Queensland

Transport Operations (Road Use Management) Act 1995

TRANSPORT OPERATIONS (ROAD USE MANAGEMENT—VEHICLE STANDARDS AND SAFETY) REGULATION 1999

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Information about this reprint

This regulation is reprinted as at 7 July 2000. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

This page is specific to this reprint. See previous reprint for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

Queensland

TRANSPORT OPERATIONS (ROAD USE MANAGEMENT—VEHICLE STANDARDS AND SAFETY) REGULATION 1999

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TRANSPORT OPERATIONS (ROAD USE MANAGEMENT—VEHICLE STANDARDS AND SAFETY) REGULATION 1999

[as amended by all amendments that commenced on or before 7 July 2000]

CHAPTER 1—PRELIMINARY

Short title

1. This regulation may be cited as the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 1999*.

Commencement

2. This regulation commences on 1 October 1999.

Definitions—the dictionary

3. The dictionary in schedule 4 defines particular words used in this regulation.

Fees

4. Fees payable under this regulation are in schedule 3.

CHAPTER 2—VEHICLE STANDARDS

PART 1—VEHICLE STANDARDS

Vehicles must comply with vehicle standards

5.(1) A person must not drive or park a vehicle on a road if—

(a) the vehicle is not fitted with the equipment (the **"equipment"**) mentioned in, or required by, the vehicle standards, other than optional equipment, that is appropriate to the vehicle; or

(b) the equipment does not comply with the requirements specified in the vehicle standards; or

(c) the vehicle is not otherwise constructed and loaded to comply with the vehicle standards; or

(d) the vehicle, its parts or equipment are not in safe condition; or

(e) the vehicle is not unsafe, but it is otherwise defective; or

(f) optional equipment fitted to the vehicle does not comply with the requirements in the vehicle standards for the optional equipment.

Maximum penalty—20 penalty units.

(2) Without limiting subsection (1)(a), a vehicle is taken to be not fitted with the equipment mentioned in subsection (1)(a) unless—

(a) the equipment is fitted securely to the vehicle; or

(b) the vehicle standards impose a different requirement for fitting the equipment to the vehicle and it is fitted as required by the standards.

(3) Without limiting subsection (1)(f), optional equipment mentioned in subsection (1)(f) fitted to a vehicle is taken to not comply with the requirements of the vehicle standards unless—

(a) the optional equipment is fitted securely to the vehicle; or

(b) the vehicle standards impose a different requirement for fitting the optional equipment to the vehicle and it is fitted as required by the standards.

Modifying vehicle

6.(1) A person must not—

(a) modify a vehicle chassis; or

(b) modify a vehicle, its parts or equipment in a way that adversely affects the safety of the vehicle.

Maximum penalty—20 penalty units.

(2) However, a person does not contravene subsection (1) if—

(a) the modification complies with a code of practice mentioned in, or the chief executive's approval under, section 30(2); or

(b) the person reasonably believes the vehicle is not to be used on a road.

(3) A person must not alter, deface or remove from a vehicle an identification plate without the chief executive's approval.

Maximum penalty for subsection (3)—20 penalty units.

Modifying motor vehicle after speeding conviction

7.(1) This section applies if a person is convicted of, or pays an infringement notice penalty under the *Justices Act 1886*, part 4A for, an offence which involves driving at a speed exceeding 115 km/h—

(a) a motor vehicle that must, but does not, comply with ADR 65/00; or

(b) a motor vehicle that must, but does not, comply with part 11 of the vehicle standards; or

(c) a motor vehicle with a GVM of more than 15 t.

(2) The chief executive must, by written notice to the owner of the motor vehicle, require the owner to modify the motor vehicle to comply with—

(a) for a motor vehicle mentioned in subsection (1)(a)—ADR 65/00; or

(b) for a motor vehicle mentioned in subsection (1)(b) or (c)—part 11 of the vehicle standards.

(3) The owner must ensure that the motor vehicle is not driven or parked on a road until the owner satisfies the chief executive the owner has complied with the requirement under subsection (2).

Maximum penalty for subsection (3)—20 penalty units.

Unauthorised lights

8.(1) A person must not fit a light or reflector to a vehicle unless the light or reflector is required to be fitted to the vehicle or is optional equipment for the vehicle—

(a) under section 5;[1] or

(b) under a guideline or permit issued under section 10.

Maximum penalty—20 penalty units.

(2) However, a person does not contravene subsection (1) if the person reasonably believes the vehicle is not to be used on a road.

Modifying silencing devices

9.(1) A person must not drive a motor vehicle on a road if the vehicle's silencing device has been modified so as to reduce, or be likely to reduce, the effectiveness of the device.

Maximum penalty—20 penalty units.

(2) A person must not modify a motor vehicle's silencing device if the modification reduces, or is likely to reduce, the effectiveness of the device.

Maximum penalty—20 penalty units.

1 Section 5 (Vehicles must comply with vehicle standards)

(3) However, a person does not contravene subsection (2) if the person reasonably believes the vehicle is not to be used on a road.

PART 2—GUIDELINES AND PERMITS FOR SAFE MOVEMENT OF VEHICLES

Guidelines and permits for vehicles

10.(1) The chief executive may issue—

(a) a guideline, in the approved form, for the safe movement on a road of a type of vehicle; or

(b) a permit for the safe movement on a road of a particular vehicle.

(2) The commissioner may issue a permit for the safe movement on a road of a particular vehicle.

(3) The chief executive or the commissioner must consider all relevant matters in deciding whether or not, to issue a guideline or permit including, for example the following—

(a) the particular circumstances of the movement on a road of the type of vehicle or vehicle;

(b) whether in the circumstances—

(i) the type of the vehicle or vehicle may be moved safely; or

(ii) compliance with a provision of this regulation is unnecessary; or

(iii) the conditions of a guideline or permit will be as effective as, or more effective than, compliance with a provision of this regulation.

(4) The matters a guideline or permit may relate to include the following—

(a) the roads on which the type of vehicle or vehicle may, or may not, be driven;

(b) any permissible or requisite modifications to the type of vehicle or vehicle;

(c) the times when the type of vehicle or vehicle may, or may not, be driven;

(d) signs and warning devices to be displayed on the type of vehicle or vehicle.

(5) The roads on which the type of vehicle may be driven may be shown on a map in the guideline.

Permit contents and conditions

11.(1) A permit must state—

(a) for a vehicle that is—

(i) registered—the vehicle's registration number; or

(ii) not registered—the vehicle's make, model and vehicle identification number or chassis number; and

(b) the name and address of the person the permit is issued to; and

(c) the term it is issued for, not longer than 5 years; and

(d) the conditions of the permit.

(2) Despite the term mentioned in subsection (1)(c), a permit for a vehicle expires when the vehicle's registration is transferred or the vehicle is disposed of.

(3) A permit may include a condition requiring the permit holder—

(a) to pay the reasonable costs incurred, or that may be incurred, by the issuing authority, another department or a local government in relation to the issue of the permit; or

(b) to deposit with the chief executive an amount reasonably required by the issuing authority, another department or a local government as security for the costs mentioned in paragraph (a).

(4) Subsection (3) does not limit a condition that may be imposed under section 41.[2]

(5) If, no later than 28 days after the permit ends, the issuing authority decides an amount deposited as a condition of the permit is not sufficient security for the costs, the issuing authority may require a further amount to be deposited within a reasonable stated time.

(6) The issuing authority must, within 28 days after the permit ends—

(a) work out the costs incurred by it, another department or a local government; and

(b) if the costs incurred are less than the amount deposited as security for costs, refund the difference to the permit holder.

Driving under guideline or permit

12.(1) A person who—

(a) drives a vehicle in accordance with a current guideline, or a permit, issued for the vehicle; and

(b) if a permit has been issued for the vehicle, carries the permit in the vehicle;

need not comply with the provisions of this regulation stated in the guideline or permit.

(2) A person must not drive a vehicle displaying a sign or warning device required to be displayed on the vehicle under a guideline or permit for the vehicle unless the person is driving the vehicle in accordance with the guideline or permit.

Maximum penalty—30 penalty units.

2 Section 41 (Imposing conditions)

CHAPTER 3—VEHICLE SAFETY

PART 1—VEHICLE INSPECTIONS

When a vehicle is defective

13. A vehicle is **"defective"** if—

(a) a part of the vehicle that is necessary for the safe operation of the vehicle—

(i) does not perform its intended function; or

(ii) has deteriorated to an extent where it can not be reasonably relied on to perform its intended function; or

(b) a part of the vehicle that is necessary for the control of emissions of gas, particles or noise—

(i) does not perform its intended function; or

(ii) has deteriorated to an extent where it can not be reasonably relied on to perform its intended function; or

(c) the vehicle's odometer—

(i) does not perform its intended function; or

(ii) has deteriorated to an extent where it can not be reasonably relied on to perform its intended function; or

(d) the vehicle is unsafe.

Defect notices

14.(1) An authorised officer may specify in a defect notice, that the prohibition on use of the vehicle does not operate if the person driving the vehicle complies with specified conditions.

Example—

If a vehicle has faulty windscreen wipers, a person may be prohibited from driving a vehicle only while it is raining.

(2) If an authorised officer reasonably believes a vehicle is defective, the officer may, by notice in the approved form, require the owner of the vehicle to take stated reasonable action in relation to the vehicle to ensure it is not defective.

(3) A person must comply with a requirement of a defect notice given under subsection (2), unless the person has a reasonable excuse.

Maximum penalty—30 penalty units.

(4) A person need not comply with a requirement of a defect notice if—

(a) the vehicle's registration is cancelled and the person gives the authorised officer who issued the defect notice written notice of that fact within 7 days after the cancellation; or

(b) the vehicle is disposed of to a motor dealer and the person gives the chief executive written notice of the name and address of the motor dealer within 7 days after the disposal.

(5) If the driver to whom a defect notice is given is not the owner, the driver must immediately give the defect notice to the owner, unless the driver has a reasonable excuse.

Maximum penalty—30 penalty units.

Defective vehicle label

15.(1) If an authorised officer issues a defect notice for a vehicle, the officer may also attach a label (**"defective vehicle label"**) to a conspicuous part of the vehicle.

(2) A person must not remove a defective vehicle label from the vehicle, unless the person has a reasonable excuse.

Maximum penalty—30 penalty units.

(3) However, an authorised officer may remove the label if the officer is reasonably satisfied the vehicle is no longer defective.

Inspections by authorised officers for certificate of inspection

16. An authorised officer, other than a police officer, may issue a certificate of inspection for a vehicle.

Inspections by approved examiners for inspection certificate

17.(1) An approved examiner may issue an inspection certificate only for—

(a) a registered trailer with an ATM of 10 t or less; or

(b) another registered vehicle with a GVM of 16 t or less; or

(c) an unregistered vehicle.

(2) An approved examiner must not issue an inspection certificate for a vehicle unless—

(a) after a full inspection of the vehicle, the person reasonably considers the vehicle is not defective; and

(b) if the vehicle is a modified vehicle—

(i) the owner produces to the approved examiner a certificate of modification for the modification; or

(ii) a modification plate, that is stamped or engraved with details of the modification, is affixed to the vehicle.

Maximum penalty—40 penalty units.

(3) If, after a full inspection of a vehicle for the issue of an inspection certificate, an approved examiner reasonably considers the vehicle is not defective the approved examiner must immediately—

(a) for an SC vehicle—give a safety certificate, in the approved form, to the vehicle's owner or driver; or

(b) for a COI vehicle—give a certificate of inspection, in the approved form, to the vehicle's owner or driver.

Maximum penalty—30 penalty units.

(5) Before signing an inspection certificate, an approved examiner must ensure—

(a) the certificate is completed correctly and legibly; and

(b) no entry in the certificate has been altered.

Maximum penalty—30 penalty units.

(6) Before an inspection certificate is issued, the proprietor of the AIS must—

(a) if the vehicle is inspected at a fixed AIS—ensure the approved examiner has complied with subsection (5); and

(b) sign the certificate.

Maximum penalty—30 penalty units.

(7) If an approved examiner inspects a vehicle from a mobile AIS, the approved examiner may sign the certificate for the proprietor of the AIS to which the mobile AIS is attached.

(8) Before issuing a safety certificate, an approved examiner must indicate the date of issue of the safety certificate by punching a hole through the appropriate day and month on the label part of the safety certificate.

(9) If, after a full inspection of a vehicle for the issue of an inspection certificate, an approved examiner reasonably considers the vehicle is defective, the approved examiner must immediately give the vehicle's owner or driver a report (**"inspection report"**) that specifies how the vehicle is defective.

Reinspection by approved examiners for inspection certificate

18.(1) This section applies if a vehicle that is the subject of an inspection report is returned for reinspection, within 14 days, to the AIS where the inspection report was issued.

(2) Subject to subsection (3), the reinspection must be done by the approved examiner who signed the inspection report.

Maximum penalty—30 penalty units.

(3) If the approved examiner who signed the inspection report is absent from the AIS when the vehicle is to be reinspected, the reinspection may be done by another approved examiner who is accredited—

(a) to work at the AIS; and

(b) to inspect that type of vehicle.

(4) If neither a person mentioned in subsection (2) nor a person mentioned in subsection (3) is able to inspect the vehicle, the proprietor must—

(a) arrange for a full inspection of the vehicle at another time convenient to the vehicle's owner, at no further cost to the owner; or

(b) refund the amount paid for the vehicle's first inspection to the owner.

Maximum penalty—30 penalty units.

(5) If, after the reinspection, the approved examiner reasonably considers the defects specified in the inspection report have been satisfactorily corrected, the approved examiner must immediately—

(a) for an SC vehicle—give a safety certificate to the vehicle's owner or driver; or

(b) for a COI vehicle—give a certificate of inspection to the vehicle's owner or driver.

Maximum penalty—30 penalty units.

(6) If, after the reinspection, the approved examiner reasonably considers the defects specified in the inspection report have not been satisfactorily corrected or the vehicle is otherwise defective, the approved examiner must immediately—

(a) give the vehicle's owner or driver the inspection report that specifies how the vehicle is still defective; and

(b) mark the corresponding inspection certificate as cancelled.

Maximum penalty—30 penalty units.

Action more than 14 days after inspection report issued

19.(1) If a vehicle that is the subject of an inspection report is not returned for reinspection within 14 days after the inspection report was signed, the proprietor of the AIS where the inspection report was issued must mark the inspection certificate that corresponds with the inspection report as cancelled.

Maximum penalty—30 penalty units.

(2) If the vehicle is returned for reinspection more than 14 days after the inspection report was signed, an approved examiner may issue an inspection certificate for the vehicle only after another full inspection of the vehicle.

(3) In this section—

"returned for reinspection" means returned for reinspection to the AIS where the inspection report was issued.

SC vehicles for sale

20.(1) The owner of a registered SC vehicle that is for sale must ensure a current safety certificate is affixed to, or displayed on, a conspicuous part of the vehicle.

Maximum penalty—60 penalty units.

(2) Subsection (1) does not apply to—

(a) a demonstration vehicle; or

(b) a motor dealer, between the day the vehicle is delivered and the next business day, if the motor dealer—

(i) takes possession of the vehicle on the day immediately before a day other than a business day; and

(ii) has a reasonable excuse; or

(c) a vehicle on a motor dealer's approved business premises that is clearly marked as being not for sale; or

(d) a vehicle for sale at an auction to which only motor dealers are allowed to bid; or

(e) an owner who lives in an area mentioned in schedule 2, sections 2 to 5 for that type of vehicle.

(3) In this section—

"demonstration vehicle" means a vehicle—

(a) purchased by a motor dealer from the vehicle's manufacturer; and

(b) registered to the motor dealer; and

(c) used only for the purpose of demonstrating the vehicle with a view to the sale of vehicles of that type.

"safety certificate" means either the certificate or the label that comprises a safety certificate.

Disposal of registered vehicles

21.(1) The owner of a registered vehicle must not dispose of the vehicle to another person unless the owner—

(a) possesses a current inspection certificate for the vehicle; and

(b) gives the other person—

(i) for an SC vehicle—the original and duplicate copies of the certificate; or

(ii) for a COI vehicle—the original copy of the certificate.

Maximum penalty—60 penalty units.

(2) Subsection (1) does not apply to a vehicle being disposed of to a motor dealer.

Registered COI vehicles always require certificate of inspection

22.(1) The owner of a registered COI vehicle must possess a current certificate of inspection for the vehicle.

Maximum penalty—60 penalty units.

(2) Subsection (1) does not apply to—

(a) a new vehicle during the year after it is first registered; or

(b) a vehicle while used in an area mentioned in schedule 3, section 1 for that type of vehicle; or

(c) a special interest vehicle within the meaning of the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 1999*; or

(d) a vehicle operating under an approved alternative compliance scheme; or

(e) a vehicle in relation to which an extension of time is operating under section 24; or

(f) a vehicle while used in another State if the owner gives the chief executive a current certificate for the vehicle that the chief executive considers is at least equivalent to a certificate of inspection.

Currency of certificates

23.(1) A safety certificate is current—

(a) for a vehicle registered to a motor dealer—for 3 months after its issue, or until the vehicle has been driven a further 1 000 km after its issue, whichever happens first; or

(b) otherwise—for 2 months after its issue or until the vehicle has been driven a further 2 000 km after its issue, whichever happens first.

(2) A certificate of inspection is current—

(a) for a public passenger vehicle—for 6 months after its issue; and

(b) for a primary production vehicle—for 2 years after its issue; and

(c) otherwise—for 1 year after its issue.

(3) However, a vehicle's inspection certificate ceases to be current if—

(a) the vehicle is a private vehicle that is being disposed of; or

(b) the vehicle's registration under a registration law is cancelled; or

(c) the vehicle is modified.

(4) In this section—

"primary production vehicle" has the meaning given by the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 1999.*

Extension of time to comply

24.(1) The owner of a vehicle may apply to an authorised officer for an extension of a time to comply with—

(a) a defect notice; or

(b) section 22.

(2) The owner must state, in the application, the reasons for requiring the extension.

(3) If satisfied the reasons warrant the extension, the authorised officer may, by written notice, extend the time by no more than 2 months.

(4) The authorised officer may impose reasonable and relevant conditions on the extension.

Example of subsection (4)—

An authorised officer may prohibit the use of the owner's vehicle on a road until the owner complies with section 22.

PART 2—APPROVED INSPECTION STATIONS

AIS approvals

25.(1) The chief executive may grant an approval (an **"AIS approval"** for a person[3]—

(a) to operate—

(i) particular premises as a fixed AIS; or

(ii) particular premises as a fixed AIS and a vehicle as a mobile AIS; and

(b) to inspect particular types of vehicles at the AIS.

(2) The chief executive may grant an approval only if satisfied the applicant—

(a) is a suitable person to operate an AIS; and

(b) has, at the proposed AIS, the equipment that the chief executive reasonably considers necessary for inspecting vehicles of the type that may be inspected under the approval; and

(c) if the applicant is a person mentioned in section 26(1)(a) to (e)—has a nominee.

Nominees

26.(1) The holder of an AIS approval is required to have a nominee, if the holder—

(a) is a corporation; or

(b) is a partnership; or

(c) is already an AIS proprietor for other premises and has not appointed a nominee for the other premises; or

(d) is a nominee for another AIS; or

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3 See section 42 (Granting of approval) for the approval process.

(e) will not be present at the fixed AIS to supervise work on a daily basis.

(2) A person may apply to the chief executive for the appointment of an individual as the person's nominee.[4]

(3) The chief executive may approve the appointment of a person as a nominee only if satisfied the person—

(a) is an adult; and

(b) is an appropriate person to be a nominee.

