

Queensland



*Transport Operations (Road Use Management) Act 1995*

**TRANSPORT OPERATIONS  
(ROAD USE MANAGEMENT—  
VEHICLE REGISTRATION)  
REGULATION 1999**

**Reprinted as in force on 5 October 2001  
(includes amendments up to SL No. 145 of 2001)**

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# Information about this reprint

This regulation is reprinted as at 5 October 2001. 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.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 have also been made to use aspects of format and printing style consistent with current drafting practice (s 35).

This page is specific to this reprint. See previous reprints 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 REGISTRATION) REGULATION 1999

### TABLE OF PROVISIONS

Section		Page
<b>PART 1—PRELIMINARY</b>		
1	Short title . . . . .	7
2	Commencement . . . . .	7
3	Definitions . . . . .	7
4	Meaning of “exempt vehicle” . . . . .	7
4A	Meaning of “registered operator” in this regulation . . . . .	8
5	Registered and unregistered vehicles . . . . .	9
<b>PART 2—REGISTRATION PRINCIPLES</b>		
6	Garage address in Queensland . . . . .	9
7	Persons eligible to register vehicle . . . . .	9
8	Compliance with vehicle law . . . . .	9
9	Proof of compliance with vehicle law . . . . .	10
<b>PART 3—VEHICLE REGISTRATION</b>		
<i>Division 1—Vehicles used on roads must be registered</i>		
10	Vehicles used on roads must be registered . . . . .	10
<i>Division 2—Registration</i>		
11	Application for registration . . . . .	11
12	Registration application made by agent . . . . .	12
12A	Driving or towing unregistered vehicle to approved inspection station for inspection . . . . .	12
13	Vehicle inspections . . . . .	13
14	Determination of applications . . . . .	14

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

---

15	Registered vehicles register . . . . .	15
16	Registration certificates . . . . .	16
17	Registered operator to notify change of particulars . . . . .	17
18	Recording change in vehicle particulars and reassessment of registration fee . . . . .	18
19	Registration term . . . . .	19
20	Seasonal registration . . . . .	19
21	When registration becomes effective. . . . .	20
	<b><i>Division 3—Limited use registration</i></b>	
22	Limited use registration. . . . .	20
	<b><i>Division 4—Number plates</i></b>	
23	Chief executive to assign registration number and issue number plates . . . .	21
24	Position, visibility and legibility of number plate . . . . .	21
25	Time for attaching number plates . . . . .	24
26	Q plates . . . . .	24
27	Personalised number plates . . . . .	24
28	Transfer of personalised number plate . . . . .	25
29	Converting number plate to personalised number plate . . . . .	26
30	Customised number plates. . . . .	26
31	Accessory plates . . . . .	27
31A	Accessory plate for tow truck . . . . .	27
	<b><i>Division 5—Registration labels</i></b>	
32	Chief executive to issue registration labels . . . . .	28
33	Position for attaching registration label. . . . .	28
34	Time for attaching registration label . . . . .	29
	<b><i>Division 6—Further obligations of registered operator</i></b>	
35	Vehicle destroyed or written off . . . . .	30
	<b>PART 4—RENEWAL OF REGISTRATION</b>	
36	Registration renewal notice . . . . .	30
37	Renewal of registration . . . . .	31
38	Issue of receipt and updating of records . . . . .	33

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

---

**PART 5—TRANSFER OF REGISTRATION**

39	Transfer of registration . . . . .	33
40	Failure by dealer to apply for transfer of registration . . . . .	35
41	Transfer of registration under legal process . . . . .	36
42	Refusing to register transfer of registration. . . . .	37

**PART 6—EXPIRY AND CANCELLATION OF REGISTRATION**

*Division 1—Expiry of registration*

43	Expiry of registration. . . . .	37
44	Return of registration plates when registration expires. . . . .	37

*Division 2—Cancellation of registration*

45	Cancellation of registration at registered operator’s request . . . . .	38
46	Partial refund of registration fee . . . . .	39
47	Cancellation for noncompliance with defect notice . . . . .	39
48	Cancellation of registration of vehicle or dealer plate. . . . .	40
49	Recording cancellation of registration in register . . . . .	42

**PART 7—WHEN REGISTRATION UNNECESSARY**

*Division 1—Unregistered vehicle permits*

50	Unregistered vehicle permits. . . . .	43
----	---------------------------------------	----

*Division 2—Dealer plates*

51	Designation of dealer plates . . . . .	44
52	Registration of dealer plate . . . . .	44
53	Attaching dealer plate . . . . .	45
54	Use of dealer plates . . . . .	46
55	Cancellation of dealer plates . . . . .	47

**PART 8—GENERAL**

*Division 1—Other provisions about number plates and other items*

56	Replacement registration items . . . . .	49
57	Chief executive may require exchange of number plates . . . . .	50
58	Chief executive may require return of number plates . . . . .	50
59	Property in number plates . . . . .	51

*Division 2—Vehicles temporarily in Queensland*

60	Vehicles temporarily in Queensland . . . . .	52
----	--	----

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

---

***Division 3—Other miscellaneous provisions***

61	Sale of unregistered vehicles by dealers . . . . .	54
62	Authorisation to use unregistered vehicle on roads. . . . .	54
63	Permit to use intercepted unregistered vehicle on road. . . . .	55
64	Damaged or dirty number plates . . . . .	56

***Division 4—Review of decisions***

65	Decision to which this division applies. . . . .	57
66	Review of decisions. . . . .	58

***Division 5—Release of information***

67	Definitions for div 5. . . . .	58
68	Release of information on payment of fee . . . . .	60

**PART 9—FEES**

***Division 1—General***

69	Fees . . . . .	61
70	Charging categories . . . . .	61

***Division 2—Vehicles exempted from registration fees***

71	Exemption from payment of fee . . . . .	62
----	---	----

***Division 3—Concessional registration fees for certain category 1 vehicles***

72	Concessional registration fees—category 1 vehicles . . . . .	64
----	--	----

***Division 4—Concessional registration fees for category 2 vehicles***

73	Concessional registration fees—primary producers . . . . .	65
74	Concessional registration fee for motorised caravan for card holders . . . . .	66
75	Concessional registration fees for other vehicles . . . . .	66

**PART 10—OTHER OFFENCE PROVISIONS**

76	Offences involving registration certificates etc . . . . .	67
77	Requirement to remove unlawful registration item. . . . .	69

**PART 11—TRANSITIONAL PROVISIONS FOR TRANSPORT  
OPERATIONS (ROAD USE MANAGEMENT—VEHICLE  
REGISTRATION) REGULATION 1999**

78	Purpose of pt 11. . . . .	70
79	Definition for pt 11 . . . . .	70
80	Continuation of registration and other authorities under former regulation . . . . .	70

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

---

81	Postponement of particular changes until 31 December 1999 . . . . .	71
82	Limited use plates under former regulation . . . . .	71
83	Position for attaching registration label to certain trailers. . . . .	72
	<b>SCHEDULE 1</b> . . . . .	73
	<b>CATEGORY 1 VEHICLE REGISTRATION FEES</b>	
	<b>SCHEDULE 2</b> . . . . .	76
	<b>CATEGORY 2 VEHICLE REGISTRATION FEES</b>	
	<b>SCHEDULE 3</b> . . . . .	79
	<b>OTHER FEES</b>	
	<b>SCHEDULE 4</b> . . . . .	82
	<b>DICTIONARY</b>	
	<b>ENDNOTES</b>	
1	Index to endnotes . . . . .	94
2	Date to which amendments incorporated. . . . .	94
3	Key . . . . .	94
4	Table of earlier reprints . . . . .	95
5	List of legislation . . . . .	95
6	List of annotations . . . . .	96





# **TRANSPORT OPERATIONS (ROAD USE MANAGEMENT—VEHICLE REGISTRATION) REGULATION 1999**

[as amended by all amendments that commenced on or before 5 October 2001]

## **PART 1—PRELIMINARY**

### **1 Short title**

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

### **2 Commencement**

(1) Subject to subsection (2), this regulation commences on 1 October 1999.

(2) Part 8, division 5 and schedule 3, part 2, items 2 to 4 commence on 1 January 2000.

### **3 Definitions**

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

### **4 Meaning of “exempt vehicle”**

In this regulation, a vehicle is an “**exempt vehicle**” if the vehicle is—

- (a) an agricultural implement, if it is being towed by—
  - (i) an agricultural machine suitably matched to the implement;  
or
  - (ii) another vehicle of a suitable size for towing the implement;  
or

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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- (b) a trailer, if—
  - (i) it is being towed by an agricultural machine; and
  - (ii) the agricultural machine is being used for its intended agricultural purpose; or
- (c) a motorised golf buggy or other motorised machinery being used on a golf course or on a golf course car park, or a motorised golf buggy being used for directly crossing a road dividing a golf course; or
- (d) a ride-on mower, other than a ride-on mower that is an agricultural machine, that is being used for mowing, and is—
  - (i) directly crossing a road; or
  - (ii) crossing from 1 road related area to another road related area; or
  - (iii) on a road related area; or
- (e) walking speed equipment that is on a road only for—
  - (i) loading it onto, or unloading it from, another vehicle; or
  - (ii) repositioning it at a work site; or
- (f) a low powered motor vehicle; or
- (g) a vehicle that is not a motor vehicle or a trailer; or
- (h) a vehicle being towed by a tow truck operating as a tow truck.

#### **4A Meaning of “registered operator” in this regulation**

(1) This section defines “**registered operator**” for its use in this regulation only, and has effect despite the expression’s definition in the Act.

(2) The “**registered operator**” of a vehicle is the person in whose name the vehicle is currently registered.

(3) The “**registered operator**” of a dealer plate is the person in whose name the dealer plate is currently registered.

## **5 Registered and unregistered vehicles**

(1) In this regulation, a vehicle is taken to be a registered vehicle if it has current registration under this regulation.

(2) In this regulation, a vehicle is taken to be an unregistered vehicle if—

(a) it has no current registration under this regulation because—

(i) it has never had registration under this regulation; or

(ii) it has had registration under this regulation, but the registration has expired or been cancelled; and

(b) nothing in this regulation permits its use on a road, whether or not under limited circumstances.

## **PART 2—REGISTRATION PRINCIPLES**

### **6 Garage address in Queensland**

A vehicle may be registered in Queensland only if its garage address is in Queensland.

### **7 Persons eligible to register vehicle**

(1) Any person may apply to the chief executive to register a category 1 vehicle in the person's name.

(2) However, a person may apply to the chief executive to register a category 2 vehicle in the person's name only if the person is a corporation or an individual aged 18 or over.

### **8 Compliance with vehicle law**

(1) To be eligible for registration, a vehicle must conform with the requirements applying to the vehicle under each vehicle law.

(2) However, if a vehicle does not conform with the requirements applying to the vehicle under a vehicle law, the vehicle may be registered for limited use on conditions.

(3) Limited use registration for vehicles is provided for in part 3, division 3.

## **9 Proof of compliance with vehicle law**

(1) The chief executive may accept as evidence that a vehicle conforms with the requirements applying to the vehicle under a vehicle law—

- (a) a plate attached to the vehicle under the vehicle law; or
- (b) a written statement to that effect from the vehicle's manufacturer.

(2) In the absence of evidence mentioned in subsection (1), the chief executive may, on inspecting the vehicle and being satisfied it conforms with the requirements applying to the vehicle under each vehicle law, issue a certificate to that effect.

## **PART 3—VEHICLE REGISTRATION**

### *Division 1—Vehicles used on roads must be registered*

## **10 Vehicles used on roads must be registered**

A person must not use, or permit to be used, on a road a vehicle that is not a registered vehicle unless—

- (a) under section 12A or 13, the vehicle is being driven or towed to where it is to be inspected; or
- (b) the vehicle is being used under an unregistered vehicle permit under section 50; or
- (c) the vehicle is being used under the authority of a dealer plate under section 52; or
- (d) the use of the vehicle on the road is authorised under section 60;<sup>1</sup>  
or

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<sup>1</sup> Section 60 (Vehicles temporarily in Queensland)

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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- (e) the vehicle is being used under an authorisation issued under section 62;<sup>2</sup> or
- (f) the vehicle is being used under a permit issued under section 63;<sup>3</sup> or
- (g) the vehicle is an exempt vehicle.

Maximum penalty—80 penalty units.

***Division 2—Registration***

## **11 Application for registration**

(1) An application for the registration of a vehicle must be made to the chief executive in the approved form accompanied by the following—

- (a) the relevant registration fee;
- (b) any relevant plate fee;
- (c) if the vehicle is a category 1 vehicle, the category 1 vehicle traffic improvement fee;
- (d) an insurance certificate under the *Motor Accident Insurance Act 1994* for the vehicle for the proposed registration term or the insurance premium payable under that Act for the certificate;
- (e) if the vehicle is a COI vehicle under the Vehicle Standards and Safety Regulation, a current certificate of inspection under that regulation for the vehicle, but only if, once the vehicle is registered, its owner will be required under that regulation to possess a current certificate of inspection for the vehicle;
- (f) if the vehicle is an SC vehicle under the Vehicle Standards and Safety Regulation, a current safety certificate under that regulation, unless—
  - (i) the garage address of the vehicle is in an area mentioned in schedule 2, item 4 or 5 of the Vehicle Standards and Safety Regulation; or

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2 Section 62 (Authorisation to use unregistered vehicle on roads)

3 Section 63 (Permit to use intercepted unregistered vehicle on road)

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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- (ii) the vehicle has never previously been registered in Queensland, in another State or in a foreign country; or
- (iii) the vehicle is being registered in the name of a dealer for resale purposes;
- (g) any stamp duty payable under the *Stamp Act 1894*;
- (h) if applicable, a certificate of compliance under the *Gas Regulation 1989* for the vehicle.

(2) A vehicle mentioned in subsection (1)(e) or (f) must be taken with the application to the place where the application is to be given to the chief executive.

## **12 Registration application made by agent**

(1) This section applies if the application of a person (the “**applicant**”) to register a vehicle is made by another person (the “**agent**”) as agent for the applicant.

(2) The chief executive must not grant the application unless the agent gives the chief executive satisfactory evidence of—

- (a) the agent’s identity; and
- (b) the applicant’s identity; and
- (c) the agent’s authority to act as agent for the applicant to register the vehicle.

## **12A Driving or towing unregistered vehicle to approved inspection station for inspection**

(1) This section applies if it is necessary for an unregistered vehicle to be inspected at an AIS under the Vehicle Standards and Safety Regulation for obtaining an inspection certificate under that regulation for registering the vehicle under this regulation.

(2) The vehicle may be driven or towed to the AIS and subsequently to an office of the chief executive where it may be registered, but only if—

- (a) an application in the approved form to register the vehicle has been completed; and

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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- (b) if the vehicle is required to be insured under the *Motor Accident Insurance Act 1994*, a current insurance certificate has been issued for the vehicle; and
- (c) the documents mentioned in paragraphs (a) and (b) are—
  - (i) for a trailer—carried in the motor vehicle towing the trailer;  
or
  - (ii) for another vehicle—carried in the vehicle.

### **13 Vehicle inspections**

(1) The chief executive may require a vehicle to be brought to the chief executive for an inspection before the vehicle is registered under this regulation.

(2) If the vehicle is unregistered and its use on a road is not otherwise permitted under this regulation, it may be driven or towed to where it is to be inspected, but only if—

- (a) an application in the approved form to register the vehicle has been completed; and
- (b) if the vehicle is required to be insured under the *Motor Accident Insurance Act 1994*, an insurance certificate has been issued under that Act for the vehicle for the proposed term of registration; and
- (c) the documents mentioned in paragraphs (a) and (b) are—
  - (i) for a trailer—carried in the motor vehicle towing the trailer;  
or
  - (ii) for another vehicle—carried in the vehicle.

(3) If, when the chief executive inspects the vehicle, an identifying number placed on the vehicle by the vehicle's manufacturer is not clearly legible or appears to have been altered or defaced, the chief executive may allot a replacement identifying number.

(4) The chief executive must record the allotted replacement identifying number in the register.

