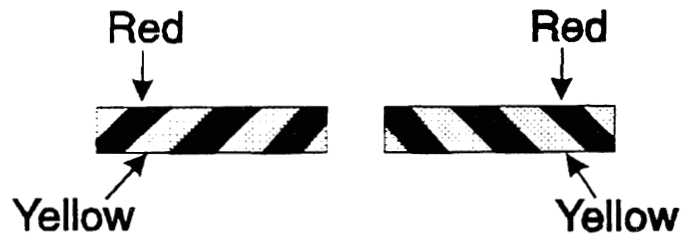
**5.39 (2)** Subclause (1) applies to a vehicle even though it was built before the date specified in the ADR.

**Note.** Rear marking plates may be fitted to any vehicle that does not exceed 12 tonnes GVM or to any trailer that does not exceed 10 tonnes GTM.





An example of rear marking plates



An alternative pattern for rear marking plates

**Signalling devices**

- 5.40 (1) This clause applies to a motor vehicle or trailer that is not fitted with a brake light or direction indicator light referred to in Division 9 or 11.
- 5.40 (2) If the construction of the vehicle would otherwise prevent the driver from signalling, by means of a right hand signal, an intention to turn or move the vehicle to the right, or to stop or suddenly reduce the speed of the vehicle. the vehicle must be fitted with:
  - (a) a mechanical signalling device, or
  - (b) a pair of turn signals.

- 5.40 (3)** 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 the human hand attached to an arm, with the hand being not less than 15 centimetres long and not less than half its length in width, with the thumb and fingers extended, and
  - (d) be constructed so that the driver of the vehicle can keep it:
    - (i) in a neutral position so that it is unlikely that the driver of any other vehicle or any other person would regard it as a signal, or
    - (ii) in a horizontal position with the palm of the hand facing forward and the fingers pointing outwards at a right angle to the vehicle to signal an intention to turn or move right, or
    - (iii) with the palm of the hand facing forward and the fingers pointing upwards to signal an intention to stop or reduce speed suddenly.
- 5.40 (4)** When the mechanical signalling device is in a position described in subclause (3) (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 30 metres.
- 5.40 (5)** A turn signal must:
- (a) consist of a steady or flashing illuminated yellow sign with an illuminated length of not less than 150 millimetres and an illuminated width of not less than 35 millimetres that:
    - (i) when in operation—is kept horizontal, and
    - (ii) when not in operation—is kept in a position so that it is unlikely that the driver of any other vehicle or any other person would regard it as a signal, and
  - (b) be fitted to the side of the vehicle not less than 50 centimetres nor more than 2.1 metres above ground level, in such a position that the driver of the vehicle, from the normal driving position, can see whether the turn 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 30 metres.

- 5.40 (6)** A motor vehicle or trailer that is not required to be fitted with any sort of direction indicator (whether direction indicator lights, a mechanical signalling device, or turn signals) may be fitted with a pair of direction indicator lights that are visible from both the front and rear of the vehicle if the vehicle is not more than 7.5 metres long.

### **Division 19 Vehicles not required to have lights or reflectors**

#### **Old vehicles used only during daylight**

- 5.41 (1)** Nothing in this Part requires a vehicle built before 1931 that is used only during daylight to be fitted with headlights, tail lights, number-plate lights, reflectors, clearance lights or side marker lights.

## **Part 6 Braking systems**

**Note.** This Part sets out the braking system requirements for heavy vehicles to ensure that they can be reliably slowed 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 has a length of 19 metres or less.

### **Division 1 Brake requirements for all vehicles**

#### **Parts of a braking system**

- 6.1 (1)** Each component of the braking system of a vehicle must comply with the design and performance requirements of a relevant standard issued by one of the following bodies before this Appendix commences:
- (a) the Standards Association of Australia,
  - (b) the British Standards Institution,
  - (c) the American Society of Automotive Engineers,
  - (d) the American National Standards Institute,
  - (e) the Japanese Standards Association,
  - (f) the Deutsches Institute for Normung,
  - (g) the International Organisation for Standardisation.

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- 6.1 (2)** A brake tube or hose fitted to a vehicle must:
- (a) be manufactured from a material appropriate to its intended use in the vehicle, and
  - (b) be of adequate length to allow for the full range of steering and suspension movements of the vehicle to which it is attached, and
  - (c) be fitted so as to prevent its being damaged by:
    - (i) a source of heat from the normal operation of the vehicle, or
    - (ii) any movement of the parts to which it is attached during the normal operation of the vehicle.

#### **Provision for wear**

- 6.2 (1)** The braking system of a vehicle must provide for adjustment to take account of normal wear.

#### **Supply of air or vacuum to brakes**

- 6.3 (1)** If air brakes are fitted to a vehicle:
- (a) the compressor that supplies the air to the brakes must be capable of building up air pressure to at least 80% of the governor cut-out pressure in not more than 5 minutes from a time when the compressed air reserve is fully depleted, and
  - (b) the air storage tanks must have sufficient capacity to enable 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 referred to in clause 6.7 (3) (b) or 6.10 (3) (a) has been given.
- 6.3 (2)** If vacuum brakes are fitted to a vehicle, the vacuum supply must be capable of building up vacuum:
- (a) within 30 seconds to the level at which the warning signal referred to in clause 6.7 (3) (b) or 6.10 (3) (a) no longer operates, and
  - (b) within 60 seconds to the normal working level.
- from a time when the vacuum reserve is fully depleted

**Performance of braking systems**

- 6.4 (1)** One sustained application of the brake must be able to produce the performance specified in subclause (2), (3) or (4):
- (a) when the motor vehicle or combination is on a dry, smooth, level road surface, free from loose material, and
  - (b) without part of the motor vehicle or combination moving outside a straight path:
    - (i) 3.7 metres wide, and
    - (ii) centred on the longitudinal axis of the motor vehicle or combination before the brake was applied.

**Note.** These performance requirements apply whether or not the motor vehicle or combination is loaded.

- 6.4 (2)** The braking system of a motor vehicle or combination must bring the motor vehicle or combination from a speed of 35 kilometres an hour to a stop within the distance specified:
- (a) in Column 2 of Table 3, when the service brake is applied, and
  - (b) in Column 3 of Table 3, when the emergency brake is applied.

**Table 3**

| Column 1   | Column 2   | Column 3   |
|--|--|--|
| Gross mass of motor vehicle or combination of vehicles | Stopping distance when service brake is applied (metres) | Stopping distance when emergency brake is applied (metres) |
| more than 4.5 tonnes                                   | 16.5   | 40.5   |

- 6.4 (3)** The braking system of a motor vehicle or combination must decelerate the vehicle or combination, from any speed at which the vehicle or combination can travel, by an average of at least the rate specified:
- (a) in Column 2 of Table 4, when the service brake is applied, and

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(b) in Column 3 of Table 4, when the emergency brake is applied.

**Table 4**

| Column 1   | Column 2  | Column 3  |
|--|---|---|
| Gross mass of motor vehicle or combination of vehicles | Average deceleration when service brake is applied (metres per second per second) | Average deceleration when emergency brake is applied (metres per second per second) |
| more than 4.5 tonnes                                   | 2.8   | 1.1   |

**6.4 (4)** The braking system of a motor vehicle or combination must achieve a peak deceleration of the vehicle or combination, from any speed at which the vehicle or combination can travel, of at least the rate specified:

(a) in Column 2 of Table 5, when the service brake is applied, and

(b) in Column 3 of Table 5, when the emergency brake is applied.

**Table 5**

| Column 1   | Column 2  | Column 3  |
|--|---|---|
| Gross mass of motor vehicle or combination of vehicles | Average deceleration when service brake is applied (metres per second per second) | Average deceleration when emergency brake is applied (metres per second per second) |
| more than 4.5 tonnes                                   | 2.8   | 1.1   |

**6.4 (5)** The parking brake of a vehicle or combination must be capable of holding the vehicle or combination stationary on a 12% upgrade or downgrade.

**6.1 (6)** Subclause (l) does not apply to a vehicle built before 1931.

## Division 2 Motor vehicle braking systems

### What braking system must a motor vehicle have?

**6.5 (1)** A motor vehicle with 4 or more wheels must be fitted with:

(a) a braking system that comprises brakes fitted to all wheels of the vehicle and has at least 2 separate methods of activation, arranged so that effective braking remains on at least 2 wheels if one method fails, or

(b) two independent braking systems, each of which, when in operation, acts directly on not less than half the number of wheels of the vehicle.

**6.5 (2)** The braking system of a motor vehicle with 4 or more wheels built after 1939 must have a service brake that operates on all wheels and that, when applied acts in one of the following ways in relation to each wheel:

(a) directly on the wheel (and not through the vehicle's transmission), or

(b) on a shaft between a differential and the wheel.

**6.5 (3)** 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 any hydraulic, electrical or pneumatic device, and

(b) is fitted with a locking device capable of holding the brake in the applied position, and

(c) has its own separate control.

**6.5 (4)** A parking brake may also be an emergency brake.

**6.5 (5)** If 2 or more independent braking systems are fitted to a motor vehicle with 4 or more wheels, they must be arranged so that, when any one system is operated, the brakes will be applied to all the wheels on at least one axle of the vehicle.

#### **Operation of brakes on motor vehicles**

**6.6 (1)** The braking system on a motor vehicle must be arranged to allow the driver of the vehicle to apply the brakes from a normal driving position.

#### **Air or vacuum brakes on motor vehicles**

**6.7 (1)** If a motor vehicle has air brakes, its braking system must include at least one air storage tank.

**6.7 (3)** If a motor vehicle has vacuum brakes, its braking system must include at least one vacuum tank.

**6.7 (3)** An air storage tank or vacuum tank must be:

(a) built to ensure that if:

(i) the engine of the vehicle stops, or

(ii) the source of air or vacuum fails,

the service brake can be applied to meet the requirements of clause 6.4 at least twice, and

- (b) built to provide 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 performing at least twice as required by clause 6.4, and
  - (c) safeguarded by a check valve or other device against loss of air or vacuum if the supply fails or leaks.
- 6.7 (5)** If vacuum brakes or air 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 standard required for emergency brakes by clause 6.4, if a trailer breaks away.
- 6.7 (6)** The braking system of a motor vehicle equipped to tow a trailer fitted with air brakes must include protection against loss of supply line air or brake control signal air.
- 6.7 (7)** The protection referred to in subclause (6) 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 at the standard required for emergency brakes by clause 6.4, and
  - (c) include a visible or audible warning to the driver when the protection operates.

### **Division 3 Trailer braking systems**

#### **What brakes must a trailer have?**

- 6.8 (1)** A trailer must have brakes that operate on at least 2 wheels at opposite ends of one or more axles of the trailer.
- 6.8 (2)** A semi-trailer or converter dolly with a GTM of more than 2 tonnes must have brakes that operate on all its wheels.
- 6.8 (3)** Subclauses (1) and (2) are subject to the requirements of third edition ADR 38/00, even in relation to a vehicle that is not one to which that ADR is expressed to apply.

#### **Operation of brakes on a trailer**

- 6.9 (1)** The braking system of a trailer with a GTM of more than 2 tonnes must allow, the driver of a motor vehicle to which the trailer is coupled to operate the brakes from a normal driving position.



