



Queensland

Transport Operations (Road Use Management) Act 1995

Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 1999

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This regulation is reprinted as at 1 December 2009. 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. Also see list of legislation for any uncommenced amendments.

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

Also see endnotes for information about—

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

Spelling

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Queensland

Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 1999

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Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 1999

[as amended by all amendments that commenced on or before 1 December 2009]

Chapter 1 Preliminary

1 Short title

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

2 Commencement

This regulation commences on 1 October 1999.

3 Definitions—the dictionary

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

4 Fees

Fees payable under this regulation are in schedule 3.

Chapter 2 Vehicle standards

Part 1 Vehicle standards

5 Vehicles must comply with vehicle standards

- (1) A person must not drive or park, or permit someone else to drive or park, a vehicle on a road if—
 - (a) the vehicle is not fitted with the equipment (the *equipment*) mentioned in, or required by, the vehicle standards, other than optional equipment, that is appropriate to the vehicle; or
 - (b) the equipment does not comply with the requirements specified in the vehicle standards; or
 - (c) the vehicle is not otherwise constructed and loaded to comply with the vehicle standards; or
 - (d) the vehicle, its parts or equipment are not in safe condition; or
 - (e) the vehicle is not unsafe, but it is otherwise defective; or
 - (f) optional equipment fitted to the vehicle does not comply with the requirements in the vehicle standards for the optional equipment; or
 - (g) the stationary noise level of the vehicle does not comply with the vehicle standards.

Maximum penalty—20 penalty units.

- (2) Without limiting subsection (1)(a), a vehicle is taken to be not fitted with the equipment mentioned in subsection (1)(a) unless—
 - (a) the equipment is fitted securely to the vehicle; or
 - (b) the vehicle standards impose a different requirement for fitting the equipment to the vehicle and it is fitted as required by the standards.

- (3) Without limiting subsection (1)(f), optional equipment mentioned in subsection (1)(f) fitted to a vehicle is taken to not comply with the requirements of the vehicle standards unless—
- (a) the optional equipment is fitted securely to the vehicle; or
 - (b) the vehicle standards impose a different requirement for fitting the optional equipment to the vehicle and it is fitted as required by the standards.

6 Modifying vehicle

- (1) A person must not—
- (a) modify a vehicle chassis; or
 - (b) modify a vehicle, its parts or equipment in a way that adversely affects the safety of the vehicle.

Maximum penalty—20 penalty units.

- (2) However, a person does not contravene subsection (1) if—
- (a) the modification complies with a code of practice mentioned in, or the chief executive's approval under, section 30(2); or
 - (b) the person reasonably believes the vehicle is not to be used on a road.

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

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

7 Modifying motor vehicle after speeding conviction

- (1) This section applies if a person is convicted of, or pays an infringement notice fine under the *State Penalties Enforcement Act 1999* for, an offence which involves driving at a speed exceeding 115km/h—

- (a) a motor vehicle that must, but does not, comply with ADR 65/00; or
 - (b) a motor vehicle that must, but does not, comply with part 11 of the vehicle standards; or
 - (c) a motor vehicle with a GVM of more than 15t.
- (2) The chief executive must, by written notice to the owner of the motor vehicle, require the owner to modify the motor vehicle to comply with—
- (a) for a motor vehicle mentioned in subsection (1)(a)—ADR 65/00; or
 - (b) for a motor vehicle mentioned in subsection (1)(b) or (c)—part 11 of the vehicle standards.
- (3) The owner must ensure that the motor vehicle is not driven or parked on a road until the owner satisfies the chief executive the owner has complied with the requirement under subsection (2).

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

8 Unauthorised lights

- (1) A person must not fit a light or reflector to a vehicle unless the light or reflector is required to be fitted to the vehicle or is optional equipment for the vehicle—
- (a) under section 5; or
 - (b) under a guideline or permit issued under section 10.
- Maximum penalty—20 penalty units.
- (2) However, a person does not contravene subsection (1) if the person reasonably believes the vehicle is not to be used on a road.

9 Modifying silencing devices

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

Maximum penalty—20 penalty units.

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

Maximum penalty—20 penalty units.

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

Part 2 Guidelines and permits for safe movement of vehicles

10 Guidelines and permits for vehicles

- (1) The chief executive may issue—
 - (a) a guideline, in the approved form, for the safe movement on a road of a type of vehicle; or
 - (b) a permit for the safe movement on a road of a particular vehicle or type of vehicle.
- (2) The commissioner may issue a permit for the safe movement on a road of a particular vehicle or type of vehicle.
- (3) The chief executive or the commissioner must consider all relevant matters in deciding whether or not, to issue a guideline or permit including, for example the following—
 - (a) the particular circumstances of the movement on a road of the type of vehicle or vehicle;

- (b) whether in the circumstances—
 - (i) the type of the vehicle or vehicle may be moved safely; or
 - (ii) compliance with a provision of this regulation is unnecessary; or
 - (iii) the conditions of a guideline or permit will be as effective as, or more effective than, compliance with a provision of this regulation.
- (4) The matters a guideline or permit may relate to include the following—
 - (a) the roads on which the type of vehicle or vehicle may, or may not, be driven;
 - (b) any permissible or requisite modifications to the type of vehicle or vehicle;
 - (c) the times when the type of vehicle or vehicle may, or may not, be driven;
 - (d) signs and warning devices to be displayed on the type of vehicle or vehicle.
- (5) The roads on which the type of vehicle may be driven may be shown on a map in the guideline.

11 Permit contents and conditions

- (1) A permit must state—
 - (a) if the permit is issued for—
 - (i) a particular vehicle that is—
 - (A) registered—the vehicle’s registration number; or
 - (B) not registered—the vehicle’s make, model and vehicle identification number or chassis number; or
 - (ii) for a type of vehicle—the type of vehicle; and

- (b) the name and address of the person the permit is issued to; and
 - (c) the term it is issued for, not longer than 5 years; and
 - (d) the conditions of the permit.
- (2) Despite the term mentioned in subsection (1)(c), a permit for a particular vehicle expires when the vehicle's registration is transferred or the vehicle is disposed of.
- (3) A permit may include a condition requiring the permit holder—
- (a) to pay the reasonable costs incurred, or that may be incurred, by the issuing authority, another department or a local government in relation to the issue of the permit; or
 - (b) to deposit with the chief executive an amount reasonably required by the issuing authority, another department or a local government as security for the costs mentioned in paragraph (a).
- (4) Subsection (3) does not limit a condition that may be imposed under section 41.
- (5) If, no later than 28 days after the permit ends, the issuing authority decides an amount deposited as a condition of the permit is not sufficient security for the costs, the issuing authority may require a further amount to be deposited within a reasonable stated time.
- (6) The issuing authority must, within 28 days after the permit ends—
- (a) work out the costs incurred by it, another department or a local government; and
 - (b) if the costs incurred are less than the amount deposited as security for costs, refund the difference to the permit holder.