(5) The applicant must, as soon as practicable—

- (a) take action to obtain the necessary permission under the *Transport Operations (Road Use Management) Act 1995*,

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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section 134 to stamp the allotted replacement identifying number on the vehicle; and

- (b) if the permission is obtained, ensure the allotted replacement identifying number is stamped on the vehicle.

Maximum penalty—8 penalty units.

(6) The obligation to which the applicant is subject under subsection (5) continues to apply even if the applicant does not further pursue the registration of the vehicle.

(7) If, after the vehicle is registered, it appears to the chief executive that there is a possible discrepancy relating to the particulars of the vehicle as registered, the registered operator of the vehicle must, if requested by written notice from the chief executive, return the vehicle for further inspection.

Maximum penalty—8 penalty units.

(8) In this section—

“**identifying number**” means—

- (a) an engine number; or
- (b) a chassis number; or
- (c) a VIN.

## **14 Determination of applications**

(1) The chief executive may refuse an application for the registration of a vehicle if the chief executive reasonably believes—

- (a) the vehicle or a part of the vehicle is, or may be, stolen; or
- (b) information given in the application is false or misleading; or
- (ba) an approved examiner under the Vehicle Standards and Safety Regulation has, by issuing an inspection certificate for the vehicle under that regulation, contravened the Act; or
- (c) there are unpaid fines or penalties arising out of the use of the vehicle in Queensland or another State; or
- (d) the vehicle’s garage address is in another State; or
- (e) the vehicle does not conform with the requirements applying to the vehicle under a vehicle law; or



*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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- (f) the vehicle has been registered in another State and—
  - (i) the registration in the other State has been suspended or cancelled for a reason other than its expiry; and
  - (ii) the reasons for the cancellation or suspension still exist.

(2) Subsection (1) does not limit the chief executive’s power to refuse the application under another provision of this regulation.

(3) If the chief executive decides to grant the application, the chief executive must register the vehicle in the applicant’s name.

(4) If the chief executive decides to refuse the application, the chief executive must tell the applicant—

- (a) the reasons for the refusal; and
- (b) that the decision may be reviewed under section 66.<sup>4</sup>

(5) If asked by the applicant, the chief executive must give written reasons for refusing the application.

## **15 Registered vehicles register**

(1) The chief executive must keep a register of registered vehicles (the “**register**”).

(2) The register must contain the following particulars for each registered vehicle, to the extent the particulars are applicable for the vehicle—

- (a) the registered operator’s name;
- (b) the vehicle’s registration number and other identification details;
- (c) the vehicle’s GVM or GCM;
- (d) the vehicle’s garage address;
- (e) the registered operator’s address;
- (f) for a vehicle registered for limited use—identification of the conditions of use;
- (g) the commencement and expiry days for the registration;
- (h) for a category 2 vehicle—the vehicle’s nominated configuration.

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4 Section 66 (Review of decisions)

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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**(3)** The chief executive may record in the register other information—

- (a) required to be recorded under the Act or another Act; or
- (b) the chief executive decides is appropriate.

*Examples of information the chief executive could decide to record under subsection (3)(b)—*

- 1. odometer readings to help in consumer protection.
- 2. pension details for managing concessional registration schemes.

**(4)** The chief executive must ensure the register contains the particulars of each vehicle that—

- (a) is currently registered; or
- (b) is not currently registered, but has been a registered vehicle within the previous 2 years.

**(5)** Despite anything else in this regulation—

- (a) the chief executive is not required to make sure that the person whose name is shown in the register as the registered operator of a vehicle is a person who has title to the vehicle; and
- (b) the register is not intended to be a means by which the title to a registered vehicle may be conclusively established.

## **16 Registration certificates**

**(1)** If the chief executive registers a vehicle, the chief executive must issue a registration certificate to the applicant for the vehicle.

**(2)** The certificate must include the following particulars, to the extent the particulars are applicable for the vehicle—

- (a) the registered operator's name and address;
- (b) the vehicle's garage address;
- (c) the vehicle's registration number;
- (d) the make of the vehicle;
- (e) the vehicle's VIN or, if there is no VIN, the vehicle's chassis number or engine number;
- (f) the vehicle's GCM or GVM;
- (g) the vehicle charging category;

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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- (h) the commencement and expiry days for the registration;
- (i) if the vehicle is registered for limited use, identification of the conditions of use.

(3) The chief executive may also include in the certificate any other information the chief executive decides appropriate.

### **17 Registered operator to notify change of particulars**

(1) The registered operator of a vehicle must, within 14 days after the person's address, or the garage address of the vehicle, is changed, give the chief executive full particulars of the change.

Maximum penalty—8 penalty units.

(2) The registered operator of a vehicle must, within 14 days after the person's name is changed, give the chief executive—

- (a) written notice containing full particulars of the change; and
- (b) suitable material in writing evidencing the change.

Maximum penalty—8 penalty units.

(3) If a person modifies a registered vehicle, the registered operator of the vehicle must give the chief executive written notice containing full particulars of the modification within 14 days after the modification.

Maximum penalty—8 penalty units.

(4) The registered operator must not use the vehicle on a road until the chief executive has been notified of the modification, and any additional registration fee or charge attributable to the modification has been paid to the chief executive, if—

- (a) the vehicle is a category 2 vehicle; and
- (b) at least 1 of the following applies—
  - (i) the modification is to the vehicle's description as recorded in the register;
  - (ii) because of the modification, the registration fee applicable to the vehicle is higher than the fee paid for its current registration.

Maximum penalty—80 penalty units.

(5) In this section—

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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**“modifies a registered vehicle”** means modifies any of the following—

- (a) the vehicle’s axle configuration;
- (b) the vehicle’s carrying capacity;
- (c) the vehicle’s description as recorded in the register;
- (d) the method of propulsion of the vehicle;
- (e) the vehicle’s GCM or GVM;
- (f) any other particular of the vehicle recorded in the register.

### **18 Recording change in vehicle particulars and reassessment of registration fee**

(1) If the chief executive is satisfied the particulars given under section 17 are correct, the chief executive, must—

- (a) record the correct name, address or particulars in the register; and
- (b) issue an updated registration certificate; and
- (c) if the details on the registration label issued for the vehicle have changed, issue a replacement registration label.

(2) Also, if the particulars are for the modification of a vehicle, the chief executive may reassess the registration fee payable for the vehicle for the term (the **“unexpired term”**) from when the vehicle was modified to the end of the vehicle’s current registration.

(3) The chief executive must as soon as practicable refund to the registered operator any amount by which the reassessed fee is less than the fee already paid for the unexpired term.

(4) The chief executive may, by written notice given to the registered operator, require the registered operator to pay any amount by which the reassessed fee is more than the fee already paid for the unexpired term within 28 days after the notice is given.

(5) The registered operator must comply with the requirement unless the registered operator has a reasonable excuse.

Maximum penalty—60 penalty units.

## **19 Registration term**

A vehicle may be registered for the term asked for by the applicant from the following terms—

- (a) 1 year;
- (b) 6 months;
- (c) if the vehicle is a category 2 vehicle, 3 months;
- (d) another term the chief executive considers reasonable and appropriate, having regard to the administrative needs of the applicant.

## **20 Seasonal registration**

(1) A vehicle owned by a primary producer may be registered for 3 or 6 months if it is used only in the registered operator's business as a primary producer.

(2) A vehicle used only seasonally may be registered for 3 or 6 months if it is used only to transport primary produce from a farm or fishing waters to where the primary produce is—

- (a) loaded onto a train, vessel or another vehicle; or
- (b) stored before being processed; or
- (c) the subject of the first processing step applied to it; or
- (d) processed.

(3) At the end of the registration term, the registration of a vehicle under subsection (1) or (2) may be—

- (a) renewed for 3 months or 6 months; or
- (b) deferred for not longer than 1 year and then renewed.

(4) Subsection (3) does not stop the registration of a vehicle being—

- (a) renewed for a term for which vehicles are usually registered under section 19; or
- (b) cancelled under part 6.<sup>5</sup>

(5) In this section—

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<sup>5</sup> Part 6 (Expiry and cancellation of registration)

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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“**vehicle**” means—

- (a) a prime mover or truck with a GVM over 6 t; or
- (b) a trailer with an MRC over 4.5 t.

## **21 When registration becomes effective**

The registration of a vehicle is effective on the issue of the chief executive’s receipt for payment.

### *Division 3—Limited use registration*

## **22 Limited use registration**

(1) This section applies to a vehicle if—

- (a) the vehicle is, or vehicles of its type are, the subject of a guideline under section 11A<sup>6</sup> of the Road Use Management Regulation for the safe movement of the vehicle or type of vehicle on a road; and
- (b) 1 of the following applies—
  - (i) the vehicle does not conform with the requirements applying to the vehicle under a vehicle law;
  - (ii) the vehicle is used primarily for off road use but is used occasionally, or has restricted use, on a road;
  - (iii) the vehicle is a special purpose vehicle (type p).

*Example of paragraph (b)(ii)—*

A farmer owns separate paddocks a short distance apart adjoining a road and drives a vehicle on the road to take it from one paddock to another.

(2) The chief executive may register the vehicle for limited use.

(3) However, the chief executive must not register the vehicle for limited use unless the chief executive is satisfied the vehicle conforms with the guideline.

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<sup>6</sup> Section 11A (Guidelines and permits for vehicles) of the Road Use Management Regulation

(4) A person who uses a vehicle registered for limited use must comply with the conditions for use stated in the guideline applying to the vehicle.

Maximum penalty—30 penalty units.

#### *Division 4—Number plates*

### **23 Chief executive to assign registration number and issue number plates**

(1) If the chief executive registers a vehicle, the chief executive must—

- (a) assign a distinguishing registration number to the vehicle; and
- (b) issue to the registered operator of the vehicle the number plates displaying the assigned number required under subsection (2).

(2) The chief executive must issue—

- (a) if the vehicle is a motorbike, trailer or tractor, other than a tractor registered for limited use—1 number plate; or
- (b) if the vehicle is a vehicle other than a vehicle mentioned in paragraph (a)—2 number plates.

### **24 Position, visibility and legibility of number plate**

(1) The registered operator of a vehicle must ensure that each number plate issued for a vehicle is permanently attached to the vehicle so that, if the vehicle is on level ground—

- (a) the number plate is—
  - (i) in an upright position parallel to the vehicle's axles; and
  - (ii) not more than 1.3 m above ground level; and
- (b) unless an accessory plate is attached to the vehicle in the way required under section 31,<sup>7</sup> the characters on the number plate are visible from 20 m away at any point within an arc of 45 degrees from the surface of the number plate above or to either side of the vehicle, in the way shown in figures 1 and 2 at the end of this section; and

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7 Section 31 (Accessory plates)

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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- (c) any cover on the number plate—
  - (i) is clear, clean, untinted and flat over its entire surface; and
  - (ii) has no reflective or other characteristics that would prevent—
    - (A) the successful operation of a photographic detection device; or
    - (B) the number plate from being legible; and
- (d) the number plate is in a clearly legible condition, including being clearly legible from any position from which it is required to be visible.

Maximum penalty—40 penalty units.

- (2) The registered operator must also ensure that—
  - (a) if the vehicle has been issued with 2 number plates—1 number plate is attached to the front of the vehicle and the other to its rear; or
  - (b) if the vehicle has been issued with only 1 number plate—the number plate is attached to its rear.

Maximum penalty—12 penalty units.

- (3) The registered operator does not contravene subsection (1)(a) or (b) if—
  - (a) it is not practicable to attach a number plate to the vehicle in the way required under subsection (1)(a) or (b) because of the vehicle's construction; and
  - (b) the registered operator attaches the number plate to the vehicle as nearly as practicable in the way required under subsection (1)(a) or (b).
- (4) The registered operator does not contravene subsection (1)(b) if—
  - (a) the position for the rear number plate of the vehicle (the **“towing vehicle”**) is obscured by another vehicle (the **“towed vehicle”**) being towed by the towing vehicle; and
  - (b) either—
    - (i) the towed vehicle is registered under this regulation or a corresponding law to this regulation, and displays its rear



*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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number plate in the way required under subsection (1) or under the corresponding law; or

(ii) the towing vehicle is a tow truck, the towed vehicle is not registered under this regulation or a corresponding law to this regulation, and the towed vehicle—

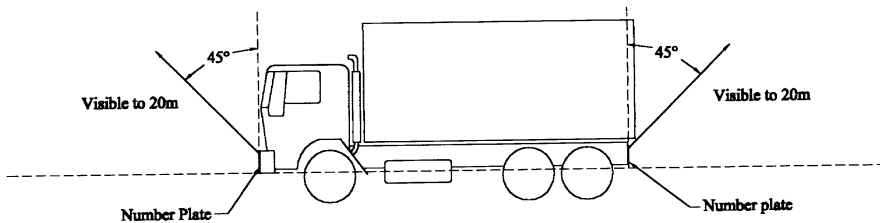
(A) displays the towing vehicle’s rear number plate in a way consistent with the requirements of subsection (1); or

(B) displays an accessory plate for the towing vehicle in the way required under section 31A(5).

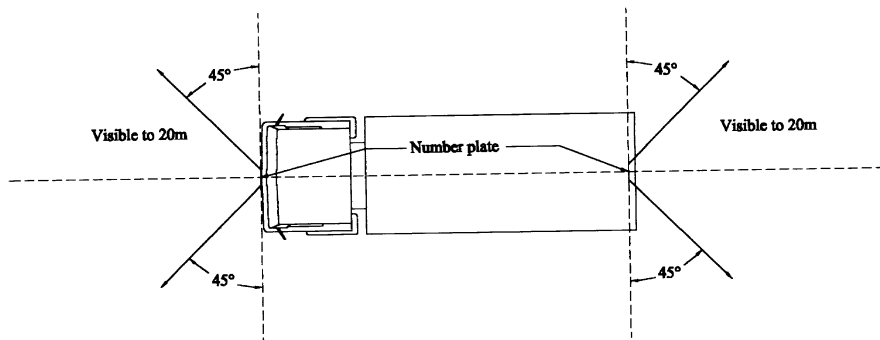
(5) In this section—

“**number plate**” does not include an accessory plate issued under section 31.

“**photographic detection device**” has the meaning given by the *Transport Operations (Road Use Management) Act 1995*, section 113.



**Figure 1**



**Figure 2**

## **25 Time for attaching number plates**

(1) The registered operator of a vehicle must attach to the vehicle a number plate issued for the vehicle within 1 day after receiving the number plate.

Maximum penalty—12 penalty units.

(2) The registered operator of a vehicle must attach to the vehicle a special plate the registered operator holds for the vehicle within 1 day after receiving a registration certificate showing the number of the special plate as the registration number of the vehicle.

Maximum penalty—12 penalty units.

## **26 Q plates**

(1) A person must not manufacture a replacement Q plate unless the person—

- (a) has written approval from the chief executive to manufacture the plate; and
- (b) manufactures the plate under the specifications for the plate stated in the approval.

Maximum penalty—12 penalty units.

(2) A replacement Q plate manufactured under subsection (1) is taken to have been issued by the chief executive.

(3) In this section—

“**Q plate**” means a number plate the number of which consists of the letter ‘Q’ followed by at least 1, but not more than 6, figures.

## **27 Personalised number plates**

(1) The chief executive may issue a number plate as a personalised number plate—

- (a) on receipt of—
  - (i) an application in the approved form; and
  - (ii) an amount determined by the chief executive; or

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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(b) on a sale at public auction for an amount acceptable to the chief executive.

(2) When the chief executive issues a personalised number plate, the chief executive must—

- (a) assign a registration number; and
- (b) record information relating to the plate in the register; and
- (c) issue to the applicant a certificate stating the particulars of the plate.

(3) The right to use the number on a personalised number plate issued to a person is the property of the person to whom the plate is issued.

(4) A personalised number plate may be—

- (a) kept without being attached to a vehicle; or
- (b) subject to subsection (5), attached to a vehicle; or
- (c) surrendered to the chief executive for cancellation.

(5) A person must not attach a personalised number plate to a vehicle until the person has—

- (a) applied to the chief executive in the approved form; and
- (b) received a registration certificate showing the number of the personalised number plate as the registration number for the vehicle.