- 6.9 (2)** The brakes on a semi-trailer or a trailer with a GTM of more than 2 tonnes must:
- (a) operate automatically and promptly if the trailer breaks away from the towing vehicle, and
  - (b) remain in operation for at least 15 minutes after a break-away, and
  - (c) be able to hold the trailer on a 12% upgrade or downgrade while in operation after a break-away.

**Air or vacuum brakes on a trailer**

- 6.10 (1)** If a trailer has air brakes, its braking system must include at least one air storage tank.
- 6.10 (2)** If a trailer has vacuum brakes, its braking system must include at least one vacuum tank.
- 6.10 (3)** An air storage tank or vacuum tank on a trailer must be:
- (a) built to provide a visible or audible warning to the driver of the towing vehicle, while the driver is in a normal driving position, of a lack of air or vacuum that would prevent the brakes from performing as required by clause 6.4, and
  - (b) safeguarded by a check valve or other device against loss of air or vacuum if the supply fails or leaks.

**Division 4 Additional brake requirements for 5-doubles and long road trains**

**Application to road trains more than 19 metres long**

- 6.11 (1)** This Division does not apply to a road train that has a length of not more than 19 metres, or a vehicle used in a road train of that length.

**Braking system design for a prime mover in a B-double**

- 6.12 (1)** A prime mover used in a B-double must meet the requirements of second edition ADR 35A or third edition ADR 35.
- 6.12 (2)** A prime mover used in a B-double must also have an anti-lock braking system that complies with third edition ADR 64/01, if the prime mover:
- (a) was manufactured on or after 1 January 1990, or
  - (b) regardless of its date of manufacture, was first used in a B-double on or after 1 January 1994, or

- (c) regardless of its date of manufacture, is used in a B-double combination that includes a road tank vehicle that carries dangerous goods within the meaning of Regulation 119A of the *Motor Traffic Regulation 1935*.

**Braking system design for a motor vehicle in a mad train**

**6.13 (1)** A motor vehicle that:

- (a) would not otherwise be required to comply with an ADR relating to braking, and
- (b) is used in a road train, must nevertheless comply with the requirements specified in either second edition ADR 35A or third edition ADR 35 for the performance of the service brake system, the secondary brake system and the parking brake system.

**Braking system design for a trailer in a B-double or a road train**

**6.14 (1)** A trailer that:

- (a) would not otherwise be required to comply with an ADR relating to braking, and
- (b) is used in a B-double or road train, must comply with the requirements specified in second edition ADR 38 or third edition ADR 38 for the performance of the service brake system, the emergency brake system and the parking brake system.

**6.14(2)** A road train trailer to which subclause (1) applies need not be fitted with a mechanical parking brake if it carries wheel shocks that provide a performance equivalent to the performance requirement specified in that subclause for a parking brake system.

**6.14(3)** A semi-trailer, regardless of its date of manufacture, must have an anti-lock braking system that meets the requirements of third edition ADR 38/01, if:

- (a) it is being used in a B-double that includes a road tank vehicle, whether or not the semi-trailer is itself a road tank vehicle, and
- (b) the road tank vehicle carries dangerous goods within the meaning of Regulation 119A of the *Motor Traffic Regulations 1935*.

**Air brakes of a motor vehicle in a B-double of road train**

**6.15 (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 meet the requirements in subclauses (2) and (3) when:

- (a) the pressure is measured in an 800 millilitre vessel connected by a 2 metre pipe with a bore of approximately 13 millimetres to the coupling head of the braking system, and
- (b) the initial air pressure is not less than:
  - (i) the arithmetic average of the maximum and minimum pressures in the operating pressure range specified by the manufacturer of the vehicle, or
  - (ii) if there is no manufacturer's specification — 650 kilopascals.

**6.15 (2)** The pressure must reach at least 420 kilopascals within 400 milliseconds after the rapid and complete application of the foot-operated control of the braking system.

**6.15 (3)** After the brakes have been fully applied, the pressure must fall, within half a second of the release of the foot-operated control, to 35 kilopascals.

**Air brakes in a B-double or road train: least favoured chamber**

**6.16 (1)** The pressure in the least favoured chamber of the braking system of a B-double or road train whose brakes operate using compressed air must meet the requirements of subclause (2) when the initial air pressure is not less than:

- (a) the arithmetic average of the maximum and minimum pressures in the operating pressure range specified by the manufacturer of the vehicle, or
- (b) if there is no manufacturer's specification — 650 kilopascals.

**6.16 (2)** The pressure must reach at least 420 kilopascals within:

- (a) 1.0 second of the rapid and complete application of the foot-operated control on a B-double, or
- (b) 1.5 seconds of the rapid and complete application of the foot-operated control on a road train.

**6.16 (3)** After the brakes have been fully applied, the pressure must fall to 35 kilopascals or the pressure at which the friction surfaces cease to contact each other within:

- (a) 1.0 second of the release of the foot-operated brake control on a B-double, or
- (b) 1.5 seconds of the release of the foot-operated brake control on a road train.

**6.16 (4)** In subclause (1), *least favoured chamber* means the brake chamber with the longest line to the foot-operated brake control in the prime mover.

**Recovery of air pressure for brakes in a B-double or road train**

- 4.17 (1)** The air pressure in each air brake reservoir in a B-double or road train must recover to at least 420 kilopascals within one 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 recommended by the manufacturer, or
    - (ii) if there is no recommendation by the manufacturer—550 kilopascals, and
  - (c) the initial air pressure in the storage tanks of the vehicles is not less than:
    - (i) the arithmetic average of the maximum and minimum pressures in the operating pressure range specified by the manufacturer of the vehicle, or
    - (ii) if there is no manufacturer's specification—650 kilopascals.

**Air supply for brakes in a B-double or road train**

- 6.18 (1)** 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.

**Brake line couplings**

- 6.19 (1)** Brake line couplings on the same part of a vehicle in a B-double or road train must not be interchangeable.
- 6.19 (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 Semi-trailers" if the hoses used with the brake couplings are used for the same purpose as the hoses described in the Australian Standard.

**Simultaneous parking brake application**

- 6.20 (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 also be applied automatically.

**Capacity of air reservoirs**

- 6.21 (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.
- 6.21 (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 7 Fuel systems, noise and emissions**

**Note.** This Part sets out requirements to ensure that heavy vehicles do not emit too much smoke or noise, and that exhaust gases cannot enter the passenger compartment of a heavy vehicle. It also deals with rules to ensure that LPG fuel systems are safely installed in heavy vehicles, and that heavy vehicles with LPG installed can be identified.

**Crank case gases**

- 7.1 (1)** A motor vehicle with 3 or more wheels that is:
- (a) manufactured after 1971, and
  - (b) powered by a petrol engine,
- must be built or fitted to prevent crank case gases from escaping into the atmosphere.

**Visible exhaust emissions**

- 7.2 (1)** A motor vehicle:
- (a) built after 1930, and
  - (b) propelled by an internal combustion engine,
- must not emit visible exhaust emissions for any continuous period of 10 seconds or more.
- 7.2 (2)** A breach of subclause (1) is not constituted merely because the exhaust of a motor vehicle is visible because of its heat or the condensation of water vapour.

**LPG-powered motor vehicles**

- 7.3 (1)** A motor vehicle equipped to run on LPG must comply with:
- (a) the version of Australian Standard AS 1425 (relating to use of LPG in vehicles) that was current at the time the vehicle was first equipped to run on LPG, or
  - (b) that Standard as in force immediately before the commencement of this Appendix.

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- 7.3 (2)** A motor vehicle equipped to run on LPG must have fixed conspicuously to the front and rear number-plates a label that is:
- (a) made of durable material, and
  - (b) at least 25 millimetres wide, and
  - (c) at least 25 millimetres high, and
  - (d) reflective red conforming to Australian Standard AS 1742-1975 "Manual of Uniform Traffic Control Devices" Appendix C, Class 2, and
  - (e) marked "LPGAS", "LPG", or with words or acronyms to similar effect, in upper-case letters at least 6 millimetres high.
- 7.3 (3)** In this clause, *LPG* means a liquid that is a mixture consisting largely of one or more of butanes, butenes, propane and propene.

**Note.** LPG is a commonly used abbreviation for liquefied petroleum gas.

#### **Exhaust system**

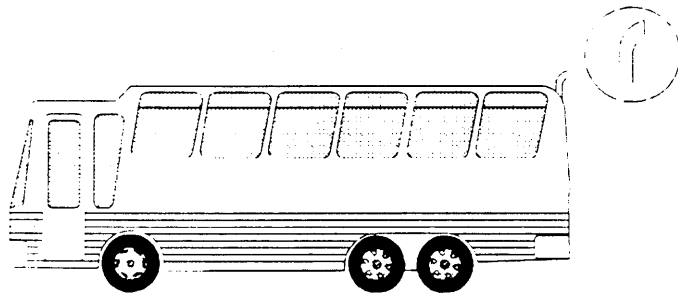
- 7.4 (1)** A motor vehicle propelled by an internal combustion engine must be fitted with an efficient silencing device through which all the exhaust from the engine passes.
- 7.4 (2)** A vertical exhaust system on a motor vehicle other than a bus must have any exposed section, other than the outlet, shielded or positioned to prevent injury to any person.
- 7.4 (3)** The outlet of the exhaust system of a motor vehicle other than a bus must extend:
- (a) behind the back seat, and
  - (b) at least 40 millimetres beyond the outermost joint of the floorpan that is not continuously welded or permanently sealed, and
  - (c) to the widest perimeter 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 widest perimeter of the vehicle, and

(e) either:

- (i) at least 150 millimetres above the cab, discharging above the horizontal and not to the left, or
- (ii) less than 750 millimetres above the ground, discharging horizontally or not more than 45 degrees downwards and not to the left.

**74 (4)** A bus must have fitted to it an exhaust system which:

- (a) has its outlet as near as practicable to the rear of the vehicle, and
- (b) if the outlet pipe is vertical:
  - (i) discharges upwards, or
  - (ii) discharges rearwards at an angle above the horizontal behind the passenger compartment, and
- (c) if the outlet pipe is not vertical:
  - (i) discharges rearwards or to the right of the vehicle, horizontally or not more than 45 degrees downwards, and
  - (ii) extends no further than the widest perimeter of the vehicle.



**Bus exhaust outlet pipe**

## Part 8 Maximum road speed limiting

**Note.** This Part requires various heavy vehicles built after 31 December 1987 but before 1 July 1991 to have a restricted top speed. However, the Part exempts from being speed limited emergency vehicles and certain 2-axle prime movers owned by farmers and used in primary production.

### Speed limiting

- 8.1 (1)** A bus with a GVM of more than 14.5 tonnes that was manufactured after 31 December 1987 must comply with the technical requirements of third edition ADR 65.
- 8.1 (2)** A prime mover with a GVM of more than 15 tonnes that was manufactured after 31 December 1987 must comply with the technical requirements of third edition ADR 65.
- 8.1 (3)** For the purposes of the technical requirements of third edition ADR 65, the maximum road speed capability of a motor vehicle used in a road train is 90 kilometres per hour.
- 8.1 (4)** The Authority may, if it considers it in the public interest, require any other registrable vehicle to be fitted with a speed limiting device that limits its on road speed to 100 kilometres per hour (or 90 km per hour for a motor vehicle used in a road train). Any such vehicle must be fitted with the device if so required.