12 Driving under guideline or permit

- (1) A person who—
- (a) drives a vehicle in accordance with a current guideline, or a permit, issued for the vehicle; and
 - (b) if a permit has been issued for a particular vehicle, carries the permit in the vehicle;
- need not comply with the provisions of this regulation stated in the guideline or permit.
- (2) A person must not drive a vehicle displaying a sign or warning device required to be displayed on the vehicle under a guideline or permit for the vehicle unless the person is driving the vehicle in accordance with the guideline or permit.

Maximum penalty—30 penalty units.

Chapter 3 Vehicle safety

Part 1 Vehicle inspections

13 When a vehicle is defective

A vehicle is *defective* if—

- (a) a part of the vehicle that is necessary for the safe operation of the vehicle—
 - (i) does not perform its intended function; or
 - (ii) has deteriorated to an extent where it can not be reasonably relied on to perform its intended function; or
- (b) a part of the vehicle that is necessary for the control of emissions of gas, particles or noise—

- (i) does not perform its intended function; or
- (ii) has deteriorated to an extent where it can not be reasonably relied on to perform its intended function; or
- (c) the vehicle's odometer—
 - (i) does not perform its intended function; or
 - (ii) has deteriorated to an extent where it can not be reasonably relied on to perform its intended function; or
- (d) the vehicle is unsafe; or
- (e) the vehicle does not comply with the Code of Practice—Vehicle Inspection Guidelines (the *vehicle inspection code of practice*).

Editor's note—

This code of practice is available online at www.transport.qld.gov.au or through SDS Publications.

14 Defect notices

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

Example—

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

- (2) If an authorised officer reasonably believes—
 - (a) that a vehicle is defective; or
 - (b) that a vehicle is not defective, but that its driving or parking on a road by a person would, for another reason, be in contravention of section 5;

the authorised officer may, by notice in the approved form, require the owner of the vehicle to take stated reasonable action to ensure that the vehicle is not defective or that its

driving or parking on a road by a person would not, for another reason, be in contravention of section 5.

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

Maximum penalty—30 penalty units.

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

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

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

- (4A) A defect notice may be given to—

(a) the vehicle's owner; or

(b) a person who is driving the vehicle when the defect notice is issued, whether or not the driver is also the owner.

- (5) If the driver to whom a defect notice is given is not the owner, the driver must give the defect notice to the owner at the earliest opportunity, but in any event, within 48 hours, unless the driver has a reasonable excuse.

Maximum penalty—30 penalty units.

15 Defective vehicle label

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

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

Maximum penalty—30 penalty units.

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

16 Inspections by authorised officers for certificate of inspection

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

16A Identifying vehicle before inspection

- (1) An approved examiner must, before inspecting a vehicle for an inspection certificate, be satisfied in the way required under subsection (2) about the identity of the vehicle.

Maximum penalty—20 penalty units.

- (2) The only way the approved examiner may be satisfied about the identity of a vehicle for subsection (1) is to inspect the vehicle to find out—
- (a) if the vehicle is manufactured before 1 January 1989—its chassis number and engine number; or
- (b) otherwise—its VIN and engine number.
- (3) In this section—

VIN, of a vehicle other than a motor vehicle, means the unique vehicle identification number assigned to the vehicle.

17 Inspections by approved examiners for inspection certificate

- (1) An approved examiner may sign an inspection certificate only for—
- (a) a registered trailer with an ATM of 10t or less; or
- (b) another registered vehicle with a GVM of 16t or less; or

(c) an unregistered vehicle.

(1A) A person who is not an approved examiner must not sign an inspection certificate for a vehicle.

Maximum penalty—40 penalty units.

(1B) Subsection (1A) does not prevent—

(a) an authorised officer, other than a police officer, from issuing a certificate of inspection for a vehicle under section 16; or

(b) the proprietor of the AIS from signing the inspection certificate under subsection (6).

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

(a) the examiner is satisfied under section 16A about the identity of the vehicle; and

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

(c) if the vehicle is a modified vehicle—

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

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

Maximum penalty—40 penalty units.

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

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

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

Maximum penalty—30 penalty units.

- (5) Before signing an inspection certificate, an approved examiner must ensure—
- (a) the certificate is completed correctly and legibly; and
 - (b) no entry in the certificate has been altered; and
 - (c) the date of issue of the certificate is indicated on the label part of the certificate by punching a hole through the appropriate day and month.

Maximum penalty—30 penalty units.

- (6) Before an inspection certificate is issued, the proprietor of the AIS must—
- (a) if the vehicle is inspected at a fixed AIS—ensure the approved examiner has complied with subsection (5); and
 - (b) sign the certificate.

Maximum penalty—30 penalty units.

- (7) If an approved examiner inspects a vehicle from a mobile AIS, the approved examiner may sign the certificate for the proprietor of the AIS to which the mobile AIS is attached.
- (8) If, after a full inspection of a vehicle for the issue of an inspection certificate, an approved examiner reasonably considers the vehicle is defective, the approved examiner must immediately give the vehicle's owner or driver a report (*inspection report*) that specifies how the vehicle is defective.

Maximum penalty for subsection (8)—30 penalty units.

17A Issue of replacement certificate if registration refused

- (1) This section applies if, under the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 1999*, section 14(1)(h), the chief executive refuses an application for the registration of a vehicle because the chief executive

reasonably believes an approved examiner has, by issuing an inspection certificate, contravened the Act.

- (2) The person to whom the inspection certificate was issued may, within 14 days after the refusal, require the proprietor of the AIS where the certificate was issued to again inspect the vehicle for a replacement inspection certificate.
- (3) The proprietor of the AIS must ensure that—
 - (a) the vehicle is properly inspected under this regulation for the issue of the replacement inspection certificate; and
 - (b) the inspection is completed—
 - (i) within 7 days after the person requires it; and
 - (ii) at a time convenient to the person.

Maximum penalty—20 penalty units.

- (4) Despite section 4, the proprietor must not charge a fee for the inspection or the issue of the replacement certificate.

Maximum penalty for subsection (4)—20 penalty units.

18 Reinspection by approved examiners for inspection certificate

- (1) This section applies if a vehicle that is the subject of an inspection report is returned for reinspection, within 14 days, to the AIS where the inspection report was issued.
- (2) The person who signed the inspection report for the vehicle under section 17(8) must carry out the reinspection of the vehicle.

Maximum penalty—30 penalty units.

- (3) However, if the approved examiner who signed the inspection report is absent from the AIS when the vehicle is to be reinspected, the reinspection may be done by another approved examiner who is accredited—
 - (a) to work at the AIS; and

(b) to inspect that type of vehicle.

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

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

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

Maximum penalty—30 penalty units.

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

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

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

Maximum penalty—30 penalty units.

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

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

(b) mark the corresponding inspection certificate as cancelled.

Maximum penalty—30 penalty units.

19 Action more than 14 days after inspection report issued

(1) If a vehicle that is the subject of an inspection report is not returned for reinspection within 14 days after the inspection

report was signed, the proprietor of the AIS where the inspection report was issued must mark the inspection certificate that corresponds with the inspection report as cancelled.

Maximum penalty—30 penalty units.

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

- (3) In this section—

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

20 SC vehicles for sale

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

Maximum penalty—60 penalty units.

- (2) A motor dealer who is acting for the owner of a registered SC vehicle in relation to its disposal must ensure a current safety certificate issued for the vehicle is affixed to, or displayed on, a conspicuous part of the vehicle.