Maximum penalty—12 penalty units.

(6) The chief executive must not issue a personalised number plate if the number of the plate is identical, or appears to be identical, to the number of another number plate that is currently issued.

(7) If a person surrenders a personalised number plate to the chief executive for cancellation, subsection (3) no longer applies to the personalised number plate.

## **28 Transfer of personalised number plate**

(1) A personalised number plate, including the right to use the number on the personalised number plate, is transferable.

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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(2) A person to whom a personalised number plate is transferred, including a person administering an estate, must within 14 days after the transfer—

- (a) notify the chief executive of the transfer in writing; and
- (b) pay the relevant fee.

Maximum penalty—16 penalty units.

(3) A person must not transfer a personalised number plate on its own if it is one of a pair.

Maximum penalty—16 penalty units.

## **29 Converting number plate to personalised number plate**

A person may, on payment of an amount decided by the chief executive, apply to the chief executive to convert a number plate to a personalised number plate.

## **30 Customised number plates**

(1) The registered operator of a vehicle may apply to the chief executive to customise the vehicle's number plate or a previously issued number plate.

(2) Once the number plate has been customised, the registered operator may—

- (a) keep the number plate without attaching it to a vehicle; or
- (b) apply to the chief executive in the approved form to attach it to a vehicle owned by the registered operator.

(3) A person must not attach a customised number plate to a vehicle unless—

- (a) the chief executive gives the person a registration certificate showing the number of the customised number plate as the registration number for the vehicle; and
- (b) the customised number plate is attached to the vehicle under any directions given by the chief executive.

Maximum penalty—12 penalty units.

### **31 Accessory plates**

(1) This section applies if the chief executive has issued a special plate to a person.

(2) The person may apply to the chief executive for an accessory plate for an accessory that is to be attached to a vehicle to which the special plate may be attached.

(3) The accessory plate must display the same registration number as the special plate.

(4) The application must be in the approved form and accompanied by the relevant fee.

(5) If the chief executive decides to issue the plate, the chief executive must issue the plate as soon as convenient after the plate has been prepared.

(6) A person who attaches an accessory plate to a vehicle must attach the plate—

- (a) at the rear of the accessory; and
- (b) in a way that allows the accessory plate to be legible from a distance of at least 20 m from the rear of the accessory.

Maximum penalty—12 penalty units.

(7) In this section—

“**accessory**” means a bike rack or other device attached to the rear of a vehicle in a way that obscures or restricts the visibility of the vehicle’s rear number plate.

### **31A Accessory plate for tow truck**

(1) The registered operator of a tow truck may apply to the chief executive for an accessory plate to be attached to unregistered vehicles when towed by the tow truck.

(2) The accessory plate must display the same registration number as each number plate for the tow truck.

(3) The application must be in the approved form and accompanied by the relevant fee.

(4) If the chief executive decides to issue the plate, the chief executive must issue the plate as soon as convenient after the plate has been prepared.

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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(5) A person who attaches an accessory plate for a tow truck to an unregistered vehicle to be towed by the tow truck must attach it to the rearmost end of the vehicle, as towed, in a way that is as nearly as practicable in the same way a number plate would be required to be attached to that end of the vehicle were it a registered vehicle.

Maximum penalty—12 penalty units.

***Division 5—Registration labels***

**32 Chief executive to issue registration labels**

(1) When a vehicle is registered, the chief executive must issue a label for the vehicle to its registered operator.

(2) The label must be in the approved form and include the following particulars for the vehicle—

- (a) its registration number;
- (b) its make;
- (c) its model or body type, according to which is the more descriptive;
- (d) its VIN or, if the vehicle does not have a VIN, the vehicle's chassis number or engine number;
- (e) the expiry day of its registration;
- (f) if the vehicle is registered for limited use, identification of the conditions of use;
- (g) its GCM and GVM;
- (h) the vehicle charging category code.

(3) This section does not apply to a tractor unless the tractor is registered for limited use.

**33 Position for attaching registration label**

(1) The registered operator of a vehicle must attach the vehicle's registration label to the vehicle—

- (a) so as to be clearly visible from outside the vehicle; and

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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(b) in a way complying with subsections (2) to (6).

Maximum penalty—6 penalty units.

(2) If the vehicle is a motorbike, the label must be placed in a holder attached to the motorbike on the left-hand side or rear of the motorbike.

(3) If the vehicle is a trailer that is a category 1 vehicle, the label must be placed to the left-hand side or rear of the trailer.

(4) If the vehicle is a trailer that is a category 2 vehicle, the label must be placed on or adjacent to the trailer's number plate.

(5) If the vehicle is other than a vehicle mentioned in subsections (2) to (4) and has a windscreen, the label must be placed—

(a) to the lower left-hand corner of the vehicle's windscreen; or

(b) to a fixed or pivoted window on the left-hand side of the vehicle.

(6) If the vehicle is other than a vehicle mentioned in subsections (2) to (4) and does not have a windscreen, the label must be attached, whether or not by a holder, to the left-hand side of the vehicle as near as practicable to the position mentioned in subsection (5)(a).

(7) The registered operator must take the registration label off the vehicle and destroy it immediately on the sooner of the following—

(a) the day another registration label issued for the vehicle is attached to the vehicle;

(b) 21 days after the expiry day of the registration to which the registration label relates.

Maximum penalty—6 penalty units.

### **34 Time for attaching registration label**

(1) The registered operator of a vehicle must attach the vehicle's registration label to the vehicle—

(a) for a label issued on initial registration—within 21 days after the application for registration is made; or

(b) for a label issued on an application for renewal of registration—

(i) if the label is issued before the registration expires—within 21 days after the registration expires; or

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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- (ii) if the label is issued after the registration expires—within 21 days after the application is made; or
- (c) for a replacement label—
  - (i) if the label is issued on an application for a replacement label—within 21 days after the application is made; or
  - (ii) if the label is issued as an updated registration label—within 21 days after the chief executive is notified of the matters requiring the issue of an updated registration label.

Maximum penalty—6 penalty units.

(2) A person does not contravene subsection (1) if it is not reasonably practicable to attach the label within the required time because of a delay by the chief executive in issuing the label.

***Division 6—Further obligations of registered operator***

**35 Vehicle destroyed or written off**

(1) This section applies if either of the following events happens to a registered vehicle—

- (a) the vehicle is destroyed;
- (b) the vehicle is declared a write-off by the vehicle’s registered operator or insurer.

(2) The registered operator must ensure the chief executive is given written notice of the event within 14 days after it happens.

Maximum penalty—8 penalty units.

**PART 4—RENEWAL OF REGISTRATION**

**36 Registration renewal notice**

(1) A registration renewal notice (a “**renewal notice**”) for a registered vehicle is a notice sent by the chief executive—



*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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- (a) addressed to—
  - (i) if the vehicle's registered operator has given the chief executive a written direction to address the notice to another person—the person; or
  - (ii) otherwise—the vehicle's registered operator; and
- (b) stating that, if the vehicle's registration is not renewed on or before a stated day, it expires.

(2) However, if the chief executive does not send, or the registered operator does not receive, a renewal notice, the non-receipt of the notice does not affect—

- (a) the expiry of the vehicle's registration; or
- (b) the registered operator's obligation to renew the vehicle's registration before it expires, if the registered operator intends to use the vehicle on a road after the existing registration expires.

### **37 Renewal of registration**

(1) A vehicle's registration may be renewed by presenting the renewal notice, or a written request to renew the vehicle's registration, to the chief executive together with the following—

- (a) the relevant registration fee;
- (b) if the vehicle is a category 1 vehicle, the category 1 vehicle traffic improvement fee;
- (c) an insurance certificate under the *Motor Accident Insurance Act 1994* for the vehicle for the proposed term of registration or the insurance premium payable under that Act for the certificate;
- (d) if the vehicle is a COI vehicle under the Vehicle Standards and Safety Regulation, a current certificate of inspection under that regulation for the vehicle, but only if its owner is required under that regulation to possess a current certificate of inspection for the vehicle.

(2) The person renewing the registration must nominate the registration term for the vehicle.

(3) The registration term must be a term available under section 19 or permitted under section 20.

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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**(4)** The registration of a vehicle may be renewed—

- (a) if the vehicle is registered for a term permitted under section 20—not more than 1 year after its registration expires; or
- (b) otherwise—not more than 2 months after its registration expires.

**(5)** Despite subsection (4), the chief executive may accept an application for renewal of registration at any time if the chief executive considers it reasonable in the circumstances to do so.

**(6)** The expiry day of a renewed term of registration for a vehicle must be worked out as if the renewal had commenced—

- (a) if the vehicle is registered for a term permitted under section 20—on the first day of the nominated term; or
- (b) otherwise—on the day after the day recorded in the register as the expiry day of the registration being renewed.

**(7)** Subsections (4) to (6) do not have the effect of retrospectively registering a vehicle.

**(8)** If the period by which a vehicle's registration may be renewed has ended but the registration has not been renewed, the chief executive may, by written notice given to the person who was recorded as the vehicle's registered operator before the registration expired, require the person to return the vehicle's number plates to the chief executive within 14 days after the notice is given.

**(9)** A person of whom a requirement is made under subsection (8) must not contravene the requirement, unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

**(10)** Despite anything in subsections (1) to (9), a person may renew a vehicle's registration using the chief executive's caller activated vehicle registration telephone renewal service if the service is available for the particular renewal.

**(11)** Despite anything in subsections (1) to (10), the chief executive may refuse an application for the renewal of the registration of a vehicle under the same circumstances, and in the same way, that the chief executive may refuse an application for the registration of a vehicle under section 14.<sup>8</sup>

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<sup>8</sup> Section 14 (Determination of applications)

### **38 Issue of receipt and updating of records**

(1) The renewal of the registration of a vehicle is effective on the issue of the chief executive's receipt for payment.

(2) However, if the chief executive's receipt for payment for the renewal of a registration is issued before the term of the registration being renewed expires, the renewal takes effect immediately after the expiry.

(3) If the chief executive renews the registration of a vehicle, the chief executive must—

- (a) update the records for the vehicle in the register; and
- (b) issue to the registered operator—
  - (i) an updated registration certificate; and
  - (ii) a registration label.

(4) Subsection (3)(b)(ii) applies only if the vehicle is a vehicle for which a registration label is required to be issued when the vehicle is registered.

## **PART 5—TRANSFER OF REGISTRATION**

### **39 Transfer of registration**

(1) A person who buys or otherwise acquires, a registered vehicle must apply to the chief executive for transfer of the vehicle's registration within 14 days after acquiring it.

Maximum penalty—16 penalty units.

(2) The application must be in the approved form and accompanied by the following, to the extent they are applicable—

- (a) the relevant fee;
- (b) any other amounts due, including fees payable for the renewal of the vehicle's registration;
- (c) the stamp duty payable under the *Stamp Act 1894*;
- (d) a certificate of compliance under the *Gas Regulation 1989* for the vehicle;

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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- (e) if the purchase or other acquisition of the registered vehicle is a disposal for which, under the Vehicle Standards and Safety Regulation, a current inspection certificate is required, a current inspection certificate under that regulation for the vehicle.

(3) However, subsection (2)(a) to (c) does not apply to a transfer lodged under subsection (7).

(4) A dealer who acquires a registered vehicle must notify the chief executive of the acquisition in the approved form within 14 days after the acquisition.

Maximum penalty—16 penalty units.

(5) All amounts payable under subsection (2)(a) and (c) are payable by the person who acquires a vehicle from the day of transfer appearing in the application form.

(6) If a person who acquires a registered vehicle can not find out the full name and address of the person who sold or disposed of the vehicle or obtain the signature of the person who sold or disposed of the vehicle on an approved form, the person acquiring the vehicle must give a written statement to that effect to the chief executive.

(7) If a person (the “**disposer**”) disposes of a registered vehicle to someone else (the “**acquirer**”) and reasonably believes the acquirer has not applied for transfer of the vehicle’s registration within 14 days after acquiring it, the disposer may—

- (a) apply in the approved form for transfer of the vehicle’s registration to the acquirer; or
- (b) give notice (a “**disposal notice**”) to the chief executive, in the approved form, of the disposer’s disposal to the acquirer.

(8) The chief executive, on receipt of an application under subsection (1) or (7)(a), or a notification under subsection (4), or on being satisfied as to the correctness of the information contained in a statement received under subsection (6), may—

- (a) record in the register the day of the transfer appearing in the approved form; and
- (b) substitute the name and address of the person acquiring the vehicle for those of the registered operator recorded in the register; and
- (c) issue an updated registration certificate.

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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(9) On receipt of a disposal notice under subsection (7)(b), the chief executive may—

- (a) record in the register the day of disposal stated in the notice; and
- (b) substitute the name and address of the acquirer of the vehicle for those of the registered operator recorded in the register; and
- (c) by written notice given to the acquirer, require the acquirer to apply for transfer of the vehicle's registration within 14 days after the notice is given.

(10) The acquirer must not contravene the requirement mentioned in subsection (9)(c) unless the acquirer has a reasonable excuse.

Maximum penalty—16 penalty units.

(11) If the chief executive acts under subsection (9), the person in whose name the vehicle is registered or recorded in the register under a disposal notice is taken to be the vehicle's registered operator for this regulation until the chief executive receives notice of the transfer or disposal of a vehicle.

#### **40 Failure by dealer to apply for transfer of registration**

(1) This section applies if—

- (a) a person (the “**buyer**”) buys or otherwise acquires a registered vehicle from a dealer; and
- (b) the dealer accepts from the buyer an amount mentioned in section 39(2)(a), (b) or (c).

(2) The dealer must, within 14 days after the buyer's acquisition of the vehicle, apply to the chief executive on the buyer's behalf for transfer of the vehicle's registration.

Maximum penalty—16 penalty units.

(3) The buyer does not contravene section 39(1) if an application is not made to the chief executive for transfer of the vehicle's registration within 14 days after the buyer's acquisition of the vehicle.

#### **41 Transfer of registration under legal process**

(1) A person who obtains a registered vehicle under a legal process must notify the chief executive in the approved form within 14 days after obtaining the vehicle.

Maximum penalty—16 penalty units.

(2) A person who repossesses a registered vehicle that is not redeemed within 28 days after the repossession must, within a further 7 days, notify the chief executive in the approved form.

Maximum penalty—16 penalty units.

(3) A person mentioned in subsection (1) or (2) (the “**new owner**”) who can not obtain the signature of the vehicle’s registered operator on the approved form, must give a written statement to that effect to the chief executive.

(4) Subsection (5) applies if the chief executive is satisfied—

- (a) the information contained in a statement received under subsection (3) is correct; and
- (b) the new owner has a lawful entitlement to the vehicle.

(5) The chief executive may—

- (a) record the day of the transfer appearing in the approved form in the register; and
- (b) substitute the new owner’s name and address for those of the registered operator recorded in the register; and
- (c) give the new registered operator an updated registration certificate.

(6) A notification in the approved form under subsection (1) or (2) must be accompanied by the amounts, and by the documents, that would be required under section 39(2)<sup>9</sup> were the notification an application for a transfer of the vehicle’s registration.

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<sup>9</sup> Section 39 (Transfer of registration)

## **42 Refusing to register transfer of registration**

(1) The chief executive may refuse to register a transfer of a vehicle's registration if—

- (a) the vehicle is registered for limited use, and a condition included in the relevant guideline is that the registration is not transferable; or
- (b) the chief executive reasonably believes there is uncertainty about the ownership, possession or control of the vehicle or that the description of the vehicle as recorded on the register may be inaccurate; or
- (c) were the vehicle to be the subject of an application for registration, the chief executive would refuse the application.

(2) If an order of an Australian court prohibits the transfer of a vehicle's registration and the chief executive has notice of the order, the chief executive must not register a transfer of the registration.

(3) Subsections (1) and (2) do not limit the chief executive's power to refuse to register the transfer of a vehicle's registration.

## **PART 6—EXPIRY AND CANCELLATION OF REGISTRATION**

### *Division 1—Expiry of registration*

## **43 Expiry of registration**

A vehicle's registration expires at the end of the day recorded in the register as the expiry day of the registration unless the registration is sooner cancelled or renewed under this regulation.