(4) A person stops being a nominee if the person stops holding the position in which the person is charged with responsibility for the conduct of the business at the fixed AIS for which the approval was given.

(5) If—

(a) the holder of an AIS approval is required to have a nominee; and

(b) the person approved to be the nominee stops being the nominee;

the holder must apply for the appointment of another person as the nominee.

(6) Until the other person is appointed as the nominee, the AIS approval is suspended.

Exhibiting AIS approval

27.(1) The holder of an AIS approval must ensure—

(a) the approval is exhibited at the fixed AIS to which the approval relates in a place that—

(i) is open to the public; and

(ii) allows the approval to be read easily by a member of the public at the place; and

(b) a copy of the approval is carried in any mobile AIS to which the approval relates.

4 See section 42 for the approval process.

Maximum penalty—30 penalty units.

(2) The holder must produce the AIS approval or copy of the approval for inspection at the request of any person seeking to obtain an inspection certificate.

Maximum penalty—30 penalty units.

Keeping and maintaining equipment at AIS

28. The proprietor of an AIS must—

(a) keep at the AIS the equipment that the chief executive, when granting the AIS approval, reasonably considered necessary for inspecting vehicles of the type that may be inspected under the approval; and

(b) ensure the equipment is maintained so that it efficiently performs the function for which it is designed.

Maximum penalty—30 penalty units.

Inspections permitted at an AIS

29.(1) The proprietor of an AIS must ensure an approved examiner is available to inspect vehicles at the AIS during its ordinary business hours, unless the proprietor has a reasonable excuse.

Maximum penalty—30 penalty units.

(2) The approved examiner must be accredited to inspect vehicles of the type for which the AIS is approved.

Maximum penalty—30 penalty units.

(3) An approved examiner must not—

(a) inspect a vehicle at an AIS unless the vehicle is of a type for which the AIS is approved; or

(b) inspect a vehicle unless the examiner is accredited to inspect that type of vehicle; or

(c) inspect a vehicle at a place that is not an AIS, other than in accordance with an AIS approval that includes approval to operate a mobile AIS.

Maximum penalty—30 penalty units.

(4) The proprietor must—

(a) ensure each approved examiner employed at the AIS has a sound knowledge of an approved examiner's functions under the Act; and

(b) supervise each approved examiner employed at the AIS; and

(c) ensure the approved examiner discharges the examiner's functions under the Act.

Maximum penalty—30 penalty units.

PART 3—MODIFICATIONS

Approval of modified vehicle

30.(1) The owner of a modified vehicle on a road must ensure its modification has been approved by an authorised officer or approved person.

Maximum penalty—60 penalty units.

(2) After inspecting a vehicle, an authorised officer or approved person may approve a modification of the vehicle if, and only if—

(a) the modification complies with one of the following codes of practice approved by the chief executive under section 36—

(i) the Code of Practice—Light Vehicles;[5]

5 This code of practice is available at GoPrint.

(ii) the Code of Practice—Commercial Motor Vehicle Modifications;[6]

(iii) the National Code of Practice—Heavy Vehicle Modifications;[7] or

(b) if the modification is of a kind that is not covered by a code of practice mentioned in paragraph (a)—the modification is also approved by the chief executive.

Maximum penalty—40 penalty units.

(3) If the officer or person approves the modification, the officer or person must—

(a) give a certificate of modification, in the approved form, to the owner; and

(b) ensure a modification plate, in the approved form, that is stamped or engraved with details of the modification, is affixed to a conspicuous part of the vehicle.

(4) An approved person must not inspect and approve a modification to a vehicle, unless the person is accredited to approve that type of modification.

Maximum penalty—40 penalty units.

(5) A person must not—

(a) alter a modification plate on a vehicle without the chief executive's approval; or

(b) remove a modification plate from a vehicle without the chief executive's approval.

Maximum penalty—40 penalty units.

(6) In this section—

"authorised officer" does not include a police officer.

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6 This code of practice is available at the offices of the department at Transport House, Brunswick Street, Fortitude Valley.

7 This code of practice is available at the Australian Government Publishing Service.

PART 4—GENERAL

Notification of change

31.(1) The proprietor of a business must give the chief executive written notice if any of the following events happens—

(a) an approved examiner or approved person starts or finishes working at the proprietor's business;

(b) there is a change of the name or location of the proprietor's business;

(c) there is a change of ownership of the proprietor's business;

(d) the proprietor stops carrying on business.

Maximum penalty—30 penalty units.

(2) The notice must be given within 7 days after the event happens.

Maximum penalty—30 penalty units.

Notification if certificate or plate destroyed, lost or stolen

32.(1) A person must immediately notify the chief executive if an unused inspection certificate, modification certificate or modification plate issued to the person is destroyed, lost or stolen.

Maximum penalty—30 penalty units.

(2) The person must confirm the notification in writing within 7 days after the event happens.

Maximum penalty—30 penalty units.

Returning unused forms and plates

33.(1) If the proprietor of a business stops carrying on business, the proprietor must return to the chief executive—

(a) any unused inspection certificates and safety labels; and

(b) any unused inspection reports; and

(c) any unused modification certificates and modification plates.

Maximum penalty—30 penalty units.

(2) The proprietor must return the things within 7 days after the proprietor stops carrying on the business.

Document keeping

34.(1) The proprietor of a business must keep the following documents for 2 years after the document was made—

(a) the copy of an issued inspection report;

(b) the copy of an issued inspection certificate or certificate of modification.

Maximum penalty—30 penalty units.

(2) The proprietor of a business must keep a cancelled inspection certificate or certificate of modification for 2 years after the document was cancelled.

Maximum penalty—30 penalty units.

(3) A proprietor must keep a document mentioned in subsection (1) or (2) at the proprietor's business premises during its ordinary business hours.

(4) However, if the proprietor of a business stops carrying on business, the proprietor must return to the chief executive a document that the proprietor has kept under subsection (1) or (2).

Maximum penalty—30 penalty units.

Making, possessing or using false or misleading documents

35. A person must not, for a purpose under this regulation, make, possess or use a document that contains information the person knows is false or misleading.

Maximum penalty—60 penalty units.

Codes of practice

36.(1) The chief executive may approve a code of practice that provides technical guidance about—

(a) what constitutes a defective vehicle; or

(b) the modification of vehicles.

(2) If the chief executive approves a code of practice, the chief executive must, by gazette notice, notify—

(a) the giving of the approval; and

(b) where a copy of the code of practice is available from.

(3) The approval commences on the day on which it is notified.

(4) An approved code of practice is admissible as evidence in proceedings.

Prescribed approvals—Act, ss 17B and 18(c)(ii)

37.(1) The chief executive may refuse to grant or renew an approval under this regulation if the applicant or holder has been—

(a) convicted of an offence against this Act or a corresponding law; or

(b) convicted of a disqualifying offence; or

(c) charged with a disqualifying offence and the charge has not been finally disposed of.[8]

(2) An approval under this regulation is a prescribed approval for section 18(c)(ii) of the Act.

Seizing certain vehicles for sale—Act, s 46A

38. For section 46A(1)(b) of the Act, if the vehicle is an SC vehicle, a safety certificate is specified.

8 See the Act, schedule 3 (Dictionary) for the definition of "disqualifying offence".

CHAPTER 4—OBTAINING APPROVALS

Applying for approval

39. An application for an approval must be—

(a) made to the issuing authority in writing; and

(b) supported by enough information to enable the issuing authority to decide the application.

Deciding application

40. The issuing authority must consider an application for an approval within 28 days after it is received and decide either to—

(a) grant the approval; or

(b) refuse to grant the approval.

Imposing conditions

41. The issuing authority may impose reasonable and relevant conditions on an approval.

Granting of approval

42. If the issuing authority decides to grant the approval applied for, the issuing authority must give the approval in the approved form to the applicant promptly after making the decision.

Refusing to grant approval

43.(1) If the issuing authority decides to refuse to grant the approval applied for, the issuing authority must give written notice to the applicant of the decision promptly after making the decision.

(2) The notice must state—

(a) the reasons for the refusal; and

(b) the person may ask for the decision to be reviewed under section 44.

Review of decisions

44.(1) This section applies to a person whose interests are affected by a decision of the issuing authority—

(a) to refuse an approval; or

(b) to issue an approval on a condition.

(2) The person may apply, under chapter 4[9] of the Act, for a review of the decision as if the decision were stated in schedule 2A[10] of the Act.

(3) The person is entitled to receive a statement of reasons for the decision.

(4) The person may appeal against a reviewed decision to a Magistrates Court.

(5) Chapter 4 of the Act applies to a review and an appeal under the section.

CHAPTER 5—TRANSITIONAL PROVISIONS

Existing guidelines and permits

45.(1) A guideline or permit about vehicle standards issued under the *Traffic Regulation 1962* (the **"existing regulation"**) and in force immediately before the commencement of this section, is taken to be a guideline or permit issued under this regulation.

(2) The guideline or permit—

9 Chapter 4 (Review of and appeals against decisions) of the Act.

10 Schedule 2A (Reviewable decisions) of the Act.

(a) is subject to a condition applying to it under the existing regulation; and

(b) for a permit—expires when it would have expired under the existing regulation, unless it is sooner cancelled or suspended under the Act.

Existing approvals

46.(1) This section applies if, immediately before the commencement of this section, something was authorised by an approval under the repealed regulation.

(2) The holder of the approval is taken to be the holder of an approval under this regulation that authorises, to the greatest practicable extent, the same thing.

(3) The approval under this regulation—

(a) is, to the greatest practicable extent, subject to the same conditions that applied to the thing immediately before the commencement; and

(b) despite paragraph (a), expires at the earlier of the following—

(i) when it would otherwise expire;

(ii) 1 July 2000.

(4) Subsection (3)(b) does not apply to an approval mentioned in the repealed regulation, section 25A.

(5) In this section—

"approval", under the repealed regulation, includes an accreditation, appointment, certificate, consent or determination given, granted or made by the chief executive under the repealed regulation.

"repealed regulation" means the *Transport Operations (Road Use Management—Motor Vehicles Safety) Transitional Regulation 1994*.

Existing approved examiners and persons

47. A person who, immediately before the commencement of this section, holds an appointment as an approved examiner or approved person is taken to be an approved examiner or approved person under this regulation.

Existing defect notices

48. A defect notice given under the repealed *Transport Operations (Road Use Management—Motor Vehicles Safety) Transitional Regulation 1994* is, to the greatest practicable extent, taken to be a defect notice given under this regulation.

CHAPTER 6—REPEAL

Repeal

49. The *Transport Operations (Road Use Management—Motor Vehicles Safety) Transitional Regulation 1994* is repealed.

SCHEDULE 1

VEHICLE STANDARDS

section 3 and schedule 2, dictionary, definition "vehicle standards"

PART 1—PRELIMINARY

Non-application of standards—inconsistent ADR requirements

1. A provision of parts 4 to 12 of these standards does not apply to a vehicle if—

(a) the provision is inconsistent with a requirement of a second or third edition ADR applying to the vehicle; and

(b) the vehicle complies with the requirement.

Non-application of standards—Motor Vehicle Standards Act approvals

2. A provision of parts 4 to 12 of these standards does not apply to a vehicle if—

(a) the vehicle does not comply with a requirement of an ADR applying to the vehicle; and

(b) the provision corresponds to the requirement of the ADR; and

(c) despite the noncompliance, approval has been given under the *Motor Vehicle Standards Act 1989* (Cwlth), section 10A(2) or (3). to place identification plates on vehicles of that type;[11] and

(d) the vehicle complies with the approval conditions, if any.

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11 *Motor Vehicle Standards Act 1989* (Cwlth), section 10A (Approval for the placement of identification plates).

SCHEDULE 1 (continued)

PART 2—AUSTRALIAN DESIGN RULES

Division 1—Basic concepts

What is an "ADR"

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

What is a "national standard"

4. A **"national standard"** is a national standard under the *Motor Vehicle Standards Act 1989* (Cwlth), part 2.[12]

What is a "second edition ADR"

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

What is a "third edition ADR"

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

12 *Motor Vehicle Standards Act 1989* (Cwlth), part 2 (National standards)

SCHEDULE 1 (continued)

Division 2—Compliance with ADRs

Compliance with second edition ADRs

7.(1) If a second edition ADR recommends that the ADR should apply to a vehicle, the vehicle must comply with the ADR.

(2) If a second edition ADR has a requirement for a type of equipment fitted to a vehicle built on or after a stated time, any equipment of the same type fitted to the vehicle after it is built must comply with—

(a) the requirement as in force when the vehicle was built; or

(b) if the requirement is amended after the vehicle is built and before the equipment is fitted, the requirement as in force at any time between—

(i) when the vehicle was built; and

(ii) when the equipment was fitted.

(3) However, a vehicle, or equipment fitted to a vehicle, need not comply with a recommendation or requirement of a second edition ADR if—

(a) the recommendation or requirement is replaced by, or is inconsistent with, a requirement of a third edition ADR applying to the vehicle or equipment; and

(b) the vehicle or equipment complies with the requirement of the third edition ADR.

(4) If a second edition ADR allows a vehicle built on or after a stated time to be fitted with equipment, a vehicle built before the time may also be fitted with the equipment.

Compliance with third edition ADRs

8.(1) If a third edition ADR applies to the design and construction of a vehicle, the vehicle must comply with the ADR.

(2) If a third edition ADR contains a requirement for a type of equipment

SCHEDULE 1 (continued)

fitted to a vehicle built on or after a stated time, any equipment of the same type fitted to the vehicle after it is built must comply with—

(a) the requirement as in force when the vehicle was built; or

(b) if the requirement is amended after the vehicle is built and before the equipment is fitted, the requirement as in force at any time between—

(i) when the vehicle was built; and

(ii) when the equipment was fitted.

(3) However, a vehicle, or equipment fitted to a vehicle, need not comply with a requirement of a third edition ADR if—

(a) the requirement is replaced by, or is inconsistent with, a requirement of a later version of the ADR applying to the vehicle or equipment; and

(b) the vehicle or equipment complies with the requirement of the later version.

(4) If a third edition ADR allows a vehicle built on or after a stated time to be fitted with equipment, a vehicle built before the time may also be fitted with the equipment.

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

9. A vehicle need not comply with an ADR applied by section 7(1) or 8(1) if a determination or declaration under the *Motor Vehicle Standards Act 1989* (Cwlth), section 5B, provides that the vehicle is not a road vehicle for that Act.[13]

13 *Motor Vehicle Standards Act 1989* (Cwlth), section 5B (Determinations with respect to road vehicles).

SCHEDULE 1 (continued)

Exception to compliance with ADRs—Motor Vehicle Standards Act

10.(1) A vehicle need not comply with an ADR applied by section 7(1) or 8(1) if—

(a) despite noncompliance with the ADR, approval has been given, under the *Motor Vehicle Standards Act 1989* (Cwlth), section 10A (2) or (3), to place identification plates on vehicles of that type;[14] and

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

(2) A vehicle need not comply with an ADR applied by section 7(1) or 8(1) if—

(a) the vehicle may be supplied to the market under the *Motor Vehicle Standards Act 1989* (Cwlth), section 14A(1);[15] and

(b) for a vehicle for which an approval has been given under that section—the vehicle complies with the approval conditions, if any.

(3) A vehicle need not comply with an ADR applied by section 7(1) or 8(1) if—

(a) the vehicle may be used in transport in Australia under the *Motor Vehicle Standards Act 1989* (Cwlth), section 15(2);[16] and

(b) for a vehicle for which an approval has been given under that section, the vehicle complies with the approval conditions, if any.

14 *Motor Vehicle Standards Act 1989* (Cwlth), section 10A (Approval for the placement of identification plates).

15 *Motor Vehicle Standards Act 1989* (Cwlth), section 14A (Supply of nonstandard vehicles).

16 *Motor Vehicle Standards Act 1989* (Cwlth), section 15 (Nonstandard vehicles not to be used by manufacturers).

SCHEDULE 1 (continued)

Partial exception to compliance with ADRs—personally imported vehicles

11.(1) A personally imported vehicle must be fitted with—

(a) seat belts that are as effective as seat belts that meet an Australian Standard or British Standard for seat belts as in force when this section commenced; and

(b) seat belt anchorages that meet the number and location requirements of second or third edition ADR 5; and

(c) child restraint anchorages that meet the number, location, accessibility, thread size and form requirements of second edition ADR 34 or third edition ADR 5 or 34; and

(d) head restraints that meet the number, location and size requirements of second or third edition ADR 22.

(2) However, a personally imported vehicle need only meet the requirements of an ADR mentioned in subsection (1) if the ADR recommends that it should apply, or applies, to a vehicle of the same type.

(3) A personally imported vehicle need not otherwise comply with an ADR applied by section 7(1) or 8(1).

(4) In this section—

"personally imported vehicle" means a vehicle built after 1968 that is imported into Australia by a person who—

(a) owned and used the vehicle for a continuous period of at least 3 months before it was imported into Australia; and

(b) when the vehicle was imported into Australia, was—

(i) an Australian citizen, permanent resident or a person who had applied to become an Australian citizen or permanent resident; and

(ii) old enough to hold a driver's licence or learner's permit to drive the vehicle; and

SCHEDULE 1 (continued)

(c) within the previous year, had not imported into Australia another vehicle owned by the person.

Attaching compliance or identification plates

12.(1) A compliance plate must be attached to a motor vehicle built from 1 January 1972 to 31 August 1989 (both inclusive).

(2) A compliance plate or identification plate must be attached to a motor vehicle built after 31 August 1989.

(3) The compliance plate or identification plate must be attached to the motor vehicle in a conspicuous place.

(4) Subsections (1) to (3) do not apply to a vehicle that—

(a) may be imported into Australia without a compliance plate under the *Motor Vehicle Standards Act 1989* (Cwlth); and

(b) complies with each ADR that applies to it under section 7(1) or 8(1).

PART 3—ADOPTED STANDARDS

What is an "adopted standard"

13. An **"adopted standard"** is a standard, other than a national standard, that is applied, adopted or incorporated by these standards.

Example—

Section 52(7)[17] adopts Australian Standard AS 1906 *Retro-reflective Materials and Devices for Road Traffic Control Purposes*.

[17] Schedule 1, section 52 (Specifications for warning signs)

SCHEDULE 1 (continued)

Reference to adopted standards

14. Unless the contrary intention appears, a reference in a provision of this schedule to an adopted standard is a reference to the standard as in force when the provision commenced.

Exception to compliance with adopted standards

15. A vehicle need not comply with an adopted standard if—

(a) the standard is replaced by, or is inconsistent with, a later version of the standard; and

(b) the vehicle complies with the later version of the standard.

PART 4—GENERAL SAFETY REQUIREMENTS

Division 1—All vehicles

Steering

16.(1) A motor vehicle with a GVM over 4.5 t must have a right-hand drive.

(2) A motor vehicle with a GVM not over 4.5 t must have a right-hand drive if the vehicle is less than 30 years old.

(3) A motor vehicle has a right-hand drive if the centre of at least 1 steering control of the vehicle is to the right of, or in line with, the centre of the vehicle.

(4) A component of a 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.

SCHEDULE 1 (continued)

(5) Failure of a non-mechanical component of the steering system must not prevent effective steering of the vehicle.

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

Turning ability

17.(1) A motor vehicle must be able to turn in a circle not over 25 m in diameter, measured by the outer edge of the tyre track at ground level.

(2) The vehicle must be able to comply with subsection (1) whether it turns to the left or to the right.