**Note.** Motor Vehicle Standards Bulletin 2 (VSB 2) contains the technical requirements of third edition ADR 65. The Bulletin is available from the Federal Office of Road Safety.

### Exemptions from speed limiting

- 8.2 (1)** Clause 8.1 does not apply to:
- (a) an emergency vehicle or police vehicle, or
  - (b) a bus with specific provision for standing passengers.
- 8.2 (2)** Clause 8.1 (2) does not apply to a 2-axle prime mover (other than a vehicle referred to in clause 8.1 (4)) if:
- (a) it was manufactured after 31 December 1987 but before 1 July 1991, and
  - (b) its owner is a person who uses it for agriculture, horticulture or other primary production activities (except forestry, fishing and mining).



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## Part 9 Mechanical connections between vehicles

**Note.** This Part sets out various requirements to ensure that the couplings used when operating heavy motor vehicles and trailers in combinations are strong enough to hold them together. The requirements in this Part relating to mechanical connections between vehicles in a road train do not apply to a road train that has a length of 19 metres or less.

### Division 1 Couplings on all types of vehicles

#### General coupling requirements

- 9.1 (1)** A fifth wheel coupling, kingpin or the mating parts of a coupling must not be used for a load greater than the manufacturer's load rating.
- 9.1 (2)** A kingpin must be used only with a fifth wheel coupling that has a corresponding jaw size.

**Note.** For example, an adaptor is not to be used to fit a kingpin to a fifth wheel coupling.

- 9.1 (3)** The mating parts of a coupling used to connect a semi-trailer to a towing vehicle must not allow the semi-trailer to roll to an extent that makes the towing vehicle unstable.

#### Drawbar couplings

- 9.2 (1)** A coupling for attaching a trailer, other than a semi-trailer or pole-type trailer, to a towing vehicle must be built and fitted so that:
- (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.
- 9.2 (2)** A trailer to which subclause (1) applies that is in a combination, other than a trailer fitted with breakaway brakes in accordance with clause 6.9 (2), must be connected to the towing vehicle by at least one chain, cable or other flexible device, in addition to the coupling required by subclause (1).
- 9.2 (3)** The connection referred to in subclause (2) must be built and fitted so that:
- (a) the trailer will be kept in tow if the coupling breaks or accidentally detaches, and

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- (b) it permits all normal angular movement of the coupling without more slack than is necessary, and
- (c) it will prevent the drawbar of the trailer from hitting the ground if the coupling detaches accidentally.

### **Division 2 Additional coupling requirements for B-doubles and long road trains**

#### **Application of Division to road trains**

- 9.3 (1)** This Division does not apply to a vehicle, coupling or part of a coupling that is used in a road train that has a length of 19 metres or less.

#### **Couplings for B-doubles and road trains**

- 9.4 (1)** A fifth wheel coupling used to connect a towing vehicle to a semi-trailer used in a B-double or road train must not be built with a pivot that allows a semi-trailer to roll relative to the towing vehicle.
- 9.4 (2)** Subclause (1) does not apply to a fifth wheel coupling if:
- (a) the semi-trailer 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.
- 9.4 (3)** A turntable used in a vehicle manufactured on or after the commencement of this Appendix that forms part of a B-double or road train must be marked with:
- (a) the name or trademark of the manufacturer, and
  - (b) the D-value rating,
- of the turntable.
- 9.4 (4)** A trailer with only one axle group or a single axle (except a semi-trailer or a converter dolly) that is used in a road train must not have a coupling fitted at its rear.

#### **Selection of fifth wheel couplings for B-doubles**

- 9.5 (1)** A fifth wheel coupling used in a B-double must have a D-value that accords with Australian Standard AS 1773-1990 "Articulated Vehicles—Fifth Wheel Assemblies".

**9.5 (2)** A turntable used in a B-double must have a D-value that accords with Australian Standard AS 1773-1990 "Articulated Vehicles—Fifth Wheel Assemblies".

**Note.** A D-value of at least 107 kilonewtons (11.0 tonnes) will satisfy the requirements of clause 9.5 (1) and (2) if the B-double is operating within the mass limits prescribed under the *Roads Act 1993*.

**9.5 (3)** A fifth wheel coupling used in a B-double that is built for a 50 millimetre or 90 millimetre kingpin must:

- (a) be built to meet the dimensional requirements in Australian Standard AS 1773-1990 "Articulated Vehicles—Fifth Wheel Assemblies", and
- (b) not be worn away more than is recommended by that Australian Standard.

**9.5 (4)** A fifth wheel coupling used in a B-double that is built for a 75 millimetre kingpin must:

- (a) be compatible with the kingpin described in clause 9.10 (4), and
- (b) not be worn away more than is specified in clause 9.7 (1) (a) and (b).

#### **Selection of fifth wheel couplings for road trains**

**9.6 (1)** A fifth wheel coupling used in a road train must have a D-value that accords with Australian Standard AS 1773-1990 "Articulated Vehicles—Fifth Wheel Assemblies".

**9.6 (2)** A turntable used in a road train must have a D-value that accords with Australian Standard AS 1773-1990 "Articulated Vehicles—Fifth Wheel Assemblies".

**Note.** If the road train is operating within the mass limits prescribed under the *Roads Act 1993*, a D-value of at least 140 kilonewtons (14.3 tonnes) for a prime mover and 162 kilonewtons (16.5 tonnes) for a converter dolly will satisfy the requirements of subclauses 9.6 (1) and (2).

**9.6 (3)** A fifth wheel coupling used in a road train that is built for a 50 millimetre or 90 millimetre kingpin must meet the dimensional requirements in Australian Standard AS 1773-1990 "Articulated Vehicles—Fifth Wheel Assemblies".

- 9.6 (4)** A fifth wheel coupling used in a road train that is built for a 75 millimetre kingpin must be compatible with the kingpin described in clause 9.10 (4).

**Determining the D-value of a fifth wheel coupling**

- 9.7 (1)** When testing a fifth wheel coupling built for a 75 millimetre kingpin used in a B-double or road train to determine whether its D-value meets the requirements of clause 9.6 (1):
- (a) the closed jaw diameter must not wear more than 2.6 millimetres, and
  - (b) the jaw thickness must not wear more than 3 millimetres.

**Mounting of fifth wheel couplings on B-doubles and road trains**

- 9.8 (1)** A fifth wheel coupling must be mounted on a prime mover or a semi-trailer used in a B-double or a road train in accordance with the requirements of Australian Standard AS 1771-1987 "Installation of Fifth Wheel and Turntable Assemblies".

**Branding of fifth wheel couplings on B-doubles and road trains**

- 9.9 (1)** A fifth wheel coupling on a vehicle manufactured on or after 1 July 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.

**Selection of kingpins for B-doubles and road trains**

- 9.10 (1)** A kingpin used in a B-double must:
- (a) be a 50 millimetre, 75 millimetre or 90 millimetre kingpin, and
  - (b) have a D-value that accords with Australian Standard AS 2175-1990 "Articulated Vehicles—Kingpins"
- 9.10 (2)** A kingpin used in a road train must:
- (a) be a 50 millimetre, 75 millimetre or 90 millimetre kingpin, and
  - (b) have a D-value that accords with Australian Standard AS 2175-1990 "Articulated Vehicles-Kingpins".

**Note.** A D-value of at least 107 kilonewtons (11.0 tonnes) will satisfy the requirements of clause 9.10 (1) if the B-double is operating within the mass limits prescribed under the *Roads Act 1993*.

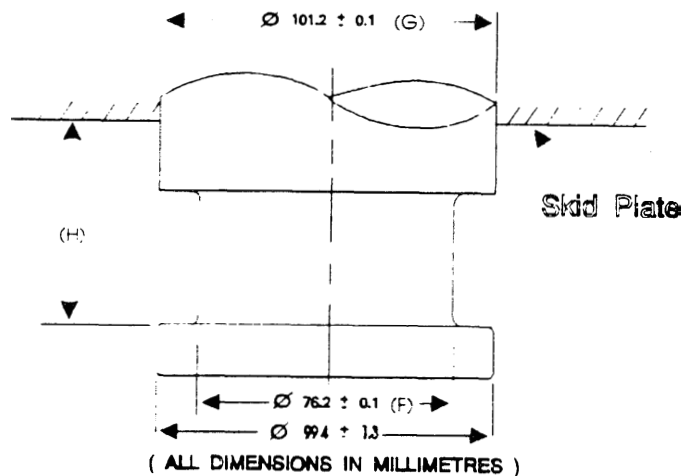
A D-value of at least 162 kilonewtons (16.5 tonnes) will satisfy the requirements of clause 9.10 (2) if the road train is operating within the mass limits prescribed under the *Roads Act 1993*.

**9.10 (3)** A 50 millimetre or 90 millimetre kingpin used in a B-double or road train must:

- (a) be built to meet the dimensional requirements in Australian Standard AS 2175-1990 "Articulated Vehicles—Kingpins", and
- (b) not be worn away more than is recommended by that Australian Standard.

**9.10 (4)** A 75 millimetre kingpin used in a B-double or road train must:

- (a) be built to meet the dimensions in the diagram below, and
- (b) not be worn away more than is specified in clause 9.10 (5).



### Dimensions of a 75 millimetre kingpin

**9.10 (5)** When testing a 75 millimetre kingpin described in the diagram in subclause (4) to determine whether its D-value meets the requirements of subclause (1) (b) or (2) (b):

- (a) diameter F must not wear more than 3 millimetres, and
- (b) diameter G must not wear more than 2 millimetres, and
- (c) height H must not wear more than 2.3 millimetres.

**Attachment of kingpins on B-doubles and road trains**

**9.11 (1)** A kingpin on a trailer used in a B-double or road train must be attached in accordance with:

- (a) the manufacturer's recommendations and instructions, or
- (b) the guidelines detailed in Australian Standard AS 2175-1990 "Articulated Vehicles—Kingpins".

**Branding of kingpins on B-doubles and road trains**

**9.12 (1)** A kingpin used in a trailer manufactured on or after 1 July 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.

**Selection of couplings and drawbar eyes on road trains**

**9.13 (1)** A drawbar-type coupling or a drawbar eye used in a road train must:

- (3) be a 50 millimetre pin type, and
- (b) have a D-value that accords with Australian Standard AS 2213-1983 "50mm Pin-Type Couplings and Drawbar Eyes for Trailers", and

**Note.** A D-value of at least 186 kilonewtons (19 tonnes) will satisfy the requirements of clause 9.13 (1) (b) if the road train is operating within the mass limits prescribed under the *Roads Act 1993*.

- (c) be built to the dimensions specified in that Australian Standard, and
- (d) not be worn away more than is recommended in that Australian Standard.

**Attachment of couplings and drawbar eyes on road trains**

**9.14 (1)** A drawbar-type coupling or drawbar eye in a road train must be built and positioned so that:

- (a) when the road train is moving, the drawbar can move at least 15 degrees 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 more than 300 millimetres forward of the rear of the trailer to which it is attached, and
- (c) it is at a height of at least 800 millimetres, but not more than 950 millimetres, when the road train is unloaded and parked on level ground.

