



New South Wales

# Road Transport (Vehicle Registration) Amendment (Light Vehicles) Regulation 2019

under the

Road Transport Act 2013

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport Act 2013*.

ANDREW CONSTANCE, MP  
Minister for Transport and Roads

## Explanatory note

The object of this Regulation is to amend the *Road Transport (Vehicle Registration) Regulation 2017*:

- (a) to apply recent amendments to the national uniform legislation relating to light vehicles to New South Wales by amending the Light Vehicle Standards Rules set out in Schedule 2 to that Regulation, and
- (b) to make other minor and miscellaneous amendments.

This Regulation is made under the *Road Transport Act 2013*, including sections 23 (the general statutory rule-making power) and 24 and Schedule 1.

## **Road Transport (Vehicle Registration) Amendment (Light Vehicles) Regulation 2019**

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### **1 Name of Regulation**

This Regulation is the *Road Transport (Vehicle Registration) Amendment (Light Vehicles) Regulation 2019*.

### **2 Commencement**

This Regulation commences on 1 September 2019 and is required to be published on the NSW legislation website.

## **Schedule 1 Amendment of Road Transport (Vehicle Registration) Regulation 2017**

**[1] Clause 92 Immediate suspensions**

Omit “has wilfully failed to comply with” from clause 92 (1) (a).

Insert instead “intentionally or recklessly contravened”.

**[2] Schedule 1 Application of Chapter 4 of Act and Regulation**

Omit “18” from the heading to clause 3. Insert instead “68”.

**[3] Schedule 2 Light Vehicle Standards Rules**

Insert in alphabetical order in rule 3 (1):

*street rod vehicle* means a vehicle that has been modified for safe road use and that:

- (a) has a body and frame that were built before 1949, or
- (b) is a replica of a vehicle, the body and frame of which were built before 1949.

**[4] Schedule 2, rule 3 (1)**

Omit the definition of *VSB* (including the note).

**[5] Schedule 2, Part 3**

Insert after the heading:

**Note.** This Part applies the second and third edition ADRs to various vehicles.

Under this Part, a vehicle that is subject to ADRs when it is built generally remains subject to the ADRs throughout its life. However, a vehicle need not comply with a standard if the standard is replaced by, or inconsistent with, a later standard and the vehicle complies with the later standard. As a result, older vehicles may be fitted with any equipment allowed on newer vehicles.

Vehicles that are modified must continue to comply with the Light Vehicle Standards Rules. For guidance on vehicle modifications, see the Vehicle Standards Bulletin titled *VSB 14—National Code of Practice for Light Vehicle Construction and Modification (NCOP)*.

Rule 33 (7) (Horns, alarms, etc.) of the Light Vehicle Standards Rules modifies the effect of the corresponding ADR requirement.

Rule 115 (Rear marking plates and conspicuity markings) of the Light Vehicle Standards Rules extend the application of particular second or third edition ADRs to vehicles to which the ADRs are not expressed to apply.

The following provisions of the Light Vehicle Standards Rules apply to a vehicle instead of the corresponding ADR requirement:

- (a) rule 44 (6) and (7) (Window tinting),
- (b) rule 50 (Tyres—manufacturer’s rating),
- (c) rule 114 (5) (Other lights and reflectors).

**[6] Schedule 2, rule 20**

Omit the rule. Insert instead:

**20 Compliance with requirement to have particular equipment** (cf ALVSR 2015 r 20)

- (1) A vehicle is taken to have equipment mentioned in these rules only if the equipment is:
  - (a) in working order, and

(b) fitted to a trailer that is being towed by an eligible towing vehicle and the equipment must be connected to the eligible towing vehicle to perform its intended function—connected to the eligible towing vehicle.

(2) In this rule:

*eligible towing vehicle*, for a trailer, means a towing vehicle that has equipment that is capable of being connected to the equipment fitted to the trailer.

**[7] Schedule 2, rule 24 (3) (a)**

Insert “of the” after “section 15 (2)”.

**[8] Schedule 2, rule 32 (1)**

Omit “firmly fitted a mudguard”. Insert instead “a mudguard firmly fitted”.

**[9] Schedule 2, rules 32 (5) (c), 57 (1) (c) and 115 (2)**

Insert “or conspicuity markings” after “plates” wherever occurring.

**[10] Schedule 2, rule 33 (7)**

Insert after rule 33 (6):

(7) The provision of the relevant ADR that corresponds to subrule (3) applies to a vehicle as if that provision did not contain a reference to a bell.

**[11] Schedule 2, rule 52 (2)**

Insert “in all principal grooves on the tyre” after “deep”.

**[12] Schedule 2, rule 52 (4)**

Insert after rule 52 (3):

(4) In this rule:

*principal grooves*, in relation to a tyre, means wide grooves, other than secondary grooves:

(a) usually positioned in the central zone of the tyre tread but that may run across the tyre tread, and

(b) in which tread wear indicators are usually located.