Maximum penalty—60 penalty units.

- (3) Subsection (1) does not apply to—
 - (a) a demonstration vehicle; or
 - (b) a motor dealer, between the day the vehicle is delivered and the next business day, if the motor dealer—
 - (i) takes possession of the vehicle on the day immediately before a day other than a business day; and
 - (ii) has a reasonable excuse; or

-
- (c) a vehicle for sale at an auction to which only motor dealers are allowed to bid; or
 - (d) an owner who lives—
 - (i) in an area mentioned in schedule 2, section 1; or
 - (ii) in an area mentioned in schedule 2, section 2, 3, 4 or 5 for that type of vehicle.
- (3A) Subsection (1) also does not apply to a vehicle on a motor dealer's approved business premises if the vehicle—
- (a) is clearly marked with the words 'not for sale' in letters at least 100mm high on a sign that—
 - (i) is at least 210mm by 290mm; and
 - (ii) is clearly visible from outside the vehicle; and
 - (b) is not, by way of a sign or other marking on or near the vehicle, indicated as being for sale; and
 - (c) is—
 - (i) located at least 10m from other vehicles that are for sale; or
 - (ii) separated from other vehicles that are for sale in a way that clearly shows the vehicle is not associated with vehicles that are for sale.

Example for subparagraph (ii)—

a rope or other temporary barrier is erected around the vehicle

- (4) In this section—

demonstration vehicle means a vehicle—

- (a) purchased by a motor dealer from the vehicle's manufacturer; and
- (b) registered to the motor dealer; and
- (c) used only for the purpose of demonstrating the vehicle with a view to the sale of vehicles of that type.

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

21 Disposal of registered vehicles

- (1) The owner of a registered vehicle must not dispose of the vehicle to another person unless the owner—
 - (a) possesses a current inspection certificate for the vehicle; and
 - (b) gives the other person—
 - (i) for an SC vehicle—the original and duplicate copies of the certificate; or
 - (ii) for a COI vehicle—the original copy of the certificate.

Maximum penalty—60 penalty units.

- (2) A motor dealer must not act in the disposal of a registered vehicle for the vehicle's owner without making sure the owner, whether or not through the motor dealer, complies with subsection (1).

Maximum penalty—60 penalty units.

- (3) Subsection (1) does not apply to a vehicle being disposed of to a motor dealer.
- (4) Subsections (1) and (2) do not apply to—
 - (a) a vehicle being disposed of in an area mentioned in schedule 2, section 1 by an owner who lives in the area; or
 - (b) an SC vehicle being disposed of in an area mentioned in schedule 2, section 2, 3, 4 or 5 for that type of vehicle by an owner who lives in the area.

22 Registered COI vehicles always require certificate of inspection

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

Maximum penalty—60 penalty units.

- (2) Subsection (1) does not apply to—
- (a) a new vehicle during the year after it is first registered; or
 - (b) a vehicle while used in an area mentioned in schedule 2, section 1; or
 - (c) a special interest vehicle within the meaning of the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 1999*; or
 - (d) a vehicle operating under an approved alternative compliance scheme; or
 - (e) a vehicle in relation to which an extension of time is operating under section 24; or
 - (f) a vehicle while used in another State if the owner gives the chief executive a current certificate for the vehicle that the chief executive considers is at least equivalent to a certificate of inspection.

22A References to particular areas mentioned in schedule 2

- (1) This section applies for sections 20 to 22.
- (2) For schedule 2, section 1 and section 5, column 1, a reference to a shire or city by name is a reference to the shire or city of that name declared as a local government area under the *Local Government Act 1993* as in force immediately before the changeover day.

Notes—

- 1 Under the *Local Government Act 1993* as in force immediately before the changeover day, shires and cities were described in the

Local Government (Areas) Regulation 2005, schedule 1 as in force immediately before the changeover day.

- 2 Each map mentioned in the *Local Government (Areas) Regulation 2005*, schedule 1 as in force immediately before the changeover day can be—
 - (a) accessed by members of the public, free of charge, on the department’s website; or
 - (b) purchased from any office of the department in which the *Survey and Mapping Infrastructure Act 2003* is administered.

Editor’s note—

At the commencement of this section, the department’s website was <www.transport.qld.gov.au>.

- (3) In this section—

changeover day means 15 March 2008.

Note—

15 March 2008 is the changeover day declared under the *Local Government Act 1993*, section 159YE(2) for all new, adjusted and continuing local government areas listed in schedule 1A of that Act. See the notice published in the gazette on 23 November 2007 at page 1680.

23 Currency of certificates

- (1) A safety certificate is current—
 - (a) for a vehicle being disposed of by a motor dealer—for 3 months after its issue, or until the vehicle has been driven a further 1000km after its issue, whichever happens first; or
 - (b) otherwise—for 2 months after its issue or until the vehicle has been driven a further 2000km after its issue, whichever happens first.
- (2) A certificate of inspection is current—
 - (a) for a public passenger vehicle—for 6 months after its issue; and

- (b) for a bus not included in paragraph (a), other than a bus built to carry up to 12 seated adults (including the driver) or a bus used for private use or driver tuition—for 6 months after its issue; and
 - (c) for a vehicle not included in paragraph (a) or (b), that is used by a school to carry students attending the school—for 6 months after its issue; and
 - (d) for a primary production vehicle for which concessional registration has been granted—for 2 years after its issue; and
 - (e) otherwise—for 1 year after its issue.
- (3) However, a vehicle's inspection certificate ceases to be current if—
- (a) the vehicle is a private vehicle that has been disposed of, other than to a motor dealer, since the certificate was issued; or
 - (b) the vehicle's registration under a registration law is cancelled; or
 - (c) the vehicle is modified and the modification is not approved under section 30; or
 - (d) there has been a significant change in the condition or construction of the vehicle after the certificate is issued.
- (4) In this section—
- primary production vehicle* has the meaning given by the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 1999*.

24 Extension of time to comply

- (1) The owner of a vehicle, or the agent of the owner, may apply to an authorised officer for an extension of a time to comply with—
- (a) a defect notice; or

- (b) section 22.
- (2) The application—
 - (a) may be made—
 - (i) in the approved form; or
 - (ii) using a centralised booking service established by the chief executive; and
 - (b) must include the reasons why the extension is required.
- (3) If satisfied the reasons warrant the extension, the authorised officer may extend the time by no more than 2 months.
- (4) The authorised officer may impose reasonable and relevant conditions on the extension.

Example of subsection (4)—

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

Part 2 Approved inspection stations

25 **AIS approvals**

- (1) The chief executive may grant an approval (an *AIS approval*) for a person—
 - (a) to operate—
 - (i) particular premises as a fixed AIS; or
 - (ii) particular premises as a fixed AIS and a vehicle as a mobile AIS; and
 - (b) to inspect particular types of vehicles at the AIS.

Editor's note—

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

- (2) The chief executive may grant an approval only if satisfied the applicant—
 - (a) is a suitable person to operate an AIS; and
 - (b) has, at the proposed AIS, the equipment that the chief executive reasonably considers necessary for inspecting vehicles of the type that may be inspected under the approval; and
 - (c) if the applicant is a person mentioned in section 26(1)(a) to (e)—has a nominee.