Ability to travel backwards and forwards

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

Protrusions

19.(1) A thing fitted to a vehicle must be designed, built and fitted to the vehicle in a way that minimises the likelihood of injury to a person making contact with the vehicle.

(2) However, subsection (1) does not apply to a thing fitted to a vehicle if—

(a) the vehicle was designed before 1965 and the thing was part of the design of the vehicle; or

(b) the thing was fitted to the vehicle before 1965 in accordance with the law of the place where the thing was fitted.

SCHEDULE 1 (continued)

Driver's view and vehicle controls

20. A motor vehicle must be built—

(a) to allow the driver a view of the road and of traffic to the front and sides of the vehicle so the driver can drive the vehicle safely; and

(b) with its controls located so the driver can drive the vehicle safely.

Seating

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

Mudguards and spray suppression

22.(1) A vehicle must have firmly fitted—

(a) a mudguard for each wheel or for adjacent wheels; and

(b) for each axle group and single axle on a vehicle that is part of a B-double, spray suppression devices complying with Parts 1 and 2 of British Standard AU200-1984 *Spray Reducing Devices for Heavy Goods Vehicle*.

(2) However, subsection (1)(a) does not apply to a vehicle if—

(a) the construction or use of the vehicle makes the fitting of mudguards unnecessary or impracticable; or

(b) the body or part of the body of the vehicle acts as a mudguard.

Examples for subsection (2)(a)—

1. Pole-type trailers used to carry timber.
2. Most road-making plant.
3. Some agricultural equipment.

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

(a) reduce the danger of a person contacting the moving wheels; and

SCHEDULE 1 (continued)

(b) for the rear wheels—

(i) cover the overall tyre width of the wheel or wheels to which it is fitted; and

(ii) be fitted so the height above ground level of the lowest edge of the rear of the mudguard is not over one-third of the horizontal distance between the edge and the centre of the rearmost axle.

(4) However, a mudguard may be up to—

(a) 230 mm above ground level; or

(b) if a vehicle is built to be used off road—300 mm above ground level.

(5) The outside of a rear mudguard, other than a mudflap, of a vehicle that can be seen from the rear of the vehicle must be coloured white or silver if the vehicle—

(a) is at least 2.2 m wide; and

(b) has a body the vertical measurement of which is under 300 mm at the rear, measured from the lowest point of the body above ground level to the highest point; and

(c) is not fitted with rear marking plates in accordance with section 106.[18]

(6) For subsection (5)(a), the width of a vehicle is measured disregarding any anti-skid device mounted on wheels, central tyre inflation systems, lights, mirrors, reflectors, signalling devices and tyre pressure gauges.

Horns, alarms etc.

23.(1) A motor vehicle must be fitted with at least 1 horn or other device that can give sufficient audible warning to other road users of the approach or position of the vehicle.

[18] Schedule 1, section 106 (Rear marking plates)

SCHEDULE 1 (continued)

(2) A motor vehicle must not be fitted with a device that can make a sound like the sound of a siren, bell, exhaust whistle, compression whistle or repeater horn.

(3) However, subsection (2) does not apply to the following motor vehicles—

(a) a police vehicle;

(b) an emergency vehicle;

(c) a transport enforcement vehicle;

(d) an Australian Protective Service vehicle;

(e) an Australian Customs Service vehicle;

(f) an Airservices Australia vehicle;

(g) a vehicle at least 25 years old and fitted as a police or emergency vehicle if—

(i) the vehicle is used for exhibition purposes; or

(ii) it is part of a collection of former police or emergency vehicles;

(h) a motor vehicle fitted with an anti-theft alarm if the alarm can not be operated while the vehicle's ignition is on.

(4) Also, a motor vehicle may be fitted with a device that emits a regular, intermittent sound while the vehicle is reversing or in reverse gear.

(5) The device must not be louder than is necessary so the driver, and a person near the vehicle, can hear the device when it is operating.

Rear vision mirrors

24.(1) A rear vision mirror or mirrors must be fitted to a motor vehicle as required by this section so that a driver of the vehicle can clearly see by reflection the road behind the vehicle and any following or overtaking vehicle.

SCHEDULE 1 (continued)

(2) At least 1 rear vision mirror must be fitted to—

(a) a car; and

(b) a motortrike with 2 front wheels; and

(c) a motorbike, or motortrike with 1 front wheel, built before July 1975.

(3) At least 1 rear vision mirror must be fitted to each side of—

(a) a motor vehicle with a GVM over 3.5 t; and

(b) a motorbike, or motortrike with 1 front wheel, built after June 1975.

(4) A motor vehicle with a GVM not over 3.5 t, other than a motor vehicle mentioned in subsection (2) or (3), must be fitted with—

(a) at least 1 rear vision mirror on the right side of the vehicle; and

(b) at least 1 rear vision mirror on the left side of the vehicle or inside the vehicle.

(5) A rear vision mirror fitted to a motor vehicle with a GVM over 3.5 t must not project over 150 mm beyond the widest part, excluding lights, signalling devices and reflectors, of the vehicle or combination.

(6) However, the rear vision mirror may project not over 230 mm beyond the widest part of the vehicle or combination if it can fold to project not over 150 mm beyond the widest part.

Rear vision mirrors—surfaces

25.(1) A rear vision mirror required to be fitted to the side of a motor vehicle with a GVM over 3.5 t must have a reflecting surface of at least 150 cm^2.

(2) A rear vision mirror required to be fitted to the right side of a motor vehicle with a GVM over 3.5 t must have a flat reflecting surface if—

(a) the vehicle has only 1 steering control; and

SCHEDULE 1 (continued)

(b) the centre of the steering control is to the right of, or in line with, the centre of the vehicle.

(3) The reflecting surface of the rear vision mirrors that are required to be fitted to a motorbike or moped must—

(a) each be of the same curvature; and

(b) if convex, be part of a notional sphere with a radius of at least 1.2 m.

Additional rear vision mirrors

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

Automatic transmission

27.(1) A motor vehicle fitted with an automatic transmission must have an engine starter mechanism that can not operate when the transmission control is in a position to drive the vehicle.

(2) A motor vehicle built after 1975 that is fitted with an automatic transmission must have an indicator in the driver's compartment showing the transmission control position.

(3) Subsections (1) and (2) do not apply to a motor vehicle with less than 4 wheels.

Diesel engines

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

SCHEDULE 1 (continued)

Bonnet securing devices

29.(1) A motor vehicle with a moveable body panel forward of the windscreen that covers an engine or luggage storage or battery compartment, must have a device to secure the panel.

(2) However, if the panel opens from the front in a way that partly or completely obstructs the driver's forward view through the windscreen, the panel must have primary and secondary devices to secure the panel.

Electrical wiring, connections and installations

30.(1) The wiring of electrical equipment of a vehicle, other than the high tension ignition wiring, must—

(a) be supported at intervals of not over 600 mm, unless the vehicle is a pole-type trailer with a pole with an adjustable length, or an extendible trailer; and

(b) be insulated at each of its joints; and

(c) be located where it can not—

(i) become overheated; or

(ii) contact moving parts; or

(iii) come near enough to the fuel system to be a fire hazard; and

(d) be protected from chafing.

(2) The electrical connectors between motor vehicles and trailers, for operation of the vehicle lights required by these standards, must comply with Australian Standard AS 2513-1982 *Electrical Connections for Trailer Vehicles*.

(3) A trailer must be equipped with an electrical conductor, independent of the trailer coupling, that provides a return path between the electrical circuits of the trailer and towing vehicle.

SCHEDULE 1 (continued)

(4) The electrical wiring, connections and installations of a semitrailer, dog trailer or converter dolly used in a road train over 19 m long after June 1998 must comply with third edition ADR 63, whether or not it was built before the date stated in the ADR for vehicles of that type.

Television receivers and visual display units

31.(1) A television receiver or visual display unit must not be installed in a motor vehicle so any part of the image on the screen is visible to the driver from the normal driving position.

(2) However, subsection (1) does not apply to—

(a) a television receiver or visual display unit that can not be operated when the vehicle is moving; or

(b) a driver's aid in any vehicle or a destination sign in a bus or minibus.

Examples for paragraph (b)—

1. Closed-circuit television security cameras.
2. Dispatch systems.
3. Navigational or intelligent highway and vehicle system equipment.
4. Rearview screens.
5. Ticket-issuing machines.
6. Vehicle monitoring devices.

(3) A television receiver, or visual display unit, and its associated equipment in a motor vehicle must be securely mounted in a position that—

(a) does not obscure the driver's view of the road; and

(b) does not impede the movement of a person in the vehicle.

Windscreens and windows

32.(1) Transparent material used in a windscreen, window, or an interior partition, of a motor vehicle must be of approved material if—

SCHEDULE 1 (continued)

(a) the vehicle was built after June 1953; or

(b) the material was first fitted to the vehicle after June 1953.

(2) In this section—

"approved material" means material with the same characteristics as material mentioned in any of the following standards—

- Australian Standard AS R1-1965 *Safety Glass for Land Transport*
- Australian Standard AS R1-1968 *Safety Glass for Land Transport*
- Australian Standard AS 2080-1977 *Safety Glass for Vehicles*
- British Standard BS 857:1967 *Specification for Safety Glass for Land Transport*
- British Standard BS 5282:1975 *Road Vehicle Safety Glass*
- British Standard BS AU178:1980 *Road Vehicle Safety Glass*
- Japanese Industrial Standard JISR3211-1979 *Safety Glasses for Road Vehicles*
- American National Standard ANSI Z26.1-1980 *Safety Code for Safety Glazing Materials for Glazing Motor Vehicles Operating on Land Highway*.

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

Window tinting

33.(1) Glazing used in a windscreen of a motor vehicle must have a luminous transmittance of at least—

(a) for a motor vehicle built after 1971—75%; or

(b) for another motor vehicle—70%.

SCHEDULE 1 (continued)

(2) Glazing used in a windscreen of a motor vehicle must not be coated in a way that reduces its luminous transmittance.

(3) However, subsections (1) and (2) do not apply to the greater of the following areas of a windscreen—

(a) the area above the highest point of the windscreen that is swept by a windscreen wiper;

(b) the upper 10% of the windscreen.

(4) Glazing used in a window or interior partition of a motor vehicle must have a luminous transmittance of at least 70%.

(5) Glazing used in a window or interior partition may be coated to achieve a luminous transmittance of not less than 35%.

(6) Glazing that has been coated to reduce its luminous transmittance must not have a reflectance of over 10%.

(7) The luminous transmittance requirement in subsection (5) applies to a vehicle instead of the corresponding requirements in the relevant ADR.

(8) In this section—

"glazing" means material fitted to the front, sides, rear or interior of a motor vehicle, through which the driver can see the road, but does not include a coating added after manufacture of the material.

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

Windscreen wipers and washers

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

(2) At least 1 windscreen wiper fitted to the vehicle must—

SCHEDULE 1 (continued)

(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 from a normal driving position; and

(c) for a vehicle built after 1934—continue to operate until the wiper is switched off; and

(d) for a vehicle built after 1959, the driving position of which is nearer one side of the vehicle than the other—

(i) be able to remove moisture from the part of the windscreen in front of the driver, and a corresponding part of the windscreen on the other side of the centre of the vehicle, to allow the driver an adequate view of the road ahead of the vehicle when the windscreen is wet; and

(ii) if the windscreen wiper is operated by engine manifold vacuum—be provided with a vacuum reservoir or pump to maintain the efficient operation of the wiper while the vehicle is in motion.

(3) If the vehicle was built after 1982 and has a GVM over 4.5 t, it must also be fitted with a windscreen washer that can direct water onto the windscreen within the area swept by a windscreen wiper so the wiper can spread the water to all of the area swept by the wiper.

(4) The windscreen washer must be able to be operated from a normal driving position.

Wheels and tyres—size and capacity

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

SCHEDULE 1 (continued)

Pneumatic tyres—generally

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

Pneumatic tyres—carcass construction

37.(1) A vehicle with a GVM not over 4.5 t must not have pneumatic tyres of different carcass construction fitted to the same axle, but the tyres may have different cord materials and a different number of plies.

(2) However, subsection (1) does not apply to a tyre being used in an emergency as a temporary replacement for a tyre complying with the subsection.

Pneumatic tyres—size and capacity

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

(a) the pressure recommended by the tyre manufacturer; and

(b) a pressure of—

(i) for a radial ply tyre—825 kPa; or

(ii) for another tyre—700 kPa.

Tyres—defects

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

Tyres for use on vehicles with GVM over 4.5 t

40.(1) This section applies to a vehicle with a GVM over 4.5 t instead of the tyre speed category requirements for the vehicle in the relevant ADR.

SCHEDULE 1 (continued)

(2) A tyre fitted to the vehicle must be suitable for road use at the lower of—

(a) 100 km/h; and

(b) the vehicle's top speed.

Tyres—manufacturer's rating

41.(1) This section applies to a motor vehicle if the vehicle—

(a) has 4 or more wheels; and

(b) was built after 1972; and

(c) has a GVM not over 4.5 t.

(2) However, this section does not apply to a tyre if the tyre—

(a) is recommended by the vehicle manufacturer as suitable for limited use on the vehicle in special circumstances at a speed lower than the speed applying to the vehicle under subsection (3); or

(b) is being used in an emergency as a temporary replacement for a tyre complying with this section.

(3) A tyre fitted to a motor vehicle must, when first manufactured, have been rated by the tyre manufacturer as suitable for road use at the lower of—

(a) a speed of at least—

(i) for an off-road passenger vehicle—140 km/h; or

(ii) for a car or car derivative—180 km/h; or

(iii) for another motor vehicle—120 km/h; and

(b) the vehicle's top speed.

Example for paragraph (a)(ii)—

A four-wheel drive vehicle.

SCHEDULE 1 (continued)

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

Retreads

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

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

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

(c) the tyre was not retreaded in accordance with—

(i) Australian Standard AS 1973-1976 *Retreaded Pneumatic Passenger Car and Light Truck Tyre*; or

(ii) Australian Standard AS 1973-1985 *Retreaded Pneumatic Passenger and Light Truck Tyre;* or

(iii) Australian Standard AS 1973-1993 *Pneumatic Tyres—Passenger Car, Light Truck and Truck/Bus—Retreading and Repair Processes*.

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

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

(b) the tyre was not retreaded in accordance with the standard.

Tyre tread

43.(1) A tyre fitted to a vehicle must not have cleats or other gripping devices that could damage road surfaces.

SCHEDULE 1 (continued)

(2) A tyre fitted to the vehicle must have a tread pattern at least 1.5 mm deep, other than at tread wear indicators, a in band that runs continuously—

(a) across—

(i) for a vehicle with a GVM over 4.5 t—at least 75% of the tyre width that normally comes into contact with the road; or

(ii) for another vehicle—the tyre width that normally comes into contact with the road; and

(b) around the whole circumference of the tyre.

(3) A vehicle must not be fitted with a tyre that has been treated by recutting or regrooving the tread rubber, unless the tyre was—

(a) constructed with an extra thickness of rubber designed for recutting or regrooving; and

(b) labelled to indicate the construction.

Alternative tyres, rims and wheels

44.(1) Tyres and rims fitted to a motor vehicle that is a car, car derivative or off-road passenger vehicle need not comply with section 7(1) or 8(1) if—

(a) the combination of tyre and rim—

(i) has a diameter that is—

(A) not more than 15 mm more than the diameter specified by the vehicle's manufacturer; or

(B) not more than 26 mm less than the diameter specified by the vehicle's manufacturer; and

(ii) accords with the specifications contained in—

(A) if the vehicle was manufactured before 1 January 1974—1 of the following manuals—

- the Tyre and Rim Standards Manual of the Tyre and Rim Association of Australia

SCHEDULE 1 (continued)

- the 1981 Tire and Rim Association Inc. Year Book
- the British Standard, BS AU 50
- the Japan Automobile Tyre Manufacturers Association
- the Japanese Industrial Standards (JIS-D4202) and (JIS-D4218)
- the European Tyre and Rim Technical Organisation Practices (E.T.R.T.O.)
- the Deutsche Industrie Norm (DIN) 7818
- the Deutsche Industrie Norm (DIN) 7817; or

(B) if the vehicle was manufactured on or after 1 January 1974—Table 2 of ADR 23; and

(b) the maximum tyre width is—

(i) for a car or car derivative—not more than 1.3 times wider than the vehicle manufacturer's widest optional tyre; or

(ii) for an off-road passenger vehicle fitted with front and rear beam axles—not more than 1.5 times wider than the vehicle manufacturer's widest optional tyre; and

(c) the minimum tyre width is 70% of the width of the widest tyre fitted to the vehicle but not less than the vehicle manufacturer's narrowest optional tyre.

(2) A motor vehicle that is a car, car derivative or off-road passenger vehicle using car tyres must not be fitted with—

(a) any combination of tyre and rim which, when fitted to the vehicle, fouls the wheel housing or running gear under any condition; or

(b) any wheel in which—

(i) there is a circumferential weld other than a weld attaching the rim to the wheel centre; or

SCHEDULE 1 (continued)

(ii) the diameter, width or offset of its rim differs from the rim of another wheel on the same axle; or

(iii) the wheel securing stud holes are not circular; or

(iv) the pitch circle diameter of the wheel securing stud holes is different from that of the original equipment wheel studs; or

(c) any wheel which will result in the widest track specified by the vehicle manufacturer being exceeded by more than—

(i) for a car or car derivative—26 mm; or

(ii) for an off-road passenger vehicle fitted with front and rear beam axles—50 mm; or

(d) a wheel that will reduce the track specified for the vehicle by its manufacturer; or

(e) for a motor vehicle manufactured on or after 1 July 1985, a wheel that—

(i) is not approved as original equipment or original equipment replacement by the vehicle manufacturer; or

(ii) is not indelibly marked with the wheel's nominal diameter and width, offset, and the mark of a standard of an approved organisation in a location so that they are readily visible when the wheel is correctly installed on the vehicle; or

(f) a spacer between wheel and hub additional to any provided by the vehicle manufacturer; or

(g) 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 a wheel nut that does not match the taper on the wheel stud hole; or

(h) any eccentric wheel stud or eccentric wheel nut.

(3) In subsection (2)(e)(ii)—

"approved organisation" means any of the following—

SCHEDULE 1 (continued)

- Wheel Industries Association (Australia)
- Standards Australia
- Technischer Uberwachungen, Verein
- Japanese Industrial Standards.

Division 2—Additional requirements for motorbikes

Steering gear and handlebars

45.(1) The handlebars on a motorbike must extend at least 250 mm, but not over 450 mm, on each side of the longitudinal axis of the motorbike.

(2) In taking a measurement for subsection (1), mirrors and lights mounted on the handlebars of the motorbike are to be disregarded.

(3) The lowest part of the hand grip on the handle bars must not be higher than 380 mm above the attachment point of the handlebars to the motorbike.

(4) Hand grips on the handle bars must be fitted symmetrically.

(5) If a motorbike has the head stem as the steering pivot point, the horizontal distance from the midpoint between the head stem bearings to the centre of the front wheel must not be over 550 mm.

Foot rests

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

Chain guards

47.(1) If the engine power of a motorbike is transmitted to the rear wheel by a chain, the driver and any passenger must be protected from the front sprocket and at least the upper part of the chain by—

SCHEDULE 1 (continued)

(a) the frame or equipment of the motorbike; or

(b) a chain guard.

(2) A chain guard must cover the chain to a point—

(a) at least 300 mm to the rear of the rearmost foot rest; or

(b) above the centre of the rear drive sprocket.