**Branding of couplings and drawbar eyes on road trains**

**9.15 (1)** A drawbar-type coupling or a drawbar eye on a vehicle manufactured on or after 1 July 1991 forming 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.

**Tow coupling overhang on road trains**

**9.16 (1)** 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) 2.7 metres.

**9.16 (2)** The tow coupling overhang of a semi-trailer, or a dog trailer consisting of a semi-trailer 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.

**9.16 (3)** The tow coupling overhang of any other 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.

## Part 10 Interpretation and definitions

### Division 1 Interpretation of ADRs

#### Second edition ADRs

- 10.1 (1)** In these Regulations, a reference to a second edition ADR is a reference to a standard contained in a document:
- (a) known as an Australian Design Rule, and
  - (b) incorporated in a 3-volume book entitled “Australian Design Rules for Motor Vehicle Safety. Second Edition”, published by, and available from, the Commonwealth Department of Transport,  
as amended and in force immediately before this Appendix commenced.
- 10.1 (2)** The words “left” and “right” in the following second edition ADRs must be read as “right” and “left” respectively in relation to a left-hand drive motor vehicle (that is, a motor vehicle that does not have the centre of a steering control on or to the right of the vehicle):
- (a) ADR 8—Safety Glass.
  - (b) ADR 12—Glare Reduction in Field of View.
  - (c) ADR 14—Rear Vision Mirrors,
  - (d) ADR 16—Windscreen Wipers and Washers.
  - (e) ADRs 18 and 18A—Location and Visibility of Instruments.
  - (f) ADRs 35 and 35A—Commercial Vehicle Braking Systems.

#### Third edition ADRs

- 10.2 (1)** In these Regulations, a reference to a third edition ADR is a reference to a standard contained in a document:
- (a) known as an Australian Design Rule, and
  - (b) incorporated in a book entitled “Australian Design Rules for Motor Vehicles and Trailers, Third Edition, endorsed by the Australian Transport Advisory Council”, published by, and available from, the Commonwealth Department of Transport,  
as amended and in force from time to time.

**Note.** The following table provides a comparative list of some technical terms used in this Appendix and the third edition of the ADRs, for information.



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| <i>Third Edition ADR</i>                  | <i>Appendix</i>               |
|---|-------------------------------|
| Main-beam headlamp                        | High-beam headlight           |
| Dipped-beam headlamp                      | Low-beam headlight            |
| Front fog lamp                            | Front fog light               |
| Reversing lamp                            | Reversing light               |
| Direction indicator lamp                  | Direction indicator light     |
| Stop lamp                                 | Brake light                   |
| Rear registration plate lamp              | Number-plate light            |
| Front position (side) lamp                | Parking light                 |
| Rear position (side) lamp                 | Tail light                    |
| Rear fog lamp                             | Rear fog light                |
| End-outline marker lamp                   | Front or rear clearance light |
| Rear reflex reflector.<br>non-triangular  | Rear reflector                |
| Front reflex reflector.<br>non-triangular | Front reflector               |
| Side reflex reflector.<br>non-triangular  | Side reflector                |
| External cabin lamp                       | External cabin light          |
| Internal lamp                             | Interior light                |
| Side marker lamp                          | Side marker light             |
| Daytime running lamp                      | Daytime running light         |
| Wheelguard                                | Mudguard                      |

**ADR transitional provisions**

- 10.3 (1)** For the purposes of this Appendix, if an ADR is the subject of a transitional provision in force immediately before the commencement of this Appendix and set out in or as an annexure to a (see 10.1 (1) and (2)) third edition ADR, the ADR has effect subject to the transitional provision.

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**Note.** The transitional provisions in the third edition ADRs were introduced to enable vehicles that were subject to an approval in force under second edition ADRs immediately before 1 July 1988 to continue to have compliance plates placed on them on or after 1 July 1988.

#### **Division 2 Miscellaneous**

##### **Measurement of distance between lines**

**104 (1)** In this Appendix, a reference to a distance between 2 lines that are parallel is a reference to the distance measured at right angles between the lines.

##### **Equipment of a vehicle**

**105 (1)** In this Appendix, a reference to a vehicle includes a reference to its equipment.

##### **Application to restored vehicles**

**10.6 (1)** For the purposes of this Appendix, a restored vehicle is regarded as having been built when it was originally built and not when it was restored.

##### **Application to retractable axles**

**10.7 (1)** For the purposes of these Regulations, a retractable axle is regarded as being an axle when it is in its lowered position and is not regarded as being an axle when it is in its raised position.

## Schedule 5 Short descriptions of offences

(Clause 94)

### Part 1 Offences under the Act

| Column 1<br>Provision  | Column 2<br>Short description   |
|------------------------|---|
| Section 18 (1)         | use unregistered vehicle on road/area   |
| Section 19 (1) (a)     | register/renew registration by false statement  |
| Section 19 (1) (a)     | register/renew registration by misrepresentation  |
| Section 19 (1) (a)     | register/renew registration by dishonest means  |
| Section 19 (1) (b)     | possess registration device/plate/document without lawful authority/excuse                        |
| Section 19 (2) (a)     | obtain/renew unregistered vehicle permit by false statement                                       |
| Section 19 (2) (a)     | obtain/renew unregistered vehicle permit by misrepresentation                                     |
| Section 19 (2) (a)     | obtain/renew unregistered vehicle permit by dishonest means                                       |
| Section 19 (2) (b)     | possess registration device/plate/document without lawful authority/excuse                        |
| Section 26 (1A)        | operator/owner/chargee/seller/possessor fail to afford police/<br>Authority inspection facilities |
| Section 27A            | delay/obstruct Authority exercising inspection powers   |
| Section 27B (1)<br>(a) | use dangerously defective vehicle on road/area  |
| Section 27B (1)<br>(b) | cause/permit use of dangerously defective vehicle on road/area                                    |

### Part 2 Offences under this Regulation

| Column 1<br>Provision | Column 2<br>Short description                             |
|-----------------------|---|
| Clause 23 (3)         | fail to comply with notice to return vehicle number-plate |
| Clause 28 (1)(a)      | fail to notify Authority of damaged number-plate          |
| Clause 28 (1) (b)     | fail to surrender number-plate to Authority               |

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## Road Transport (Vehicle Registration) Regulation 1998

## Schedule 5 Short descriptions of offences

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| <b>Column 1</b>   | <b>Column 2</b>   |
|-------------------|---|
| <b>Provision</b>  | <b>Short description</b>  |
| Clause 29 (1) (a) | fail to notify Authority of lost/stolen/destroyed number-plate                  |
| Clause 29 (1) (b) | fail to deliver remaining number-plate to Authority                             |
| Clause 29 (2)     | fail to notify Authority of lost/stolen/destroyed bicycle-rack plate            |
| Clause 29 (4)     | fail to pay replacement value for lost or destroyed plate                       |
| Clause 30 (1)     | fail to notify/deliver recovered lost/stolen number-plate                       |
| Clause 32 (8)     | fail to return number-plate after registration expiry                           |
| Clause 33 (3)     | fail to give vehicle purchaser inspection report                                |
| Clause 39 (3)     | fail to return registration certificate on cancellation of transfer             |
| Clause 41 (2) (a) | fail to give Authority statement that label destroyed                           |
| Clause 41 (2) (b) | fail to return certificate and plates on surrender                              |
| Clause 43 (5) (a) | fail to destroy cancelled label   |
| Clause 43 (5) (b) | fail to return certificate and plates on cancellation                           |
| Clause 47 (3)     | fail to notify/deliver Authority recovered trader's label                       |
| Clause 51 (1) (a) | drive vehicle with altered/mutilated/defaced trader's label on road/area        |
| Clause 51 (1) (a) | allow vehicle drive with altered/mutilated/defaced trader's label on roadarea   |
| Clause 51 (1) (a) | in charge of vehicle with altered/mutilated/defaced trader's label on road/area |
| Clause 51 (1) (b) | drive vehicle with unclear trader's label on road/area                          |
| Clause 51 (1) (b) | allow vehicle drive with unclear trader's label on road/area                    |
| Clause 51 (1) (b) | in charge of vehicle with unclear trader's label on road/area                   |
| Clause 51 (1) (c) | drive vehicle on roadarea with another trader's label                           |
| Clause 51 (1) (c) | allow vehicle drive on roadarea with another trader's label                     |
| Clause 51 (1)(c)  | be in charge vehicle on roadarea with another trader's label                    |
| Clause 51 (1) (d) | drive vehicle on road/area with incorrect trader's label                        |
| Clause 51 (1) (d) | allow vehicle drive on roadarea with incorrect trader's label                   |
| Clause 51 (1) (d) | be in charge of vehicle on road/area with incorrect trader's label              |

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## Road Transport (Vehicle Registration) Regulation 1998

## Short descriptions of offences

## Schedule 5

| <b>Column 1</b>   | <b>Column 2</b>  |
|-------------------|--|
| <b>Provision</b>  | <b>Short description</b>   |
| Clause 51 (1) (e) | drive vehicle on road/area with void trader's label                      |
| Clause 51 (1) (e) | allow vehicle drive on road/area with void trader's label                |
| Clause 51 (1) (e) | be in charge of vehicle on road/area with void trader's label            |
| Clause 51 (1) (f) | drive vehicle on road/area with expired trader's label                   |
| Clause 51 (1) (f) | allow vehicle drive on road/area with expired trader's label             |
| Clause 51 (1) (f) | be in charge of vehicle on road/area with expired trader's label         |
| Clause 51 (2)     | deface/alter trader's label  |
| Clause 51 (3)     | lend trader's label  |
| Clause 51 (3)     | part with trader's label   |
| Clause 52 (a)     | fail to record use of trader's plate                                     |
| Clause 52 (b)     | fail to produce record of trader's plate to police/Authority             |
| Clause 53         | fail to answer questions concerning use of trader's plate                |
| Clause 54 (1)     | fail notify Authority of sale/disposal/cessation trader's business       |
| Clause 55 (2)     | fail to return trader's plates within 13 days                            |
| Clause 55 (3)     | drive vehicle on road/area with expired trader's plate                   |
| Clause 55 (3)     | allow drive vehicle on road/area with expired trader's plate             |
| Clause 55 (3)     | in charge of vehicle on road/area with expired trader's plate            |
| Clause 57 (1) (a) | use vehicle not complying with standard on road/area                     |
| Clause 57 (1) (b) | use unsafe/unserviced vehicle on road/area                               |
| Clause 57 (2)     | be operator of vehicle used in contravention of cl 57 (1)                |
| Clause 57 (4) (a) | fail to prepare a vehicle condition report                               |
| Clause 57 (4) (b) | fail to retain copy of vehicle condition report                          |
| Clause 57 (4) (b) | fail to leave copy of vehicle condition report for operator              |
| Clause 57 (5) (a) | fail to provide vehicle condition form                                   |
| Clause 57 (5) (a) | fail to nominate vehicle condition report receiver                       |
| Clause 57 (5) (b) | fail to retain left vehicle condition report                             |
| Clause 57 (5) (c) | fail to produce vehicle condition report to police/Authority             |
| Clause 57 (5) (c) | fail to cause production of vehicle condition report to police/Authority |