26 Nominees

- (1) The holder of an AIS approval is required to have a nominee, if the holder—
 - (a) is a corporation; or
 - (b) is a partnership; or
 - (c) is already an AIS proprietor for other premises and has not appointed a nominee for the other premises; or
 - (d) is a nominee for another AIS; or
 - (e) will not be present at the fixed AIS to supervise work on a daily basis.
- (2) An individual may apply to the chief executive for approval of the individual as the nominee for the holder of an AIS approval.
- (3) The application must be—
 - (a) in the approved form; and
 - (b) endorsed by the holder of the AIS approval.
- (4) The chief executive may approve the appointment of a person as a nominee only if satisfied the person—
 - (a) is an adult; and
 - (b) is an appropriate person to be a nominee.

- (5) A person stops being a nominee if the person stops holding the position in which the person is charged with responsibility for the conduct of the business at the fixed AIS for which the approval was given.
- (6) If—
- (a) the holder of an AIS approval is required to have a nominee; and
 - (b) the person approved to be the nominee under this section stops being the nominee;
- the AIS approval is suspended until another person is approved under this section to be the nominee.

26A Nominee is required to notify chief executive of particular events

A nominee approved under section 26 must give the chief executive signed notice of any of the following events within 14 days after the event happens—

- (a) the nominee is convicted of a disqualifying offence; or
- (b) the nominee is convicted of an offence against the Act or a corresponding law.

Maximum penalty—30 penalty units.

27 Exhibiting AIS approval

- (1) The holder of an AIS approval must ensure—
- (a) the approval is exhibited at the fixed AIS to which the approval relates in a place that—
 - (i) is open to the public; and
 - (ii) allows the approval to be read easily by a member of the public at the place; and
 - (b) a copy of the approval is carried in any mobile AIS to which the approval relates.

Maximum penalty—30 penalty units.

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

Maximum penalty—30 penalty units.

28 Keeping and maintaining equipment at AIS

The proprietor of an AIS must—

- (a) keep at the AIS the equipment that the chief executive, when granting the AIS approval, reasonably considered necessary for inspecting vehicles of the type that may be inspected under the approval; and
- (b) ensure the equipment is maintained so that it efficiently performs the function for which it is designed.

Maximum penalty—30 penalty units.

29 Inspections permitted at an AIS

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

Maximum penalty—30 penalty units.

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

Maximum penalty—30 penalty units.

- (3) An approved examiner must not—
 - (a) inspect a vehicle at an AIS unless the vehicle is of a type for which the AIS is approved; or
 - (b) inspect a vehicle unless the examiner is accredited to inspect that type of vehicle; or

- (i) the Code of Practice—Light Vehicles;

Editor's note—

This code of practice is available online at www.transport.qld.gov.au.

- (ii) the Code of Practice—Commercial Motor Vehicle Modifications;

Editor's note—

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

- (iii) the National Code of Practice—Heavy Vehicle Modifications; or

Editor's note—

This code of practice is available online at www.transport.qld.gov.au.

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

Maximum penalty—40 penalty units.

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

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

Maximum penalty—40 penalty units.

- (3A) A person who is not an authorised officer or approved person must not approve a modification to a vehicle.

Maximum penalty—40 penalty units.

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

Maximum penalty—40 penalty units.

- (5) A person must not—
- (a) alter a modification plate on a vehicle without the chief executive's approval; or
 - (b) remove a modification plate from a vehicle without the chief executive's approval.

Maximum penalty—40 penalty units.

- (6) In this section—
authorised officer does not include a police officer.

Part 4 General

31 Notification of change

- (1) The proprietor of a business must give the chief executive written notice if any of the following events happens—
- (a) an approved examiner or approved person starts or finishes working at the proprietor's business;
 - (b) there is a change of the name or location of the proprietor's business;
 - (c) there is a change of ownership of the proprietor's business;
 - (d) the proprietor stops carrying on business.

Maximum penalty—30 penalty units.

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

Maximum penalty—30 penalty units.

32 Notification if certificate or plate destroyed, lost or stolen

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

Maximum penalty—30 penalty units.

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

Maximum penalty—30 penalty units.

33 Returning unused forms and plates

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

- (a) any unused inspection certificates and safety labels; and
- (b) any unused inspection reports; and
- (c) any unused modification certificates and modification plates.

Maximum penalty—30 penalty units.

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

34 Document keeping

- (1) The proprietor of a business must keep the following documents for the following periods—

- (a) the copy of an issued inspection report for 2 years after it was made;
- (b) the copy of an issued inspection certificate for 2 years after it was made;
- (c) the copy of a certificate of modification for 7 years after it was made.

Maximum penalty—30 penalty units.

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

Maximum penalty—30 penalty units.

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

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

Maximum penalty—30 penalty units.

35 Making, possessing or using false or misleading documents

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

Maximum penalty—60 penalty units.

37 Prescribed approvals—Act, ss 17B and 18(1)(c)(ii)

- (1) The chief executive may refuse to grant or renew an approval under this regulation, other than an approval of a nominee under section 26, if the applicant or holder, or if the applicant or holder is a corporation, an executive officer of the applicant or holder, has been—

- (a) convicted of an offence against the Act or a corresponding law; or
- (b) convicted of a disqualifying offence; or
- (c) charged with a disqualifying offence and the charge has not been finally disposed of.

-
- (2) The chief executive may refuse to grant an AIS approval if the individual proposed for approval, under section 26, as the nominee of the applicant for the AIS approval has been—
 - (a) convicted of an offence against the Act or a corresponding law; or
 - (b) convicted of a disqualifying offence.
 - (3) The chief executive may refuse to renew an AIS approval if the nominee approved under section 26 for the holder of the AIS approval has been—
 - (a) convicted of an offence against the Act or a corresponding law; or
 - (b) convicted of a disqualifying offence.
 - (4) The chief executive may refuse to grant an approval under section 26 if the applicant has been—
 - (a) convicted of an offence against the Act or a corresponding law; or
 - (b) convicted of a disqualifying offence.
 - (5) An approval under this regulation is a prescribed approval for section 18(1)(c)(ii) of the Act.

38 Seizing certain vehicles for sale—Act, s 46A

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

Chapter 4 Obtaining approvals

39 Applying for approval

An application for an approval must be—

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

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

40 Deciding application

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

- (a) grant the approval; or
- (b) refuse to grant the approval.

40A Statutory conditions

- (1) An approval that is an AIS approval is subject to the conditions stated in schedule 3A.
- (2) Subsection (1) does not limit the conditions that may be imposed under section 41.

41 Discretionary conditions

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

42 Granting of approval

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

43 Refusing to grant approval

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

- (a) the reasons for the refusal; and
- (b) the person may ask for the decision to be reviewed under section 44.

44 Review of decisions

(1) Sections 65 and 65A of the Act apply to an approval decision as if a reference to an original decision in the sections were a reference to the approval decision.

(2) In this section—

approval decision means a decision of the issuing authority—

- (a) to refuse an approval; or
- (b) to issue an approval on a condition.