## **44 Return of registration plates when registration expires**

(1) The chief executive may by written notice given to the person who was the registered operator of a vehicle whose registration has expired,

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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require the person to return the vehicle's number plates to the chief executive within 14 days of the date of the notice (the **“return period”**).

(2) The person must, within the return period—

- (a) return the vehicle's number plates to the chief executive; or
- (b) if the plates have been lost, stolen or destroyed, notify the chief executive in writing of the details of the loss, theft or destruction.

Maximum penalty—20 penalty units.

***Division 2—Cancellation of registration***

**45 Cancellation of registration at registered operator's request**

(1) The registered operator of a vehicle may apply to the chief executive to cancel the vehicle's registration if—

- (a) the registered operator of the vehicle is a dealer, and the vehicle is for sale; or
- (b) the vehicle—
  - (i) has been stolen or destroyed; or
  - (ii) has been taken out of the State; or
  - (iii) has ceased to be used on roads.

(2) Also, a person acting under the authority of a court to sell a vehicle may apply to the chief executive to cancel the vehicle's registration.

(3) If the application of a person (the **“applicant”**) to cancel a vehicle's registration is made by another person on behalf of the applicant, the other person must give the chief executive written evidence of the other person's appointment, as the registered operator's agent, with the application.

(4) If a person acting under the authority of a court to sell a vehicle applies to the chief executive to cancel the vehicle's registration, the person must give the chief executive, with the application, written evidence of the person's authority to sell the vehicle.

(5) A person applying under subsection (1) or (2) must include with the application—

- (a) if the registration label or a number plate has been lost, stolen or destroyed—each item that has not been lost, stolen or destroyed,



*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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and a statement advising of the loss, theft or destruction of the other item or items; or

- (b) if paragraph (a) does not apply—the registration label and each number plate for the vehicle.
- (6) The chief executive must cancel the vehicle’s registration unless—
- (a) the applicant has not complied with subsection (3), (4) or (5); or
  - (b) the chief executive is already taking action to cancel the registration because of a ground existing under section 47 or 48.

#### **46 Partial refund of registration fee**

(1) This section applies if a vehicle’s registration is cancelled under section 45.

(2) The chief executive must make a partial refund of the registration fee paid for the vehicle to the person who was the registered operator immediately before the cancellation.

(3) The refund is worked out using the following formula—

$$\text{refund} = \frac{\text{number of days}}{365} \times \text{annual registration fee}$$

where—

“**number of days**” is the number of unexpired whole days of the registration term for which the fee was paid, from the day on which the chief executive approves the application to cancel the registration.

- (4) However, the chief executive may deduct from the refund—
- (a) an amount decided by the chief executive to cover reasonable administrative costs; and
  - (b) any unpaid fees payable under a transport Act for the vehicle.

#### **47 Cancellation for noncompliance with defect notice**

- (1) A ground exists to cancel the registration of a registered vehicle if—
- (a) a defect notice is issued under the Vehicle Standards and Safety Regulation for the vehicle; and

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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- (b) the vehicle’s registered operator contravenes the requirements of the defect notice; and
- (c) the chief executive gives the registered operator a written notice (the “**warning notice**”) stating that a ground will exist to cancel the vehicle’s registration under section 19<sup>10</sup> of the Act at the end of 14 days after the date of the warning notice if the registered operator does not, within that time—
  - (i) comply with the defect notice; or
  - (ii) ask the chief executive to cancel the vehicle’s registration; and
- (d) the chief executive is satisfied that the registered operator has not complied with all the requirements of the defect notice within the 14 days mentioned in paragraph (c); and
- (e) the registered operator has not asked the chief executive to cancel the vehicle’s registration.

(2) If the chief executive decides to cancel the registration under section 19(2)(c) of the Act, the chief executive must include in the written notice given under section 19(3) of the Act a requirement that the person (the “**relevant person**”) to whom the notice is directed must return the vehicle’s registration label and number plates to the chief executive within 14 days after the giving of the notice (the “**return period**”).

(3) The relevant person must return the vehicle’s registration label and number plates to the chief executive within the return period.

Maximum penalty—20 penalty units.

(4) However, if the registration label or a number plate has been lost, stolen or destroyed, the relevant person does not contravene subsection (3) in relation to the registration label or number plate if the relevant person, within the return period, notifies the chief executive in writing of the details of the loss, theft or destruction.

## 48 Cancellation of registration of vehicle or dealer plate

- (1) This section applies if—

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<sup>10</sup> Section 19 (Procedure for amending, suspending or cancelling approvals) of the Act

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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- (a) a vehicle does not conform with the requirements applying to the vehicle under a vehicle law about the construction, equipment and performance of motor vehicles; or
- (b) the registered operator of a vehicle does not comply with a notice given under section 39(9)(c); or
- (c) the following happens—
  - (i) the registration or renewal of registration of a vehicle or dealer plate is paid for by a cheque, or by another method of payment, that is not honoured on presentation; and
  - (ii) the chief executive gives the registered operator of the vehicle or the dealer plate a notice requiring payment of the amount within 28 days of the date of the notice; and
  - (iii) the amount is not paid to the chief executive within 28 days after the date of the notice; or
- (d) the following happens—
  - (i) less than the correct amount is paid in relation to the payment for registration, or renewal of registration, of a vehicle or dealer plate; and
  - (ii) the chief executive gives the registered operator of the vehicle or dealer plate a notice requiring payment of the amount unpaid within 28 days of the date of the notice; and
  - (iii) the amount unpaid is not paid to the chief executive within 28 days after the date of the notice.

(2) If this section applies in relation to a vehicle, a ground exists to cancel the registration of the vehicle.

(3) If the chief executive decides to cancel the vehicle's registration under section 19(2)(c)<sup>11</sup> of the Act, the chief executive must include in the written notice given under section 19(3) of the Act a requirement that the person (the **“relevant person”**) to whom the notice is directed must return the vehicle's registration label and number plates to the chief executive within 14 days after the giving of the notice (the **“return period”**).

(4) The relevant person must return the vehicle's registration label and number plates to the chief executive within the return period.

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11 Section 19 (Procedure for amending, suspending or cancelling approvals) of the Act

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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Maximum penalty—20 penalty units.

(5) However, if the registration label or a number plate has been lost, stolen or destroyed, the relevant person does not contravene subsection (4) in relation to the registration label or number plate if the relevant person, within the return period, notifies the chief executive in writing of the details of the loss, theft or destruction.

(6) If this section applies in relation to a dealer plate, a ground exists to cancel the registration of the dealer plate.

(7) If the chief executive decides to cancel the registration of the dealer plate under section 19(2)(c) of the Act, the chief executive must include in the written notice given under section 19(3) of the Act a requirement that the person (the “**dealer plate holder**”) to whom the notice is directed must return the dealer plate to the chief executive within 14 days after the giving of the notice (the “**dealer plate return period**”).

(8) The dealer plate holder must return the dealer plate to the chief executive within the dealer plate return period.

Maximum penalty—30 penalty units.

(9) However, if the dealer plate has been lost, stolen or destroyed, the dealer plate holder does not contravene subsection (8) if the dealer plate holder, within the dealer plate return period, notifies the chief executive in writing of the details of the loss, theft or destruction.

(10) Nothing in this section stops the chief executive from recovering from the relevant person or dealer plate holder an amount, worked out on a proportional basis, of any amount for registration referable to the period ending on the cancellation.

(11) Section 56<sup>12</sup> of the Act does not apply to a registration, or renewal of registration, of a vehicle or dealer plate.

#### **49 Recording cancellation of registration in register**

(1) If the chief executive cancels a vehicle’s registration, the chief executive must record the cancellation in the register.

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12 Section 56 (Using documents voided for non-payment) of the Act

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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(2) If the registered operator applied for the cancellation under section 45(1)(a) or (b)(iii), the cancellation is effective on the day of receipt of the application conforming with that section.

(3) If the registered operator applied for the cancellation under section 45(1)(b)(i), the cancellation is effective on the day after the vehicle is reported as stolen to the police service or is destroyed.

(4) If the registered operator applied for cancellation under section 45(1)(b)(ii), the cancellation is effective on the day of receipt of the application conforming with that section.

(5) However, if on an application under subsection 45(1)(b)(ii) the chief executive is satisfied the vehicle has been registered in another State under a corresponding law to this regulation, the cancellation is taken to be effective on the day immediately after the day the vehicle was registered in the other State.

(6) If neither subsection (2) nor subsection (3) nor subsection (4) applies, the cancellation is effective on the day the chief executive records the cancellation in the register.

## **PART 7—WHEN REGISTRATION UNNECESSARY**

### *Division 1—Unregistered vehicle permits*

#### **50 Unregistered vehicle permits**

(1) The chief executive may authorise the use of an unregistered vehicle on a road by issuing an unregistered vehicle permit for the vehicle.

(2) An applicant for the permit must apply to the chief executive in the approved form, accompanied by—

- (a) the relevant fee; and
- (b) an insurance certificate under the *Motor Accident Insurance Act 1994* for the vehicle for the proposed term of the permit.

(3) The chief executive may issue the permit for the term, which must not be longer than 7 days, and on the reasonable conditions, stated in it.

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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(4) If the permit is issued on conditions, it is void if the conditions are contravened.

(5) A person to whom an unregistered vehicle permit is issued must ensure that, whenever the vehicle is being used under the permit on a road—

- (a) if the vehicle is a motorbike or tractor—the driver carries the permit; or
- (b) if the vehicle is a trailer—the permit is carried in the vehicle towing the trailer; or
- (c) otherwise—the permit is attached to the vehicle in the way required under section 33 as if it were a registration label.

Maximum penalty—12 penalty units.

(6) The chief executive may not issue an unregistered vehicle permit for a vehicle that does not conform with a vehicle law.

***Division 2—Dealer plates***

**51 Designation of dealer plates**

The chief executive may designate a series of number plates as dealer plates.

**52 Registration of dealer plate**

(1) An unregistered vehicle may be used on a road if—

- (a) a dealer plate is attached to the vehicle; and
- (b) the registration of the dealer plate is current.

(2) The chief executive must not register a dealer plate unless the chief executive is satisfied that the person in whose name the dealer plate is to be registered is a person who requires the plate for the conduct of the person's business.

(3) An applicant for a dealer plate must apply to the chief executive in the approved form, which must be accompanied by—

- (a) the relevant fee; and

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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- (b) an insurance certificate under the *Motor Accident Insurance Act 1994* for the proposed registration term or the insurance premium payable under that Act for the certificate.
- (4) On registering the dealer plate, the chief executive must—
- (a) assign a registration number; and
  - (b) record in the register the following particulars—
    - (i) the name, address and place of business of the person to whom the plate has been issued;
    - (ii) commencement and expiry days for the registration of the dealer plate; and
  - (c) give the applicant—
    - (i) a registration certificate; and
    - (ii) the dealer plate; and
    - (iii) a registration label for the dealer plate.
- (5) The registration of a dealer plate is renewable, but is not transferable.
- (6) In this section—
- “unregistered vehicle”** does not include a vehicle that—
- (a) is not capable of being registered under this regulation; or
  - (b) is only capable of being registered under this regulation for limited use.

### **53 Attaching dealer plate**

(1) The person in whose name a dealer plate is registered must ensure that when an unregistered vehicle is used under the authority of the dealer plate on a road—

- (a) the registration label for the dealer plate is attached to the dealer plate; and
- (b) the dealer plate is attached to the vehicle in the way required under subsection (2).

Maximum penalty—12 penalty units.

(2) The plate must be attached to the vehicle in the way required if the dealer plate were a number plate issued for the vehicle.

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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(3) Subsection (1)(a) does not apply if—

- (a) fewer than 14 days have elapsed since the dealer plate was registered, or the dealer plate's registration was renewed, in the person's name; and
- (b) the person has not yet received the registration label from the chief executive.

#### **54 Use of dealer plates**

(1) A person must not use, or permit to be used, on a road, a vehicle with a dealer plate attached to it unless the vehicle—

- (a) is being demonstrated for its sale; or
- (b) is being delivered to a purchaser after sale; or
- (c) is travelling to or from a workshop or another facility for—
  - (i) painting, repairs or motor body construction work; or
  - (ii) the fitting of optional equipment before delivery to a purchaser; or
- (d) is being tested after having been painted or repaired, or after having been the subject of motor body construction work; or
- (e) is being used for demonstration purposes for the conduct of an art union under the *Art Unions Act 1992*; or
- (f) is being used for a purpose approved by the chief executive in a written notice given to the person in whose name the dealer plate is registered.

Maximum penalty—16 penalty units.

(2) A person must not use, or permit to be used, on a road, a vehicle with a dealer plate, other than a dealer (trailer trade) plate, attached to it if the vehicle is carrying a load or towing a vehicle carrying a load, unless the vehicle with the dealer plate attached—

- (a) is a boat trailer carrying a boat; or
- (b) is towing a motor vehicle travelling on its rear wheels only, with its front portion mounted on the towing vehicle; or
- (c) is carrying the load only to demonstrate the vehicle for its sale, and not for hire or reward.



*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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Maximum penalty—40 penalty units.

(3) A person must not use, or permit to be used, on a road, a vehicle with a dealer (trailer trade) plate attached to it unless the vehicle is—

- (a) a trailer not carrying a load; or
- (b) a boat trailer carrying a boat; or
- (c) a trailer carrying a load only to demonstrate the trailer for its sale, and not for hire or reward.

Maximum penalty—40 penalty units.

(4) A person (the “**vehicle user**”) must not use, on a road, a vehicle with a dealer plate attached to it unless the person in whose name the dealer plate is registered has authorised the vehicle user to use the dealer plate.

Maximum penalty—16 penalty units.

(5) In this section—

“**dealer (trailer trade) plate**” means a dealer plate issued under this division authorising the use of an unregistered trailer on a road.

## 55 Cancellation of dealer plates

(1) The chief executive may cancel the registration of a dealer plate, and record the cancellation in the register, if the person in whose name the plate is registered—

- (a) applies in writing to the chief executive for the cancellation; and
- (b) unless the person has notified the chief executive in writing of details of the loss, theft or destruction of the dealer plate—returns the dealer plate to the chief executive.

(2) Subsection (3) applies if either of the following events (the “**relevant event**”) happens in relation to a person in whose name a dealer plate is registered—

- (a) the person stops carrying on the business for which the plate was registered;
- (b) there is a material change in the nature of the person’s business from that stated in the person’s application for the registration of the plate.

(3) The person must, within 14 days after the relevant event happens—

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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- (a) notify the chief executive in writing about the relevant event; and
- (b) return the dealer plate to the chief executive.

Maximum penalty—30 penalty units.

(4) On receiving a notification under subsection (3), the chief executive must cancel the registration of the dealer plate and record in the register the cancellation of the registration.

(5) A ground exists to cancel the registration of a dealer plate if a person required to comply with subsection (3) does not notify the chief executive under the subsection.

(6) If, the chief executive decides to cancel the registration of a dealer plate under section 19(2)(c)<sup>13</sup> of the Act, the chief executive must include in the written notice given under section 19(3) of the Act a requirement that the person (the “**relevant person**”) to whom the notice is directed must, unless the relevant person has already done so, return the dealer plate to the chief executive within 14 days after the giving of the notice.

(7) The relevant person must comply with the requirement under subsection (6).

Maximum penalty—30 penalty units.

(8) If a dealer plate required to be returned under subsection (3)(b) or (7) (the “**relevant provision**”) has been lost, stolen or destroyed, the person required to return the plate does not contravene the relevant provision if the person, in the period within which the dealer plate is required to be returned, notifies the chief executive in writing of the details of the loss, theft or destruction.

(9) The cancellation of the registration of a dealer plate is effective—

- (a) for a cancellation under subsection (1)—immediately the person has complied with the subsection; or
- (b) otherwise—on the day the chief executive records the cancellation in the register.

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13 Section 19 (Procedure for amending, suspending or cancelling approvals) of the Act

## PART 8—GENERAL

### *Division 1—Other provisions about number plates and other items*

#### **56 Replacement registration items**

(1) This section applies if a registration item for a registered vehicle has been damaged, destroyed, lost or stolen.