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## Road Transport (Vehicle Registration) Regulation 1998

## Schedule 5 Short descriptions of offences

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| <b>Column 1</b>   | <b>Column 2</b>   |
|-------------------|---|
| <b>Provision</b>  | <b>Short description</b>  |
| Clause 60 (3) (a) | modify/add component contrary to standards                                    |
| Clause 60 (3) (b) | modify/add component without certification                                    |
| Clause 61 (4)     | fail to comply with inspection notice   |
| Clause 61 (4)     | fail to comply with changed inspection notice                                 |
| Clause 63 (5) (a) | conduct inspection/test without examiner authority                            |
| Clause 63 (5) (b) | issue inspection report without examiner authority                            |
| Clause 64 (2)     | use premises for inspection/test without proprietor authority                 |
| Clause 67 (4)     | breach condition of examiner's authority                                      |
| Clause 74 (1)     | stamp/affix number on vehicle part without authority                          |
| Clause 74 (2)     | alter/deface/remove/obliterate vehicle part number                            |
| Clause 74 (3)     | possess vehicle part knowing number alter/defaced/removed/obliterated         |
| Clause 75 (a)     | fail to notify Authority of vehicle part change/replacement                   |
| Clause 75 (b)     | fail to notify details in vehicle part change/replace notification            |
| Clause 75 (c)     | fail to retain vehicle part change/replace notification                       |
| Clause 75 (d)     | fail to produce vehicle part notification to police/Authority                 |
| Clause 78 (5)     | deface/remove vehicle defect label without authority                          |
| Clause 84 (1)     | use vehicle in breach of registration condition                               |
| Clause 84 (1)     | permit use of vehicle in breach of registration condition                     |
| Clause 84 (2)     | use vehicle in breach of defect notice  |
| Clause 84 (2)     | permit use of vehicle in breach of defect notice                              |
| Clause 84 (3)     | cause/permit use of unregistered vehicle on road/area                         |
| Clause 85 (1) (a) | use vehicle on road/area without correctly fixed/displayed number-plate       |
| Clause 85 (1) (b) | use vehicle on road/area with unauthorised number-plate                       |
| Clause 85 (1) (c) | use vehicle on road/area with obscured/defaced/illegible/illegal number-plate |
| Clause 85 (1) (d) | use vehicle on road/area with obscured/defaced/illegible/illegal label        |
| Clause 85 (1) (e) | use vehicle on road/area with expired label                                   |

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## Road Transport (Vehicle Registration) Regulation 1998

Short descriptions of offences

Schedule 5

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| <b>Column 1</b>   | <b>Column 2</b>  |
|-------------------|--|
| <b>Provision</b>  | <b>Short description</b>                                   |
| Clause 85 (2) (a) | use vehicle on road/area displaying altered plate/label    |
| Clause 85 (2) (b) | use vehicle on road/area displaying misleading plate/label |
| Clause 85 (3)     | operator cause/permit/allow contravention of cl 85 (1)/(2) |
| Clause 85 (3)     | operator fail to prevent contravention of cl 85 (1)/(2)    |
| Clause 86 (1)     | fail to notify Authority under Regulation                  |
| Clause 86 (3)     | provide false/misleading garage address location           |

## Schedule 6 Savings and transitional provisions

(Clause 95)

### 1 Definitions

In this Schedule:

**existing plate** means a number-plate issued under the *Motor Traffic Regulations 1935* that was in force immediately before the commencement of Schedule 1 [1] to the new Act.

**existing registered vehicle** means an existing registrable vehicle that was registered under the *Traffic Act 1909* immediately before the commencement of Schedule 1 [1] to the new Act.

**existing registrable vehicle** means a vehicle within the meaning of the *Traffic Act 1909*, as in force immediately before the commencement of Schedule 1 [1] to the new Act. that belongs to a class of vehicles that could have been registered under that Act as in force at that time.

**existing registration** means the registration of an existing registrable vehicle under the *Traffic Act 1909* that was in force immediately before the Commencement of Schedule 1 [1] to the new Act.

**existing registration period**, in relation to an existing registered vehicle, means the period for which the existing registered vehicle has been registered under the *Traffic Act 1909*.

**new Act** means the *Road Transport (Vehicle Registration) Act 1997*.

### 2 Previously issued number-plates

- (1) If number-plates were issued in relation to a heavy vehicle registered under the *Traffic Act 1909* before the commencement of this Regulation the plates may be retained until the Authority requires in writing that they be returned.
- (2) Clause 20 (3) does not apply to any number-plate issued under the *Motor Traffic Regulations 1935* before the commencement of Regulation 14 (2B) of those Regulations that displays the words “NSW—THE PREMIER STATE”.



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- (3) Clause 45 (2) does not apply to any trader's plates issued under the *Motor Traffic Regulations 1935* before the commencement of Regulation 35 (2) of those Regulations that display the words "NSW — THE PREMIER STATE".

### **3 Certain minors eligible to be registered operators of heavy vehicles**

A person who:

- (a) has attained 16 years of age, and
- (b) seeks to renew the existing registration of a registrable vehicle of which he or she is the registered owner under the *Traffic Act 1909*.

is taken to be eligible to be the registered operator of the vehicle despite anything in clause 6.

### **4 Existing registered owners of vehicles**

- (1) Any person who, immediately before the commencement of this clause, was a registered owner of a registrable vehicle under the *Motor Traffic Regulations 1935* is taken to be a registered operator of that vehicle under the Act and this Regulation.
- (2) Despite anything in clause 6 or any other provision of this Regulation, any unincorporated association that, immediately before the commencement of this clause, was a registered owner of a registrable vehicle under the *Motor Traffic Regulations 1935*, is taken:
  - (a) to be a registered operator of the vehicle under the Act or this Regulation, and
  - (b) to be eligible to be a registered operator of the vehicle for the purposes of renewing the registration of the vehicle under this Regulation.
- (3) The Authority may include the names and details of persons and associations referred to in this clause in the Register as registered operators.

### **5 Existing registered vehicles with interstate garage addresses**

- (1) This clause applies to an existing registered vehicle that has a garage address that is located outside of New South Wales.

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Schedule 6 Savings and transitional provisions

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- (2) Despite the provisions of section 9 of the Act, the registration of a vehicle to which this clause applies may be renewed by the Authority under this Regulation:
  - (a) in the case of a vehicle having an existing registration period of one year—for one further year following the expiration of its existing registration period, or
  - (b) in the case of a vehicle having an existing registration period of less than one year—not beyond 30 June 2000.

### 6 Duration of registration of existing registered light vehicle

- (1) Despite anything to the contrary in clause 12, the registration of a relevant light vehicle may be renewed under this Regulation for a period of 3 months or 6 months if the vehicle was registered under the *Traffic Act 1909* before the commencement of Schedule 1 [1] to the Act.
- (2) In this clause:

*relevant light vehicle* means a light vehicle:

  - (a) that has a tare that is at least 2 tonnes, and
  - (b) that is an existing registered vehicle.

### 7 Inspections

- (1) An authority in force, and held by a person, under Regulation 92AB of the *Motor Traffic Regulations 1935* immediately before the commencement of this clause is taken to be an examiner's authority held by the person under clause 63.
- (2) An authority in force, and held by a person, under Regulation 92AC of the *Motor Traffic Regulations 1935* immediately before the commencement of this clause is taken to be a proprietor's authority held by the person under clause 64.
- (3) Rules in force under Regulation 92AD of the *Motor Traffic Regulations 1933* immediately before the commencement of this clause are taken to have been issued and in force under clause 65.

- (4) For the purposes of clause 34 (2) (b), an inspection report for a registrable vehicle issued under Regulation 92AB of the *Motor Traffic Regulations 1935* in the period of one month before the commencement of this clause is taken to be an inspection report issued under this Regulation in the same period.

### **8 Committees of review**

If a committee of review appointed under Regulation 92C of the *Motor Traffic Regulations 1935* that has not completed consideration of or reported to the Authority on a matter referred to it under that Regulation by the date on which this clause commences, such a committee is taken to have been appointed under clause 68 of this Regulation and may proceed with consideration of or a report on the Authority accordingly.

## Dictionary

### 1 Definitions

**ADR** (Australian Design Rule) means a national standard under the *Motor Vehicle Standards Act 1989* of the Commonwealth.

**air brake** means an air-operated or air-assisted brake.

**air brake test pressure**, in relation to the brake system of a vehicle, means half of the sum of the cut-in and cut-out pressures of the air compressor of that brake system, as shown by specification of the manufacturer of that brake system or vehicle.

**alternative headlight** means a light which is lighted in the place of a headlight by a dipping device.

**applicable gazetted fee**—see clause 79 (2).

**applicable scheduled fee**—see clause 79 (1).

**applicable vehicle standard**—see clause 56.

**approved material** means material with characteristics equivalent to those of material specified in one of the following standards:

- (a) Australian Standard AS R1–1965 “Safety Glass for Land Transport”.
- (b) Australian Standard AS R1–1968 “Safety Glass for Land Transport”.
- (c) Australian Standard AS 2080–1977 “Safety Glass for Vehicles”.
- (d) British Standards Institution BS 857:1967 “Specification for Safety Glass for Land Transport”, read with Amendments 1, 2, 3 and 4, as amended and in force at the commencement of the Appendix to Division 7 of Schedule F to the *Motor Traffic Regulations 1935*.
- (e) British Standards Institution BS 5282:1975 “Road Vehicle Safety Glass”, read with Amendments 1 and 2 as amended and in force at the commencement of that Appendix.

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- (f) 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” as amended and in force at the commencement of that Appendix,
  - (g) British Standards Institution BS AU178:1980 “Road Vehicle Safety Glass” as amended and in force at the commencement of that Appendix,
  - (h) Japanese Industrial Standard JIS R 3211–1999 “Safety Glasses for Road Vehicles” as amended and in force at the commencement of that Appendix,
  - (i) American National Standard ANSI Z26.1–1980 “Safety Code for Safety Glazing Materials for Glazing Motor Vehicles Operating on Land Highways” as amended and in force at the commencement of that Appendix.

**Note.** Copies of the above standards, except the Economic Commission for Europe standard referred to in paragraph (f), are available from offices of the Standards Association of Australia.

The standard referred to in paragraph (f) is available from the Federal Office of Road Safety, Department of Transport, Canberra.

***articulated bus*** means a bus:

- (a) consisting of at least 2 rigid sections with access between the sections for passengers, and
- (b) the sections of which are connected to each other so as to allow rotary movement between the sections.

***articulated vehicle*** means a motor vehicle having at its rear a portion, on wheels, which is pivoted to, and a part of which (not being a pole, drawbar or similar device or an accessory of the motor vehicle) is superimposed upon, the forward portion of the vehicle.

***Australian Standard*** means a standard, approved for publication on behalf of the Council of the Standards Association of Australia, as amended and in force at the commencement of the Appendix to Division 7 of Schedule F to the *Motor Traffic Regulations 1935*.

**Note.** Copies of Australian Standards are available from offices of the Standards Association of Australia.

*authorised examiner* means a person authorised to carry out any function under clause 63.

*authorised inspection station* means premises that a person is authorised to use under clause 64.