44A Waiver of particular fees

The chief executive may waive the payment of the following for a person—

- (a) an additional application fee payable under schedule 3, item 11(a)(ii) or 11(b)(ii);
- (b) an application fee payable under schedule 3, item 12A.

44B Refund of particular fees for AIS approval or approval as nominee

(1) This section applies if—

- (a) a person makes an application—
 - (i) for an AIS approval; or
 - (ii) for approval, under section 26, as the nominee for an AIS approval holder; and
- (b) the chief executive does not ask the commissioner, under section 17C of the Act, for a written report about the person's criminal history for the application.

(2) The following fees must be refunded to the applicant—

- (a) if subsection (1)(a)(i) applies and the applicant is 1 or more individuals—the additional application fee paid for the application under schedule 3, item 11(a)(ii);
 - (b) if subsection (1)(a)(ii) applies—the application fee paid under schedule 3, item 12A for the application.
- (3) If the application is for an AIS approval and is made by a corporation, the additional application fee paid under schedule 3, item 11(b)(ii) for the application must be refunded to the applicant.

Chapter 5 Transitional provisions

45 Existing guidelines and permits

- (1) A guideline or permit about vehicle standards issued under the *Traffic Regulation 1962* (the *existing regulation*) and in force immediately before the commencement of this section, is taken to be a guideline or permit issued under this regulation.
- (2) The guideline or permit—
 - (a) is subject to a condition applying to it under the existing regulation; and
 - (b) for a permit—expires when it would have expired under the existing regulation, unless it is sooner cancelled or suspended under the Act.

46 Existing approvals

- (1) This section applies if, immediately before the commencement of this section, something was authorised by an approval under the repealed regulation.
- (2) The holder of the approval is taken to be the holder of an approval under this regulation that authorises, to the greatest practicable extent, the same thing.

- (3) The approval under this regulation—
- (a) is, to the greatest practicable extent, subject to the same conditions that applied to the thing immediately before the commencement; and
 - (b) despite paragraph (a), expires at the earlier of the following—
 - (i) when it would otherwise expire;
 - (ii) 1 July 2000.
- (4) Subsection (3)(b) does not apply to an approval mentioned in the repealed regulation, section 25A.
- (5) In this section—

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

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

47 Existing approved examiners and persons

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

48 Existing defect notices

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

48A Existing nominees for holders of AIS approvals

A person who, immediately before the commencement of this section, was under section 26 as in force at that time, appointed as the nominee for the holder of an AIS approval is taken to be the approved nominee for the holder under section 26.

48B Application for appointment of nominee

- (1) This section applies if—
 - (a) the holder of an AIS approval applied to the chief executive under old section 26 for the appointment of an individual as the holder's nominee; and
 - (b) the application has not been decided.
- (2) The chief executive must decide the application as if old section 26 was still in force.
- (3) If the chief executive approves the individual to be the holder's nominee, the individual is taken to be the approved nominee for the holder under section 26.
- (4) In this section—

old section 26 means section 26 as in force immediately before the commencement of this section.

Chapter 6 Miscellaneous

49 Alternative compliance scheme—maintenance

- (1) Section 22 is a prescribed provision for section 15(1) of the Act.

Editor's note—

See the Act, section 15 (Alternative ways of complying with Act).

- (2) The purpose of section 22 is to ensure that a vehicle to which the section applies—
- (a) is maintained in good repair; and
 - (b) has no defects that would affect its safe use on the road.

50 Meaning of *nominee* for Act, s 17C

For section 17C of the Act, *nominee*, for an AIS approval, means nominee approved under section 26.

Schedule 1 Vehicle standards

section 3 and schedule 4, dictionary, definition *vehicle standards*

Part 1 Preliminary

1 Non-application of standards—inconsistent ADR requirements

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

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

2 Non-application of standards—Motor Vehicle Standards Act approvals

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

- (a) the vehicle does not comply with a requirement of an ADR applying to the vehicle; and
- (b) the provision corresponds to the requirement of the ADR; and
- (c) despite the noncompliance, approval has been given under the *Motor Vehicle Standards Act 1989* (Cwlth), section 10A(2) or (3), to place identification plates on vehicles of that type; and
- (d) the vehicle complies with the approval conditions, if any.

Part 2 Australian Design Rules

Division 1 Basic concepts

3 What is an *ADR*

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

4 What is a *national standard*

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

5 What is a *second edition ADR*

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

6 What is a *third edition ADR*

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

Division 2 Compliance with ADRs

7 Compliance with second edition ADRs

- (1) If a second edition ADR recommends that the ADR should apply to a vehicle, the vehicle must comply with the ADR.
- (2) If a second edition ADR has a requirement for a type of equipment fitted to a vehicle built on or after a stated time,

any equipment of the same type fitted to the vehicle after it is built must comply with—

- (a) the requirement as in force when the vehicle was built; or
 - (b) if the requirement is amended after the vehicle is built and before the equipment is fitted, the requirement as in force at any time between—
 - (i) when the vehicle was built; and
 - (ii) when the equipment was fitted.
- (3) However, a vehicle, or equipment fitted to a vehicle, need not comply with a recommendation or requirement of a second edition ADR if—
- (a) the recommendation or requirement is replaced by, or is inconsistent with, a requirement of a third edition ADR applying to the vehicle or equipment; and
 - (b) the vehicle or equipment complies with the requirement of the third edition ADR.
- (4) If a second edition ADR allows a vehicle built on or after a stated time to be fitted with equipment, a vehicle built before the time may also be fitted with the equipment.

8 Compliance with third edition ADRs

- (1) If a third edition ADR applies to the design and construction of a vehicle, the vehicle must comply with the ADR.
- (2) If a third edition ADR contains a requirement for a type of equipment fitted to a vehicle built on or after a stated time, any equipment of the same type fitted to the vehicle after it is built must comply with—
 - (a) the requirement as in force when the vehicle was built; or
 - (b) if the requirement is amended after the vehicle is built and before the equipment is fitted, the requirement as in force at any time between—

- (i) when the vehicle was built; and
 - (ii) when the equipment was fitted.
- (3) However, a vehicle, or equipment fitted to a vehicle, need not comply with a requirement of a third edition ADR if—
 - (a) the requirement is replaced by, or is inconsistent with, a requirement of a later version of the ADR applying to the vehicle or equipment; and
 - (b) the vehicle or equipment complies with the requirement of the later version.
- (4) If a third edition ADR allows a vehicle built on or after a stated time to be fitted with equipment, a vehicle built before the time may also be fitted with the equipment.

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

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

10 Exception to compliance with ADRs—Motor Vehicle Standards Act

- (1) A vehicle need not comply with an ADR applied by section 7(1) or 8(1) if—
 - (a) despite noncompliance with the ADR, approval has been given, under the *Motor Vehicle Standards Act 1989* (Cwlth), section 10A(2) or (3), to place identification plates on vehicles of that type; and
 - (b) the vehicle complies with the approval conditions, if any.
- (2) A vehicle need not comply with an ADR applied by section 7(1) or 8(1) if—

- (a) the vehicle may be supplied to the market under the *Motor Vehicle Standards Act 1989* (Cwlth), section 14A(1); and
 - (b) for a vehicle for which an approval has been given under that section—the vehicle complies with the approval conditions, if any.
- (3) A vehicle need not comply with an ADR applied by section 7(1) or 8(1) if—
- (a) the vehicle may be used in transport in Australia under the *Motor Vehicle Standards Act 1989* (Cwlth), section 15(2); and
 - (b) for a vehicle for which an approval has been given under that section, the vehicle complies with the approval conditions, if any.

