



New South Wales

Road Transport (Heavy Vehicles Registration Charges) Regulation 2006

under the

Road Transport (Heavy Vehicles Registration Charges) Act 1995

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995*.

ERIC ROOZENDAAL, M.L.C.,
Minister for Roads

Explanatory note

The object of this Regulation is to repeal and remake, without substantial amendment, the *Road Transport (Heavy Vehicles Registration Charges) Regulation 2001*, which would otherwise be repealed on 1 September 2007 by section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation deals with the following matters for the purposes of the *Road Transport (Heavy Vehicles Registration Charges) Act 1995 (the Act)*:

- (a) declaring certain vehicles not to be special purpose vehicles,
- (b) declaring certain vehicles to be special purpose vehicles,
- (c) axle load limits for certain special purpose vehicles,
- (d) the method for calculating an amount to be used in a formula specified in the Act to determine the charge for the grant of a permit to operate vehicles with certain loads,
- (e) the calculation of a refund of registration and permit charges on cancellation of registration,
- (f) varying the annual registration fees payable under Part 2 of the Act,
- (g) matters of a machinery nature.

The amounts of the annual registration charges as varied by this Regulation are the same as those calculated in accordance with the procedures approved, and subject to the parameters set, by the Australian Transport Council or the National Transport Commission under the Agreement referred to in the *National Transport Commission Act 2003* of the Commonwealth.

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Explanatory note

This Regulation is made under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995*, including sections 9 (Variations in charges), 17 (Authority to determine charges), 22 (Refund of charges on cancellation of registration or permit) and 38 (the general regulation-making power), the definitions of *special purpose vehicle*, *special purpose vehicle (type o)* and *special purpose vehicle (type t)* in Part 1 of Schedule 1 to the Act, and Part 3 of Schedule 1.

This Regulation comprises or relates to matters arising under legislation that is substantially uniform or complementary with legislation of the Commonwealth or another State or Territory.

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Clause 1 Road Transport (Heavy Vehicles Registration Charges) Regulation 2006

Road Transport (Heavy Vehicles Registration Charges) Regulation 2006

under the

Road Transport (Heavy Vehicles Registration Charges) Act 1995

1 Name of Regulation

This Regulation is the *Road Transport (Heavy Vehicles Registration Charges) Regulation 2006*.

2 Commencement

This Regulation commences on 1 December 2006.

Note. This Regulation repeals and replaces the *Road Transport (Heavy Vehicles Registration Charges) Regulation 2001* which would otherwise be repealed on 1 September 2007 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definitions

(1) In this Regulation:

the Act means the *Road Transport (Heavy Vehicles Registration Charges) Act 1995*.

(2) Notes included in this Regulation do not form part of this Regulation.

4 Special purpose vehicles

For the purposes of the definition of *special purpose vehicle* in Part 1 of Schedule 1 to the Act:

- (a) each of the following vehicles is declared to be a special purpose vehicle:
 - (i) a forklift,
 - (ii) a straddle carrier,
 - (iii) a mobile cherry picker,
 - (iv) a mobile crane, and
- (b) each of the following vehicles is declared not to be a special purpose vehicle:
 - (i) a caravan,
 - (ii) a mobile home,
 - (iii) a mobile library,

- (iv) a mobile workshop,
- (v) a mobile laboratory,
- (vi) a mobile billboard.

5 Axle load limits for certain special purpose vehicles

For the purposes of the definitions of *special purpose vehicle (type o)* and *special purpose vehicle (type t)* in Part 1 of Schedule 1 to the Act, the load limit for an axle or axle group specified in Column 1 of Schedule 1 to this Regulation is that specified in Column 2 opposite that axle or axle group.

6 Calculation of “N” for the purposes of Part 3 of Schedule 1 to the Act

- (1) For the purposes of the formula set out in Part 3 of Schedule 1 to the Act, the number *N*, in relation to a vehicle or a combination of vehicles that includes one or more trailers, is the sum of the equivalent standard axles for each of the rows of tyres across the trailer or trailers.
- (2) For the purposes of subclause (1):
 - (a) the number of equivalent standard axles per row of 8 tyres across a trailer with an average load per row (tonnes) specified in Column 1 of Table A in Schedule 2 is that specified in Column 2 opposite that average load per row (tonnes), and
 - (b) the number of equivalent standard axles per row of 4 tyres across a trailer with an average load per row (tonnes) specified in Column 1 of Table B in Schedule 2 is that specified in Column 2 opposite that average load per row (tonnes).
- (3) For the purposes of subclause (2) and Schedule 2, the average load per row (tonnes) of tyres across a trailer is to be determined using the following formula:

$$\frac{C}{B}$$

where:

C is the loaded mass (in tonnes) of the trailer, and
B is the number of rows of tyres across the trailer.

7 Calculation of refund of registration and permit charges on cancellation of registration

- (1) For the purposes of section 22 (3) (b) of the Act, a refund of a registration charge or permit charge is to be calculated in accordance with this clause.

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- (2) A refund is to be calculated using the formula:

$$\left(\frac{\text{number of days} \times \text{charge}}{365} \right) - \text{fee}$$

where:

charge means the registration charge or permit charge paid under the Act.

fee means any unpaid fees payable under the *Road Transport (Vehicle Registration) Act 1997* or the *Road Transport (Vehicle Registration) Regulation 1998* (including any unpaid fee for the cancellation of the registration).

number of days means the number of unexpired days of the registration period or permit of the vehicle concerned, from the date on which the Authority cancels the registration of the vehicle or the permit.