PART 5—VEHICLE MARKING

Vehicle and engine identification numbers

48.(1) The engine of a motor vehicle must have an individual engine identification number clearly stamped, embossed or otherwise permanently marked on it.

(2) The engine of motor vehicle built after 1930 must have the engine identification number on the engine block or main component.

(3) A vehicle must have an individual vehicle identification number clearly stamped, embossed or otherwise permanently marked on a substantial part of its frame or chassis.

(4) A vehicle or engine identification number must be located where a person can read it easily without having to use tools to remove a part of the vehicle that would otherwise obstruct the person's view.

(5) In this section—

"number" includes letter.

White or silver band on certain vehicles

49.(1) This section applies to a vehicle that—

(a) is at least 2.2 m wide; and

SCHEDULE 1 (continued)

(b) has a body with a vertical measurement under 300 mm at the rear, measured from the lowest point of the body above ground level to the highest point; and

(c) is not fitted with rear marking plates in accordance with section 106.[19]

(2) For subsection (1)(a), the width of a vehicle is measured disregarding any anti-skid device mounted on wheels, central tyre inflation systems, lights, mirrors, reflectors, signalling devices and tyre pressure gauges.

(3) The vehicle must have a white or silver band at least 75 mm high across the full width of the rearmost part of the body of the vehicle.

Warning signs for combinations over 22 m long

50.(1) The following vehicles must display road train warning signs complying with this section and section 52—

(a) a combination over 36.5 m long;

(b) a road train over 30 m, but not over 36.5 m, long that includes 1 or more dog trailers.

(2) The following vehicles must display road train warning signs, or a long vehicle warning sign, complying with this section and section 52—

(a) a road train over 22 m, but not over 30 m, long that includes 1 or more dog trailers;

(b) a road train over 22 m, but not over 36.5 m, long that does not include a dog trailer.

(3) Another combination over 22 m, but not over 36.5 m, long must display a long vehicle warning sign complying with this section and section 52.

(4) 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.

19 Schedule 1, section 106 (Rear marking plates)

SCHEDULE 1 (continued)

(5) A long vehicle warning sign must be fitted horizontally at the rear of the combination.

Warning signs not to be displayed on other vehicles

51.(1) A road train warning sign must not be displayed on a vehicle unless the vehicle is part of a combination or road train mentioned in section 50(1) or (2).

(2) A long vehicle warning sign must not be displayed on a vehicle unless the vehicle is a part of a combination or road train mentioned in section 50(2) or (3).

Specifications for warning signs

52.(1) A road train or long vehicle warning sign must be manufactured in 1 or 2 parts from sheet steel 0.8 mm thick or another material of at least the same stiffness, unless it is designed to be fitted to a vehicle using an adhesive.

(2) The warning sign must be at least 1.2 m wide and at least 250 mm high.

(3) A road train warning sign must display the words ‘road train’, and a long vehicle warning sign must display the words ‘long vehicle’, in black capital letters at least 180 mm high in typeface Series B (N) that complies with Australian Standard AS 1744 *Forms of Letters and Numerals for Road Signs*.

(4) If the warning sign is in 2 parts, one word of the expression ‘road train’ or ‘long vehicle’ must be on one part and the other word of the expression must be on the other part.

(5) The warning sign must display the sign manufacturer’s name or logo, and the brand and class of retro-reflective material used, in block letters not over 10 mm high.

(6) The warning sign must have a black border.

SCHEDULE 1 (continued)

(7) The warning sign must be coated with yellow retro-reflective material of class 1 or 2 that meets Australian Standard AS 1906 *Retro-reflective Materials and Devices for Road Traffic Control Purposes.*

(8) The warning sign must be fitted so—

(a) no part of the sign is—

(i) over 1.8 m above ground level; or

(ii) under 500 mm above ground level; and

(b) if the sign is in 2 parts, the parts are fitted at the same height above ground level.

Left-hand drive signs

53.(1) This section applies to a motor vehicle with a GVM over 4.5 t that has the centre of a steering control to the left of the centre of the vehicle.

(2) The vehicle must display the words ‘left hand drive’ on the rear of the vehicle.

(3) The words must be in letters at least 75 mm high, and in a colour contrasting with the background to the words.

PART 6—VEHICLE CONFIGURATION

Axle configuration

54.(1) A motor vehicle, other than an articulated bus, must have only—

(a) 1 axle group, or single axle, towards the front of the vehicle; and

(b) 1 axle group, or single axle, towards the rear of the vehicle.

(2) An articulated bus must have only—

(a) on its front section—

SCHEDULE 1 (continued)

(i) 1 axle group, or single axle, towards the front of the section; and

(ii) 1 axle group, or single axle, towards the rear of the section; and

(b) on another section—1 axle group or single axle.

(3) A trailer must have only—

(a) 1 axle group or single axle; or

(b) 2 axle groups, 2 single axles, or 1 axle group and single axle, in the following configuration—

(i) 1 axle group, or single axle, towards the front of the vehicle, with all the wheels on the axle group or single axle connected to the steering mechanism for that part of the trailer;

(ii) 1 axle group, or single axle, towards the rear of the vehicle.

(4) A semitrailer that is extendible, or is fitted with sliding axles, must—

(a) have a securing device that—

(i) can securely fix the extendible part or sliding axles to the rest of the vehicle in any position of adjustment provided; and

(ii) is located in a position that can prevent accidental or inadvertent release, if the device is mounted on the chassis of the vehicle; and

(iii) is fitted with a visible or audible warning system to indicate to a person standing beside the vehicle that the device is not engaged; and

(iv) is fitted with a way of preventing loss of air from the air brake supply, if the device uses air from the brake system and fails in a way allowing air to escape; and

(v) is held in the applied position by direct mechanical action without the intervention of an electric, hydraulic or pneumatic device; and

SCHEDULE 1 (continued)

(b) be built so the adjustable parts of the vehicle remain connected if the securing device fails.

Relation between axles in axle group

55.(1) The axles in an axle group, other than a twinsteer axle group, fitted to a vehicle with a GVM over 4.5 t must relate to each other through a load-sharing suspension system.

(2) In this section—

"load-sharing suspension system" means an axle group suspension system that—

(a) is built to divide the load between the tyres on the group so that no tyre carries a mass over 10% more than the mass that it would carry if the load were divided equally; and

(b) has effective damping characteristics on all axles of the group.

PART 7—LIGHTS AND REFLECTORS

Division 1—General requirements for lights

Certain requirements apply only at night

56. The requirements of this part for a light, other than a brake or direction indicator light, to be visible over a stated distance apply only at night.

SCHEDULE 1 (continued)

Prevention of glare

57. 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

58.(1) If lights are required under these standards to be fitted to a vehicle in pairs—

(a) a light must be fitted on each side of the longitudinal axis of the vehicle; and

(b) the centre of each light in a pair must be the same distance from the longitudinal axis of the vehicle; and

(c) the centre of each light in a pair must be at the same height above ground level; and

(d) each light in a pair must project approximately the same amount of light of the same colour.

(2) Subsection (1) applies to a motorbike with an attached sidecar as if the sidecar were not attached.

Division 2—Headlights

Headlights to be fitted to vehicles

59.(1) A motor vehicle must be fitted with—

(a) if it is a moped, motorbike, or motortrike with 1 front wheel—1 low-beam headlight; or

(b) if it has 4 or more wheels or is a motortrike, other than a moped, with 2 front wheels—a pair of low-beam headlights.

(2) If a motor vehicle built after 1934 can travel at over 60 km/h—

SCHEDULE 1 (continued)

(a) each low-beam headlight mentioned in subsection (1) must be able to work in the high-beam position; or

(b) the vehicle must be fitted with—

(i) 1 headlight that can work in the high-beam position if the vehicle is required to have 1 low-beam headlight; or

(ii) a pair of headlights that can work in the high-beam position.

(3) A motorbike may be equipped with a headlight modulation system that—

(a) varies the brightness of its high-beam headlight or low-beam headlight, but not both, at a rate of at least 200 and at most 280 flashes a minute; and

(b) is designed to operate only in the daylight.

(4) Additional headlights may be fitted to—

(a) a motorbike or motortrike; or

(b) a motor vehicle with 4 or more wheels that was built before 1970.

(5) Additional pairs of headlights may be fitted to a motor vehicle with 4 or more wheels that was built after 1969.

How headlights are to be fitted

60.(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 mm apart.

(2) However, subsection (1) does not apply to a motor vehicle built before 1970 if the centres of its low-beam headlights—

(a) were under 600 mm apart when the vehicle was built; and

(b) are not nearer than they were when the vehicle was built.

(3) Each low-beam headlight of a pair on a motortrike, other than a moped, with 2 front wheels must not be over 400 mm from the nearer side of the vehicle.

SCHEDULE 1 (continued)

(4) The centre of a low-beam headlight fitted to a motor vehicle built after June 1953 must be—

(a) at least 500 mm above ground level; and

(b) not over 1.4 m above ground level.

How single headlights are to be fitted

61.(1) A motorbike or motortrike with a single headlight fitted must have the light fitted in the centre.

(2) Subsection (1) applies to a motorbike with an attached sidecar as if the sidecar were not attached.

How additional headlights are to be fitted

62. If 2 or more additional headlights are fitted to a motor vehicle with 4 or more wheels, the additional headlights must as far as possible be fitted in pairs.

Performance of headlights

63.(1) When on, 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.

(2) Headlights must be fitted to a motor vehicle so their light does not reflect off the vehicle into the driver's eyes.

Effective range of headlights

64.(1) This section applies to a headlight that is on at night.

(2) A low-beam headlight must illuminate the road ahead of the motor vehicle for at least 25 m.

SCHEDULE 1 (continued)

(3) A high-beam headlight must illuminate the road ahead of the motor vehicle for at least 50 m.

(4) However, a low-beam headlight fitted to a motor vehicle built before 1931, or a moped, need only illuminate the road ahead of the vehicle for 12 m.

Changing headlights from high-beam to low-beam position

65.(1) A motor vehicle built after 1934 that can travel at over 60 km/h must be fitted with—

(a) a dipping device enabling the driver in the normal driving position—

(i) to change the headlights from the high-beam position to the low-beam position; or

(ii) simultaneously to switch off a high-beam headlight and switch on a low-beam headlight; and

(b) for a motor vehicle built after June 1953, a device to indicate to the driver that the headlights are in the high-beam position.

(2) A headlight fitted to a motor vehicle that is not fitted with a dipping device mentioned in subsection (1)(a) must operate in the low-beam position.

(3) When a headlight fitted to a motor vehicle is switched to the low-beam position, any other headlight on the vehicle must operate only in the low-beam position or be off.

Division 3—Parking lights

Parking lights

66.(1) A motor vehicle built after June 1953 must be fitted with—

SCHEDULE 1 (continued)

(a) if it is a motortrike with 2 front wheels, other than a moped, or a motor vehicle with 4 or more wheels—a pair of parking lights; or

(b) if it is a motorbike with an attached sidecar, or a motortrike with 1 front wheel, other than a moped—at least 1 parking light.

(2) A pair of parking lights fitted to a motor vehicle with 4 or more wheels must be fitted with the centre of each light—

(a) at least 600 mm from the centre of the other light; and

(b) not over 510 mm from the nearer side of the vehicle.

(3) However, a pair of parking lights fitted to a motor vehicle under 1300 mm wide may be fitted with the centre of each light not under 400 mm from the centre of the other light.

(4) A parking light fitted to a motortrike with 2 front wheels must not be over 400 mm from the nearer side of the vehicle.

(5) A parking light fitted to a motorbike with a sidecar must be fitted not over 150 mm from the side of the sidecar furthest from the motorbike.

(6) When on, a parking light must—

(a) show a white or yellow light visible 200 m from the front of the motor vehicle; and

(b) not use over 7 W.

(7) A parking light fitted to a motor vehicle built after 1969 must be wired so the parking light is on when a headlight on the vehicle is on.

(8) A parking light fitted to a sidecar attached to a motorbike must be wired to operate when a headlight, tail light or parking light on the motorbike is on.

(9) For subsection (3), the width of a motor vehicle is measured disregarding any anti-skid device mounted on wheels, central tyre inflation systems, lights, mirrors, reflectors, signalling devices and tyre pressure gauges.

SCHEDULE 1 (continued)

Division 4—Daytime running lights

Daytime running lights

67.(1) A pair of daytime running lights may be fitted to a motor vehicle.

(2) A pair of daytime running lights fitted to a motor vehicle with 4 or more wheels must be fitted with the centre of each light—

(a) at least 600 mm from the centre of the other light; and

(b) not over 510 mm from the nearer side of the vehicle.

(3) However, a pair of daytime running lights fitted to a motor vehicle under 1300 mm wide may be fitted with the centre of each light not under 400 mm from the centre of the other light.

(4) When on, a daytime running light must—

(a) show a white or yellow light visible from the front of the vehicle; and

(b) not use over 25 W.

(5) Daytime running lights must be wired so they are off when a headlight, other than a headlight being used as a flashing signal, is on.

(6) For subsection (3), the width of a motor vehicle is measured disregarding any anti-skid device mounted on wheels, central tyre inflation systems, lights, mirrors, reflectors, signalling devices and tyre pressure gauges.

Division 5—Tail lights

Tail lights generally

68.(1) A vehicle must have at least 1 tail light fitted on or towards the rear of the vehicle.

SCHEDULE 1 (continued)

(2) A motortrike with 2 rear wheels, or a motor vehicle with 4 or more wheels, built after 1959 must have at least 1 tail light fitted on or towards each side of the rear of the vehicle.

(3) A trailer built after June 1973 must have at least 1 tail light fitted on or towards each side of the rear of the vehicle.

(4) The centre of a tail light mentioned in subsection (1), (2) or (3) must not be over—

(a) 1.5 m above ground level; or

(b) if it is not practicable to fit the light lower, 2.1 m above ground level.

(5) A vehicle may have 1 or more additional tail lights at any height above ground level.

Tail lights for sugar cane trailers

69.(1) Despite section 68, a sugar cane trailer towed at night must have 2 tail lights.

(2) Each tail light must—

(a) be attached to the rear of the trailer; and

(b) have its centre no more than 1 m from the ground.

Pattern of fitting tail lights

70.(1) If only 1 tail light is fitted to a vehicle, it must be fitted in the centre or to the right of the centre of the vehicle's rear.

(2) Subsection (1) applies to a motorbike with an attached sidecar as if the sidecar were not attached.

(3) If 2 or more tail lights are fitted to a vehicle, at least 2 must be fitted as a pair.

SCHEDULE 1 (continued)

(4) Tail lights fitted in accordance with this division may also serve as rear clearance lights if they are fitted to a vehicle in accordance with section 76(3).[20]

Performance of tail lights

71.(1) When on, a tail light of a vehicle must—

(a) show a red light visible 200 m from the rear of the vehicle; and

(b) not use over 7 W.

(2) A tail light fitted to a street rod vehicle may incorporate a blue lens not over 20 mm in diameter.

Wiring of tail lights

72. A tail light of a motor vehicle must be wired to come on, and stay on, when a parking light or headlight on the vehicle is on, unless an external switch is fitted to operate the tail light.

Division 6—Number plate lights

Number plate lights

73.(1) At least 1 number plate light must be fitted to the rear of a vehicle.

(2) However, a sugar cane trailer must comply with subsection (1) only when it is towed at night.

(3) When on at night, the number plate light must illuminate a number plate on the rear of the vehicle with white light, so the characters on the number plate can be read at least 20 m from the rear of the vehicle.

(4) A number plate light—

[20] Schedule 1, section 76 (Rear clearance lights)

SCHEDULE 1 (continued)

(a) may be combined with another light; and

(b) must not project white light to the rear of the vehicle other than by reflection; and

(c) must not obscure the characters on the number plate; and

(d) must be wired to come on, and stay on, when a parking light, headlight or tail light on the vehicle is on.

Division 7—Clearance lights

Front clearance lights

74.(1) Front clearance lights may only be fitted to a vehicle that is at least 1.8 m wide.

(2) A pair of front clearance lights must be fitted to a motor vehicle that is at least 2.2 m wide, or a prime mover.

(3) The centre of a front clearance light must be—

(a) not over 400 mm from the nearer side of the vehicle; and

(b) if the vehicle was built after June 1953—

(i) at least 750 mm higher than the centre of any low-beam headlight fitted to the vehicle; or

(ii) not lower than the top of the windscreen.

(4) However, a front clearance light may be mounted on an external rear vision mirror or a mirror support if, when the mirror is correctly adjusted, no part of the lens of the clearance light is visible to a person in the normal driving position.

(5) When on, a front clearance light must—

(a) show a yellow or white light visible 200 m from the front of the vehicle; and

(b) not use over 7 W.

SCHEDULE 1 (continued)

External cabin lights

75.(1) A motor vehicle fitted with front clearance lights may also have additional forward-facing lights on or above the roof of its cabin.

(2) The additional forward-facing lights must be spaced evenly between the front clearance lights, with their centres at least 120 mm apart.

(3) When on, an additional forward-facing light must—

(a) show a yellow or white light; and

(b) not use over 7 W.

Rear clearance lights

76.(1) Rear clearance lights may only be fitted to a vehicle that is at least 1.8 m wide.

(2) A pair of rear clearance lights must be fitted to the rear of a vehicle that is at least 2.2 m wide.

(3) The centre of a rear clearance light must be—

(a) not over 400 mm from the nearer side of the vehicle; and

(b) if practicable, at least 600 mm above ground level.

(4) When on, a rear clearance light must—

(a) show a red light visible 200 m from the rear of the vehicle; and

(b) not use over 7 W.

Division 8—Side marker lights

Vehicles needing side marker lights

77.(1) A pair of side marker lights must be fitted towards the rear of the sides of a motor vehicle that is over 7.5 m long and at least 2.2 m wide.

SCHEDULE 1 (continued)

(2) A pole-type trailer or a motor vehicle built to tow a pole-type trailer, each with at least 1 cross-bar or bolster, must have a side marker light fitted to each side of the back or only cross-bar or bolster.

(3) A pole-type trailer with 2 or more cross-bars or bolsters may also have a side marker light fitted to each side of the front cross-bar or bolster.

(4) At least 2 side marker lights must be fitted to each side of—

(a) a trailer, other than a pole-type trailer, that is at least 2.2 m wide and not over 7.5 m long; and

(b) a semitrailer that is not over 7.5 m long.

(5) At least 3 side marker lights must be fitted to each side of—

(a) a trailer, other than a pole-type trailer, that is at least 2.2 m wide and over 7.5 m long; and

(b) a semitrailer that is over 7.5 m long.

(6) For subsections (1), (4) and (5), the width of a vehicle is measured disregarding any anti-skid device mounted on wheels, central tyre inflation systems, lights, mirrors, reflectors, signalling devices and tyre pressure gauges.

Location of side marker lights

78.(1) The centre of a side marker light must not be over 150 mm from the nearer side of the vehicle.

(2) A front side marker light fitted to a motor vehicle must be towards the front of the side of the vehicle with no part of the lens visible to the driver.

(3) The centre of a front side marker light fitted to a trailer must be—

(a) within 300 mm of the front of the side of the trailer; or

(b) if the construction of the trailer makes it impracticable to comply with paragraph (a)—as near as practicable to the front of the trailer.

SCHEDULE 1 (continued)

(4) The centre of a rear side marker light fitted to a vehicle must be—

(a) within 300 mm of the rear of the side of the vehicle; or

(b) if the construction of the vehicle makes it impracticable to comply with paragraph (a)—as near as practicable to the rear of the vehicle.