11 Partial exception to compliance with ADRs—personally imported vehicles

- (1) A personally imported vehicle must be fitted with—
- (a) seat belts that are as effective as seat belts that meet an Australian Standard or British Standard for seat belts as in force when this section commenced; and
 - (b) seat belt anchorages that meet the number and location requirements of second or third edition ADR 5; and
 - (c) child restraint anchorages that meet the number, location, accessibility, thread size and form requirements of second edition ADR 34 or third edition ADR 5 or 34; and
 - (d) head restraints that meet the number, location and size requirements of second or third edition ADR 22.
- (2) However, a personally imported vehicle need only meet the requirements of an ADR mentioned in subsection (1) if the ADR recommends that it should apply, or applies, to a vehicle of the same type.
- (3) A personally imported vehicle need not otherwise comply with an ADR applied by section 7(1) or 8(1).

(4) In this section—

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

- (a) owned and used the vehicle for a continuous period of at least 3 months before it was imported into Australia; and
- (b) when the vehicle was imported into Australia, was—
 - (i) an Australian citizen, permanent resident or a person who had applied to become an Australian citizen or permanent resident; and
 - (ii) old enough to hold a driver's licence or learner's permit to drive the vehicle; and
- (c) within the previous year, had not imported into Australia another vehicle owned by the person.

12 Attaching compliance or identification plates

- (1) A compliance plate must be attached to a motor vehicle built from 1 January 1972 to 31 August 1989 (both inclusive).
- (2) A compliance plate or identification plate must be attached to a motor vehicle built after 31 August 1989.
- (3) The compliance plate or identification plate must be attached to the motor vehicle in a conspicuous place.
- (4) Subsections (1) to (3) do not apply to a vehicle that—
 - (a) may be imported into Australia without a compliance plate under the *Motor Vehicle Standards Act 1989* (Cwlth); and
 - (b) complies with each ADR that applies to it under section 7(1) or 8(1).

Part 3 **Adopted standards**

13 **What is an *adopted standard***

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

Example—

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

14 **Reference to adopted standards**

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

15 **Exception to compliance with adopted standards**

A vehicle need not comply with an adopted standard if—

- (a) the standard is replaced by, or is inconsistent with, a later version of the standard; and
- (b) the vehicle complies with the later version of the standard.

Part 4 **General safety requirements**

Division 1 **All vehicles**

16 **Steering**

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

- (2) A motor vehicle with a GVM not over 4.5t must have a right-hand drive if the vehicle is less than 30 years old.
- (3) A motor vehicle has a right-hand drive if the centre of at least 1 steering control of the vehicle is to the right of, or in line with, the centre of the vehicle.
- (4) A component of a steering system of a motor vehicle that is essential for effective steering of the vehicle must be built to transmit energy by mechanical means only.
- (5) Failure of a non-mechanical component of the steering system must not prevent effective steering of the vehicle.
- (6) This section does not apply to a motor vehicle if the vehicle is built or used mainly for a purpose other than the transport of goods or people by road.

17 Turning ability

- (1) A motor vehicle must be able to turn in a circle not over 25m in diameter, measured by the outer edge of the tyre track at ground level.
- (2) The vehicle must be able to comply with subsection (1) whether it turns to the left or to the right.

18 Ability to travel backwards and forwards

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

19 Protrusions

- (1) A thing fitted to a vehicle must be designed, built and fitted to the vehicle in a way that minimises the likelihood of injury to a person making contact with the vehicle.
- (2) However, subsection (1) does not apply to a thing fitted to a vehicle if—
 - (a) the vehicle was designed before 1965 and the thing was part of the design of the vehicle; or

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

20 Driver's view and vehicle controls

A motor vehicle must be built—

- (a) to allow the driver a view of the road and of traffic to the front and sides of the vehicle so the driver can drive the vehicle safely; and
- (b) with its controls located so the driver can drive the vehicle safely.

21 Seating

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

22 Mudguards and spray suppression

- (1) A vehicle must have firmly fitted—
- (a) a mudguard for each wheel or for adjacent wheels; and
- (b) for each axle group and single axle on a vehicle that is part of a B-double, spray suppression devices complying with Parts 1 and 2 of British Standard AU200-1984 *Spray Reducing Devices for Heavy Goods Vehicle*.
- (2) However, subsection (1)(a) does not apply to a vehicle if—
- (a) the construction or use of the vehicle makes the fitting of mudguards unnecessary or impracticable; or
- (b) the body or part of the body of the vehicle acts as a mudguard.

Examples for subsection (2)(a)—

- pole-type trailers used to carry timber
- most road-making plant
- some agricultural equipment

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- (3) A mudguard fitted to a vehicle with a GVM over 4.5t must, when the wheels of the vehicle are in position to move straight ahead—
 - (a) reduce the danger of a person contacting the moving wheels; and
 - (b) for the rear wheels—
 - (i) cover the overall tyre width of the wheel or wheels to which it is fitted; and
 - (ii) be fitted so the height above ground level of the lowest edge of the rear of the mudguard is not over one-third of the horizontal distance between the edge and the centre of the rearmost axle.
 - (4) However, a mudguard may be up to—
 - (a) 230mm above ground level; or
 - (b) if a vehicle is built to be used off road—300mm above ground level.
 - (5) The outside of a rear mudguard, other than a mudflap, of a vehicle that can be seen from the rear of the vehicle must be coloured white or silver if the vehicle—
 - (a) is at least 2.2m wide; and
 - (b) has a body the vertical measurement of which is under 300mm at the rear, measured from the lowest point of the body above ground level to the highest point; and
 - (c) is not fitted with rear marking plates in accordance with section 106.
 - (6) For subsection (5)(a), the width of a vehicle is measured disregarding any anti-skid device mounted on wheels, central tyre inflation systems, lights, mirrors, reflectors, signalling devices and tyre pressure gauges.

23 Horns, alarms etc.

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

- (2) A motor vehicle must not be fitted with a device that can make a sound like the sound of a siren, bell, exhaust whistle, compression whistle or repeater horn.
- (3) However, subsection (2) does not apply to the following motor vehicles—
 - (a) a police vehicle;
 - (b) an emergency vehicle;
 - (c) a transport enforcement vehicle;
 - (d) an Australian Protective Service vehicle;
 - (e) an Australian Customs Service vehicle;
 - (f) an Airservices Australia vehicle;
 - (g) a vehicle at least 25 years old and fitted as a police or emergency vehicle if—
 - (i) the vehicle is used for exhibition purposes; or
 - (ii) it is part of a collection of former police or emergency vehicles;
 - (h) a motor vehicle fitted with an anti-theft alarm if the alarm can not be operated while the vehicle's ignition is on.
- (4) Also, a motor vehicle may be fitted with a device that emits a regular, intermittent sound while the vehicle is reversing or in reverse gear.
- (5) The device must not be louder than is necessary so the driver, and a person near the vehicle, can hear the device when it is operating.