(2) The registered operator of the vehicle must apply to the chief executive in writing for a replacement item within 14 days after discovering the item has been damaged, destroyed, lost or stolen.

Maximum penalty—6 penalty units.

(3) An application for a replacement number plate must be accompanied by—

- (a) the relevant plate fee; and
- (b) either—
  - (i) for the replacement of a damaged number plate—the damaged number plate; or
  - (ii) for the replacement of a destroyed, lost or stolen number plate—a written statement giving details of the loss, theft or destruction.

(4) On receipt of the application, the chief executive may—

- (a) record in the register—
  - (i) the day the application was received; and
  - (ii) the damage, destruction, loss or theft of the item; and
- (b) issue a replacement or updated registration item.

(5) If the application is for the replacement of a number plate, until the replacement number plate is issued, the registered operator must attach any remaining plate to the rear of the vehicle.

Maximum penalty—12 penalty units.

(6) The registration item being replaced ceases to be effective on the issue of the replacement registration item, and the replacement registration item becomes the current registration label or number plate for the vehicle.

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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(7) The person must immediately return to the chief executive an item that was a registration item if the person recovers the item after the chief executive has issued a replacement item for it.

Maximum penalty—20 penalty units.

(8) In this section—

**“registration item”** means—

- (a) a current registration label; or
- (b) a number plate.

### **57 Chief executive may require exchange of number plates**

(1) This section applies if the chief executive—

- (a) considers the number displayed on a number plate for a vehicle is obscene or indecent; or
- (b) changes the specifications to which a number plate for a vehicle is manufactured.

(2) The chief executive may, by written notice given to the registered operator of the vehicle, require the registered operator to return the number plate to the chief executive within the time stated in the notice to be exchanged for another number plate.

(3) The notice must state the chief executive’s reason for requiring the return of the original plate.

(4) The registered operator must not contravene the requirement unless the person has notified the chief executive in writing that the original plate has been lost, stolen or destroyed.

Maximum penalty—20 penalty units.

(5) The chief executive must record the exchange of the plate in the register.

### **58 Chief executive may require return of number plates**

(1) This section applies if the chief executive reasonably believes—

- (a) a number plate is being used, or has been used, in contravention of this regulation; or

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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- (b) a number plate was issued as the number plate for a limousine or taxi and the limousine or taxi is no longer operating under the licence issued under the *Transport Operations (Passenger Transport) Act 1994*.

(2) The chief executive may, by written notice, require the person to whom the number plate was issued to return the plate to the chief executive within 14 days of the date of the notice (the “**return period**”).

(3) The person must return the number plate to the chief executive within the return period.

Maximum penalty—20 penalty units.

(4) However, if the number plate has been lost, stolen or destroyed, the person does not contravene subsection (3) if the person, within the return period, notifies the chief executive in writing of the details of the loss, theft or destruction.

(5) The chief executive must record the return of the number plate in the register.

(6) If this section applies because of subsection (1)(b)—

- (a) the chief executive may, in the written notice given to a person under subsection (2), also require that the number plate, when returned, be exchanged for a new number plate; and
- (b) if the number plate is not returned within the return period, the chief executive may issue a replacement number plate for the limousine or taxi.

(7) The number plate being replaced ceases to be effective on the issue of the replacement number plate, and the replacement number plate becomes the current number plate for the vehicle.

## **59 Property in number plates**

(1) A number plate issued by the chief executive remains the property of the State.

(2) Subsection (1) applies even if the right to use the number in the number plate is the property of the person to whom the plate was issued.

***Division 2—Vehicles temporarily in Queensland***

**60 Vehicles temporarily in Queensland**

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

- (a) does not have a garage address in Queensland or has had a garage address in Queensland for not more than 14 days; and
- (b) is to be used on a road; and
- (c) either—
  - (i) the vehicle is registered in—
    - (A) another State under a corresponding law to this regulation; or
    - (B) a foreign country under a law of the country about the registration of vehicles used on roads; or
  - (ii) the vehicle is not registered in a way mentioned in subparagraph (i), but may be used on a road under an authority or permit in force under a law of another State relating to the use of unregistered vehicles, including a law relating to dealer plates.

(2) The vehicle may be used on a road if—

- (a) the vehicle carries and displays all number plates and registration labels it is required to carry and display in the way required by the law—
  - (i) for a vehicle mentioned in subsection (1)(c)(i)—of the other State or foreign country; or
  - (ii) for a vehicle mentioned in subsection (1)(c)(ii)—of the other State; and
- (b) for a vehicle mentioned in subsection (1)(c)(ii)—the vehicle is used in accordance with the relevant authority or permit, so far as it is capable of being applied to the use of the vehicle outside the other State; and
- (c) the vehicle is insured—
  - (i) for a vehicle registered in a foreign country—under the *Motor Accident Insurance Act 1994*; or

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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- (ii) for a vehicle registered in, or used under an approval issued by, another State—under a contract of insurance made under a law of the State similar to the *Motor Accident Insurance Act 1994*.

(3) The owner or person in charge of the vehicle must ensure that when the vehicle is used on a road the owner or person is able to produce for inspection on demand by an authorised officer—

- (a) for a vehicle registered in a foreign country—an overseas vehicle permit issued under subsection (6); or
- (b) otherwise—the approval to use the vehicle under the law of the other State.

Maximum penalty—8 penalty units.

(4) If the vehicle is a vehicle mentioned in subsection (1)(c)(i)(B), an owner or person in charge of the vehicle who is temporarily in Australia may apply to the chief executive for an overseas vehicle permit for the vehicle.

(5) The application must be in the approved form and accompanied by the relevant fee.

(6) The chief executive may issue the permit only if the owner or person satisfies the chief executive that—

- (a) the vehicle is—
  - (i) registered in a foreign country; and
  - (ii) temporarily in Queensland; and
- (b) the owner or person has insured the vehicle under subsection (2)(c)(i) and will continue to comply with subsection (2)(a)(i).

(7) A category 2 vehicle's garage address is taken to be an address in Queensland if the vehicle is used continuously in Queensland for more than 3 months.

### ***Division 3—Other miscellaneous provisions***

#### **61 Sale of unregistered vehicles by dealers**

(1) A dealer must not deliver an unregistered vehicle to a purchaser, other than another dealer, on the sale of the vehicle unless an application to register the vehicle under this regulation has been made.

Maximum penalty—40 penalty units.

(2) However, the dealer does not contravene subsection (1) if the dealer obtains a written statement from the purchaser that—

- (a) the vehicle is not to be used on a road; or
- (b) the vehicle's garage address will not be in Queensland.

(3) If the vehicle is delivered under subsection (2), the dealer must keep the statement for at least 1 year after the day of delivery of the vehicle to the purchaser.

Maximum penalty—8 penalty units.

#### **62 Authorisation to use unregistered vehicle on roads**

(1) A person may apply in writing to the chief executive for an authorisation to use on a road an unregistered vehicle, or class of unregistered vehicle, including a vehicle or class of vehicle that does not conform with the requirements applying to the vehicle or class under a vehicle law.

(2) The chief executive may grant the authorisation only if the chief executive is satisfied the use of the vehicle, or class of vehicle, on the road would not—

- (a) adversely affect road safety; or
- (b) inconvenience other road users.

(3) Before granting the authorisation, or as a condition of it, the chief executive may require the applicant to pay the chief executive's costs or estimated costs of the following—

- (a) assessing the vehicle's route and preparing the relevant plans and estimates;



*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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- (b) preparing and strengthening road transport infrastructure on the route;
- (c) repairing, replacing or reconstructing road transport infrastructure on the route;
- (d) ensuring compliance with a condition or a proposed condition of the authorisation.

(4) The authorisation must be in writing and state the following particulars—

- (a) the vehicle or the class of vehicles to which it applies;
- (b) the roads where the vehicle may be used;
- (c) the term, not longer than 5 years, for which it is issued;
- (d) the conditions, if any, on which it is issued.

(5) If the authorisation is issued on conditions, it is void if the conditions are contravened.

### **63 Permit to use intercepted unregistered vehicle on road**

(1) This section applies if an authorised officer finds on a road—

- (a) a stationary unregistered vehicle; or
- (b) an unregistered vehicle that has been stopped under—
  - (i) section 31 or 32<sup>14</sup> of the Act; or
  - (ii) the *Police Powers and Responsibilities Act 1997*.

(2) The authorised officer may issue a permit authorising the use of the vehicle on roads to move it to a stated place if the officer has—

- (a) issued an infringement notice under the *Justices Act 1886* for a contravention of section 10;<sup>15</sup> or
- (b) completed a report for dealing with the contravention at a later time.

(3) The permit must—

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14 Section 31 (Power to stop private vehicles) or 32 (Power to stop heavy vehicles) of the Act

15 Section 10 (Vehicles used on roads must be registered)

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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- (a) be in the approved form; and
- (b) state the term, not longer than 24 hours, for which it is issued; and
- (c) state the conditions, if any, on which it is issued; and
- (d) state—
  - (i) if subsection (2)(a) applies—the number of the infringement notice; or
  - (ii) if subsection (2)(b) applies—that the contravention of section 10 is to be dealt with at a later time either by issuing an infringement notice under the *Justices Act 1886* or by taking a proceeding by complaint and summons under that Act.

(4) If the permit is issued on a condition, it is void if the condition is contravened.

#### **64 Damaged or dirty number plates**

(1) This section applies if a vehicle's number plate is—

- (a) damaged and not legible; or
- (b) dirty and not legible.

(2) An authorised officer may, by written notice given to the registered operator of the vehicle, or to a person in charge of the vehicle, require the registered operator to—

- (a) for a damaged number plate—apply to the chief executive, within the time stated in the notice, for a replacement number plate under section 56; or
- (b) for a dirty number plate—
  - (i) clean the number plate; and
  - (ii) bring the vehicle to the chief executive to be inspected, within the time stated in the notice.

(3) If the person to whom the notice is given is not the registered operator of the vehicle, the person to whom the notice is given must immediately give the notice to the registered operator of the vehicle, unless the person has a reasonable excuse.

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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Maximum penalty—6 penalty units.

(4) The registered operator must not contravene a requirement under subsection (2) unless the registered operator has a reasonable excuse.

Maximum penalty—6 penalty units.

(5) Despite anything else in this regulation a person who uses, or permits to be used, a vehicle on a road when a number plate required under this regulation to be attached to the vehicle is not attached to the vehicle does not commit an offence if—

- (a) the number plate is damaged; and
- (b) an authorised officer, acting under subsection (2)(a), has given the registered operator of the vehicle a written notice directing the registered operator to apply to the chief executive for a replacement number plate under section 56; and
- (c) the damaged number plate and the written notice are being carried in the vehicle; and
- (d) the vehicle is being driven to a place for the purpose of applying, at the place, to the chief executive for a replacement number plate under section 56.

***Division 4—Review of decisions***

**65 Decision to which this division applies**

(1) This division applies to a decision of the chief executive made under this regulation if the decision is one of the following—

- (a) a decision not to register a vehicle;
- (b) a decision not to renew the registration of a vehicle;
- (c) a decision not to register the transfer of the registration of a vehicle;
- (d) a decision not to authorise the use of a vehicle on a road under an unregistered vehicle permit;
- (e) a decision to refuse an overseas vehicle permit for a vehicle.

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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(2) This division also applies to a decision of the chief executive made under this regulation if the decision is to refuse an authorisation under section 62 to use on a road a vehicle or a class of vehicles.

## **66 Review of decisions**

(1) A person whose interests are affected by a decision to which this division applies may apply, under chapter 4 of the Act, for a review of decision as if the decision were stated in schedule 2A of the Act.

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

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

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

## *Division 5—Release of information*

## **67 Definitions for div 5**

In this division—

**“client user”**, of a public access provider, means a lawyer, insurance company, insolvency entity or statutory entity—

- (a) who has entered into a public access agreement with a public access provider; and
- (b) who has been approved by the chief executive, before or after the commencement of this section, as a suitable entity to obtain extracts from the register of information about vehicles, using on-line computer access; and
- (c) whose approval as a suitable entity has not been withdrawn.

**“eligible person”** means—

- (a) an involved person; or
- (b) a statutory entity; or
- (c) the registered operator of a vehicle seeking information from the register about the vehicle; or

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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- (d) a safety recall agency; or
- (e) a person seeking information from the register about a vehicle with the written consent of the registered operator of the vehicle.

**“insolvency entity”** means an entity exercising powers—

- (a) under the *Bankruptcy Act 1966* (Cwlth) in relation to bankruptcy; or
- (b) under the provisions of the Corporations Law relating to external administration.

**“involved person”** means a person who proposes to commence, or has commenced, litigation.

**“litigation”** means a proceeding, or a proposed proceeding, in a court for which information in the register about a particular vehicle is, or may be, of relevance, but only if—

- (a) the proceeding is about—
  - (i) an incident on a road or somewhere else involving the vehicle; or
  - (ii) the bankruptcy or possible bankruptcy of the registered operator of the vehicle, or the application, or the possible application, to the registered operator of the vehicle, of the provisions of the Corporations Law relating to external administration; or
  - (iii) fraudulent activities of the registered operator of the vehicle; or
- (b) the proceeding is before the Family Court of Australia and involves the registered operator of the vehicle; or
- (c) in the course of the proceeding, the court decides information about the registered operator of the vehicle is required, including, for example, to help to finalise the proceeding.

**“public access provider”** means—

- (a) the chief executive; or
- (b) a person who has entered into an agreement with the chief executive to provide on-line computer access to the register to entities approved by the chief executive.

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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**“safety recall agency”** means a vehicle manufacturer conducting a national vehicle safety recall program who requires details from the register to identify the registered operators of particular vehicles.

**“statutory entity”** means—

- (a) a local government or other entity established under a statute enforcing a law about vehicles or about the parking of vehicles in an area under its control; or
- (b) an entity having lawful access, under another Act, or under administrative arrangements approved by the chief executive, to details kept by the chief executive in the register.

### **68 Release of information on payment of fee**

(1) The chief executive may, in the circumstances approved by the chief executive, give an extract from the register of information about a vehicle to an eligible person, or a person acting on the eligible person’s behalf, if the eligible person, or the person acting on the eligible person’s behalf—

- (a) submits a request for the information to the chief executive in the approved form; and
- (b) pays the relevant fee.

(2) The eligible person, or the person acting on the eligible person’s behalf, must not use or disclose information obtained under subsection (1) other than in accordance with conditions approved by the chief executive for the use and disclosure of the information and advised to the eligible person or the person acting on the eligible person’s behalf when, or before, the information is obtained.

Maximum penalty—20 penalty units.

(3) A public access provider may allow a client user of the provider to obtain an extract from the register of information about a vehicle, using on-line computer access, if the client user—

- (a) pays the public access provider the relevant fee; and
- (b) obtains the extract only in the circumstances approved by the chief executive for obtaining the extract.

(4) The client user must not use or disclose information obtained under subsection (3) other than in accordance with conditions approved by the

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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chief executive for the use and disclosure of the information and advised to the client user when, or before, the information is obtained.

Maximum penalty—20 penalty units.

## **PART 9—FEES**

### *Division 1—General*

#### **69 Fees**

(1) The registration fees payable for a category 1 vehicle are stated in schedule 1.

(2) The registration fees payable for a category 2 vehicle are stated in schedule 2.

(3) Other fees payable under this regulation are stated in schedule 3.

(4) The fees payable under schedules 1 to 3 for vehicle registration for a term less than 1 year are to be adjusted in proportion to the number of days in the term.

#### **70 Charging categories**

(1) If a category 2 vehicle falls within 2 or more categories in schedule 2, the registration fee for the vehicle is the higher or highest of the fees that could apply to the vehicle.

(2) To decide the number of trailers a prime mover or truck may tow—

- (a) a dolly and a semitrailer, when used together, are taken to be 1 trailer; and
- (b) a low loader and low loader dolly, when used together, are taken to be 1 trailer.