(5) Side marker lights fitted to a vehicle must, as far as practicable, be evenly spaced along the side of the vehicle.

(6) Subsections (2) to (5) do not apply to side marker lights fitted to a cross-bar or bolster of a pole-type trailer.

(7) Only the side marker lights nearest to the rear need be fitted if complying with subsections (3) and (4) would result in the front and rear side marker lights being under 2.5 m apart.

(8) A side marker light fitted to a vehicle must be fitted so—

(a) its centre is not over—

(i) 1.5 m above ground level; or

(ii) if it is not practicable to fit it lower—2.1 m above ground level; and

(b) its centre is at least 600 mm above ground level; and

(c) it is, as far as practicable, in a row of side marker lights along the side of the vehicle.

(9) Subsection (8) (a) does not apply to a side marker light that is not required to be fitted to the vehicle by section 77.

Performance of side marker lights

79.(1) When on, a side marker light fitted to a vehicle must—

(a) show a light visible 200 m from the vehicle; and

(b) not use over 7 W.

(2) When on, a side marker light fitted to a vehicle must show—

SCHEDULE 1 (continued)

(a) to the front of the vehicle—a yellow light; and

(b) to the rear of the vehicle—

(i) if the light also operates as a rear light or reflector—a red light; and

(ii) in any other case—a red or yellow light.

(3) However, if a pole-type trailer with 2 or more cross-bars or bolsters has the side marker lights permitted by section 77(3)—

(a) the side marker lights fitted to the front cross-bar or bolster may comply with subsection (2)(a) only; and

(b) the side marker lights fitted to the back cross-bar or bolster may comply with subsection (2)(b) only.

Side marker lights and rear clearance lights

80. The side marker light nearest to the rear of a vehicle may also be a rear clearance light for section 76.

Division 9—Brake lights

Fitting brake lights

81.(1) A brake light must be fitted to the rear of a vehicle, other than a sugar cane trailer, built after 1934.

(2) A pair of brake lights must be fitted to the rear of—

(a) a motor vehicle built after 1959 that has 4 or more wheels; and

(b) a motortrike built after 1959 that has 2 rear wheels; and

(c) a trailer, other than a sugar cane trailer, built after June 1973.

(3) The centre of a brake light must be—

(a) at least 350 mm above ground level; and

SCHEDULE 1 (continued)

(b) not over—

(i) 1.5 m above ground level; or

(ii) if it is not practicable to fit the light lower—2.1 m above ground level.

(4) A vehicle may be fitted with 1 or more additional brake lights.

(5) The centre of an additional brake light must be at least 350 mm above ground level.

(6) If only 1 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.

(7) Subsection (6) applies to a motorbike with an attached sidecar as if the sidecar were not attached.

Brake lights for sugar cane trailers

82.(1) A sugar cane trailer must have 2 brake lights at the rear of the trailer.

(2) The lights must both be positioned at the same distance from the ground no less than 350 mm, and no more than 1.5 m, above ground level.

(3) One must be positioned no more than 400 mm from the left side of the trailer and the other light the same distance from the right side of the trailer.

Performance and operation of brake lights

83.(1) When on, a brake light must show a red light visible 30 m from the rear of the vehicle.

(2) A brake light fitted to a street rod vehicle may incorporate a blue lens not over 20 mm in diameter.

(3) A brake light fitted to a motor vehicle must come on, if it is not already on, when—

SCHEDULE 1 (continued)

(a) for a vehicle with 4 or more wheels or built after 1974—a service brake is applied; or

(b) for another vehicle—the rear wheel brake is applied.

(4) Subsection (3) does not apply if the controls in the vehicle that start the engine are in a position that makes it impossible for the engine to operate.

(5) A brake light on a trailer must come on when—

(a) the brake light of the towing vehicle comes on; or

(b) a brake control on the towing vehicle, that independently activates the service brake on the trailer, is operated.

(6) A brake light may be operated by an engine brake, retarder, or similar device if the device does not interfere with the proper operation of the brake light.

Division 10—Reversing lights

Reversing lights

84.(1) One or more reversing lights may be fitted to the rear of a vehicle and on each side towards the rear of the vehicle.

(2) A reversing light must have its centre not over 1.2 m above ground level.

(3) When on, a reversing light must show a white or yellow light to the rear or to the side and rear of the vehicle.

(4) A reversing light fitted to a motor vehicle must be wired so it operates only when the vehicle is reversing or in reverse gear.

(5) A reversing light fitted to a trailer must be wired so it operates only when a motor vehicle towing the trailer is reversing or in reverse gear.

(6) A yellow reversing light may also operate as a direction indicator light.

SCHEDULE 1 (continued)

Division 11—Direction indicator lights

Direction indicator lights on motor vehicles

85.(1) A motor vehicle with 4 or more wheels that was built after August 1966 must have—

(a) a pair of direction indicator lights fitted on, or towards, its front that face forwards; and

(b) a pair of direction indicator lights fitted on, or towards, its rear that face backwards.

(2) A motor vehicle with less than 4 wheels that was built

after June 1975 must have—

(a) a pair of direction indicator lights fitted on, or towards, its front that face forwards; and

(b) a pair of direction indicator lights fitted on, or towards, its rear that face backwards.

(3) A motor vehicle that is not required to have direction indicator lights may have—

(a) 1 or more pairs of direction indicator lights that are visible from both the front and rear of the vehicle; or

(b) both—

(i) a pair of direction indicator lights fitted on, or towards, its front that face forwards; and

(ii) a pair of direction indicator lights fitted on, or towards, its rear that face backwards.

Direction indicator lights on trailers

86.(1) A trailer built after June 1973 must have a pair of direction indicator lights fitted on, or towards, its rear that face backwards.

SCHEDULE 1 (continued)

(2) A trailer that is not required to have direction indicator lights may have 1 or more pairs of direction indicator lights fitted on, or towards, its rear that face backwards.

Location of direction indicator lights

87.(1) A pair of direction indicator lights fitted to a vehicle must have the centre of each light at least—

(a) for a motorbike or the single wheel end of a motortrike—300 mm from the centre of the other light; and

(b) for lights fitted at the 2 wheel end of a motortrike—600 mm from the centre of the other light, unless the centre of each direction indicator light is not over 400 mm from the nearer side of the vehicle; and

(c) for another vehicle with a width of not over 1300 mm—400 mm from the centre of the other light; and

(d) for another vehicle with a width of over 1300 mm—600 mm from the centre of the other light.

(2) The centre of each direction indicator light must be at least 350 mm above ground level.

(3) The centre of each light in a pair of direction indicator lights required to be fitted to a vehicle must not be over—

(a) 1.5 m above ground level; or

(b) if it is not practicable for the light to be fitted lower—2.1 m above ground level.

(4) For subsection (1), the width of a vehicle is measured disregarding any anti-skid device mounted on wheels, central tyre inflation systems, lights, mirrors, reflectors, signalling devices and tyre pressure gauges.

SCHEDULE 1 (continued)

Operation and visibility of direction indicator lights

88.(1) A direction indicator light fitted to a motor vehicle must—

(a) when operating, display regular flashes of light at a rate of not over 120, and—

(i) for a motor vehicle with 4 or more wheels—at least 60 flashes a minute; and

(ii) for another motor vehicle—at least 45 flashes a minute; and

(b) be able to be operated from the normal driving position by the driver; and

(c) be wired to an audible or visible device in the vehicle that tells the driver that the direction indicator light is operating; and

(d) flash at the same time and rate as any other direction indicator lights fitted on the same side of the vehicle.

(2) A direction indicator light fitted to a side of a trailer must, when operating, flash at the same time and rate as the direction indicator light or lights fitted to the same side of the motor vehicle towing the trailer.

(3) The flashes of light displayed by a direction indicator light must be—

(a) if the light faces forwards—white or yellow; and

(b) if the light faces backwards—

(i) yellow; or

(ii) if a vehicle was built before July 1973—yellow or red; and

(c) if the light faces out from the side of the vehicle—

(i) white or yellow towards the front and side; and

(ii) if a vehicle was built before July 1973—yellow or red towards the rear and side; and

(iii) if a vehicle was built after June 1973—yellow towards the rear and side.

SCHEDULE 1 (continued)

(4) If a motor vehicle's direction indicator lights display only yellow light, the vehicle may be equipped to allow the lights to operate simultaneously on both sides of the vehicle, if a visible or audible signal tells the driver when the lights are operating simultaneously.

(5) When on, a direction indicator light must be visible 30 m from—

(a) if the light faces forwards—the front of the vehicle; or

(b) if the light faces backwards—the rear of the vehicle; or

(c) if the light faces out from the side of the vehicle—that side of the vehicle.

(6) When on, each direction indicator light in at least 1 pair of lights fitted on or towards the front of a prime mover, or a motor vehicle over 7.5 m long, must be visible at a point—

(a) 1.5 m at right angles from the side of the vehicle where the light is fitted; and

(b) in line with the rear of the vehicle.

Division 12—Fog lights

Front fog lights

89.(1) A pair of front fog lights may be fitted to a motor vehicle with 4 or more wheels.

(2) A pair of front fog lights, or a single front fog light, may be fitted to a motorbike or motortrike.

(3) A pair of front fog lights fitted to a motor vehicle with 4 or more wheels must have the centre of each light not over 400 mm from the nearer side of the vehicle unless the centres of the lights are at least 600 mm apart.

(4) If the top of the front fog light is higher than the top of any low-beam headlight on the vehicle, the centre of the fog light must not be higher than the centre of the low-beam headlight.

SCHEDULE 1 (continued)

(5) A front fog light must—

(a) when on—

(i) project white or yellow light in front of the vehicle; and

(ii) be a low-beam light; and

(b) be able to be operated independently of any headlight; and

(c) be fitted so the light from it does not reflect off the vehicle into the driver's eyes.

Rear fog lights

90.(1) A vehicle may have fitted to its rear—

(a) a pair of rear fog lights; or

(b) 1 rear fog light fitted on, or to the right, of the centre of the vehicle.

(2) Subsection (1)(b) applies to a motorbike with an attached sidecar as if the sidecar were not attached.

(3) A rear fog light must—

(a) have its centre—

(i) not over 1.5 m above ground level; and

(ii) at least 100 mm from the centre of a brake light; and

(b) when on, project red light behind the vehicle; and

(c) not use over 27 W; and

(d) be wired to a visible device in the vehicle that tells the driver that the rear fog light is operating.

SCHEDULE 1 (continued)

Division 13—Interior lights

Interior lights

91. A vehicle may be fitted with interior lights that illuminate any interior part of the vehicle.

Division 14—Reflectors generally

General requirements for reflectors

92.(1) A reflector fitted to a vehicle must show a red, yellow or white reflection of light when light is projected directly onto the reflector at night by a low-beam headlight that—

(a) is 45 m from the reflector; and

(b) complies with these standards.

(2) The reflection must be clearly visible from the position of the headlight.

Division 15—Rear reflectors

Rear reflectors

93.(1) A motor vehicle with 4 or more wheels, and a trailer, must have a rear-facing red reflector towards each side of its rear.

(2) However, a sugar cane trailer need not comply with subsection (1) if is not towed at night.

(3) A motorbike, a sidecar attached to a motorbike, and a motortrike, must have a rear-facing red reflector.

(4) The centre of each reflector must be—

(a) at the same height above ground level; and

SCHEDULE 1 (continued)

(b) not over 1.5 m above ground level.

(5) However, subsection (4) does not apply to a reflector fitted to a sidecar attached to a motorbike.

(6) A reflector fitted to a motor vehicle with 4 or more wheels, or a trailer, must not be over 400 mm from the nearer side of the vehicle.

(7) A vehicle fitted with rear-facing red reflectors in accordance with subsection (1) or (3) may be fitted with additional red reflectors at any height above ground level or at any distance from the side of the vehicle.

Division 16—Side reflectors

Compulsory side reflectors on pole-type trailers

94.(1) Yellow or red side-facing reflectors must be fitted to the pole of a pole-type trailer so that—

(a) 1 reflector is fitted to the middle third of the left and right faces of the pole; and

(b) the front reflector is not over 3 m from the front of the trailer; and

(c) the other reflectors are not over 3 m apart.

(2) Additional side-facing reflectors may be fitted to a pole-type trailer in accordance with section 95.

Optional side reflectors

95.(1) A vehicle may be fitted with side-facing reflectors.

(2) A side-facing reflector—

(a) towards the front of the vehicle must be yellow or white; and

(b) towards the rear of the vehicle must be yellow or red; and

(c) on the central part of the vehicle must be yellow.

SCHEDULE 1 (continued)

Division 17—Front reflectors

Compulsory front reflectors on certain trailers

96.(1) A front-facing white or yellow reflector must be fitted towards each side of the front of either the following trailers, other than a sugar cane trailer—

(a) a semitrailer, other than a pole-type trailer;

(b) a trailer that is at least 2.2 m wide.

(2) A front-facing white or yellow reflector must be fitted towards the front of the front cross-bar or bolster of a pole-type trailer.

(2) Each reflector must have its centre—

(a) at the same height above ground level; and

(b) not over 1.5 m above ground level; and

(c) not over 400 mm from the nearer side of the vehicle.

(3) Additional front-facing reflectors may be fitted to a trailer mentioned in subsection (1) in accordance with section 95.

Compulsory front reflectors on sugar cane trailers

97.(1) One white reflector must be fitted to each side of a sugar cane trailer, that is at least 2.2 m wide, when it is towed at night.

(2) Each reflector must have its centre—

(a) at least 350 mm, but no more than 900 mm, above ground level; and

(b) not over 150 mm from the nearer side of the vehicle.

SCHEDULE 1 (continued)

Optional front reflectors

98.(1) A motor vehicle with 4 or more wheels, or a trailer, may have 1 or more front-facing white or yellow reflectors fitted towards each side of its front.

(2) A motor vehicle with less than 4 wheels may have 1 or more front-facing white or yellow reflectors.

(3) The centre of at least 1 reflector on each side of the front of the vehicle must be—

(a) at the same height above ground level as the centre of the other reflector; and

(b) the same distance from the longitudinal axis of the vehicle as the centre of the other reflector; and

(c) at least—

(i) if a vehicle has a width under 1.3 m—400 mm from the centre of the other reflector; or

(ii) if a vehicle has a width of 1.3 m or over—600 mm from the centre of the other reflector.

(4) For subsection (3)(c), the width of a vehicle is measured disregarding any anti-skid device mounted on wheels, central tyre inflation systems, lights, mirrors, reflectors, signalling devices and tyre pressure gauges.

Division 18—Warning lights and signs on buses carrying children

What warning lights and signs a bus carrying children must have

99.(1) A school bus must be fitted with the warning lights and signs stated in sections 100 to 102.

(2) Section 103 states an exception to subsection (1) for a school bus that immediately before the commencement of this section complied with the repealed *Traffic Regulation 1962*, schedule 1, section 18B.

SCHEDULE 1 (continued)

Fitting of warning lights and signs

100.(1) Two warning lights and a warning sign must be fitted to the front and rear of the bus.

(2) The warning lights must be fitted—

(a) on each side of, and the same distance from, the centre of the warning sign; and

(b) with the edge of the warning sign not over 100 mm from the nearest point on the lens of the warning lights; and

(c) with the distance between the warning lights at least 300 mm at the nearest point; and

(d) so no part of the bus obstructs the light displayed—

(i) 30° to the left and right of the centre of each light; and

(ii) 10° above and below the centre of each light.

(3) The warning lights may be on the warning sign if the words or image on the sign are not obscured.

(4) The warning lights at the same end of the bus must be fitted—

(a) at the same height; and

(b) as high as practicable; and

(c) with the lowest point on the lens of each light not lower than midway between the highest and lowest points on the bus body.

(5) If the centres of the warning lights are under 1.8 m above ground level, no part of the warning lights or warning sign may be on the left of the bus.

(6) This section applies to a bus despite any requirement of a third edition ADR.

Operation and performance of warning lights

101.(1) When operating, a warning light must display regular flashes of

SCHEDULE 1 (continued)

yellow light at a rate of at least 90, and not over 180, flashes a minute.

(2) The warning lights at the same end of the bus must flash alternately.

(3) Unless the driver has turned the warning lights off, they must operate automatically when a door on the bus opens and for at least 10, and not over 20, seconds after all the doors on the bus have closed.

(4) The bus must have a visible or audible signal that tells the driver when the warning lights are operating.

(5) The bus must be fitted with a switch that allows the driver to turn the warning lights off.

(6) A warning light must have—

(a) an effective lit lens area of at least 60 cm^2; and

(b) a luminous intensity (in candela) of at least the values mentioned in the following table when measured at the angles mentioned in the table.

Vertical angle from centre of light	**Horizontal angle from centre of light**								
	-30°	-20°	-10°	-5°	0°	5°	10°	20°	30°
10°				50	80	50			
5°		180	320	350	450	350	320	180	
0°	75	450	1000	1250	1500	1250	1000	450	75
-5°	40	270	450	570	600	570	450	270	40
-10°				75	75	75			

(7) For subsection (6)(b), the luminous intensity of a light is to be measured in accordance with the test method mentioned in third edition ADR 6.

SCHEDULE 1 (continued)

Specifications for warning signs

102.(1) A warning sign at the front of the bus must—

(a) display the words 'school bus' in capital letters at least 100 mm high; or

(b) display an image of 2 children in the same proportions as the children in AS 1743 *Road Signs—Specifications* (image W6-3), with the image of the taller child at least 230 mm high.

(2) A warning sign at the rear of the bus must display an image of 2 children in the same proportions as the children in AS 1743 *Road Signs—Specifications* (image W6-3), with the image of the taller child at least 230 mm high.

(3) The warning sign mentioned in subsections (1)(b) and (2) must—

(a) be a rectangular shape at least—

(i) if warning lights are on the warning sign—550 mm wide and 400 mm high; and

(ii) in any other case—400 mm wide and 250 mm high; and

(b) have a black border; and

(c) have black graphics and be coated with yellow retro-reflective material of class 1 or 2 that meets Australian Standard AS 1906 *Retro-reflective Materials and Devices for Road Traffic Control Purposes*.

Warning lights and signs fitted to school bus before commencement of section 99

103.(1) This section applies to a school bus that immediately before the commencement of section 99 complied with the repealed *Traffic Regulation 1962*, schedule 1, section 18B.

(2) The bus need not comply with section 99 if it is fitted with the

SCHEDULE 1 (continued)

warning lights and signs stated in this section.

(3) Two flashing yellow lights must be fitted on the front and rear of the bus.

(4) The flashing yellow lights must be—

(a) mounted as high and as widely spaced laterally as practicable and when lit must emit a yellow flashing light visible, in direct sunlight, for at least 200 m to vehicles approaching from the front and rear; and

(b) capable of being activated simultaneously by the driver from the driver's normal driving position when the vehicle is stationary.

(5) A sign must be fitted on the front and rear of the bus.

(6) The sign must—

(a) display the words 'school bus' in black lettering of a size not less than 100 mm high and not less than 60 mm wide on a yellow background; and

(b) be mounted as far as practicable in close proximity to the yellow lights mentioned in subsection (3).

Division 19—Other lights, reflectors, rear marking plates or signals

Other lights and reflectors

104.(1) Despite any requirement of a third edition ADR—

(a) an exempt vehicle may be fitted with any light or reflector; and

(b) a special use vehicle may be fitted with 1 or more flashing yellow lights; and

(c) a sugar cane trailer or a vehicle towing it may be fitted with 1 or more flashing yellow or green lights.