24 Rear vision mirrors

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

- (b) a motortrike with 2 front wheels; and
 - (c) a motorbike, or motortrike with 1 front wheel, built before July 1975.
- (3) At least 1 rear vision mirror must be fitted to each side of—
- (a) a motor vehicle with a GVM over 3.5t; and
 - (b) a motorbike, or motortrike with 1 front wheel, built after June 1975.
- (4) A motor vehicle with a GVM not over 3.5t, other than a motor vehicle mentioned in subsection (2) or (3), must be fitted with—
- (a) at least 1 rear vision mirror on the right side of the vehicle; and
 - (b) at least 1 rear vision mirror on the left side of the vehicle or inside the vehicle.
- (5) A rear vision mirror fitted to a motor vehicle with a GVM over 3.5t must not project over 150mm beyond the widest part, excluding lights, signalling devices and reflectors, of the vehicle or combination.
- (6) However, the rear vision mirror may project not over 230mm beyond the widest part of the vehicle or combination if it can fold to project not over 150mm beyond the widest part.

25 Rear vision mirrors—surfaces

- (1) A rear vision mirror required to be fitted to the side of a motor vehicle with a GVM over 3.5t must have a reflecting surface of at least 150cm².
- (2) A rear vision mirror required to be fitted to the right side of a motor vehicle with a GVM over 3.5t must have a flat reflecting surface if—
- (a) the vehicle has only 1 steering control; and
 - (b) the centre of the steering control is to the right of, or in line with, the centre of the vehicle.
- (3) The reflecting surface of the rear vision mirrors that are required to be fitted to a motorbike or moped must—

- (a) each be of the same curvature; and
- (b) if convex, be part of a notional sphere with a radius of at least 1.2m.

26 Additional rear vision mirrors

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

27 Automatic transmission

- (1) A motor vehicle fitted with an automatic transmission must have an engine starter mechanism that can not operate when the transmission control is in a position to drive the vehicle.
- (2) A motor vehicle built after 1975 that is fitted with an automatic transmission must have an indicator in the driver's compartment showing the transmission control position.
- (3) Subsections (1) and (2) do not apply to a motor vehicle with less than 4 wheels.

28 Diesel engines

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

29 Bonnet securing devices

- (1) A motor vehicle with a moveable body panel forward of the windscreen that covers an engine or luggage storage or battery compartment, must have a device to secure the panel.
- (2) However, if the panel opens from the front in a way that partly or completely obstructs the driver's forward view through the windscreen, the panel must have primary and secondary devices to secure the panel.

30 Electrical wiring, connections and installations

- (1) The wiring of electrical equipment of a vehicle, other than the high tension ignition wiring, must—
 - (a) be supported at intervals of not over 600mm, unless the vehicle is a pole-type trailer with a pole with an adjustable length, or an extendible trailer; and
 - (b) be insulated at each of its joints; and
 - (c) be located where it can not—
 - (i) become overheated; or
 - (ii) contact moving parts; or
 - (iii) come near enough to the fuel system to be a fire hazard; and
 - (d) be protected from chafing.
- (2) The electrical connectors between motor vehicles and trailers, for operation of the vehicle lights required by these standards, must comply with Australian Standard AS 2513-1982 *Electrical Connectors for Trailer Vehicles*.
- (3) A trailer must be equipped with an electrical conductor, independent of the trailer coupling, that provides a return path between the electrical circuits of the trailer and towing vehicle.
- (4) The electrical wiring, connections and installations of a semitrailer, dog trailer or converter dolly used in a road train over 19m long after June 1998 must comply with third edition ADR 63, whether or not it was built before the date stated in the ADR for vehicles of that type.

31 Television receivers and visual display units

- (1) A television receiver or visual display unit must not be installed in a motor vehicle so any part of the image on the screen is visible to the driver from the normal driving position.
- (2) However, subsection (1) does not apply to—

- (a) a television receiver or visual display unit that can not be operated when the vehicle is moving; or
- (b) a driver's aid in any vehicle or a destination sign in a bus or minibus.

Examples for paragraph (b)—

- closed-circuit television security cameras
 - dispatch systems
 - navigational or intelligent highway and vehicle system equipment
 - rear view screens
 - ticket-issuing machines
 - vehicle monitoring devices
- (3) A television receiver, or visual display unit, and its associated equipment in a motor vehicle must be securely mounted in a position that—
 - (a) does not obscure the driver's view of the road; and
 - (b) does not impede the movement of a person in the vehicle.

32 Windscreens and windows

- (1) Transparent material used in a windscreen, window, or an interior partition, of a motor vehicle must be of approved material if—
 - (a) the vehicle was built after June 1953; or
 - (b) the material was first fitted to the vehicle after June 1953.

- (2) In this section—

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

- Australian Standard AS R1-1965 *Safety Glass for Land Transport*

- Australian Standard AS R1-1968 *Safety Glass for Land Transport*
- Australian Standard AS 2080-1977 *Safety Glass for Vehicles*
- British Standard BS 857:1967 *Specification for Safety Glass for Land Transport*
- British Standard BS 5282:1975 *Road Vehicle Safety Glass*
- British Standard BS AU178:1980 *Road Vehicle Safety Glass*
- Japanese Industrial Standard JIS R 3211-1979 *Safety Glasses for Road Vehicles*
- American National Standard ANSI Z26.1-1980 *Safety Code for Safety Glazing Materials for Glazing Motor Vehicles Operating on Land Highway.*

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

33 Window tinting

- (1) Glazing used in a windscreen of a motor vehicle must have a luminous transmittance of at least—
 - (a) for a motor vehicle built after 1971—75%; or
 - (b) for another motor vehicle—70%.
- (2) Glazing used in a windscreen of a motor vehicle must not be coated in a way that reduces its luminous transmittance.
- (3) However, subsections (1) and (2) do not apply to the greater of the following areas of a windscreen—
 - (a) the area above the highest point of the windscreen that is swept by a windscreen wiper;
 - (b) the upper 10% of the windscreen.
- (4) Glazing used in a window or interior partition of a motor vehicle must have a luminous transmittance of at least 70%.

- (5) Glazing used in a window or interior partition may be coated to achieve a luminous transmittance of not less than 35%.
- (6) Glazing that has been coated to reduce its luminous transmittance must not have a reflectance of over 10%.
- (7) The luminous transmittance requirement in subsection (5) applies to a vehicle instead of the corresponding requirements in the relevant ADR.