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

8 Variation of charges

Pursuant to section 9 (1) and (4) of the Act:

- (a) the annual registration charge for a vehicle or combination of vehicles specified in Schedule 3 is varied as set out in that Schedule, and
- (b) the maximum amount that may be imposed in respect of such a charge (as published in the most recent notice referred to in section 9 (2) of the Act) is the same as the amount specified in Schedule 3 in relation to that charge.

Note. The annual registration charges specified in, or calculated in accordance with, Part 2 of Schedule 1 to the Act do not apply while this clause has effect.

9 Repeal and saving

- (1) The *Road Transport (Heavy Vehicles Registration Charges) Regulation 2001* is repealed.
- (2) Any act, matter or thing that had effect under the *Road Transport (Heavy Vehicles Registration Charges) Regulation 2001* immediately before the repeal of that Regulation is taken to have effect under this Regulation.

Schedule 1 Axle load limits for certain special purpose vehicles

(Clause 5)

Column 1	Column 2
Type of axle or axle group	Axle load limit (tonnes)
Single axle	
(a) 2 tyres	6.0
(b) 2 wide profile tyres:	
(i) 375 mm to 450 mm	6.7
(ii) over 450 mm	7.0
(c) 4 or more tyres:	
(i) on pig trailers	8.5
(ii) on other trailers	9.0
Twin steer axle groups (2 consecutive axles connected to the same steering mechanism)	
(a) non-load sharing suspensions	10.0
(b) load sharing suspensions	11.0
Tandem axle groups (2 consecutive axles connected by a load sharing suspension)	
(a) 4 tyres	11.0
(b) 4 wide profile tyres:	
(i) 375 mm to 450 mm	13.3
(ii) over 450 mm	14.0
(c) 6 tyres	13.0
(d) 8 or more tyres:	
(i) on pig trailers	15.0
(ii) on other vehicles	16.5
Tri-axle groups (3 consecutive axles connected by a load sharing suspension)	
(a) 6, 8 or 10 tyres	15.0

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Schedule 1 Axle load limits for certain special purpose vehicles

Column 1	Column 2
Type of axle or axle group	Axle load limit (tonnes)
(b) 6 wide profile tyres (375 mm or over):	
(i) on pig trailers	18.0
(ii) on other vehicles	20.0
(c) 12 or more tyres:	
(i) on pig trailers	18.0
(ii) on other vehicles	20.0

Schedule 2 Equivalent standard axles for rows of tyres across trailers

(Clause 6)

Table A Trailers with rows of 8 tyres

Column 1	Column 2
Average load per row (tonnes)	Equivalent standard axles per row
10 or more but fewer than 11	0.4
11 or more but fewer than 12	0.6
12 or more but fewer than 13	0.9
13 or more but fewer than 14	1.2
14 or more but fewer than 15	1.7
15 or more but fewer than 16	2.2
16 or more but fewer than 17	2.8
17 or more but fewer than 18	3.6
18 or more but fewer than 19	4.6
19 or more but fewer than 20	5.7
20 or more but fewer than 21	6.9
21 or more but fewer than 22	8.4
22 or more but fewer than 23	10.2
23 or more but fewer than 24	12.1
24 or more	14.4

Table B Trailers with rows of 4 tyres

Column 1	Column 2
Average load per row (tonnes)	Equivalent standard axles per row
5 or more but fewer than 6	0.1
6 or more but fewer than 7	0.3
7 or more but fewer than 8	0.5
8 or more but fewer than 9	0.9
9 or more but fewer than 10	1.5
10 or more but fewer than 11	2.2

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Schedule 2 Equivalent standard axles for rows of tyres across trailers

Column 1	Column 2
Average load per row (tonnes)	Equivalent standard axles per row
11 or more but fewer than 12	3.2
12 or more	4.6

Schedule 3 Annual registration charges

(Clause 8)

1 Load carrying vehicles

Item	Vehicle type	2-axle	3-axle	4-axle	5-axle
1	Truck (type 1)	\$343	\$686	\$1,029	\$1,029
2	Truck (type 2)	\$572	\$914	\$2,285	\$2,285
3	Short combination truck	\$629	\$2,285	\$2,285	\$2,285
4	Medium combination truck	\$4,342	\$4,342	\$4,684	\$4,684
5	Long combination truck	\$5,998	\$5,998	\$5,998	\$5,998
6	Short combination prime mover	\$1,485	\$3,883	\$5,025	\$5,025
7	Medium combination prime mover	\$4,569	\$5,711	\$6,283	\$6,283
8	Long combination prime mover	\$5,711	\$5,711	\$6,283	\$6,283

2 Load carrying trailer, converter dolly and low loader dolly

The charge for a load carrying trailer, converter dolly or low loader dolly is \$343 multiplied by the number of axles of the trailer or dolly.

3 Buses

Item	Bus type	2-axle	3-axle	4-axle
1	Bus (type 1)	\$343	Not applicable	Not applicable
2	Bus (type 2)	\$572	\$1,428	\$1,428
3	Articulated bus	Not applicable	\$572	\$572

4 Special purpose vehicles

Item	Special purpose vehicle type	Charge
1	Special purpose vehicle (type p)	No charge
2	Special purpose vehicle (type t)	\$229
3	Special purpose vehicle (type o)	\$286 plus (\$286 multiplied by the number of axles in excess of 2)

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Schedule 3 Annual registration charges

5 Vehicles in 2 or more categories

If a vehicle falls within 2 or more categories, the charge for the vehicle is the higher or highest of the charges applicable to the vehicle.

BY AUTHORITY