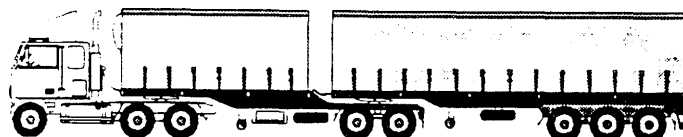
*authorised person* means a person authorised by the Authority to be an authorised person for the purposes of this Regulation.

*authorised proprietor* means a person authorised under clause 64.

*axle* means one or more shafts positioned in a line across vehicle, on which one or more wheels intended to support the vehicle turn.

*axle group* means a single axle group, tandem axle group, twinsteer axle group, tri-axle group or quad-axle group.

*B-double* means a combination consisting of a prime mover towing 2 semi-trailers.



**B-double**

*bicycle rack* means a device designed or adapted for attachment to the rear of any motor vehicle (other than a motor cycle or a motor tricycle) and designed or adapted for use for the transport of bicycles, wheelchairs, invalid chairs or other apparatus or, if approved by the Authority, other vehicles.

*bicycle rack number-plate* means a number-plate issued to the registered operator of a motor vehicle for display on a bicycle rack on the motor 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** means all the brakes of a vehicle and all the components of the mechanisms by which they are operated.

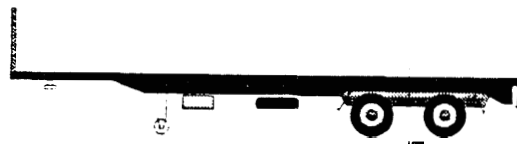
**British Standards Institution** means the institution of that name established under Royal Charter.

bus means a motor vehicle:

- (a) built mainly to carry people, and
- (b) that seats more than 9 adults (including the driver).

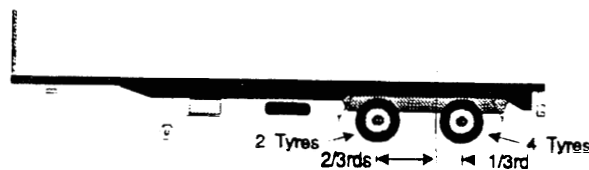
**centre of an axle group** means:

- (a) a line located midway between the centre lines of the outermost axles of the group, or
- (b) 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 one third of the way from the centre line of the axle with more tyres towards the centre line of the axle with fewer tyres.



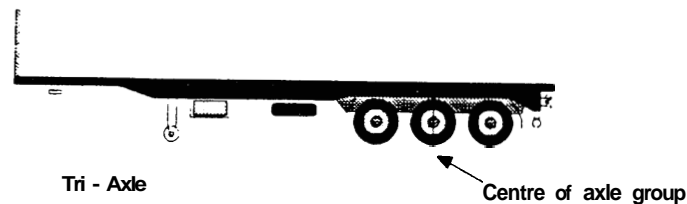
Tandem Axle - Equal No's of Tyres Centre of Axle Group

Centre of a tandem axle group fitted with an equal number of tyres on each axle

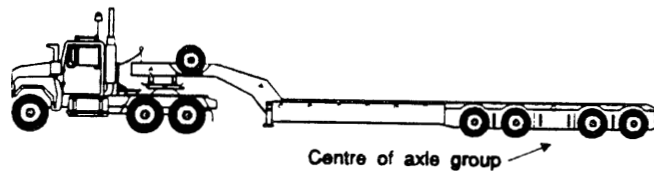


Tandem Axle - Different No's of Tyres Centre of Axle Group

Centre of a tandem axle group fitted with a different number of tyres on each axle



Centre of a tri-axle group



Centre of a quad-axle group

**centreline.** in relation to an axle or axle group, means a transverse line through the centre of the axle or axle group and which:

- (a) in the case of a single axle comprising more than one axle or a tandem axle group, not being a twin steer group:
  - (i) if both axles are fitted with an equal number of tyres, is a line located midway between those axles, or
  - (ii) if one axle is fitted with twice the number of tyres than the other axle, is a line one third of the distance between the axles away from the axle fitted with the greater number of tyres toward the axle fitted with the lesser number of tyres, and
- (b) in the case of a twin steer axle group, is a line located midway between the two axles in the group, and
- (c) in the case of a tri-axle group, is a line located midway between the extreme axles.

**certificate of approved operations** means a certificate issued in respect of a registrable vehicle in accordance with clause 60 (2).

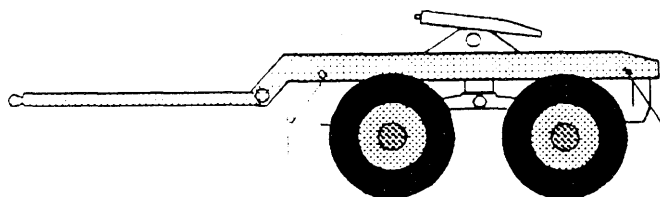


**clearance light** means a light which, when lighted, provides an indication of the width of a vehicle together with any loading or equipment on it either from the front or from the rear of the vehicle, as the case may be.

**combination** means a motor vehicle connected to one or more trailers.

**controlled access bus** means a bus, except an articulated bus, that is more than 12.5 metres long.

**converter dolly** means a trailer with one axle group or single axle and a fifth wheel coupling, designed to convert 3 semi-trailer into a dog trailer.



**Converter dolly**

**corporation** means a corporation recognised under the laws of Australia, including a foreign corporation and a body incorporated by or under statute.

**daylight** means the period starting half an hour before sunrise and ending half an hour after sunset.

**dealer**, in relation to a vehicle, means the holder of a dealer's licence under the *Motor Dealers Act 1974*.

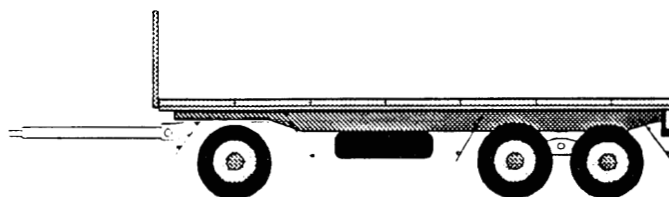
**dipping device** means a device by which the driver of a motor vehicle whilst retaining his or her normal driving position:

- (a) can cause the main beam of light projected by each of the headlights of a motor vehicle which has 2 headlights or by the headlight of a motor vehicle which has one headlight to be dipped, or

- (b) can extinguish each of the headlights of a motor vehicle which has 2 headlights or the headlight of a motor vehicle which has one headlight, and simultaneously light 2 alternative headlights or one alternative headlight (as the case may be), or
- (c) can extinguish each set of headlights where a motor vehicle has 4 headlights. in sets of 2, and simultaneously light one light in each set.

**dog trailer** means a trailer (including a trailer consisting of a semi-trailer and converter dolly) with:

- (a) one axle group or single axle at the front that is steered by connection to the towing vehicle by a drawbar, and
- (b) one axle group or single axle at the rear.



**Dog trailer**

**drawbar** means a part of a trailer (other than a semi-trailer) that connects the trailer body to B coupling for towing purposes.

**drawbar length.** in relation to a trailer, means the horizontal distance from the centreline of the towing pivot to the centreline of the foremost axle group of the trailer.

**driver** means the person driving or in control of a motor vehicle and includes, in relation to the driving of a trailer, the person driving or in control of the motor vehicle towing the trailer.

**D-value** means the strength capacity of a connection device as defined in:

- (3) Australian Standard AS 1773–1990 “Articulated Vehicles—Fifth Wheel Assemblies”, or

- (b) Australian Standard AS 2213–1984 “50 mm Pin-type Couplings and Drawbar Eyes for Trailers”, or
- (c) Australian Standard AS 2175–1990 “Articulated Vehicles—King Pins”.

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

***effective range*** means the distance at which a light, when lighted, will illuminate and render easily discernable under normal atmospheric conditions between sunset and sunrise any person dressed in dark clothing, or any substantial dark object, in front of the vehicle to which the light is affixed.

***eligible pensioner*** means a person:

- (a) who is the holder of a Pensioner Concession Card which is in force issued by the Commonwealth Department of Social Security or the Commonwealth Department of Veterans' Affairs, or
- (b) who is in receipt of a pension or other amount paid by the Commonwealth Department of Veterans' Affairs in respect of a war-caused disability seriously affecting the person's powers of movement, being a pension or other amount (or a pension or other amount below a rate) approved by the Authority for the purposes of this paragraph, or
- (c) who is an armed services widow within the meaning of the *Social Security Act 1991* of the Commonwealth, and
  - (i) who is in receipt of a pension under Part II or IV of the *Veterans' Entitlements Act 1986* of the Commonwealth at the maximum rate applicable under section 1064 (5) of the *Social Security Act 1991* of the Commonwealth, and
  - (ii) who is under the pension age for the person set out in section 5QA of the *Veterans' Entitlements Act 1986* of the Commonwealth.

and

- (d) who is the holder of a current licence to drive a vehicle, being a licence for which no fee was payable by virtue of the *Motor Traffic Regulations 1935*, or
- (e) who is not the holder of any such licence, but:
  - (i) who has satisfied the Authority, by the production of a certificate from a medical practitioner, that the person is not medically fit to drive a vehicle, or
  - (ii) who has otherwise satisfied the Authority that the person should be treated as an eligible pensioner for the purposes of this Regulation.

***eligible vehicle*** means a vehicle that is eligible for registration in accordance with clause 7.

***emergency brake*** means a brake designed to be used if a service brake fails.

***emergency vehicle*** has the same meaning as in Regulation 80 of the *Motor Traffic Regulations*.

***examiner's authority*** means an authority in force under clause 63.

***fifth wheel assembly*** means a device fitted to a prime mover or converter dolly to permit quick coupling and uncoupling of a semi-trailer and which provides for articulation of the resultant motor vehicle combination.

***fifth wheel coupling*** means a device, other than the upper rotating element and the kingpin (which are parts of a semi-trailer), used with a prime mover, semi-trailer or a converter dolly to permit quick coupling and uncoupling and to provide for articulation.

***forfeited vehicle*** means a registrable vehicle that is the subject of a forfeiture order of a Local Court made under section 27 of the Act.

***forward-control passenger vehicle*** means a motor car having up to 9 seating positions (including the driver's) and that has:

- (a) the centre of the steering wheel in the forward quarter of the vehicle's total length (including bumpers or over-riders if any), and
- (b) a gross vehicle weight not exceeding 3.5 tonnes, and
- (c) a total weight of passengers carried not less than half of the difference between the empty weight and the gross vehicle weight (the total weight being calculated at the rate of 68 kilograms per the maximum number of seating positions).

**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.

**gross road train mass** means the sum of the laden masses of each component vehicle comprising a road train.

**ground clearance** means the minimum distance to the ground from the underside of a vehicle excluding its tyres, wheels, wheel hubs, brake backing plates and flexible mudguards or mudflaps.

**GTM** (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.

**hauling unit** means a rigid vehicle or prime mover.

**high-beam**, in relation to a headlight or front fog light fitted to a vehicle, means that the light is built or adjusted so that when the vehicle is standing on level ground, the top of the main beam of light projected is above the low beam position.

**identification label**, in relation to a trader's plate, means an identification label for a trader's plate issued under this Regulation.

**identification plate** means a plate authorised to be placed on a vehicle, or taken to have been placed on a vehicle, under the *Motor Vehicle Standards Act 1989* of the Commonwealth.