*secondary grooves*, in relation to a tyre, means shallow grooves in the tyre tread that may disappear during the life of the tyre through wear.

*tread wear indicators*, in relation to a tyre, means projections within a groove of the tyre that indicate the degree of wear on the tyre’s tread.

**[13] Schedule 2, rule 115 Rear marking plates and conspicuity markings**

Omit rule 115 (1) (including the note). Insert instead:

(1) In this rule:

*conspicuity marking* means a conspicuity marking within the meaning of ADR 13/00.

**rear marking plate** means a rear marking plate that complies with the Vehicle Standards Bulletin titled *VSB 12—National Code of Practice—Rear Marking Plates*.

**Note.** The Vehicle Standards Bulletin titled *VSB 12—National Code of Practice—Rear Marking Plates* is available from the National Heavy Vehicle Regulator’s website at [www.nhvr.gov.au](http://www.nhvr.gov.au).

**[14] Schedule 2, rule 115 (2), note**

Insert after the subrule:

**Note.** See also the Vehicle Standards Bulletin titled *VSB 12—National Code of Practice—Rear Marking Plates* for requirements about “Do not overtake turning vehicle” signs that may apply to a vehicle fitted with conspicuity markings.

**[15] Schedule 2, rule 115 (2)**

Omit “**Location of tail lights on a vehicle**”.

Insert instead “**An example of rear marking plates**”.

**[16] Schedule 2, rules 144A and 144B**

Insert after rule 144:

**144A Hydrogen-powered vehicles** (cf ALVSR 2015 r 144A)

- (1) A hydrogen-powered vehicle built after 1 January 2019, or a vehicle modified to be a hydrogen-powered vehicle after 1 January 2019, must have fixed conspicuously to its front and rear number plates:
  - (a) for a vehicle fitted with 1 hydrogen fuel container—a label that complies with subrule (2), or
  - (b) for a vehicle fitted with 2 or more hydrogen fuel containers—2 labels that comply with subrule (2).
- (2) For the purposes of subrule (1), a label complies with this subrule if:
  - (a) it is affixed to a plate made of metal that is at least 1 millimetre thick, and
  - (b) the label, and the plate to which it is affixed, is a regular pentagonal shape:
    - (i) each side of which is 20 millimetres long, and
    - (ii) each interior angle of which is 108 degrees, and
  - (c) it has a yellow surface that complies with class 2 of AS 1906.1:2007, *Retroreflective Materials and Devices for Road Traffic Control Purposes—Retroreflective Sheeting*, and
  - (d) it is marked “H” in a black capital letter that is at least 10 millimetres high and has the orientation shown in the example, and
  - (e) it is fixed to the number plates so that the letter on the label is in an upright position, and
  - (f) it does not wholly or partly obscure any characters on the number plates.



**Note.** The example of the label is for illustrative purposes only and does not represent the label's actual size, dimensions or colour.

- (3) In this rule:  
***hydrogen-powered vehicle*** means a vehicle that:
- (a) is powered by a hydrogen fuel system, and
  - (b) has 1 or more hydrogen fuel containers fitted to the vehicle for the system.

**144B Electric-powered vehicles** (cf ALVSR 2015 r 144B)

- (1) An electric-powered vehicle that is built after 1 January 2019, or a vehicle modified to be an electric-powered vehicle after 1 January 2019, must have fixed conspicuously to its front and rear number plates a label that complies with subrule (2).
- (2) For the purposes of subrule (1), a label complies with this subrule if:
  - (a) it is affixed to a plate made of metal that is at least 1 millimetre thick, and
  - (b) the label, and the plate to which it is affixed, is an equilateral triangular shape:
    - (i) each side of which is 30 millimetres in length, and
    - (ii) each interior angle of which is 60 degrees, and
  - (c) it has a blue surface that complies with class 2 of AS 1906.1:2007, *Retroreflective Materials and Devices for Road Traffic Control Purposes—Retroreflective Sheeting*, and
  - (d) it is marked 'EV' in white capital letters that are at least 8 millimetres high and have the orientation shown in the example, and
  - (e) it is fixed to the number plates so that the letters on the label are in an upright position, and
  - (f) it does not wholly or partly obscure any characters on the number plates.



**Note.** The example of the label is for illustrative purposes only and does not represent the label's actual size, dimensions or colour.

- (3) However, this rule does not apply to a vehicle to which rule 144A applies even if the vehicle is fitted with an electric motor or traction motor that is used in conjunction with a hydrogen fuel system for the propulsion of the vehicle.
- (4) In this rule:
  - electric-powered vehicle* means a vehicle that is powered by 1 or more electric motors or traction motors that:
    - (a) are the only propulsion system for the vehicle, or
    - (b) are used in conjunction with another propulsion system for the vehicle.

**[17] Dictionary**

Omit “59” from the definition of *inspection report*. Insert instead “68”.