SCHEDULE 1 (continued)

(2) A vehicle, other than a police vehicle, must not be fitted with a blue light except with the written permission of the commissioner.

(3) A vehicle may be fitted with any light or reflector not mentioned in these standards.

(4) A vehicle, other than an exempt vehicle, a special use vehicle or a sugar cane trailer or a vehicle towing it must not be fitted with a light that flashes.

(5) A vehicle, other than an exempt vehicle, must not be fitted with a light or reflector that—

(a) shows a red light to the front; or

(b) shows a white light to the rear; or

(c) is shaped or located in a way that reduces the effectiveness of a light or reflector that is required to be fitted to the vehicle under these standards.

(6) In this section—

"exempt vehicle" means any of the following vehicles—

(a) a police vehicle;

(b) an emergency vehicle;

(c) a transport enforcement vehicle;

(d) an Australian Protective Service vehicle;

(e) an Australian Customs Service vehicle;

(f) an Airservices Australia vehicle.

"special use vehicle" means any of the following vehicles—

(a) a vehicle built or fitted for use in hazardous situations on a road;

(b) a vehicle, or combination, that because of its dimensions is permitted to be driven on a road only in accordance with a

SCHEDULE 1 (continued)

guideline or permit issued under the Act;

(c) a vehicle built or fitted to accompany a vehicle, or combination, mentioned in paragraph (b);

(d) a bus that complies with section 99 or 103.

Examples for paragraph (a)—

- a tow truck
- a vehicle breakdown service vehicle.

Flashing warning lights for sugar cane trailers

105.(1) This section applies if a vehicle is towing a sugar cane trailer.

(2) The vehicle or trailer must be fitted with—

(a) at least 1 lit flashing yellow light more than 1 m above its direction indicators; or

(b) if the flashing light can not be conveniently attached as required by paragraph (a)—at least 1 lit flashing green light within 1 m of its direction indicators.

(3) When it is on, the light must be visible, in direct sunlight, for at least 200 m from the vehicle.

Rear marking plates

106.(1) Rear marking plates must be fitted to—

(a) a motor vehicle with a GVM over 12 t, other than a bus fitted with hand grips or similar equipment for standing passengers to hold; and

(b) a trailer with a GTM over 10 t.

(2) Subsection (1) applies to a vehicle even if it was built before the date stated in the ADR.

SCHEDULE 1 (continued)

(3) Rear marking plates may be fitted to a motor vehicle with a GVM not over 12 t or a trailer with a GTM not over 10 t.

(4) In this section—

"rear marking plate" means a rear marking plate complying with rule 13.6.101 of third edition ADR 13

Signalling devices

107.(1) This section applies to a motor vehicle if—

(a) the vehicle is not fitted with a brake light or direction indicator light mentioned in division 9 or 11; and

(b) the construction of the vehicle would otherwise prevent the driver from hand signalling an intention—

(i) to turn or move the vehicle to the right; or

(ii) to stop or suddenly reduce the speed of the vehicle.

(2) The vehicle must be fitted with—

(a) a mechanical signalling device complying with section 108; or

(b) a pair of turn signals complying with section 109.

Mechanical signalling devices

108.(1) A mechanical signalling device must—

(a) be fitted to the right side of the vehicle; and

(b) be able to be operated by the driver from a normal driving position; and

(c) consist of a white or yellow representation of an open human hand at least 15 cm long; and

(d) be constructed so that the driver of the vehicle can keep the

SCHEDULE 1 (continued)

device—

(i) in a neutral position so that it is unlikely that the driver of another vehicle or anyone else would regard it as a signal; and

(ii) in a horizontal position with the palm of the hand facing forwards and the fingers pointing out at a right angle to the vehicle to signal an intention to turn or move right; and

(iii) with the palm of the hand facing forwards and the fingers pointing upwards to signal an intention to stop or reduce speed suddenly.

(2) When the mechanical signalling device is in a position mentioned in subsection (1)(d)(ii) or (iii), the complete hand must be clearly visible from both the front and the rear of the vehicle, at a distance of 30 m.

Turn signals

109. A turn signal must—

(a) consist of a steady or flashing illuminated yellow sign at least 15 cm long and 25 mm wide that—

(i) when in operation—is kept horizontal; and

(ii) when not in operation—is kept in a position so it is unlikely that the driver of another vehicle or anyone else would regard it as a signal; and

(b) be fitted to the side of the vehicle at least 50 cm and not over 2.1 m above ground level, in a position so that the driver of the vehicle, from the normal driving position, can see whether the signal is in operation; and

(c) be able to be operated by the driver from the normal driving position; and

SCHEDULE 1 (continued)

(d) when in operation, be visible from both the front and rear of the vehicle at a distance of 30 m.

Division 20—Vehicles not required to have lights or reflectors

Certain vehicles used in daylight

110. This part does not apply to a vehicle built before 1931 that is used only in the daylight.

Certain vehicles used for collection or exhibition purposes

111. This part does not apply to a vehicle built before 1946 that is used mainly for exhibition purposes.

PART 8—BRAKING SYSTEMS

Division 1—Brake requirements for all vehicles

Components of a braking system

112.(1) 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 long enough to allow for the full range of steering and suspension movements of the vehicle; and

(c) be fitted to prevent it being damaged during the operation of the vehicle by—

SCHEDULE 1 (continued)

(i) a source of heat; or

(ii) any movement of the parts to which it is attached or near.

(2) Each component of the braking system of a vehicle with a GVM over 4.5 t must comply with the design and performance requirements of any of the following relevant standards—

(a) an Australian or British Standard; or

(b) a standard approved by any of the following bodies—

- the American Society of Automotive Engineers
- the American National Standards Institute
- the Japanese Standards Association
- the Deutsches Institut fur Normun
- the International Organisation for Standardisation.

Provision for wear

113. The braking system of a vehicle must allow for adjustment to take account of normal wear in the braking system.

Supply of air or vacuum to brakes

114.(1) If air brakes are fitted to a vehicle—

(a) the compressor supplying air to the brakes must be able to build up air pressure to at least 80% of the governor cut-out pressure in not over 5 minutes after the compressed air reserve is fully used up; and

(b) if the vehicle has a GVM over 4.5 t—the air storage tanks must have sufficient capacity to allow 5 applications of the service brakes before the air pressure drops below half the governor cut-out pressure; and

SCHEDULE 1 (continued)

(c) there must be an automatic or manual condensate drain valve at the lowest point of each air brake reservoir in the system; and

(d) any spring brake fitted to the vehicle must not operate before the warning mentioned in section 118(4)(a) or 121(3)(a) has been given.

(2) If vacuum brakes are fitted to a vehicle, the vacuum supply must be able to build up vacuum—

(a) to the level when the warning signal mentioned in section 118(4)(a) or 121(3)(a) no longer operates within 30 seconds after the vacuum reserve is fully used up; and

(b) to the normal working level within 60 seconds after the vacuum reserve is fully used up.

Performance of braking systems

115.(1) One sustained application of the brake of a motor vehicle built after 1930, or a combination that includes a motor vehicle built after 1930, must be able to produce the performance mentioned in subsections (2) to (7)—

(a) when the vehicle or combination is on a dry, smooth, level road surface, free from loose material; and

(b) whether or not the vehicle or combination is loaded; and

(c) without part of the vehicle or combination moving outside a straight path—

(i) centred on the longitudinal axis of the vehicle or combination before the brake was applied; and

(ii) 3.7 m wide.

(2) The braking system of a motor vehicle or combination with a gross mass under 2.5 t must bring the vehicle or combination from a speed of 35

SCHEDULE 1 (continued)

km/h to a stop within—

(a) 12.5 m when the service brake is applied; and

(b) 30 m when the emergency brake is applied.

(3) The braking system of a motor vehicle or combination with a gross mass of at least 2.5 t must bring the vehicle or combination from a speed of 35 km/h to a stop within—

(a) 16.5 m when the service brake is applied; and

(b) 40.5 m when the emergency brake is applied.

(4) The braking system of a motor vehicle or combination with a gross mass under 2.5 t must decelerate the vehicle or combination, from any speed at which the vehicle or combination can travel, by an average of at least—

(a) 3.8 m a second a second when the service brake is applied; and

(b) 1.6 m a second a second when the emergency brake is applied.

(5) The braking system of a motor vehicle or combination with a gross mass of at least 2.5 t must decelerate the vehicle or combination, from any speed at which the vehicle or combination can travel, by an average of at least—

(a) 2.8 m a second a second when the service brake is applied; and

(b) 1.1 m a second a second when the emergency brake is applied.

(6) The braking system of a motor vehicle or combination with a gross mass under 2.5 t must achieve a peak deceleration of the vehicle or combination, from any speed at which the vehicle or combination can travel, of at least—

(a) 5.8 m a second a second when the service brake is applied; and

(b) 1.9 m a second a second when the emergency brake is applied.

(7) The braking system of a motor vehicle or combination with a gross

SCHEDULE 1 (continued)

mass of at least 2.5 t must achieve a peak deceleration of the vehicle or combination, from any speed at which the vehicle or combination can travel, of at least—

(a) 4.4 m a second a second when the service brake is applied; and

(b) 1.5 m a second a second when the emergency brake is applied.

(8) The parking brake of a vehicle or combination must be able to hold the vehicle or combination stationary on a 12% gradient.

Division 2—Motor vehicle braking systems

What braking system a motor vehicle must have

116.(1) A motor vehicle with 4 or more wheels built, or used, mainly for transporting goods or people by road must be fitted with—

(a) a braking system that—

(i) consists of brakes fitted to all wheels of the vehicle; and

(ii) has at least 2 separate methods of activation, arranged so effective braking remains on at least 2 wheels if a method fails; or

(b) 2 independent brakes, each of which, when in operation, acts directly on at least half the number of wheels of the vehicle.

(2) The braking system of a motor vehicle mentioned in subsection (1) that was built after 1945 must have a service brake operating on all wheels that, when applied—

(a) acts directly on the wheels and not through the vehicle's transmission; or

(b) acts on a shaft between a differential of the vehicle and a wheel.

(3) The braking system of a motor vehicle with 4 or more wheels must

SCHEDULE 1 (continued)

have a parking brake that—

(a) is held in the applied position by direct mechanical action without the intervention of an electrical, hydraulic or pneumatic device; and

(b) is fitted with a locking device that can hold the brake in the applied position; and

(c) has its own separate control.

(4) The parking brake may also be the emergency brake.

(5) If 2 or more independent brakes are fitted to a motor vehicle with 4 or more wheels, the brakes must be arranged so brakes are applied to all the wheels on at least 1 axle of the vehicle when any brake is operated.

(6) A motorbike or motortrike must be fitted with—

(a) 2 independent brakes; or

(b) a single brake that acts directly on all wheels of the vehicle and is arranged so effective braking remains on at least 1 wheel if a part of the system fails.

(7) Subsection (6) applies to a motorbike with a sidecar attached as if the sidecar were not attached.

(8) A motortrike must have a parking brake that is held in the applied position by mechanical means.

(9) In this section—

"independent brake", for a vehicle, means a brake that is operated entirely separately from any other brake on the vehicle, other than for any drum, disc or part, on which a shoe, band or friction pad makes contact, that is common to 2 or more brakes.

SCHEDULE 1 (continued)

Operation of brakes on motor vehicles

117. 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

118.(1) If a motor vehicle has air brakes, the braking system of the vehicle must include at least 1 air storage tank.

(2) If a motor vehicle has vacuum brakes, the braking system of the vehicle must include at least 1 vacuum storage tank.

(3) An air or vacuum storage tank must be built so the service brake can be applied to meet the performance standards of section 115[21] at least twice if the engine of the vehicle stops or the source of air or vacuum fails.

(4) An air or vacuum storage system must—

(a) be built to give a visible or audible warning to the driver, while in a normal driving position, of a lack of air or vacuum that would prevent the service brake from being applied to meet the performance standards of section 115 at least twice; and

(b) be safeguarded by a check valve or other device against loss of air or vacuum if the supply fails or leaks.

(5) However, subsection (4)(a) does not apply to a vehicle with a GVM of 4.5 t or less that is fitted with an air or vacuum assisted braking system.

(6) If air or vacuum brakes are fitted to a motor vehicle equipped to tow a trailer, the brakes of the vehicle must be able to stop the vehicle, at the performance standards for emergency brakes under section 115 if the trailer breaks away.

(7) The braking system of a motor vehicle with a GVM over 4.5 t

21 Schedule 1, section 115 (Performance of braking systems)

SCHEDULE 1 (continued)

equipped to tow a trailer fitted with air brakes must include protection against loss of supply line air or brake control signal air.

(8) The protection must, if a brake supply line hose connecting the motor vehicle and a trailer fails—

(a) operate automatically; and

(b) maintain enough air pressure to allow the brakes to be applied to meet performance standards for emergency brakes under section 115; and

(c) include a visible or audible warning to the driver of the motor vehicle.

Division 3—Trailer braking systems

What brakes a trailer must have

119.(1) A trailer with a GTM over 750 kg must have brakes that operate on at least 1 wheel at each end of 1 or more axles of the trailer.

(2) A semitrailer or converter dolly with a GTM over 2 t must have brakes that operate on all its wheels.

(3) Despite subsections (1) and (2), a sugar cane trailer that—

(a) has an ATM less than 6 t—requires no brakes; or

(b) has an ATM of 6 t or more and no more than 12 t—must have an efficient air or hydraulic braking system on at least 2 of its wheels capable of operation at the normal driving position by the driver of the vehicle towing the trailer; or

(c) has an ATM more than 12 t and no more than 19 t—must have an efficient air or hydraulic braking system on all its wheels capable of operation at the normal driving position by the driver of the vehicle towing the trailer.

SCHEDULE 1 (continued)

Operation of brakes on trailers

120.(1) The braking system of a trailer with a GTM over 2 t must allow the driver of a motor vehicle towing the trailer to operate the brakes from a normal driving position.

(2) However, subsection (1) does not apply to an unloaded converter dolly that weighs under 3 t if the motor vehicle towing the converter dolly has a GVM over 12 t.

(3) The brakes on a trailer with a GTM over 2 t, other than a sugar cane trailer, must, if the trailer breaks away from the towing vehicle—

(a) operate automatically and quickly; 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% grade while in operation after a break-away.

Air or vacuum brakes on trailers

121.(1) If a trailer has air brakes, its braking system must include at least 1 air storage tank.

(2) If a trailer has vacuum brakes, its braking system must include at least 1 vacuum storage tank.

(3) An air or vacuum storage system must—

(a) be constructed to give a visible or audible warning to the driver of the towing vehicle, while in a normal driving position, of a lack of air or vacuum that would prevent the brakes from meeting the performance standards of section 115; and

(b) be safeguarded by a check valve or other device against loss of air or vacuum if the supply fails or leaks.

(4) Subsections (1) to (3) do not apply to a trailer with a GTM of 2 t or less or a sugar cane trailer.

SCHEDULE 1 (continued)

Division 4—Additional brake requirements for B-doubles and long road trains

Application of division to certain road trains

122. This division does not apply to a road train, or a vehicle used in a road train, if the road train has a length of 19 m or less.

Braking system design for a prime mover in a B-double

123.(1) A prime mover used in a B-double must comply with second edition ADR 35A or third edition ADR 35.

(2) A prime mover used in a B-double must also have an anti-lock braking system complying with third edition ADR 64, if the prime mover—

(a) was built after 1989; or

(b) was first used in a B-double after 1993; or

(c) is used in a B-double that includes a road tank vehicle carrying dangerous goods.

Braking system design for motor vehicles in road trains

124. The performance of the service, secondary and parking brake systems of a motor vehicle used in a road train must comply with second edition ADR 35A or third edition ADR 35 if the vehicle would not otherwise be required to comply with an ADR about braking.

Braking system design for trailers in B-doubles or road trains

125.(1) The performance of the service, secondary and parking brake systems of a trailer used in a B-double or road train must comply with

SCHEDULE 1 (continued)

second edition ADR 38 or third edition ADR 38 if the trailer would not otherwise be required to comply with an ADR about braking.

(2) A road train trailer to which subsection (1) applies need not be fitted with a mechanical parking brake if it carries wheel chocks that provide a performance equal to the performance standard required for a parking brake system.

(3) A semitrailer, regardless of when it was built, must have an anti-lock braking system that complies with 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 semitrailer is itself a road tank vehicle; and

(b) the road tank vehicle is carrying dangerous goods.

Air brakes of motor vehicles in B-doubles or road trains

126.(1) If a B-double or road train is fitted with brakes that operate using compressed air, the braking system of the motor vehicle must comply with subsections (2) and (3) when—

(a) the pressure is measured in an 800 mL vessel connected by a 2 m pipe with a bore of approximately 13 mm to the coupling head of the braking system; and

(b) the air pressure before the brakes are applied is not more than—

(i) the average of the maximum and minimum pressures in the operating pressure range specified by the vehicle's manufacturer; or

(ii) if there is no manufacturer's specification—650 kPa.

(2) The pressure must reach at least 420 kPa within 400 ms after the rapid and complete application of the foot-operated brake control.

(3) After the brakes have been fully applied, the pressure must fall, within 0.5 s after the release of the foot-operated brake control, to 35 kPa.

SCHEDULE 1 (continued)

Air brakes in a B-double or road train—least favoured chamber

127.(1) The pressure in the least favoured chamber of the braking system of a B-double or road train with brakes that operate using compressed air must comply with subsections (2) and (3) when the air pressure before the brakes are applied is not more than—

(a) the average of the maximum and minimum pressures in the operating pressure range specified by the vehicle's manufacturer; or

(b) if there is no manufacturer's specification—650 kPa.

(2) The pressure must reach at least 420 kPa within—

(a) for a B-double—1 s after the rapid and complete application of the foot-operated brake control; or

(b) for a road train—1.5 s after the rapid and complete application of the foot-operated brake control.

(3) After the brakes have been fully applied, the pressure must fall to 35 kPa, or the pressure at which the friction surfaces cease to contact each other, within—

(a) for a B-double—1 s after the release of the foot-operated brake control; or

(b) for a road train—1.5 s after the release of the foot-operated brake control.

(4) In this section—

"least favoured chamber" means the brake chamber with the longest line to the treadle valve in the prime mover.

Recovery of air pressure for brakes in B-doubles and road trains

128. The air pressure in each air brake reservoir in a B-double or road train must recover to at least 420 kPa within 1 min after 3 full brake

SCHEDULE 1 (continued)

applications have been made within a 10 s period if, before the 3 brake applications have been made—

(a) the engine is running at maximum speed; and

(b) the governor cut-in pressure is no higher than—

(i) the pressure specified by the vehicle's manufacturer; or

(ii) if there is no manufacturer's specification—550 kPa; and

(c) the air pressure in the storage tanks of the vehicle is not more than—

(i) the average of the maximum and minimum pressures in the operating pressure range specified by the vehicle's manufacturer; or

(ii) if there is no manufacturer's specification—650 kPa.

Air supply for brakes in B-doubles and road trains

129. 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

130.(1) Brake line couplings on the same part of a vehicle in a B-double or road train must not be interchangeable.

(2) The couplings must be polarised in accordance with Australian Standard AS D8-1971 *Hose Couplings for Use with Vacuum and*

SCHEDULE 1 (continued)

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 mentioned in the standard.

Simultaneous parking brake application

131.(1) If the parking brake of a motor vehicle in a B-double or road train is applied, the parking brakes of any attached trailer must be applied automatically.

(2) This section does not apply to a trailer carrying wheel chocks complying with section 125(2).[22]

Capacity of air reservoirs

132.(1) The capacity of the air storage tanks of a motor vehicle used in a B-double or road train must be at least 12 times the volume of all the brake activation chambers on the motor vehicle.