(3) If a category 2 vehicle is registered according to a particular type in schedule 2, a person must not use the vehicle, or, whether or not the person is the vehicle's registered operator, permit another person to use the

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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vehicle, as a vehicle of another type to which a higher registration fee applies.

Maximum penalty—80 penalty units.

*Example of subsection (3)—*

If a vehicle is not registered to tow a trailer, the vehicle cannot be used to haul a trailer unless its registration is changed and the relevant registration fee is paid.

**(4)** For applying schedule 2—

- (a) 2 axles with less than 1 m between them are taken to be 1 axle; and
- (b) 3 axles with not more than 2 m between the first and third axles are taken to be 2 axles; and
- (c) 4 axles with not more than 3.2 m between the first and fourth axles are taken to be 3 axles.

**(5)** For applying subsection (4) in relation to a vehicle, the distance between axles is measured between the centres of the wheels—

- (a) mounted on the axles; and
- (b) parallel to the length of the vehicle.

***Division 2—Vehicles exempted from registration fees***

**71 Exemption from payment of fee**

**(1)** The chief executive may grant an exemption from the payment of the registration fees otherwise payable for the registration of the following vehicles—

- (a) a vehicle owned by an association established solely for a charitable purpose within the meaning of the *Collections Act 1966* and used solely for the purpose;
- (b) a vehicle owned by—
  - (i) a consulate; or
  - (ii) the head of a consulate; or
  - (iii) a career officer of a consulate; or
  - (iv) the head of an honorary consular mission;



*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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(c) a motorised invalid chair used by a disabled person.

(2) An exemption under subsection (1)(b) may be granted only with the approval of the chief executive of the department within which the *Public Service Act 1996* is administered.

(3) The owner of the vehicle must apply for the exemption in the approved form.

(4) A person who is granted an exemption from the payment of the registration fee for a vehicle must notify the chief executive in writing—

- (a) before using the vehicle for a purpose other than the purpose for which the exemption was granted; or
- (b) within 14 days—
  - (i) after a material change in the circumstances under which the exemption was granted; or
  - (ii) of the sale or other transfer of the vehicle.

Maximum penalty—20 penalty units.

(5) On receipt of the notice, the chief executive may reassess the registration fee payable for the vehicle's registration, without the exemption, for the term (the "**unexpired term**")—

- from when the registered operator or vehicle ceased to be eligible for the exemption
- to the end of the vehicle's current registration.

(6) The chief executive may, by written notice, require the amount of the reassessed fee for the unexpired term to be paid by—

- (a) if the notice is given under subsection (4)(a) or (b)(i)—the person to whom the exemption was granted; or
- (b) if the notice is given under subsection (4)(b)(ii)—the person to whom the vehicle is sold or otherwise transferred.

(7) The person to whom the notice is directed must, within 28 days after the chief executive gives the notice, pay the amount assessed.

Maximum penalty—60 penalty units.

### ***Division 3—Concessional registration fees for certain category 1 vehicles***

#### **72 Concessional registration fees—category 1 vehicles**

(1) The chief executive may grant the registered operator of a vehicle mentioned in schedule 1, part 2, a concessional registration fee for the vehicle.

(2) An application for the concession must be in the approved form.

(3) A person who is granted a concessional registration for a vehicle must notify the chief executive in writing—

- (a) before using the vehicle for a purpose other than the purpose for which the concession was granted; or
- (b) within 14 days—
  - (i) after a material change in the circumstances under which the concession was granted; or
  - (ii) of the sale or other transfer of the vehicle.

Maximum penalty—20 penalty units.

(4) On receipt of the notice, the chief executive may reassess the registration fee payable for the vehicle's registration, without the concession, for the term (the "**unexpired term**")—

- from when the registered operator or vehicle ceased to be eligible for the concession
- to the end of the vehicle's current registration.

(5) The chief executive may, by written notice, require the amount of the reassessed fee for the unexpired term to be paid by—

- (a) if the notice is given under subsection (3)(a) or (b)(i)—the person to whom the concession was granted; or
- (b) if the notice is given under subsection (3)(b)(ii)—the person to whom the vehicle is sold or otherwise transferred.

(6) The person to whom the notice is directed must, within 28 days after the chief executive gives the notice, pay the amount assessed.

Maximum penalty—20 penalty units.

***Division 4—Concessional registration fees for category 2 vehicles***

**73 Concessional registration fees—primary producers**

(1) The chief executive may grant a primary producer the concessional registration fee provided for in schedule 2, part 2 for the registration of a primary production vehicle.

(2) An application for the concession must be in the approved form.

(3) A primary producer who is granted concessional registration for a primary production vehicle must give the chief executive written notice—

- (a) before the primary producer starts to use the vehicle other than for carrying on the producer's business as a primary producer; or
- (b) within 14 days of the sale or other transfer of the vehicle.

Maximum penalty—60 penalty units.

(4) On receipt of the notice, the chief executive may reassess the registration fee payable for the vehicle's registration, without the concession, for the term (the "**unexpired term**")—

- from when the primary producer ceased to be eligible for the concession
- to the end of the vehicle's current registration.

(5) The chief executive may, by written notice, require any amount by which the reassessed fee is more than the fee already paid for the unexpired term to be paid by—

- (a) if the primary producer's notice is given under subsection (3)(a)—the primary producer; or
- (b) if the primary producer's notice is given under subsection (3)(b)—the person to whom the vehicle is sold or otherwise transferred.

(6) The person to whom the notice is directed must, within 28 days after the chief executive gives the notice, pay the amount assessed.

Maximum penalty—60 penalty units.

#### **74 Concessional registration fee for motorised caravan for card holders**

(1) The chief executive may grant a card holder a concessional registration fee provided for in schedule 2, part 2 for the registration of a motorised caravan owned by the person.

(2) An application for the concession must be in the approved form.

(3) A person who is granted a concessional registration as a card holder for a motorised caravan must give the chief executive written notice—

- (a) of ceasing to be a card holder, within 14 days after the cessation; or
- (b) of the sale or other transfer of the caravan within 14 days after the sale or other transfer.

Maximum penalty—20 penalty units.

(4) On receipt of the notice, the chief executive may reassess the registration fee payable for the caravan's registration, without the concession, for the term (the "**unexpired term**")—

- from when the person ceased to be eligible for the concession
- to the end of the caravan's current registration.

(5) The chief executive may, by written notice, require any amount by which the reassessed fee is more than the fee already paid for the unexpired term to be paid by—

- (a) if the person's notice is given under subsection (3)(a)—the person; or
- (b) if the person's notice is given under subsection (3)(b)—the person to whom the caravan is sold or otherwise transferred.

(6) The person to whom the notice is directed must, within 28 days after the chief executive gives the notice, pay the amount assessed.

Maximum penalty—20 penalty units.

#### **75 Concessional registration fees for other vehicles**

(1) The chief executive may grant a person, other than a primary producer or card holder, a concessional registration fee provided for in schedule 2, part 2 for the registration of a vehicle.

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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(2) An application for the concession must be in the approved form.

(3) A person who is granted a concessional registration fee for a vehicle must give the chief executive written notice—

- (a) of ceasing to be eligible for the concession, within 14 days of the cessation; or
- (b) of the sale or other transfer of the vehicle within 14 days of the sale or other transfer.

Maximum penalty—60 penalty units.

(4) On receipt of the notice, the chief executive may reassess the registration fee payable for the vehicle's registration, without the concession, for the term (the "**unexpired term**")—

- from when the person ceased to be eligible for the concession
- to the end of the vehicle's current registration.

(5) The chief executive may, by written notice, require any amount by which the reassessed fee is more than the fee already paid for the unexpired term to be paid by—

- (a) if the person's notice is given under subsection (3)(a)—the person; or
- (b) if the person's notice is given under subsection (3)(b)—the person to whom the vehicle is sold or otherwise transferred.

(6) The person to whom the notice is directed must, within 28 days after the chief executive gives the notice, pay the amount assessed.

Maximum penalty—60 penalty units.

## **PART 10—OTHER OFFENCE PROVISIONS**

### **76 Offences involving registration certificates etc**

(1) A person must not, unless the person has a reasonable excuse—

- (a) make, sell or have in the person's possession anything that purports to be, but is not, a registration certificate, registration label, number plate or permit; or

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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- (b) alter or deface a registration certificate, registration label, number plate or permit.

Maximum penalty—40 penalty units.

(2) A person must not, unless the person has a reasonable excuse, use, or permit to be used, on a road, a vehicle if—

- (a) a registration certificate, registration label, number plate or permit for the vehicle has been unlawfully altered; or
- (b) a registration certificate, registration label, number plate or permit for the vehicle has been defaced; or
- (c) a reflectorised number plate for the vehicle has been repainted in any way, for example, to repair stone chips or other damage; or
- (d) any writing, mark, or colour on a registration certificate, registration label, number plate or permit for the vehicle is not clearly legible; or
- (e) a registration label, number plate or permit attached to the vehicle was issued for another vehicle; or
- (f) a registration label or number plate attached to the vehicle has been recorded in the register as having been cancelled, lost, stolen, destroyed or damaged; or
- (g) a registration label, number plate or permit required under this regulation to be attached to the vehicle—
- (i) is not attached to the vehicle; or
- (ii) is attached to the vehicle, but not in the way required under this regulation; or
- (h) a registration label still attached to the vehicle should have been taken off the vehicle under section 33(7); or
- (i) a permit required under section 50(5)(a) to be carried by the driver of the vehicle is not being carried by the driver of the vehicle; or
- (j) a permit required under section 50(5)(b) to be carried in the vehicle is not being carried in the vehicle.

Maximum penalty—16 penalty units.

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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(3) In this section a reference to a registration certificate, registration label, number plate or permit is a reference to a registration certificate, registration label, number plate or permit issued—

- (a) by the chief executive under this regulation; or
- (b) under a corresponding law to this regulation; or
- (c) under a law of a foreign country about the registration of vehicles.

**77 Requirement to remove unlawful registration item**

(1) An authorised officer may require a person in charge of a vehicle to take a registration item from the vehicle, and to deliver it to the authorised officer, if the authorised officer believes on reasonable grounds that—

- (a) under this regulation, the use of the vehicle on a road is prohibited; or
- (b) the registration item was not lawfully issued for the vehicle; or
- (c) the registration item is recorded in the register as having been cancelled, lost, stolen, destroyed or damaged.

(2) The person must not contravene the requirement unless the person has a reasonable excuse.

Maximum penalty—16 penalty units.

(3) In this section—

**“registration item”** means—

- (a) a registration certificate, registration label, number plate, permit or similar item; or
- (b) an item purporting to be an item mentioned in paragraph (a).

**PART 11—TRANSITIONAL PROVISIONS FOR  
TRANSPORT OPERATIONS (ROAD USE  
MANAGEMENT—VEHICLE REGISTRATION)  
REGULATION 1999**

**78 Purpose of pt 11**

This part provides for the transition from the former regulation to this regulation.

**79 Definition for pt 11**

In this part—

“**former regulation**” means the *Transport Infrastructure (Roads) Regulation 1991* in force immediately before its expiry under section 93A of the Act.

**80 Continuation of registration and other authorities under former regulation**

(1) A vehicle that is registered under the former regulation immediately before the commencement of this section is taken to be registered under this regulation for the unexpired term of its registration under the former regulation, unless the registration is sooner cancelled under this regulation.

(2) On the commencement of this section, a number plate, registration certificate or registration label that was issued for a vehicle that is registered under the former regulation immediately before the commencement of this section and that is current immediately before the commencement of this section is taken to be a current number plate, certificate or label for the vehicle under this regulation.

(3) A limited use permit issued for a vehicle under section 34 of the former regulation and current immediately before the commencement of this section continues, for the unexpired term of the permit, to have effect as an unregistered vehicle permit issued for the vehicle under section 50.

(4) An approval issued for a vehicle under section 44 of the former regulation and current immediately before the commencement of this section continues, for the unexpired term of the approval, to have effect as an authorisation issued for the vehicle under section 62.



(5) A permit issued for a vehicle under section 44A of the former regulation and current immediately before the commencement of this section continues, for the unexpired term of the permit, to have effect as a permit issued for the vehicle under section 63.

## **81 Postponement of particular changes until 31 December 1999**

Until the end of 31 December 1999—

- (a) the following vehicles are taken to be included in the list of vehicles that are exempt vehicles under section 4—
  - (i) all agricultural machines;
  - (ii) all items of equipment used for the construction of works for, or maintenance of, road transport infrastructure;
  - (iii) all fire engines;
  - (iv) all motorised golf buggies; and
- (b) despite the expiry of the former regulation, the supply of extracts from the register is to continue to happen under the following provisions of the former regulation as if the regulation had not expired—
  - (i) section 13(3);
  - (ii) schedule 1, part 4, items 2 to 4.

## **82 Limited use plates under former regulation**

(1) This section applies to a vehicle that, immediately before the commencement of this section, is the subject of a current authorisation under section 35 of the former regulation for the use of the vehicle on a road on the basis of the issue of a limited use plate.

(2) Section 35 of the former regulation, together with any other provisions of the former regulation necessary for giving section 35 continued effect, continues to apply to the vehicle until the expiry of the term for which the limited use plate was issued.

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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**83 Position for attaching registration label to certain trailers**

Section 33 does not apply to a trailer that is a category 2 vehicle in relation to a registration label attached under section 22 of the former regulation before the commencement of this section.

## SCHEDULE 1

### CATEGORY 1 VEHICLE REGISTRATION FEES

section 69

#### PART 1—CATEGORY 1 VEHICLE REGISTRATION FEES FOR 1 YEAR

	\$
<b>1.</b> Motor vehicle with GVM not over 4 t—	
(a) 1, 2 or 3 cylinders, electric or steam . . . . .	137.85
(b) 4 cylinders or 2 rotors . .	175.30
(c) 5 or 6 cylinders or 3 rotors	269.45
(d) 7 or 8 cylinders . . . . .	377.35
(e) 9–12 cylinders . . . . .	442.55
<b>2.</b> Motor vehicle, other than a motorised caravan or bus, with GVM over 4 t but not over 4.5 t	422.95
<b>3.</b> Motorised caravan with GVM over 4 t but not over 4.5 t . . .	307.40
<b>4.</b> Bus with GVM over 4 t but not over 4.5 t . . . . .	421.50
<b>5.</b> Mobile machinery or equipment with GVM not over 4.5 t . . . .	95.95
	plus \$35.60 for each tonne, or part of a tonne, of GVM over 1 t but not over \$249.90 in total
<b>6.</b> Tractor with GVM not over 4.5 t	53.10
<b>7.</b> Motorbike . . . . .	59.15
<b>8.</b> Trailer or caravan—	

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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SCHEDULE 1 (continued)

(a) ATM not over 1.02 t . . .	53.65
(b) ATM over 1.02 t but not over 4.5 t . . . . .	102.15

**PART 2—CATEGORY 1 VEHICLE CONCESSIONAL  
REGISTRATION FEES FOR 1 YEAR**

	\$
1. Ambulance vehicle . . . . .	48.10
2. Vehicle, with distance and road use limits imposed by the chief executive, owned by a primary producer and used only in the owner's business as a primary producer—	
(a) motor vehicle with GCM or GVM not over 4 t . . . . .	50.70
(b) motor vehicle with GCM or GVM over 4 t but not over 4.5 t . . . . .	74.15
(c) trailer with ATM not over 4.5 t . . . . .	50.70
3. One motor vehicle (other than mobile machinery or equipment) registered in the name of the holder of a Queensland Government Seniors Card . . .	the greater of— (a) 50% of the part 1 fee; and (b) \$48.10
4. Motor vehicle with a GVM or GCM over 4 t, in circumstances mentioned in the Doc Base Manual . . . . .	48.10

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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SCHEDULE 1 (continued)