***implement*** means a motor vehicle which comprises an excavator road grader, road roller, bulldozer, forklift truck or other machinery or apparatus and is not constructed on a chassis of a type normally used in the construction of a motor lorry.

***independent braking system*** means a braking system which is operated entirely separately from any other braking system on the vehicle except that any drum, disc or part on which a shoe or band or friction pad makes contact may be common to more than one braking system.

***inspect***, in relation to a registrable vehicle, includes observe the vehicle's performance, with or without the use of instrumentation.

***inspection report***, in relation to a registrable vehicle, means an inspection report issued under clause 63 for the vehicle.

***jurisdiction*** means a State, the Australian Capital Territory or the Northern Territory, as the case requires.

***left***, in relation to a vehicle, means to the left of the centre of the vehicle when viewed by a person in the vehicle and facing towards the front of the vehicle.

***light vehicle*** means a registrable vehicle that is not a heavy vehicle.

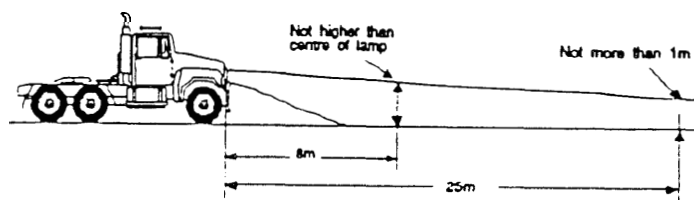
***load-sharing suspension system*** means an axle group suspension system that:

- (a) is built to divide the load between the tyres on the group so that no tyre carries a mass more than 10% greater than the mass it would carry if the load were divided equally, and
- (b) has effective damping characteristics on all axles of the group.

***low-beam***, in relation to a headlight or front fog light fitted to a vehicle, means that the light is built or adjusted so that, when the vehicle is standing 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 at a point 8 metres in front of the vehicle, and

- (b) not more than one metre higher than the level on which the vehicle is standing, when measured at a point 25 metres in front of the vehicle.



#### A headlight in the low-beam position

**Note.** See clause 10.7 (1) of the Appendix to Part 6 of Schedule 4 as to the application of the Appendix to vehicles with retractable axles.

**major defect notice**—see clause 77 (1) (a).

**minor defect notice**—see clause 77 (1) (b).

**motor car** means any motor vehicle, except a motor cycle, which is constructed principally for the conveyance of persons.

**motor car derivative** means a motor vehicle:

- (a) that is of the kind known as a utility, station waggon or panel van, and
- (b) that is of the same make as a factory produced motor car, and
- (c) in which that part of the body form that is forward of the windscreen and the greater part of the mechanical equipment are the same or substantially the same as in a factory produced motor car.

**motor cycle** means any motor vehicle that has 2 wheels, or where a sidecar or box is attached to such a vehicle, has 3 wheels and includes a motor tricycle.

**motor lorry** means any motor vehicle (whether or not in combination with any trailer) that is constructed principally for the conveyance of goods or merchandise or for the conveyance of any kind of materials used in any trade, business or industry, or for use in any work whatsoever other than the conveyance of persons, but does not include a motor cycle or a tractor.

***motor registry*** means a place at which registration of a registrable vehicle can be effected by or on behalf of the Authority.

***motor tricycle*** means any motor vehicle having three wheels and having a GVM of one tonne or less.

***motor vehicle combination*** means a hauling unit with one or more trailers attached.

***mourning coach*** means any motor vehicle that is owned and operated by a person who is carrying on a business of directing funerals and that is, except when used for private purposes, used only for conveying mourners to and from funeral services and functions related to such services.

***mudguard*** means a fitting or device, with or without a mudflap, which 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 for which the fitting or device is provided.

***multi-purpose vehicle*** means a motor car other than a forward-control passenger vehicle, designed principally for the conveyance of not more than 8 persons and which is constructed either on a motor lorry chassis or with special features for off-road operation.

***nominated configuration*** means the configuration in which a registrable vehicle will operate for the registration period, as nominated by the registered operator.

***operations plate*** means a plate installed on a registrable vehicle in accordance with clause 60 (2).

***owner***, in relation to a vehicle, means:

- (a) a person in whose name the vehicle is registered under a Commonwealth, State or Territory Act, or
- (b) a person who, according to the vehicle registration authority's records, has acquired the vehicle from the person in whose name the vehicle is registered under the relevant Act, or



- (c) if the vehicle is not registered—a person to whom a mark, plate, or permit has been issued to allow the vehicle to be used, or
- (d) a person who is entitled to the possession of the vehicle.

penalty notice means a penalty notice served on a person under section 18B of the *Traffic Act 1909*.

***personally imported vehicle*** means a vehicle built after 1968:

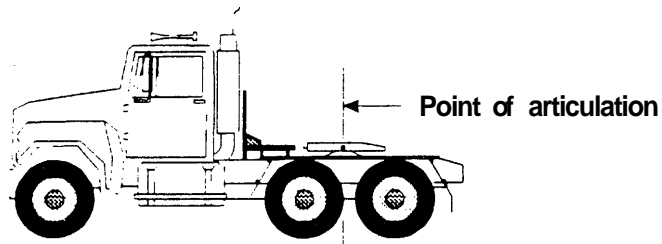
- (a) that was owned and used by the person importing it into Australia for a continuous period of at least 3 months before its entry into Australia, and
- (b) the owner of which, at the time of importation:
  - (i) is an Australian citizen or an Australian permanent resident or is a person who has applied to become an Australian citizen or an Australian permanent resident, and
  - (ii) is of an age that entitles him or her to hold a licence or a permit to drive a vehicle of that type, and
  - (iii) has not imported another vehicle owned by him or her within the year ending on the day on which the vehicle is landed in Australia.

pig trailer means a trailer fitted with no axle group other than one non-steerable axle group.

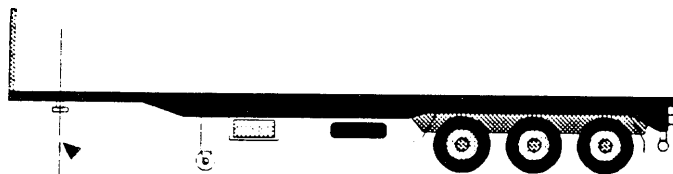
plate holder—see clause 18

***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.

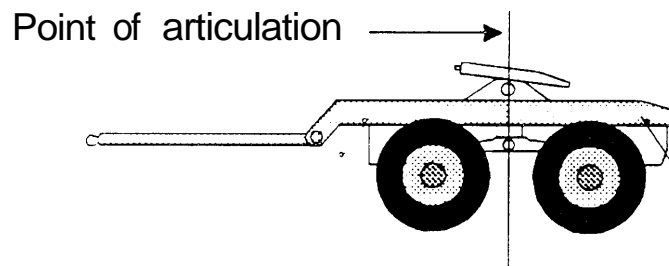


Articulation—fifth wheel on a prime mover



Point of articulation

Point of articulation—kingpin for fifth wheel

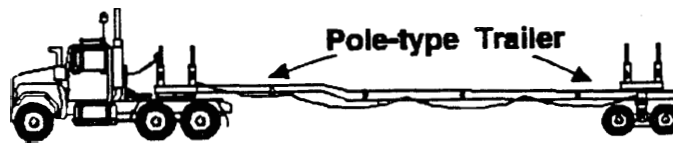


Point of articulation—fifth wheel coupling on a converter dolly  
(forming the front axle group of a dog trailer)

*pole-type trailer* or *pole trailer* means a trailer that:

- (a) is attached to a towing vehicle by means of a pole or an attachment fitted to the pole, and

- (b) is ordinarily used for transporting loads, such as logs, pipes, structural members or other long objects, that are generally capable of supporting themselves like beams between supports.



**Pole-type trailer**

***police vehicle*** means a vehicle driven by:

- (a) a member or special member of the Australian Federal Police, or
- (b) a member, however described, of the Police Force of a State or Territory, or
- (c) a service police officer within the meaning of the *Defence Force Discipline Act 1982* of the Commonwealth.

acting in the course of his or her duty.

***prime mover*** means a motor vehicle built to tow a semi-trailer.

***private hire car*** means a motor vehicle, other than a bus, that does not ply or stand for hire in a public street but is used for the conveyance of passengers for reward.

***proprietor's authority*** means an authority in force under clause 64.

***public passenger vehicle*** means a registrable vehicle that is constructed principally for the conveyance of passengers and that is:

- (a) used for conveying passengers for hire or reward, or
- (b) equipped to seat more than 8 adults, including the driver, and is used for conveying passengers in the course of trade or business.

***public utility service vehicle*** means a vehicle being used by a public authority or statutory body in connection with the supply of water, gas, electricity or the like or to remove garbage.

***quad-axle group*** means a group of 4 axles, in which the horizontal distance between the centre lines of the outermost axles is more than 3.2 metres but not more than 4.9 metres.

***rear fog light*** means a light used on a vehicle to make it more easily visible from the rear in dense fog.

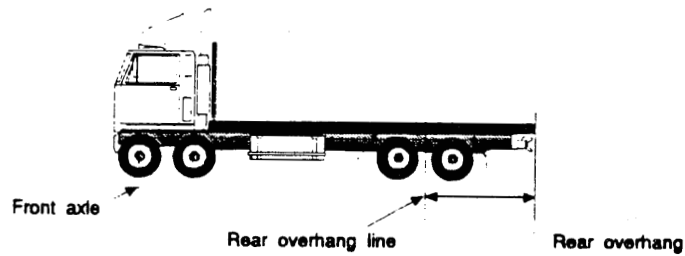
***rear overhang***, in relation to a vehicle, means:

- (a) in respect of any provision of Part 6 of Schedule 4 (including the Appendix to that Part)—the distance between the rear overhang line and the rear of the vehicle, or
- (b) in respect of any other provision of this Regulation—so much of a vehicle as is between the rearmost point of the vehicle and:
  - (i) if there is only one axle in the rear half of the vehicle—the centreline of that axle, or
  - (ii) if there are 2 axles in the rear half of the vehicle each fitted with the same number of tyres—the point that is midway between the centres of such axles, or
  - (iii) if there are 2 axles in the rear half of the vehicle with one axle fitted with twice the number of tyres as the other—the point that is one—third of the distance from the centre of the axle carrying the greater number of tyres towards the centre of the axle carrying the lesser number of tyres, or
  - (iv) if there is a group of more than two axles in the rear half of the vehicle—the point that is midway between the centres of the rearmost and foremost of the axles of that group.

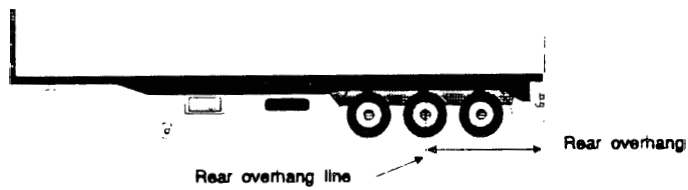
***rear overhang line*** means:

- (a) if there is a single axle at the rear of the vehicle—the centre line of the axle, or

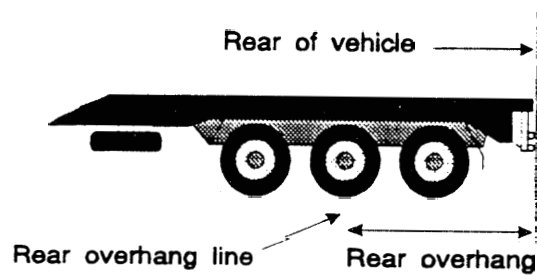
- (b) if there is an axle group at the rear of the vehicle—the centre of the axle group, determined without regard to the presence of any steerable axle unless all axles in the group are steerable.