(2) The capacity of the air storage tanks of a trailer used in a B-double or road train must be at least 8 times the volume of all the brake activation chambers on the trailer.

22 Schedule 1, section 125 (Braking system design for trailers in B-doubles or road trains)

SCHEDULE 1 (continued)

PART 9—CONTROL OF EMISSIONS

Division 1—Crank case gases and visible emissions

Crank case gases

133.(1) This section applies to a motor vehicle with 4 or more wheels that is powered by a petrol engine and was built after 1971.

(2) The vehicle must be built to prevent, or fitted with equipment that prevents, crank case gases from escaping to the atmosphere.

Visible emissions

134.(1) This section applies to a motor vehicle that is propelled by an internal combustion engine and was built after 1930.

(2) The vehicle must not emit visible emissions for a continuous period of 10 s or more.

(3) However, this section does not apply to emissions that are visible only because of heat or the condensation of water vapour.

Division 2—Exhaust systems

Exhaust systems

135.(1) The outlet of the exhaust system fitted to a motor vehicle with a GVM over 4.5 t, other than a bus or minibus, must extend—

(a) behind the back seat; and

(b) at least 40 mm beyond the outermost joint of the floorpan that is not continuously welded or permanently sealed; and

SCHEDULE 1 (continued)

(c) to the edge of the vehicle, if—

(i) the body of the vehicle is permanently enclosed; and

(ii) the vehicle is not fitted with a vertical exhaust system; and

(d) no further than the edge of the vehicle at its widest point.

(2) The outlet must discharge the main exhaust flow to the air—

(a) if the vehicle is fitted with an exhaust system with a vertical outlet pipe—

(i) at an angle above the horizontal; and

(ii) at least 150 mm above the cab of the vehicle; and

(iii) towards the rear, or to the right, of the vehicle; and

(b) in any other case—

(i) horizontally or at an angle of not over 45˚ downwards; and

(ii) under 750 mm above ground level; and

(iii) towards the rear, or to the right, of the vehicle.

(3) An exposed section of a vertical exhaust system fitted to a motor vehicle, other than a bus or minibus, with a GVM over 4.5 t must be positioned or shielded to prevent injury.

(4) The outlet of the exhaust system fitted to a bus or minibus with a GVM over 4.5 t must—

(a) be as near as practicable to the rear of the vehicle; and

(b) extend no further than the edge of the vehicle at its widest point.

(5) An outlet mentioned in subsection (4) must discharge the main exhaust flow to the air—

(a) if the vehicle is fitted with an exhaust system with a vertical outlet pipe—

SCHEDULE 1 (continued)

(i) behind the passenger compartment; and

(ii) at an angle above the horizontal; and

(iii) upwards or rearwards; and

(b) in any other case—

(i) horizontally or at an angle of not over 45˚ downwards; and

(ii) rearwards or to the right of the vehicle.

(6) A vertical exhaust system fitted to a motor vehicle with a GVM over 4.5 t must—

(a) if the vehicle is fitted with an exhaust system with a vertical outlet pipe that does not direct the main exhaust flow straight up—direct the flow rearwards at an angle within 0˚ to 45˚ of the longitudinal centre line of the vehicle; and

(b) if a rain cap is fitted to the outlet pipe—be installed so the hinge of the cap is at an angle of 90˚ (plus or minus 10˚) to the longitudinal centre line of the vehicle when viewed from above.

Division 3—Noise emissions

Silencing device for exhaust systems

136. A motor vehicle propelled by an internal combustion engine must be fitted with a silencing device through which all the exhaust from the engine passes.

SCHEDULE 1 (continued)

PART 10—LPG FUEL SYSTEMS

LPG-powered vehicles

137.(1) A motor vehicle equipped to run on LPG must comply with the requirements for the use of LPG in vehicles in—

(a) Australian Standard AS 1425 in force at the commencement of this section; or

(b) if an earlier version of the standard was current when the vehicle was first equipped to run on LPG—that version.

(2) A vehicle equipped to run on LPG must have fitted conspicuously to the front and rear number plates a label that is—

(a) made of durable material; and

(b) at least 25 mm wide and 25 mm high; and

(c) reflective red conforming to Australian Standard AS 1742-1975 *Manual of Uniform Traffic Control Devices*, Appendix C, Class 2; and

(d) marked 'LPGAS' or 'LPG', or with words or acronyms to similar effect, in capital letters at least 6 mm high.

PART 11—MAXIMUM ROAD SPEED LIMITING

Speed limiting

138.(1) A bus with a GVM over 14.5 t that was built after 1987 must comply with third edition ADR 65.

(2) A prime mover with a GVM over 15 t that was built after 1987 must

SCHEDULE 1 (continued)

comply with third edition ADR 65.

(3) For third edition ADR 65, the maximum road speed capability of a motor vehicle used in a road train is 90 km/h.

Exemptions from speed limiting

139. Section 138 does not apply to—

(a) an emergency vehicle or police vehicle; or

(b) a bus fitted with hand grips or similar equipment for standing passengers to hold; or

(c) a 2-axle prime mover if—

(i) it was built after 1987 but before July 1991; and

(ii) its owner is a person who uses it for agriculture, horticulture, or other primary production activities, other than forestry, fishing and mining.

PART 12—MECHANICAL CONNECTIONS BETWEEN VEHICLES

Division 1—Couplings on all types of vehicles

General coupling requirements

140.(1) A fifth wheel coupling, the mating parts of a coupling, a kingpin or a towbar must not be used for a load more than the manufacturer's load rating.

(2) A kingpin must be used only with a fifth wheel coupling that has a

SCHEDULE 1 (continued)

corresponding jaw size.

Example for subsection (2)—

An adaptor must not to be used to fit a kingpin to a fifth wheel coupling.

(3) The mating parts of a coupling used to connect a semitrailer to a towing vehicle must not allow the semitrailer to roll to an extent that makes the towing vehicle unstable.

Drawbar couplings

141.(1) A coupling for attaching a trailer, other than a semitrailer or pole-type trailer, to a towing vehicle must be built and fitted so 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.

(2) If the trailer is in a combination and is not fitted with breakaway brakes in accordance with section 120(3),[23] it must be connected to the towing vehicle by at least 1 chain, cable or other flexible device (the **"connection"**), as well as the coupling required by subsection (1).

(3) The connection must be built and fitted so that—

(a) if the coupling breaks or accidentally detaches—the trailer is kept in tow; and

(b) normal angular movement of the coupling is permitted without unnecessary slack.

(4) If practicable, the connection must be built and fitted so the drawbar of the trailer is prevented from hitting the ground if the coupling accidentally detaches.

(5) However, subsection (2) does not apply to a sugar cane trailer if it is

23 Schedule 1, section 120 (Operation of brakes on trailers)

SCHEDULE 1 (continued)

fitted with a load sharing coupling that can not be disconnected from the towing vehicle without using tools.

Division 2—Additional coupling requirements for B-doubles and long road trains

Division does not apply to particular vehicles or couplings

142. This division does not apply to a vehicle or a coupling, including a part of a coupling, used in a road train 19 m, or less, in length.

Couplings for B-doubles and road trains

143.(1) A fifth wheel coupling used to connect a towing vehicle to a semitrailer used in a B-double or road train must not be built with a pivot that allows a semitrailer to roll relative to the towing vehicle.

(2) However, subsection (1) does not apply to a fifth wheel coupling if—

(a) the semitrailer design requires torsional stresses to be minimised; and

(b) the roll axis of the fifth wheel coupling is above the surface of the coupler plate; and

(c) the degree of rotation allowed around the roll axis of the fifth wheel coupling is restricted to prevent roll instability.

(3) A trailer with only 1 axle group, or a single axle, other than a semitrailer or a converter dolly, that is used in a road train must not have a coupling fitted at its rear.

Selection of fifth wheel couplings for B-doubles and road trains

144.(1) A fifth wheel coupling used in a B-double or road train must

SCHEDULE 1 (continued)

have a D-value complying with Australian Standard AS 1773-1990 *Articulated Vehicles–Fifth Wheel Assemblies.*

(2) A turntable used in a B-double or road train must have a D-value conforming with Australian Standard AS 1773-1990 *Articulated Vehicles–Fifth Wheel Assemblies*.

(3) If a fifth wheel coupling used in a B-double or road train is built for a 50 mm or 90 mm kingpin, the coupling must—

(a) meet the dimension requirements in Australian Standard AS 1773-1990 *Articulated Vehicles–Fifth Wheel Assemblies*; and

(b) not be worn away more than recommended by the standard.

(4) If a fifth wheel coupling used in a B-double or road train is built for a 75 mm kingpin, the coupling must—

(a) be compatible with the kingpin mentioned in section 148(3); and

(b) not be worn away so that it does not comply with section 145.

D-value of a fifth wheel coupling

145. In testing a fifth wheel coupling built for a 75 mm kingpin used in a B-double or road train to decide whether its D-value complies with section 144(1), the longitudinal movement, after readjusting the jaws of the coupling using a kingpin built to the dimensions mentioned in section 148(3)(a), must not be over 4 mm.

Mounting of fifth wheel couplings on B-doubles and road trains

146. A fifth wheel coupling must be mounted on a prime mover, or a semitrailer used in a B-double or road train, in accordance with Australian Standard AS 1771-1987 *Installation of Fifth Wheel and Turntable Assemblies.*

SCHEDULE 1 (continued)

Branding of fifth wheel couplings and turntables on B-doubles and road trains

147.(1) A fifth wheel coupling on a vehicle built after June 1991 forming part of a B-double or road train must be clearly and permanently marked in accordance with Australian Standard AS 1773-1990 *Articulated Vehicles–Fifth Wheel Assemblies* with—

(a) the name or trademark of its manufacturer; and

(b) its D-value rating; and

(c) its nominal size.

(2) A turntable used in a vehicle built after the commencement of this section that forms part of a B-double or road train must be clearly and permanently marked with—

(a) the name or trademark of the turntable's manufacturer; and

(b) the D-value rating of the turntable in accordance with Australian Standard AS 1773-1990 *Articulated Vehicles–Fifth Wheel Assemblies.*

Selection of kingpins for B-doubles and road trains

148.(1) A kingpin used in a B-double or road train must—

(a) be a 50, 75 or 90 mm kingpin; and

(b) have a D-value complying with Australian Standard AS 2175-1990 *Articulated Vehicles–Kingpins*.

(2) A 50 or 90 mm kingpin used in a B-double or road train must—

(a) be built to meet the dimension requirements in Australian Standard AS 2175-1990 *Articulated Vehicles–Kingpins*; and

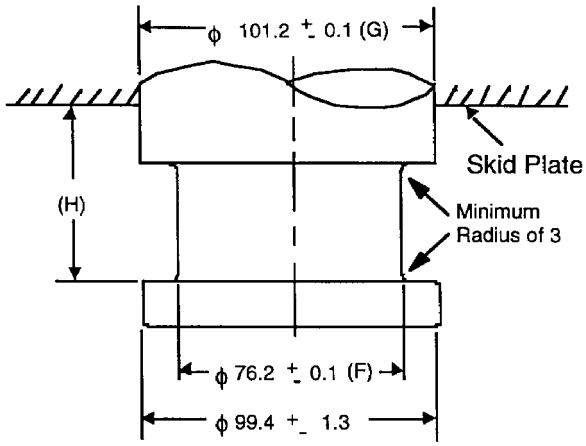
(b) not be worn away more than recommended by the standard.

(3) A 75 mm kingpin used in a B-double or road train must—

SCHEDULE 1 (continued)

(a) be built to meet the dimensions in the following diagram; and

(b) not be worn away more than mentioned in subsection (4).



Dimensions of a 75 mm kingpin

(4) In testing a 75 mm kingpin mentioned in subsection (3), to decide whether its D-value complies with subsection (1)(b)—

(a) diameter F in the diagram must not wear more than 3 mm; and

(b) diameter G in the diagram must not wear more than 2 mm; and

(c) height H in the diagram must not wear more than 2.3 mm.

Attachment of kingpins on B-doubles and road trains

149. A kingpin used in a trailer that forms part of a B-double or road train must be attached in accordance with—

(a) the manufacturer's specifications and instructions; or

(b) the guidelines detailed in Australian Standard AS 2175-1990 *Articulated Vehicles–Kingpins*.

SCHEDULE 1 (continued)

Branding of kingpins on B-doubles and road trains

150. A kingpin used in a trailer built after June 1991 that forms part of a B-double or road train must be clearly and permanently marked on the lower circular face of the kingpin in accordance with Australian Standard AS 2175-1990 *Articulated Vehicles–Kingpins* with—

(a) the name or trademark of its manufacturer; and

(b) its D-value rating; and

(c) its nominal size.

Selection of couplings and drawbar eyes for road trains

151. A drawbar-type coupling, or drawbar eye, used in a road train must—

(a) be a 50 mm pin type; and

(b) have a D-value complying with Australian Standard AS 2213-1984 *50 mm Pin Type Couplings and Drawbar Eyes for Trailers*; and

(c) be built to the dimensions mentioned in the standard; and

(d) not be worn away more than is recommended in the standard.

Attachment of couplings and drawbar eyes on road trains

152. A drawbar-type coupling, or drawbar eye, used in a road train must be built and positioned so—

(a) when the road train is moving, the drawbar can move at least 15˚ upwards or downwards from the position it occupies when the road train is parked on level ground; and

(b) the pivot point of the coupling is not over 300 mm forward of the rear of the trailer to which it is attached; and

SCHEDULE 1 (continued)

(c) it is at a height of at least 800 mm, but not over 950 mm, when the road train is unloaded and parked on level ground.

Branding of couplings and drawbar eyes on road trains

153. A drawbar-type coupling, or drawbar eye, used on a vehicle built after June 1991 that forms part of a road train must be clearly and permanently marked in accordance with Australian Standard AS 2213-1984 *50 mm-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

154.(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 m.

(2) The tow coupling overhang of a semitrailer, or a dog trailer consisting of a semitrailer and converter dolly, used in a road train must not be more than 30% of the distance from the point of articulation to the centre of the axle group or single axle at the rear of the vehicle.

(3) The tow coupling overhang of another dog trailer used in a road train must not be more than 30% of the distance from the centre of the front axle group or single axle to the centre of the axle group or single axle at the rear of the vehicle.

(4) In this section—

SCHEDULE 1 (continued)

"tow coupling overhang", of a vehicle, means the horizontal distance from the centre of the axle group, or the centre line of the single axle, at the rear of the vehicle to the pivot point of the coupling near the rear of the vehicle.

PART 13—OTHER MATTERS

Retractable axles

155.(1) For these standards, a retractable axle is taken to be an axle only when it is in the lowered position.

(2) In this section—

"retractable axle" means an axle with a means of adjustment enabling it to be raised or lowered relative to the other axles in the axle group.

Interpretation of certain second edition ADRs

156.(1) This section applies to a left-hand drive motor vehicle.

(2) In applying the vehicle standards to the vehicle, the words "left" and "right" in the following second edition ADRs have the opposite meaning—

- ADR 8 Safety Glass
- ADR 12 Glare Reduction in Field of View
- ADR 14 Rear Vision Mirrors
- ADR 16 Windscreen Wipers and Washers
- ADRs 18 and 18A Location and Visibility of Instruments
- ADRs 35 and 35A Commercial Vehicle Braking Systems.

SCHEDULE 2

EXEMPT AREAS

sections 20 to 22

1. For a COI vehicle—the areas of the shires under the *Local Government Act 1993* of Barcoo, Boulia, Bulloo, Burke, Carpentaria, Cook, Croydon, Diamantina, Etheridge, Quilpie, Torres and Warroo.

2. For a type of SC vehicle—a Queensland island on which there is no AIS approved to inspect the type of SC vehicle.

3. For a motor cycle—an area outside a radius of 50 km of an AIS approved to inspect motor cycles.

4. For a trailer with an ATM over 0.75 t and under 3.5 t—an area outside a radius of 50 km of an AIS approved to inspect trailers with an ATM over 0.75 t and under 3.5 t.

5. For any other SC vehicle—an area of a shire or city under the *Local Government Act 1993* mentioned in column 1, but not part of an area that is within a 25 km radius of the principal post office of a town or city mentioned in column 2.

Column 1	**Column 2**
Aramac	Aramac
	Barcaldine
Balonne	Dirranbandi
	Mungindi
	St. George
	Thallon
Barcaldine	Barcaldine

SCHEDULE 2 (continued)

Bauhinia . . . . . Rolleston
. . . . . Springsure
Belyando . . . . . Clermont
. . . . . Moranbah
Bendemere . . . . . Yuleba
Blackall . . . . . Blackall
Booringa . . . . . Mitchell
. . . . . Morven
Bowen . . . . . Bowen
. . . . . Collinsville
Broadsound . . . . . Dysart
Bungil . . . . . Injune
. . . . . Roma
Chinchilla . . . . . Chinchilla
. . . . . Miles
Cloncurry . . . . . Cloncurry
. . . . . Mount Isa
Dalrymple . . . . . Charters Towers
. . . . . Greenvale
Douglas . . . . . Mossman
Duaringa . . . . . Blackwater
. . . . . Duaringa
Emerald . . . . . Blackwater
. . . . . Emerald

SCHEDULE 2 (continued)

Flinders	Hughenden
Herberton	Herberton
	Ravenshoe
Ilfracombe	Isisford
	Longreach
Isisford	Isisford
Jericho	Alpha
Longreach	Longreach
Mareeba	Dimbula
	Kuranda
	Mareeba
	Mossman
McKinlay	Julia Creek
Mount Isa	Mount Isa
Murilla	Miles
Murweh	Augathella
	Charleville
	Morven
	Tambo
Nebo	Moranbah
Paroo	Cunnamulla

SCHEDULE 2 (continued)

Peak Downs	Capella
	Clermont
	Dysart
	Emerald
Richmond	Richmond
Tambo	Tambo
Tara	Meandarra
	Tara
Taroom	Taroom
	Wandoan
Waggamba	Goondiwindi
	Thallon
Winton	Winton

SCHEDULE 3

FEES

section 4

		$
1.	Inspection for issue of safety certificate—	
	(a) motor vehicle with a GVM not over 4.5 t	47.00
	(b) motorcycle	29.10
	(c) trailer with an ATM over 0.75 t but not over 3.5 t . . .	23.50
2.	Inspection for issue of certificate of inspection—	
	(a) school bus or a bus with a GVM not over 4 t	49.20
	(b) any other bus with a GVM over 4 t	58.15
	(c) another motor vehicle with a GVM not over 4.5 t . . .	30.20
	(d) another motor vehicle with a GVM over 4.5 t but not over 16 t	67.10
	(e) another motor vehicle with a GVM over 16 t	83.90
	(f) trailer with an ATM over 3.5 t	38.05
3.	If a motor vehicle is examined by an authorised officer outside normal hours at the request of the vehicle's owner, the owner must also pay the overtime payable to, and the travelling expenses incurred by, the officer.	
4.	Copy of inspection report issued by the department	14.55
5.	Inspecting vehicle under section 36 of the Act	30.20
6.	Surveying plans for modification of vehicle	53.70
7.	Inspection for issue of modification certificate	30.20
8.	Application for approval of AIS	57.95
9.	Annual renewal of approval of AIS	30.50
10.	Lodging notice of appeal	27.95
11.	Supplying book of 50 inspection certificates	45.85
12.	Supplying book of 50 certificates of modification	27.95

SCHEDULE 3 (continued)

13.	Postage and handling for each package of up to 4 books of inspection certificates or certificates of modification	5.60
14.	Issuing a replacement AIS approval, inspection certificate or certificate of modification	14.55

SCHEDULE 4

DICTIONARY

section 3

"50 mm kingpin" means a kingpin meeting the dimension requirements for a 50 mm kingpin in Australian Standard AS 2175-1990 *Articulated Vehicles Kingpins*.