- |   |   |
|---|---|
| <p><b>5.</b> Motor vehicle with a GVM or GCM over 4 t but not over 4.5 t, in circumstances mentioned in the Doc Base Manual. . . . .</p>  | <p>the greater of—<br/>(a) 25% of the part 1 fee; and<br/>(b) \$48.10</p> |
| <p><b>6.</b> One motor vehicle (other than mobile machinery or equipment) registered in the name of the holder of a pensioner concession card issued before 1 July 1994—<br/>(a) with GVM or GCM not over 4 t, in circumstances mentioned in the Doc Base Manual. . . . .</p> | <p style="text-align: right;">48.10</p>                                   |
| <p>(b) with GVM over 4 t but not over 4.5 t, in circumstances mentioned in the Doc Base Manual. . . . .</p>   | <p>the greater of—<br/>(a) 25% of the part 1 fee; and<br/>(b) \$48.10</p> |
| <p><b>7.</b> One motor vehicle (other than mobile machinery or equipment) registered in the name of the holder of a pensioner concession card issued after 30 June 1994 with GVM or GCM not over 4.5 t, in circumstances mentioned in the Doc Base Manual. . . . .</p>        | <p>the greater of—<br/>(a) 50% of the part 1 fee; and<br/>(b) \$48.10</p> |
| <p><b>8.</b> Special interest vehicle . . . . .</p>   | <p style="text-align: right;">48.10</p>                                   |



SCHEDULE 2 (continued)

**3. Buses**

<b>Bus type</b>	<b>2 axle</b>	<b>3 and 4 axle</b>
Bus (type 1)	\$310	—
Bus (type 2)	\$516	\$1 291
Articulated bus	—	\$516

**4. Special purpose vehicles**

Special purpose vehicle (type p)—	
Tractor	\$10.00
Plant, other than drawn plant	\$207.00
Special purpose vehicle (type t)—	
Mobile machinery	\$207.00
Drawn plant	\$59.05
Special purpose vehicle (type o)	\$258 + (\$258 x number of axles in excess of 2)

**PART 2—CATEGORY 2 VEHICLE CONCESSIONAL  
REGISTRATION FEES FOR 1 YEAR**

1. The percentage of the registration fee for a category 2 vehicle, other than a special interest vehicle or a motorised caravan, payable under a concessional registration is as follows—

- (a) for a truck with 2 or 3 axles—50%;
- (b) for a truck with 4 or more axles—25%;
- (c) for a short or medium combination prime mover, or a short, medium or long combination truck, with 2 axles—50%;
- (d) for a long combination prime mover with 2 axles—25%;

SCHEDULE 2 (continued)

- (e) for a prime mover, or a short, medium or long combination truck, with 3 or more axles—25%;
- (f) for a trailer with 1 axle—50%;
- (g) for a trailer with 2 axles—35%;
- (h) for a trailer with 3 or more axles—30%;
- (i) for a special purpose vehicle—25%;
- (j) for a caravan, mobile library, mobile workshop, mobile laboratory or mobile billboard—35%.

**2.** The concessional registration fee for a special interest vehicle is \$48.10.

**3.** The percentage of the registration fee for a motorised caravan owned by a card holder who is the holder of a pensioner concession card payable under a concessional registration is as follows—

- (a) if the card holder was issued with the pensioner concession card before 1 July 1994—25%;
- (b) otherwise—50%.

**4.** The concessional registration fee for a vehicle, with distance and road use limits imposed by the chief executive, owned by a primary producer and used only in the owner's business as a primary producer, is—

- (a) if it is a motor vehicle—\$31.05; or
- (b) if it is a trailer—\$74.15.



## SCHEDULE 3

### OTHER FEES

section 69

#### PART 1—PLATE FEES

	\$
1. Limousine number plate . . . .	26.70
2. Dealer plate . . . . .	286.60
3. Accessory number plate . . . .	17.70
4. Another number plate . . . . .	17.70
5. Replacement of—	
(a) dealer plate . . . . .	65.70
(c) limousine plates . . . . .	26.70
(d) another number plate . . .	17.70
6. Replacement plate or pair of plates with the same number and design as the replaced plate or plates . . . . .	17.70 plus manufacturing costs

#### PART 2—MISCELLANEOUS FEES

	\$
1. Application for—	
(a) transfer of registration . .	16.40
(b) transfer of personalised number plates . . . . .	59.60
(c) limited use permit, for each day . . . . .	16.40
(d) limited use certificate . . .	49.30

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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SCHEDULE 3 (continued)

2.	Extract from the register for use in a vehicles safety recall. . . .	1.05
	for each vehicle to a maximum of 5 000	
3.	Extract from the register through a public access provider, for each vehicle—	
	(a) if the vehicle's registration number is supplied. . . .	10.50
	(b) if the name and address of the person in whose name the vehicle is registered are supplied, but not the vehicle's registration number. . . . .	16.80
	(c) if there is a request for at least 200 vehicles in each week. . . . .	6.30
	(d) for an extract certified by the chief executive. . . . .	16.80
4.	Extract from the register other than under item 2 or 3, for each vehicle—	
	(a) if the vehicle's registration number is supplied. . . .	10.50
	(b) if the name and address of the person in whose name the vehicle is registered are supplied, but not the vehicle's registration number. . . . .	16.80
	(c) if the extract is from archival records. . . . .	16.80
	(d) for an extract certified by the chief executive. . . . .	16.80
5.	Surcharge for processing registration application for less than 1 year—	
	(a) category 1 vehicle. . . . .	6.30
	(b) category 2 vehicle. . . . .	22.10

SCHEDULE 3 (continued)

<b>6.</b> Surcharge for processing a concession registration for less than 1 year for a category 1 vehicle . . . . .	3.15
<b>7.</b> Customising a number plate .	29.85
<b>8.</b> Traffic improvement fee for a category 1 vehicle . . . . .	35.70
<b>9.</b> Registration administration fee for a category 2 vehicle other than a trailer . . . . .	43.10

## **SCHEDULE 4**

### **DICTIONARY**

section 3

**“address”** means place of residence or business or, for a corporation, its registered office or place of business.

**“agricultural implement”** means a vehicle without its own automotive power, built to perform agricultural tasks.

*Examples—*

Augers, conveyors, empty field bins, harvester fronts, irrigating equipment and machinery fully carried on the three-point linkage of a tractor.

**“agricultural machine”** means a machine with its own automotive power—

- (a) built to perform agricultural tasks; and
- (b) being used for agricultural purposes.

*Examples—*

Tractors and harvesters being used for agricultural purposes.

**“ambulance vehicle”** means a motor vehicle used solely for rendering emergency treatment and pre-hospital patient care to, and the transport of, sick or injured persons by an ambulance service or hospital.

**“articulated bus”** means a bus with 2 or more rigid sections connected to one another in a way allowing—

- (a) passenger access between the sections; and
- (b) rotary movement between the sections.

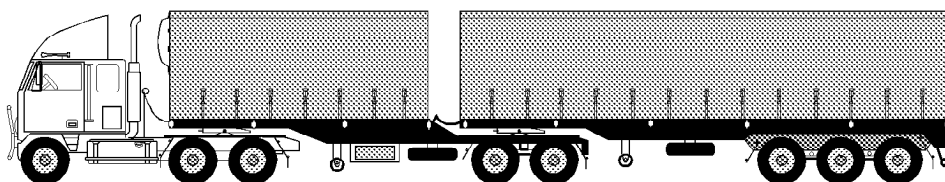
**“ATM”** (aggregate trailer mass), for a trailer—

- (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.

SCHEDULE 4 (continued)

**“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.

**“B-double”** means a combination consisting of a prime mover towing 2 semi-trailers, with the first semi trailer being attached directly to the prime mover, and the second semi trailer being mounted on the rear of the first semi trailer.



**Typical B-double**

**“bus”** means a motor vehicle built mainly to carry 10 or more seated adults, including the driver.

**“bus type 1”** means a rigid bus with 2 axles and an MRC of not more than 12 t.

**“bus type 2”** means a rigid bus with—

- (a) 2 axles and an MRC of more than 12 t; or
- (b) 3 or more axles.

**“caravan”** means an enclosed trailer designed for people to live in.

**“card holder”** means a person who holds—

- (a) a pensioner concession card; or
- (b) a seniors card.

**“category 1 vehicle”** means a vehicle with a GVM of not more than 4.5 t.

**“category 2 vehicle”** means a vehicle with a GVM of more than 4.5 t.

**“client user”**, for part 8, division 5, see section 67.

**“customised number plate”** means a number plate customised under section 30.

**“damaged”** includes significantly deteriorated.

**“dealer”** means—

SCHEDULE 4 (continued)

- (a) the holder of a motor dealer's licence under the *Auctioneers and Agents Act 1971*, or, other than in section 61, the holder of an equivalent licence or other authority under a corresponding law; or
- (b) a person whose business is the sale of new motor vehicles or new or used trailers.

**“dealer plate”** means a number plate included in a series of number plates designated by the chief executive as dealer plates.

**“Doc Base Manual”** means the manual of policies and procedures issued by the chief executive for administering the scheme of vehicle registration established under this regulation.

**“drawn plant”** means a machine built on a trailer base, other than an agricultural implement.

**“eligible person”**, for part 8, division 5, see section 67.

**“equipment trailer”** means a trailer that is a special purpose vehicle built to transport machinery forming an integral part of the trailer.

**“exempt vehicle”** see section 4.

**“fire and rescue appliance”** means a motor vehicle—

- (a) built or modified for—
  - (i) fighting fires; or
  - (ii) supporting or performing rescue operations; and
- (b) approved by the chief executive under the *Fire and Rescue Authority Act 1990* as a suitably built or modified vehicle; and
- (c) operated by authorised fire officers under the *Fire and Rescue Authority Act 1990*.

**“garage address”** of a vehicle, means the principal depot or base of operations of the vehicle.

**“GCM”** (gross combination mass), of a motor vehicle, means the maximum loaded mass for the motor vehicle and any vehicles it may lawfully tow—

- (a) stated by the vehicle's manufacturer—
  - (i) on the vehicle's compliance plate; or

SCHEDULE 4 (continued)

- (ii) if there is no compliance plate—in another place; or
- (b) stated by the chief executive or the corresponding authority under a corresponding law to the Act, if—
  - (i) the vehicle’s manufacturer has not stated the vehicle’s maximum loaded mass; or
  - (ii) the manufacturer cannot be identified; or
  - (iii) the vehicle has been modified and the maximum loaded mass stated by the manufacturer is no longer appropriate; or
- (c) stated in an evaluation report about the vehicle given by an accredited person.

**“GTMR”** (gross trailer mass rating), of a trailer, means the mass transmitted to the ground by the axles of the trailer when—

- (a) coupled to a towing vehicle; and
- (b) carrying its maximum load approximately uniformly distributed over the trailer’s load bearing area.

**“historic ambulance vehicle”** means a vehicle that was used as an ambulance vehicle but is now used for display by an ambulance service or historical ambulance society.

**“historic fire-fighting equipment”** means a vehicle that was used for fire-fighting but is now used for display by an historical fire brigade society.

**“involved person”**, for part 8, division 5, see section 67.

**“litigation”**, for part 8, division 5, see section 67.

**“load”**, of a vehicle, includes—

- (a) anything normally taken from the vehicle when it is not in use; and
- (b) anything that may fall from the vehicle when it is in motion.

**“loaded mass”**, of a vehicle, means the vehicle’s mass together with the mass of the vehicle’s load transmitted to the ground.

**“local agency”**, for part 8, division 5, see section 67.

SCHEDULE 4 (continued)

**“long combination prime mover”** means a prime mover, other than a medium combination prime mover, nominated to haul 2 or more trailers.

**“long combination truck”** means a truck nominated to tow 2 or more trailers.

**“low loader”** means a gooseneck semi trailer with a loading deck 1 m or less above the ground.

**“low loader dolly”** means a mass distributing device that—

- (a) is of the type usually coupled between a prime mover and a low loader; and
- (b) consists of a gooseneck rigid frame; and
- (c) does not carry any load directly on itself; and
- (d) is equipped with 1 or more axles, a kingpin and a fifth wheel coupling.

**“low powered motor vehicle”** means a motor vehicle propelled by—

- (a) a motor with a maximum power output of not more than 200 watts; or
- (b) 2 or more motors with a combined maximum power output of not more than 200 watts.

**“medium combination prime mover”** means a prime mover nominated to be the prime mover for a B-double.

**“medium combination truck”** means a truck, other than a short combination truck, nominated to haul 1 trailer.

**“mobile machinery”** means a motor vehicle that—

- (a) is built to transport and operate machinery or equipment forming an integral part of the vehicle; and
- (b) is not—
  - (i) a truck, semi-trailer or prime mover; or
  - (ii) a tow truck; or
  - (iii) a tractor.



SCHEDULE 4 (continued)

**“motorised caravan”** means a motor vehicle designed mainly for people to live in.

**“motorised golf buggy”** means a motor vehicle that—

- (a) is designed as transport for persons playing, or persons associated with persons playing, golf; and
- (b) can not be driven faster than 10 km/h.

**“motorised invalid chair”** means a motor vehicle that—

- (a) is designed and constructed for use by a seated person with mobility difficulties; and
- (b) is not capable of going faster than 10 km/h; and
- (c) has a tare of not more than 110 kgs.

**“MRC”** (mass rating for charging), of a vehicle, means the maximum permissible mass of the vehicle and its load—

- (a) shown on the vehicle’s compliance plate as the GVM, GTMR or ATM of the vehicle; or
- (b) for a vehicle without a compliance plate—decided by the chief executive or the corresponding authority under a corresponding law to the Act, having regard to the design and construction of—
  - (i) the vehicle; or
  - (ii) any of its components.

**“nominated”**, in relation to a vehicle, means nominated in an application for registration of the vehicle.

**“nominated configuration”**, for a category 2 vehicle, means the configuration in which the vehicle is nominated to operate for the term of its registration.

**“passengers”**, of a vehicle, does not include the driver or a trainee driver of the vehicle or a person in the vehicle who is necessary for the normal operation of the vehicle.

**“pensioner concession card”** means a card known as a pensioner concession card issued under a Commonwealth law.

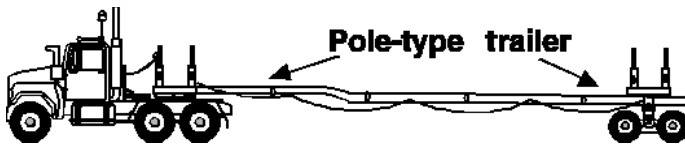
**“personalised number plate”** means a number plate issued under section 27 as a personalised number plate.

SCHEDULE 4 (continued)

**“plant”** means a machine with its own automotive power.

**“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
- (b) is ordinarily used for transporting loads, such as logs, pipes, structural members, or other long objects, that are generally capable of supporting themselves like beams between supports.



**“primary produce”** means—

- (a) tobacco; or
- (b) raw material for clothing or food derived from—
  - (i) agriculture; or
  - (ii) dairying; or
  - (iii) fishing; or
  - (iv) the raising of livestock; or
  - (v) viticulture.

**“primary producer”** means a person engaged mainly in the production of primary produce.

**“primary production vehicle”** means a vehicle that is—

- (a) owned by a person who is a primary producer; and
- (b) used only for carrying on the person’s business as a primary producer; and
- (c) either of the following—
  - (i) a prime mover or truck with a GVM of 6 t or more;
  - (ii) a trailer with an MRC of 4.5 t or more.

**“prime mover”** means a motor vehicle designed to tow a semi trailer.

SCHEDULE 4 (continued)

**“public access provider”**, for part 8, division 5, see section 67.

**“register”**, as a noun, see section 15.

**“registered operator”**, of a vehicle or dealer plate, see section 4A.

**“registration certificate”**, for a vehicle, means a certificate issued by the chief executive and including the matters about the vehicle listed in section 16(2).

**“registration label”**, for a vehicle, means a label issued by the chief executive and including the matters about the vehicle listed in section 32(2).

**“registration number”** means a distinguishing number—

- (a) assigned by the chief executive to identify a vehicle that is, or has been, registered; and
- (b) displayed, or intended for display, on a number plate.

**“renewal notice”** see section 36.

**“road related area”** means an area that is part of a road and—

- (a) divides a part of the road from another part of the road and is formed by lines marked on the road or is constructed on the road; or
- (b) is a footpath or nature strip; or
- (c) is open to the public and is designed for use by cyclists or animals.

*Example for paragraph (a)—*

Traffic island.