Rear overhang and rear overhand line—motor vehicle



Rear overhang and rear overhang line—semi-trailer



Rear overhang and rear overhang line—vehicle with tri-axle group at rear

**registration charge**—see clause 81 (1).

**registration label** means a registration label issued under clause 17.

**registration number** means a number referred to in clause 20 (1).

**regular passenger service** has the same meaning as in the *Passenger Transport Act 1990*.

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

**restored vehicle** means a vehicle that is being or has been restored to its manufacturer's specifications, so far as it is reasonably practicable to meet those specifications.

**retractable axle** means an axle with a means of adjustment enabling it to be raised or lowered relative to the other axles in the axle group.

**Note.** See clause 10.7 (1) of the Appendix to Part 6 of Schedule 4 as to the application of the Appendix to vehicles with retractable axles.

**right**, in relation to a vehicle, means to the right of the centre of the vehicle when viewed by a person in the vehicle and facing towards the front of the vehicle.

**road train** means a combination, other than a B-double, consisting of a motor vehicle towing at least 2 trailers (counting as one trailer a converter dolly supporting a semi-trailer).



**Road train**

**safety risk** means danger to a person, to property or to the environment.

**seasonal vehicle** means a registrable vehicle used during part of the year only and of a type approved by the Authority for seasonal use.

**seat belt** 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.

**seat belt anchorage point** means the part of a motor vehicle which is designed to secure a seat belt to the motor vehicle.

**second edition ADR**—see clause 10.1 (1) of the Appendix to Part 6 of Schedule 4.

**security interest** means an interest in, or a power over, goods that secures payment of a debt or other pecuniary 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.

**semi-trailer** means a trailer (including a pole-type trailer) that has:

- (a) one axle group or single axle towards the rear, and
- (b) 3 means of attachment to a prime mover that would result in some of the load being imposed on the prime mover.

**service brake** means the brake normally used to decelerate a vehicle.

**sidecar** means any car, box or other receptacle attached to the side of a motor cycle and for the carriage of which a third wheel is provided.

**side marker light** means a light which, when lighted, is visible from the side of the vehicle on which it is affixed.

**single axle** means an axle not forming part of an axle group.

**single axle group** means a group of 2 or more axles, in which the horizontal distance between the centre lines of the outermost axles is less than 1 metre.

**special number-plate** means a number-plate with a number that is comprised of:

- (a) one to 6 letters only, or

- (b) one to 6 numbers only, or
- (c) a combination of one or more letters with one or more numbers. being a combination that does not exceed 6 letters and numbers, and
  - (i) that is not routinely issued by the Authority, or
  - (ii) that the Authority has determined should be treated as a special number.

**spring brake** means a brake using one or more springs to store the energy required to operate the brake.

**stamp duty legislation** means the provisions of the *Stamp Duties Act 1920* and the *Duties Act 1997* relating to the payment of duty on the registration or transfer of registration of a motor vehicle, trailer or other registrable vehicle.

**Standards Association of Australia** means the Association of that name incorporated under Royal Charter.

**station waggon** means a motor vehicle:

- (a) in which such part of the body form as is adjacent to and forward of the front seat or seats, and the greater part of the mechanical equipment, are the same or substantially the same as in a motor 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 the loading and unloading of goods, and
- (d) that is manufactured with a rear seat or seats which can be folded or removed readily to provide additional floor space for the carriage of goods, and
- (e) that, when the seat or seats immediately to the rear of the front seat or seats are in position for the accommodation of persons, has a substantial space for the carriage of goods in proportion to the overall size of the interior of the vehicle.

**steerable axle** means an axle the wheels of which are connected to a steering mechanism for the vehicle.



**street vending vehicle** means a motor vehicle or trailer used for the hawking of ice cream (including any form of frozen confection containing ice cream, flavoured ice, fruit-ice, water-ice or a substitute for ice cream) or chocolates, sweets or other confectionery.

**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 1 metre, but not more than 2 metres.

**tandem driven axle group** means a tandem axle group of a vehicle in which both axles of the axle group are connected to, and driven by, the engine of the vehicle.

**taxi-cab** means a motor vehicle (other than a bus) that plies or stands in a road or road related area for hire for the conveyance of passengers.

**the Act** means the *Road Transport (Vehicle Registration) Act 1997*.

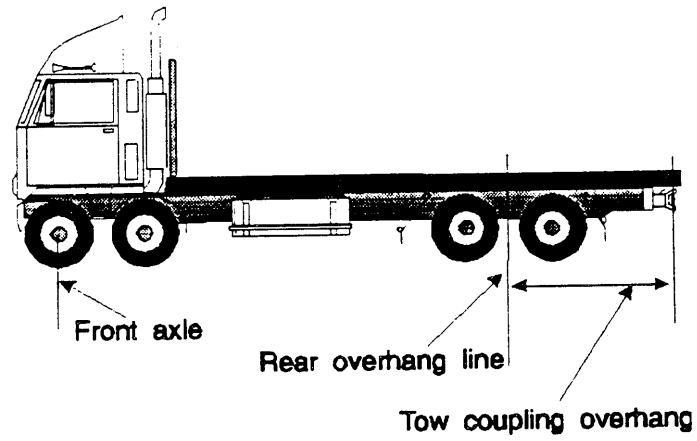
**third edition ADR**—see clause 10.2 (1) of the Appendix to Part 6 of Schedule 4.

**third party insurance legislation** means the provisions of the *Motor Accidents Act 1988* relating to:

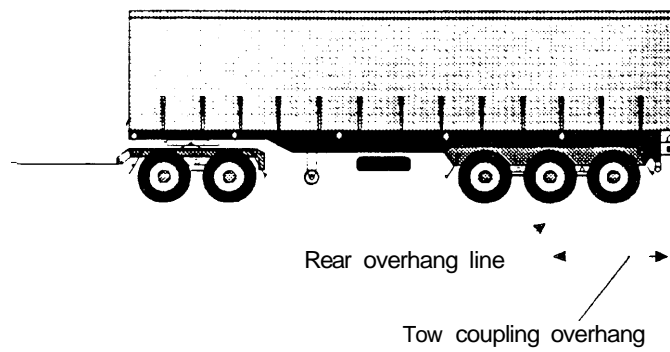
- (a) compensation in respect of third parties who are injured or killed by the use of motor vehicles or trailers, or
- (b) payment of contributions towards compensation of that kind.

**tow coupling** means a mechanical assembly by means of which a flexible connection is effected between 2 component vehicles of a motor vehicle combination.

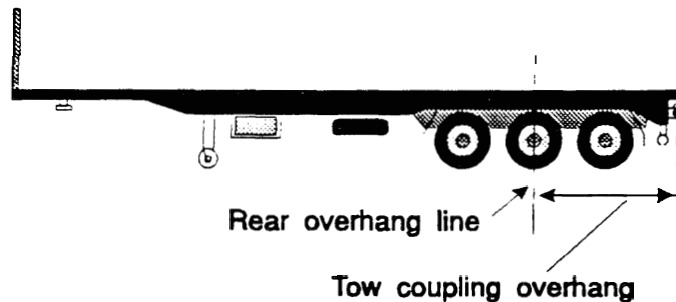
**tow coupling overhang** means the horizontal distance from the centre of the axle group, or the centre line of the single axle, at the rear of a vehicle to the pivot point of the coupling near the rear of the vehicle.



**Tow coupling overhang—motor vehicle**



**Tow coupling—dog trailer**



**Tow coupling overhang**—semi-trailer with extra coupling at rear *tow truck* means a motor lorry used for towing broken down or damaged vehicles and which comprises or has permanently affixed to it a crane or similar apparatus for lifting a vehicle partially clear of the ground and is equipped to maintain it in such a position whilst towing it and includes a tow truck within the meaning of the *Tow Truck Act 1989*.

*tow truck operator* has the same meaning as it has in the *Tow Truck Act 1989*.

*tractor* means any motor vehicle constructed principally for the purpose of supplying motive power for machinery or of hauling any vehicle, but which is not capable of carrying any loading (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 drawn or its loading.

*trader* means a manufacturer or repairer of or dealer in motor vehicles or trailers.

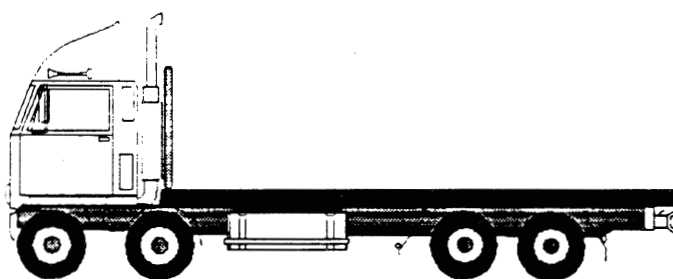
*tri-axle group* means a group of at least 3 axles, in which the horizontal distance between the centre lines of the outermost axles is more than 2 metres, but not more than 3.2 metres.

*turntable* means a bearing that is 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 semi-trailer, 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 1 metre. but not more than 2 metres.



**Twinsteer axle group on a motor vehicle**

***vacuum brakes*** means vacuum-operated or vacuum-assisted brakes.

***vehicle defect notice*** means a defect notice referred to in section 26 (2) (a) of the Act.

***vehicle inspection station*** means a place operated by the Authority for the purpose of determining whether registrable vehicles comply with the applicable vehicle standards for the vehicles.

***vehicle registration authority.*** in relation to a vehicle, means:

- (a) the authority that last registered the vehicle, or
- (b) if the vehicle has never been registered—the authority responsible for registering vehicles in the jurisdiction in which the vehicle is used or is intended to be used.

**VIN** means the Vehicle Identification Number allocated in accordance with the ADRs.

**vehicle number-plate**—see clause 18.

**wedding car** means any motor vehicle that is, except when used for private purposes, used only for conveying people to and from weddings and functions related to weddings.

**windscreen** means the main front windscreen and does not include any wind deflector or other subsidiary windscreen.

**yellow** includes amber.

**20 metre double combination** means a road train consisting of an articulated vehicle hauling one trailer, the overall length of which does not exceed 20 m.

**50 millimetre kingpin** means a kingpin meeting the dimension requirements for a 50 millimetre kingpin in Australian Standard AS 2175–1990 “Articulated Vehicles Kingpins”.

**75 millimetre kingpin** means a kingpin with the dimensions specified in clause 9.10 (4) of the Appendix to Part 6 of Schedule 4.

**90 millimetre kingpin** means a kingpin meeting the dimension requirements for a 90 millimetre kingpin in Australian Standard AS 2175–1990 “Articulated Vehicles Kingpins”.

## 2 Other expressions

In this Regulation, a reference to a tow truck is a reference to a tow truck operated or proposed to be operated by a tow truck operator.