"75 mm kingpin" means a kingpin with the dimensions mentioned in schedule 1, section 148(3).

"90 mm kingpin" means a kingpin meeting the dimension requirements for a 90 mm kingpin in Australian Standard AS 2175-1990 *Articulated Vehicles Kingpins*.

"adopted standard" see schedule 1, section 13.

"ADR" see schedule 1, section 3.

"air brake" means an air-operated or air-assisted brake.

"AIS" means a fixed AIS or mobile AIS.

"AIS approval" see section 25.

"approval", for chapter 4, means—

(a) an AIS approval; or

(b) a permit.

"approved examiner" means a person accredited as an approved person under the *Transport Operations (Road Use Management) Regulation 1995*

"approved person" means a person accredited as an approved person under the *Transport Operations (Road Use Management) Regulation 1995*.

SCHEDULE 4 (continued)

"articulated bus" means a bus with 2 or more rigid sections connected to one another in a way allowing—

(a) passengers access between the sections; and

(b) rotary movement between the sections.

"ATM" (aggregate trailer mass), for a trailer—

(a) means the maximum mass, specified by the manufacturer, for the loaded trailer; and

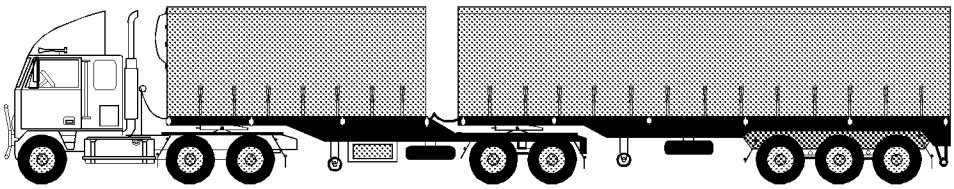
(b) includes any mass imposed on the vehicle towing the trailer when they are on a horizontal surface.

"Australian Standard" means a standard approved for publication on behalf of the Council of the Standards Association of Australia.

"axle" means 1 or more shafts, positioned in a line across a vehicle, on which 1 or more wheels intended to support the vehicle turn.

"axle group" means a single, tandem, twinsteer, tri, or quad axle group.

"B-double" means a combination consisting of a prime mover towing 2 semi-trailers.



Typical B-double

"braking system", of a vehicle, means all the brakes of the vehicle and all the components of the mechanisms by which they are operated.

SCHEDULE 4 (continued)

"British Standard" means a standard approved for publication on behalf of the British Standards Institution.

"British Standards Institution" means the institution of that name established under royal charter in the United Kingdom.

"bus" means a motor vehicle built mainly to carry 13 or more seated adults, including the driver.

"business" means an AIS or a modification business.

"car" means a motor vehicle built mainly to carry people that—

(a) seats not over 9 adults (including the driver); and

(b) has a body commonly known as a sedan, station wagon, coupe, convertible, or roadster; and

(c) has 4 or more wheels.

"car derivative" means a motor vehicle—

(a) known as a utility or panel van; and

(b) of the same make as a factory produced car; and

(c) in which the forward part of the body and the greater part of the mechanical equipment are the same as those in the car mentioned in paragraph (b).

"centre line" of an axle group means—

(a) if the group consists of 2 axles, one of which is fitted with twice the number of tyres as the other axle—a line located 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; and

(b) in any other case—a line located midway between the centre lines of the outermost axles of the group.

"COI vehicle" means—

(a) a heavy vehicle, other than—

SCHEDULE 4 (continued)

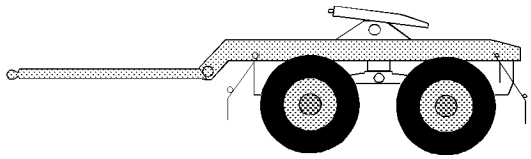
(i) a vehicle with a GVM of 4.5 t or less that is used for transporting dangerous goods; or

(ii) a vehicle that seats up to 9 persons (including the driver) and is used to provide a community or courtesy transport service under the *Transport Operations (Passenger Transport) Act 1994*; and

(b) a trailer with an ATM of more than 3.5 t.

"combination" means a group of vehicles consisting of a motor vehicle connected to 1 or more vehicles.

"converter dolly" means a trailer with one axle group or single axle and a fifth wheel coupling designed to convert a semi-trailer into a dog trailer.



Typical converter dolly

"daylight" means the period in a day from sunrise to sunset.

"defective" see section 13.

"defect notice" means a notice given under—

(a) section 36 or 37 of the Act; or

(b) section 14(2).

"disposal" of a vehicle includes a delivery of possession of the vehicle under a barter, gift, hire purchase agreement, lease, or sale but does not include—

SCHEDULE 4 (continued)

(a) a disposal of the vehicle to a bailee for the purpose of the alteration, repair, renovation or garaging of the vehicle or a similar purpose that does not involve the use of the vehicle for the bailee's benefit; or

(b) a disposal of the vehicle to a person because of the person being entitled to the vehicle as beneficiary in an estate; or

(c) a passing of possession of the vehicle, or the apparent passing of possession of the vehicle, from 1 body corporate to another body corporate that happens or appears to happen only because of any of the following—

(i) the name of the former body corporate is changed according to law to the name of the latter body corporate;

(ii) the latter body corporate is a reconstruction of the former body corporate or is the result of an amalgamation of the former body corporate and 1 or more other bodies corporate, effected according to law;

(iii) the latter body corporate is a holding company or a subsidiary company of the former body corporate; or

(d) a disposal as a result of the reconstitution of a partnership; or

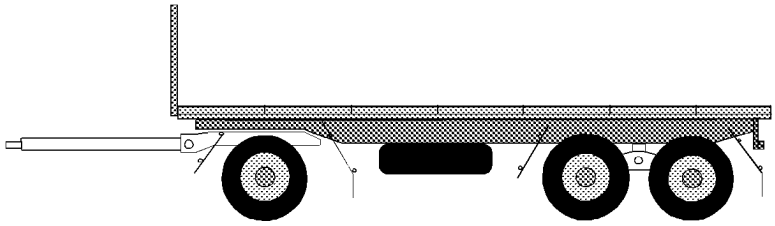
(e) a disposal of an SC vehicle by a person to his or her spouse.

"dog trailer" means a trailer (including a trailer consisting of a semitrailer and converter dolly) with—

(a) 1 axle group or single axle at the front that is steered by connection to the towing vehicle by a drawbar; and

SCHEDULE 4 (continued)

(b) 1 axle group or single axle at the rear.



Dog trailer

"drawbar" means a part of a trailer, other than a semitrailer, connecting the trailer body to a coupling for towing purposes.

"drive" includes be in control of.

"driver" of a vehicle means the person driving a vehicle.

"emergency brake" means a brake designed to be used if a service brake fails.

"emergency vehicle" means a motor vehicle—

(a) fitted with—

(i) a repeater horn or siren; or

(ii) a flashing warning light; and

(b) driven by—

(i) an officer of the Queensland Ambulance Service or an ambulance service of another State in the course of the officer's duty; or

(ii) an officer of the Queensland Fire and Rescue Authority or a fire and rescue service of another State in the course of the officer's duty; or

(iii) an officer or employee of another entity with the written permission of the commissioner in the course of the officer's or employee's duty.

SCHEDULE 4 (continued)

"fifth wheel coupling" means a device, other than the upper rotating element and the kingpin (which are parts of a semitrailer), used with a prime mover, semitrailer, or converter dolly, to allow quick coupling and uncoupling and to provide for articulation.

"fixed AIS" means premises for which an AIS approval is current.

"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.

"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.

"high-beam", for a headlight or front fog light fitted to a vehicle, means that the light is built or adjusted so, when the vehicle is standing on level ground, the top of the main beam of light projected is above the low-beam position.

"identification plate" has the meaning given by the *Motor Vehicle Standards Act 1989* (Cwlth).

"inspection certificate" means a safety certificate or certificate of inspection.

"inspection report" see section 17(9).

"issuing authority" means—

(a) for an approval that is a permit for the safe movement on a road of a particular vehicle—the chief executive or commissioner; or

(b) for any other approval—the chief executive.

"left", for a vehicle, means to the left of the centre of the vehicle when viewed by a person in the vehicle who is facing to the front of the vehicle.

SCHEDULE 4 (continued)

"low-beam", for a headlight or front fog light fitted to a vehicle, means that the light is built or adjusted so, when the vehicle is 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 8 m in front of the vehicle; and

(b) not over 1 metre higher than the level where the motor vehicle is standing, when measured 25 m in front of the vehicle.

"LPG" (liquefied petroleum gas) means a mixture composed substantially of C3 or C4 hydrocarbons or both of them either in a liquid or a gaseous state.

"minibus" means a motor vehicle built mainly to carry 10 to 12 seated adults, including the driver.

"mobile AIS" means a vehicle for which an AIS approval is current.

"modification business" means a business at which inspections are carried out for the issue of a certificate of modification.

"modification plate" means a modification plate.

"modify" a vehicle means change a vehicle (including by adding something to the vehicle) from the manufacturer's specifications for the vehicle.

"moped" means a motorbike or motortrike with an engine cylinder capacity of not over 50 mL and a maximum speed of not over 50 km/h.

"motorbike" means a motor vehicle with 2 wheels, and includes a 2 wheeled motor vehicle with a sidecar attached to it that is supported by a third wheel.

"motor dealer" means a person licensed to conduct the business of a motor dealer under the *Auctioneers and Agents Act 1971*.

"motortrike" means a motor vehicle with 3 wheels, but does not include a 2 wheeled motor vehicle with a sidecar attached to it that is supported by a third wheel.

SCHEDULE 4 (continued)

"motor vehicle" means a vehicle built to be propelled by a motor that forms part of the vehicle.

"mudguard" means a fitting or device, with or without a mudflap, that is built and fitted to a vehicle in a way that will, as far as practicable, catch or deflect downwards any stone, mud, water, or other substance, thrown up by the rotation of the wheel to which the fitting or device is fitted.

"national standard" see schedule 1, section 4.

"night" means the period between sunset on a day and sunrise on the next day.

"off-road passenger vehicle" means a motor vehicle having up to 9 seating positions, including that of the driver, and being designed with special features for off-road operation.

"park" a vehicle includes stop a vehicle and allow the vehicle to stay, whether or not the driver leaves the vehicle.

"permit" means a permit for the safe movement on a road of a particular vehicle.

"point of articulation" means—

(a) the axis of a kingpin for a fifth wheel; or

(b) the vertical axis of rotation of a fifth wheel coupling; or

(c) the vertical axis of rotation of a turntable assembly; or

(d) the vertical axis of rotation of the front axle group, or single axle, of a dog trailer; or

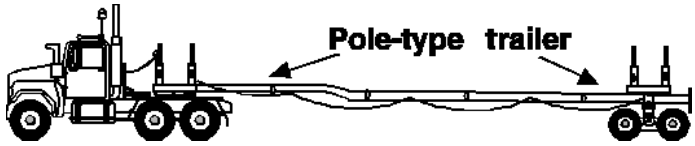
(e) the coupling pivot point of a semi trailer.

"pole-type trailer" means a trailer that—

(a) is attached to a towing vehicle by a pole, or an attachment fitted to the pole; and

SCHEDULE 4 (continued)

(b) is ordinarily used for transporting loads, such as logs, pipes, structural members, or other long objects, that can generally support themselves like beams between supports.



Pole-type trailer

"police vehicle" means a vehicle driven by a police officer of the Queensland Police Service, or the police service of the Commonwealth or another State in the course of the police officer's duty.

"proprietor" of a business means—

(a) for an AIS for which a nominee has been appointed—the nominee; or

(b) for an AIS for which a nominee has not been appointed—the holder of the AIS approval; or

(c) for a modification business—

(i) a self-employed person who is accredited to inspect and approve a type of modification; or

(ii) a person who employs an approved person to inspect and approve a type of modification.

"quad axle group" means a group of 4 axles in which the horizontal distance between the centre lines of the outermost axles is over 3.2 m, but not over 4.9 m.

"rear fog light" means a light used on a vehicle to make it more easily visible from the rear in dense fog.

"reasonably considers" means considers on reasonable grounds.

SCHEDULE 4 (continued)

"registered vehicle" means a vehicle registered under a registration law.

"registration law" means the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 1999* or a corresponding law.

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

"right", for a vehicle, means to the right of the centre of the vehicle when viewed by a person in the vehicle who is facing to the front of the vehicle.

"road tank vehicle" has the meaning given by the sixth edition of the *Australian Code for the Transport of Dangerous Goods by Road and Rail*.

"safety certificate" means a safety certificate consisting of a certificate and label.

"school bus" means any bus while it is being used exclusively for the carriage of school children to or from a school.

"SC vehicle" means—

(a) a private vehicle other than a trailer with an ATM of not more than 3.5 t; or

(b) a trailer with an ATM of more than 0.75 t but not more than 3.5 t; or

(c) a vehicle with a GVM of 4.5 t or less that is used for transporting dangerous goods.

"second edition ADR" see schedule 1, section 5.

"service brake", for a vehicle, means the brake normally used to decelerate the vehicle.

"single axle" means an axle not forming part of an axle group.

SCHEDULE 4 (continued)

"single axle group" means a group of at least 2 axles in which the horizontal distance between the centre lines of the outermost axles is under 1 m.

"spring brake" means a brake using 1 or more springs to store the energy needed to operate the brake.

"Standards Association of Australia" means the association of that name incorporated in Australia under royal charter.

"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 whose body and frame were built before 1949.

"sugar cane trailer" means a trailer—

(a) with an ATM of no more than 20 t; and

(b) designed for carrying sugar cane.

"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 over 2 m.

"third edition ADR" see schedule 1, section 6.

"transport enforcement vehicle" means a vehicle marked as a department vehicle and used by the department for enforcement purposes.

"tri axle group" means a group of at least 3 axles in which the horizontal distance between the centre lines of the outermost axles is over 2 m, but not over 3.2 m.

"turntable" means a bearing built to carry vertical and horizontal loads, but does not allow quick separation of its upper and lower rotating elements, and that is used to connect and allow articulation between—

SCHEDULE 4 (continued)

(a) a prime mover and semitrailer; or

(b) the steering axle or axle group of a dog trailer and the body of the trailer; or

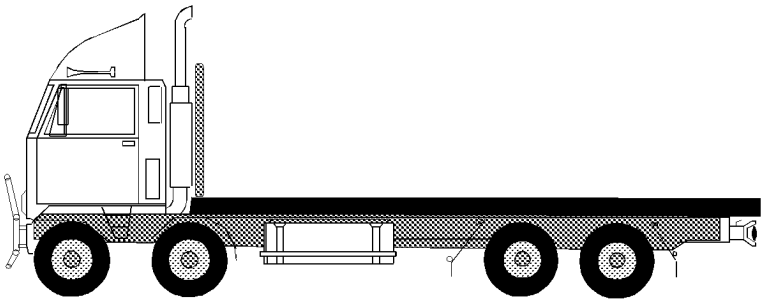
(c) a fifth wheel coupling and the vehicle to which it is mounted.

"twinsteer axle group" means a group of 2 axles—

(a) with single tyres; and

(b) fitted to a motor vehicle and connected to the same steering mechanism; and

(c) the horizontal distance between the centre lines of which is at least 1 metre, but not over 2 m.



Typical twinsteer axle group on a motor vehicle

"vacuum brakes" means vacuum-operated or vacuum-assisted brakes.

"vehicle" includes the equipment fitted to, or forming part of, a vehicle but does not include the following—

(a) an agricultural implement within the meaning of the *Transport Operations (Road Use Management—Vehicle Registration Regulation 1999*;

(b) an agricultural machine within the meaning of the *Transport Operations (Road Use Management—Vehicle Registration Regulation 1999*;

SCHEDULE 4 (continued)

(c) a vehicle designed to be controlled by a person walking next to it;

(d) a vehicle propelled or designed to be propelled by human power;

(e) a vehicle drawn by animal power;

(f) a vehicle propelled by a motor with a maximum power output of not more than 200 W;

(g) a motorised wheelchair that can not travel at over 10 km an hour;

(h) a vehicle or combination that is being repaired, or is being tested in the course of being repaired, so it will comply with the vehicle standards;

(i) an aircraft;

(j) a straddle truck;

(k) a mobile crane;

(l) a mobile dump truck;

(m) a tractor;

(n) mobile machinery within the meaning of the *Transport Operations (Road Use Managerment—Vehicle Registration) Regulation 1999.*

"vehicle chassis", for a vehicle whose frame and body are a unit, includes the cab and cowl and a part of the body that is a structural support.

"vehicle standards" means the standards for vehicles stated in schedule 1.

"yellow" includes amber.

ENDNOTES

1 Index to endnotes

2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 7 July 2000. Future amendments of the Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 1999 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

AIA	=	**Acts Interpretation Act 1954**	**(prev)**	=	**previously**
amd	=	**amended**	**proc**	=	**proclamation**
amdt	=	**amendment**	**prov**	=	**provision**
ch	=	**chapter**	**pt**	=	**part**
def	=	**definition**	**pubd**	=	**published**
div	=	**division**	**R[X]**	=	**Reprint No.[X]**
exp	=	**expires/expired**	**RA**	=	**Reprints Act 1992**
gaz	=	**gazette**	**reloc**	=	**relocated**
hdg	=	**heading**	**renum**	=	**renumbered**
ins	=	**inserted**	**rep**	=	**repealed**
lap	=	**lapsed**	**s**	=	**section**
notfd	=	**notified**	**sch**	=	**schedule**
o in c	=	**order in council**	**sdiv**	=	**subdivision**
om	=	**omitted**	**SIA**	=	**Statutory Instruments Act 1992**
orig	=	**original**	**SIR**	=	**Statutory Instruments Regulation 1992**
p	=	**page**			
para	=	**paragraph**	**SL**	=	**subordinate legislation**
prec	=	**preceding**	**sub**	=	**substituted**
pres	=	**present**	**unnum**	=	**unnumbered**
prev	=	**previous**			

4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	none	1 October 1999

5 List of legislation

Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 1999 SL No. 213
made by the Governor in Council on 9 September 1999
notfd gaz 10 September 1999 pp 180–3
ss 1–2 commenced on date of notification
remaining provisions commenced 1 October 1999 (see s 2)
exp 1 September 2010 (see SIA s 54)

as amended by—

Transport Legislation Amendment Regulation (No. 1) 2000 SL No. 89 pts 1, 10
notfd gaz 19 May 2000 pp 218–19
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2000 (see s 2)

6 List of annotations

CHAPTER 7—OTHER AMENDMENTS
ch hdg om R1 (see RA s 40)

PART 1—AMENDMENT OF JUSTICES REGULATION 1993
pt 1 (ss 50–53) om R1 (see RA s 40)

PART 2—AMENDMENT OF TRAFFIC REGULATION 1962
pt 2 (ss 54–67) om R1 (see RA s 40)

PART 3—AMENDMENT OF TRANSPORT OPERATIONS (ROAD USE MANAGEMENT) REGULATION 1995
pt 3 (ss 68–75) om R1 (see RA s 40)

SCHEDULE 3—FEES
sub 2000 SL No. 89 s 20