**“Road Use Management Regulation”** means the *Transport Operations (Road Use Management) Regulation 1995*.

**“safety recall agency”** for part 8, division 5, see section 67.

**“sale”**, of a vehicle, includes—

- (a) the hiring of the vehicle on hire purchase; and
- (b) the leasing of the vehicle.

**“semi trailer”** means a trailer (including a pole type trailer) that—

## SCHEDULE 4 (continued)

- (a) has 1 axle group towards the rear; and
- (b) is attached to its towing vehicle—
  - (i) using a turntable or a fifth wheel coupling; and
  - (ii) in a way that results in some of the load being imposed on the towing vehicle.

**“seniors card”** means a Queensland Government seniors card.

**“short combination prime mover”** means a prime mover nominated to tow 1 semi trailer.

**“short combination truck”** means a truck nominated to haul 1 trailer, if the combination has—

- (a) 6 or fewer axles; and
- (b) a total mass of not more than 42.5 t.

**“special interest vehicle”** means—

- (a) a vehicle that is at least 30 years old; or
- (b) an historic ambulance vehicle or historic firefighting equipment; or
- (c) a street rod vehicle.

**“special plate”** means—

- (a) a customised number plate; or
- (b) a personalised number plate.

**“special purpose vehicle”** means—

- (a) a forklift, straddle carrier, mobile cherry picker or mobile crane; or
- (b) a vehicle, other than a vehicle mentioned in paragraph (a) or a caravan, motorised caravan, mobile library, mobile workshop, mobile laboratory or mobile billboard, that has been built, or permanently modified, for a purpose other than for carrying goods or passengers.

**“special purpose vehicle (type o)”** means a special purpose vehicle, other than a special purpose vehicle (type p), that—

SCHEDULE 4 (continued)

- (a) is built, or permanently modified, primarily for use on roads; and
- (b) has at least 1 axle or axle group loaded above the axle load limits stated in the *Transport Operations (Road Use Management) Regulation 1995*, section 10 and schedule 3.<sup>16</sup>

**“special purpose vehicle (type p)”** means a special purpose vehicle built or permanently modified for—

- (a) off-road use; or
- (b) use on a road related area; or
- (c) use on an area of road that is under construction.

**“special purpose vehicle (type t)”** means a special purpose vehicle, other than a special purpose vehicle (type p), that—

- (a) is built, or permanently modified, primarily for use on roads; and
- (b) has no axle or axle group loaded above the axle load limits stated in the *Transport Operations (Road Use Management) Regulation 1995*, section 10 and schedule 3.

*Examples of special purpose type vehicles (type t)—*

Mobile cranes, fire engines, truck mounted concrete pumps and boring plants.

**“statutory authority”** for part 8, division 5, see section 67.

**“street rod vehicle”** means a motor vehicle modified for safe road use that—

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

**“tare”**, of a vehicle, means the total of the following—

- (a) the mass of the vehicle when unloaded;
- (b) the mass of the fuel, water, lubricants and tools, and of any equipment and accessories, loaded on the vehicle and necessary for its normal operation.

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<sup>16</sup> *Transport Operations (Road Use Management) Regulation 1995*, section 10 (Axles) and schedule 3 (Axle load limits)

SCHEDULE 4 (continued)

**“tow truck”** means a motor vehicle equipped with a lifting or loading device capable of being used for the towing of a motor vehicle.

**“tractor”** means a motor vehicle used for towing purposes, other than a motor vehicle—

- (a) designed to carry passengers or goods (other than its own fuel or water); or
- (b) that is a tow truck.

**“truck”** means a rigid motor vehicle built mainly as a load carrying vehicle.

**“truck (type 1)”** means a truck with—

- (a) 2 axles and an MRC of not more than 12 t; or
- (b) 3 axles and an MRC of not more than 16.5 t; or
- (c) 4 or more axles and an MRC of not more than 20 t.

**“truck (type 2)”** means a truck with—

- (a) 2 axles and an MRC of more than 12 t; or
- (b) 3 axles and an MRC of more than 16.5 t; or
- (c) 4 or more axles and an MRC of more than 20 t.

**“use”**, of a vehicle on a road, includes standing the vehicle on the road.

**“vehicle law”** means—

- (a) the Road Use Management Regulation; or
- (b) the Vehicle Standards and Safety Regulation, to the extent the regulation requires compliance with the vehicle standards mentioned in the regulation.

**“Vehicle Standards and Safety Regulation”** means the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 1999*.

**“VIN”**, of a vehicle, means the unique vehicle identification number assigned to the vehicle.

**“walking speed equipment”** means a motor vehicle—

- (a) used for construction, maintenance or warehouse operation; and

SCHEDULE 4 (continued)

- (b) designed mainly for use outside the road system; and
- (c) not capable of going faster than 10 km/h.

## ENDNOTES

### 1 Index to endnotes

		Page
2	Date to which amendments incorporated . . . . .	94
3	Key . . . . .	94
4	Table of earlier reprints . . . . .	95
5	List of legislation . . . . .	95
6	List of annotations . . . . .	96

### 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 5 October 2001. Future amendments of the Transport Operations (Road Use Management—Vehicle Registration) 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

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	prev	= previous
amd	= amended	(prev)	= previously
amdt	= amendment	proc	= proclamation
ch	= chapter	prov	= provision
def	= definition	pt	= part
div	= division	pubd	= published
exp	= expires/expired	R[X]	= Reprint No.[X]
gaz	= gazette	RA	= Reprints Act 1992
hdg	= heading	reloc	= relocated
ins	= inserted	renum	= renumbered
lap	= lapsed	rep	= repealed
notfd	= notified	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 1992
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered



## 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
1A	to SL No. 286 of 1999	17 January 2000
1B	to SL No. 90 of 2000	18 August 2000
1C	to SL No. 297 of 2000	6 December 2000
1D	to SL No. 28 of 2001	20 April 2001

## 5 List of legislation

### **Transport Operations (Road Use Management—Vehicle Registration) Regulation 1999 SL No. 225**

made by the Governor in Council on 30 September 1999  
 notfd gaz 1 October 1999 pp 468–9  
 ss 1–2 commenced on date of notification  
 pt 8 div 5, sch 3 pt 2 items 2–4 commenced 1 January 2000 (see s 2(2))  
 remaining provisions commenced 1 October 1999 (see s 2(1))  
exp 1 September 2010 (see SIA s 54)

as amended by—

### **Road Transport Reform Regulation 1999 SL No. 286 ss 1, 2(2), 4 sch 2**

notfd gaz 19 November 1999 pp 1149–52  
 ss 1–2 commenced on date of notification  
 remaining provisions commenced 1 December 1999 (see s 2(2))

### **Transport Operations (Road Use Management—Vehicle Registration) Amendment Regulation (No. 1) 2000 SL No. 90**

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)

### **Transport Legislation Amendment Regulation (No. 4) 2000 SL No. 297 pts 1, 8 s 44 sch 2**

notfd gaz 24 November 2000 pp 1188–9  
 ss 1–2 commenced on date of notification  
 remaining provisions commenced 27 November 2000 (see s 2)

### **Transport Legislation Amendment Regulation (No. 1) 2001 SL No. 28 pts 1, 5**

notfd gaz 6 April 2001 pp 1452–3  
 commenced on date of notification

**Transport Legislation Amendment Regulation (No. 2) 2001 SL No. 57 pts 1, 11**

notfd gaz 25 May 2001 pp 334–6  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2001 (see s 2)

**Transport Operations (Road Use Management—Vehicle Registration) Amendment  
Regulation (No. 1) 2001 SL No. 145**

notfd gaz 24 August 2001 pp 1526–9  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 October 2001 (see s 2)

## 6 List of annotations

**Meaning of “exempt vehicle”**

s 4 amd 2000 SL No. 297 s 45

**Meaning of “registered operator” in this regulation**

s 4A ins 2000 SL No. 297 s 46

**Vehicles used on roads must be registered**

s 10 amd 2001 SL No. 28 s 23

**Application for registration**

s 11 amd 2000 SL No. 297 s 47; 2001 SL No. 28 s 24

**Driving or towing unregistered vehicle to approved inspection station for inspection**

s 12A ins 2001 SL No. 28 s 25

**Vehicle inspections**

s 13 amd 1999 SL No. 286 s 4 sch 2; amd 2000 SL No. 297 s 44 sch 2

**Determination of applications**

s 14 amd 2001 SL No. 28 s 26

**Registered vehicles register**

s 15 amd 2000 SL No. 297 s 44 sch 2

**Registration certificates**

s 16 amd 2000 SL No. 297 s 44 sch 2

**Registered operator to notify change of particulars**

prov hdg amd 2000 SL No. 297 s 44 sch 2

s 17 amd 2000 SL No. 297 s 44 sch 2

**Recording change in vehicle particulars and reassessment of registration fee**

s 18 amd 2000 SL No. 297 s 44 sch 2

**Seasonal registration**

s 20 amd 2000 SL No. 297 s 44 sch 2

**Limited use registration**

s 22 amd 2000 SL No. 90 s 4

**Chief executive to assign registration number and issue number plates**

s 23            amd 2000 SL No. 297 s 44 sch 2

**Position, visibility and legibility of number plate**

prov hdg    amd 2000 SL No. 297 s 48(1)

s 24            amd 1999 SL No. 286 s 4 sch 2; 2000 SL No. 297 ss 48(2)–(4), 44 sch 2

**Time for attaching number plates**

s 25            amd 2000 SL No. 297 s 44 sch 2

**Customised number plates**

s 30            amd 2000 SL No. 297 s 44 sch 2

**Accessory plate for tow truck**

s 31A          ins 2000 SL No. 297 s 49

**Chief executive to issue registration labels**

s 32            amd 2000 SL No. 297 s 44 sch 2

**Position for attaching registration label**

s 33            amd 2000 SL No. 297 s 44 sch 2

**Time for attaching registration label**

s 34            amd 2000 SL No. 297 s 44 sch 2

**Division 6—Further obligations of registered operator**

div hdg      sub 2000 SL No. 297 s 44 sch 2

**Vehicle destroyed or written off**

s 35            amd 2000 SL No. 297 s 44 sch 2

**Registration renewal notice**

s 36            amd 2000 SL No. 297 s 44 sch 2

**Renewal of registration**

s 37            amd 2000 SL No. 297 s 44 sch 2

**Issue of receipt and updating of records**

s 38            amd 2000 SL No. 297 s 44 sch 2

**Transfer of registration**

s 39            amd 2000 SL No. 297 s 44 sch 2

**Transfer of registration under legal process**

s 41            amd 2000 SL No. 297 ss 50, 44 sch 2

**Return of registration plates when registration expires**

s 44            amd 2000 SL No. 297 s 44 sch 2

**Cancellation of registration at registered operator's request**

prov hdg    amd 2000 SL No. 297 s 44 sch 2

s 45            amd 2000 SL No. 297 s 44 sch 2

**Partial refund of registration fee**

s 46            amd 2000 SL No. 297 s 44 sch 2

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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**Cancellation for noncompliance with defect notice**

s 47            amd 2000 SL No. 297 s 44 sch 2

**Cancellation of registration of vehicle or dealer plate**

s 48            amd 2000 SL No. 297 s 44 sch 2

**Recording cancellation of registration in register**

s 49            amd 2000 SL No. 297 ss 51, 44 sch 2

**Unregistered vehicle permits**

s 50            amd 2000 SL No. 297 s 44 sch 2

**Attaching dealer plate**

s 53            amd 2000 SL No. 297 s 52

**Replacement registration items**

s 56            amd 2000 SL No. 297 s 44 sch 2

**Chief executive may require exchange of number plates**

s 57            amd 2000 SL No. 297 s 44 sch 2

**Chief executive may require return of number plates**

s 58            amd 2000 SL No. 297 s 53

**Permit to use intercepted unregistered vehicle on road**

s 63            amd 1999 SL No. 286 s 4 sch 2

**Damaged or dirty number plates**

s 64            amd 2000 SL No. 297 s 44 sch 2

**Definitions for div 5**

s 67            sub 2000 SL No. 297 s 54

**Release of information on payment of fee**

s 68            sub 2000 SL No. 297 s 54

**Charging categories**

s 70            amd 2000 SL No. 297 s 55

**Exemption from payment of fee**

s 71            amd 2000 SL No. 297 s 44 sch 2

**Concessional registration fees—category 1 vehicles**

s 72            amd 2000 SL No. 297 s 44 sch 2

**Offences involving registration certificates etc**

s 76            amd 2000 SL No. 297 s 56

**PART 12—AMENDMENT OF JUSTICES REGULATION 1993**

pt 12 (ss 84–87) om R1 (see RA s 40)

**PART 13—AMENDMENT OF TRAFFIC REGULATION 1962**

pt 13 (ss 88–89) om R1 (see RA s 40)

**PART 14—AMENDMENT OF TRANSPORT OPERATIONS (ROAD USE  
MANAGEMENT) REGULATION 1995**

pt 14 (ss 90–99) om R1 (see RA s 40)

*Transport Operations (Road Use  
Management—Vehicle Registration) Regulation 1999*

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**SCHEDULE 1—CATEGORY 1 VEHICLE REGISTRATION FEES**

sub 2000 SL No. 90 s 5  
amd 2000 SL No. 297 ss 57, 44 sch 2  
sub 2001 SL No. 57 s 22

**SCHEDULE 2—CATEGORY 2 VEHICLE REGISTRATION FEES**

sub 2000 SL No. 90 s 5  
amd 2000 SL No. 297 s 58  
sub 2001 SL No. 57 s 22  
amd 2001 SL No. 145 s 4

**SCHEDULE 3—OTHER FEES**

sub 2000 SL No. 90 s 5; 2001 SL No. 57 s 22

**SCHEDULE 4—DICTIONARY**

def “**agricultural machine**” sub 2000 SL No. 297 s 59(1)–(2)  
def “**axle**” sub 2000 SL No. 90 s 6(1)–(2)  
def “**bus**” amd 2000 SL No. 297 s 59(3)  
def “**bus type 2**” amd 2000 SL No. 90 s 6(3)  
def “**dealer**” amd 2000 SL No. 297 s 59(4)  
def “**drawn plant**” ins 2000 SL No. 90 s 6(2)  
def “**fire and rescue appliance**” ins 2000 SL No. 297 s 59(2)  
def “**long combination prime mover**” ins 2000 SL No. 90 s 6(2)  
def “**long combination prime mover (type 1)**” om 2000 SL No. 90 s 6(1)  
def “**long combination prime mover (type 2)**” om 2000 SL No. 90 s 6(1)  
def “**low loader**” ins 2000 SL No. 297 s 59(2)  
def “**low loader dolly**” ins 2000 SL No. 297 s 59(2)  
def “**medium combination truck**” sub 2000 SL No. 90 s 6(1)–(2)  
def “**motorcycle**” om 2000 SL No. 297 s 59(1)  
def “**passengers**” ins 2000 SL No. 90 s 6(2)  
def “**passenger vehicle**” om 2000 SL No. 297 s 59(1)  
def “**plant**” ins 2000 SL No. 90 s 6(2)  
def “**pole type trailer**” amd 2000 SL No. 90 s 6(4)  
def “**primary produce**” amd 2000 SL No. 297 s 59(5)  
def “**registered operator**” ins 2000 SL No. 297 s 59(2)  
def “**registered owner**” om 2000 SL No. 297 s 59(1)  
def “**short combination truck**” sub 2000 SL No. 90 s 6(1)–(2)  
def “**special purpose vehicle**” sub 2000 SL No. 90 s 6(1)–(2)  
def “**special purpose vehicle (type 1)**” om 2000 SL No. 90 s 6(1)  
def “**special purpose vehicle (type 2)**” om 2000 SL No. 90 s 6(1)  
def “**special purpose vehicle (type o)**” ins 2000 SL No. 90 s 6(2)  
def “**special purpose vehicle (type p)**” ins 2000 SL No. 90 s 6(2)  
def “**special purpose vehicle (type t)**” ins 2000 SL No. 90 s 6(2)  
def “**vehicle law**” sub 1999 SL No. 286 s 4 sch 2