- (8) In this section—

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

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

34 Windscreen wipers and washers

- (1) A motor vehicle with 3 or more wheels that is fitted with a windscreen must be fitted with at least 1 windscreen wiper unless a driver in a normal driving position can obtain an adequate view of the road ahead of the vehicle without looking through the windscreen.
- (2) At least 1 windscreen wiper fitted to the vehicle must—
 - (a) be able to remove moisture from the part of the windscreen in front of the driver to allow the driver an adequate view of the road ahead of the vehicle when the windscreen is wet; and
 - (b) be able to be operated from a normal driving position; and
 - (c) for a vehicle built after 1934—continue to operate until the wiper is switched off; and
 - (d) for a vehicle built after 1959, the driving position of which is nearer one side of the vehicle than the other—

- (i) be able to remove moisture from the part of the windscreen in front of the driver, and a corresponding part of the windscreen on the other side of the centre of the vehicle, to allow the driver an adequate view of the road ahead of the vehicle when the windscreen is wet; and
 - (ii) if the windscreen wiper is operated by engine manifold vacuum—be provided with a vacuum reservoir or pump to maintain the efficient operation of the wiper while the vehicle is in motion.
- (3) If the vehicle was built after 1982 and has a GVM over 4.5t, it must also be fitted with a windscreen washer that can direct water onto the windscreen within the area swept by a windscreen wiper so the wiper can spread the water to all of the area swept by the wiper.
- (4) The windscreen washer must be able to be operated from a normal driving position.

35 Wheels and tyres—size and capacity

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

36 Pneumatic tyres—generally

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

37 Pneumatic tyres—carcass construction

- (1) A vehicle with a GVM not over 4.5t must not have pneumatic tyres of different carcass construction fitted to the same axle, but the tyres may have different cord materials and a different number of plies.
- (2) However, subsection (1) does not apply to a tyre being used in an emergency as a temporary replacement for a tyre complying with the subsection.

38 Pneumatic tyres—size and capacity

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

- (a) the pressure recommended by the tyre manufacturer; and
- (b) a pressure of—
 - (i) for a radial ply tyre—825kPa; or
 - (ii) for another tyre—700kPa.

39 Tyres—defects

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

40 Tyres for use on vehicles with GVM over 4.5t

- (1) This section applies to a vehicle with a GVM over 4.5t instead of the tyre speed category requirements for the vehicle in the relevant ADR.
- (2) A tyre fitted to the vehicle must be suitable for road use at the lower of—
 - (a) 100km/h; and
 - (b) the vehicle's top speed.

41 Tyres—manufacturer's rating

- (1) This section applies to a motor vehicle if the vehicle—
 - (a) has 4 or more wheels; and
 - (b) was built after 1972; and
 - (c) has a GVM not over 4.5t.
- (2) However, this section does not apply to a tyre if the tyre—
 - (a) is recommended by the vehicle manufacturer as suitable for limited use on the vehicle in special circumstances at

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- a speed lower than the speed applying to the vehicle under subsection (3); or
- (b) is being used in an emergency as a temporary replacement for a tyre complying with this section.
- (3) A tyre fitted to a motor vehicle must, when first manufactured, have been rated by the tyre manufacturer as suitable for road use at the lower of—
- (a) a speed of at least—
- (i) for an off-road passenger vehicle—140km/h; or
- (ii) for a car or car derivative—180km/h; or
- (iii) for another motor vehicle—120km/h; and
- (b) the vehicle's top speed.
- Example for paragraph (a)(i)—*
- a four-wheel drive vehicle
- (4) This section applies to a motor vehicle instead of the tyre speed category requirements in the relevant ADR.

42 Retreads

- (1) A tyre that is retreaded before the commencement of this section must not be used on a vehicle if—
- (a) Australian Standard AS 1973-1976 *Retreaded Pneumatic Passenger Car and Light Truck Tyres* or Australian Standard AS 1973-1985 *Retreaded Pneumatic Passenger and Light Truck Tyres* applies to the tyre; and
- (b) the tyre was retreaded after publication of the standard; and
- (c) the tyre was not retreaded in accordance with—
- (i) Australian Standard AS 1973-1976 *Retreaded Pneumatic Passenger Car and Light Truck Tyres*; or
- (ii) Australian Standard AS 1973-1985 *Retreaded Pneumatic Passenger and Light Truck Tyres*; or

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

- (2) A tyre that is retreaded after the commencement of this section must not be used on a vehicle if—
- (a) Australian Standard AS 1973-1993 *Pneumatic Tyres—Passenger Car, Light Truck and Truck/Bus—Retreading and Repair Processes* applies to the tyre; and
 - (b) the tyre was not retreaded in accordance with the standard.

43 Tyre tread

- (1) A tyre fitted to a vehicle must not have cleats or other gripping devices that could damage road surfaces.
- (2) A tyre fitted to the vehicle must have a tread pattern at least 1.5mm deep, other than at tread wear indicators, in a band that runs continuously—
 - (a) across—
 - (i) for a vehicle with a GVM over 4.5t—at least 75% of the tyre width that normally comes into contact with the road; or
 - (ii) for another vehicle—the tyre width that normally comes into contact with the road; and
 - (b) around the whole circumference of the tyre.
- (3) A vehicle must not be fitted with a tyre that has been treated by recutting or regrooving the tread rubber, unless the tyre was—
 - (a) constructed with an extra thickness of rubber designed for recutting or regrooving; and
 - (b) labelled to indicate the construction.

44 Alternative tyres, rims and wheels

- (1) Tyres and rims fitted to a motor vehicle that is a car, car derivative or off-road passenger vehicle need not comply with section 7(1) or 8(1) if—
- (a) the combination of tyre and rim—
- (i) has a diameter that is—
- (A) not more than 15mm more than the diameter specified by the vehicle’s manufacturer; or
- (B) not more than 26mm less than the diameter specified by the vehicle’s manufacturer; and
- (ii) accords with the specifications contained in—
- (A) if the vehicle was manufactured before 1 January 1974—1 of the following manuals—
- the Tyre and Rim Standards Manual of the Tyre and Rim Association of Australia
 - the 1981 Tire and Rim Association Inc. Year Book
 - the British Standard, BS AU 50
 - the Japan Automobile Tyre Manufacturers Association
 - the Japanese Industrial Standards (JIS-D4202) and (JIS-D4218)
 - the European Tyre and Rim Technical Organisation Practices (E.T.R.T.O.)
 - the Deutsche Industrie Norm (DIN) 7818
 - the Deutsche Industrie Norm (DIN) 7817; or
- (B) if the vehicle was manufactured on or after 1 January 1974—Table 2 of ADR 23; and
- (b) the maximum tyre width is—

- (i) for a car or car derivative—not more than 1.3 times the width of the vehicle manufacturer’s widest optional tyre; or
 - (ii) for an off-road passenger vehicle fitted with front and rear beam axles—not more than 1.5 times the width of the vehicle manufacturer’s widest optional tyre; and
 - (c) the minimum tyre width is 70% of the width of the widest tyre fitted to the vehicle but not less than the vehicle manufacturer’s narrowest optional tyre.
- (2) A motor vehicle that is a car, car derivative or off-road passenger vehicle using car tyres must not be fitted with—
- (a) any combination of tyre and rim which, when fitted to the vehicle, fouls the wheel housing or running gear under any condition; or
 - (b) any wheel in which—
 - (i) there is a circumferential weld other than a weld attaching the rim to the wheel centre; or
 - (ii) the diameter, width or offset of its rim differs from the rim of another wheel on the same axle; or
 - (iii) the wheel securing stud holes are not circular; or
 - (iv) the pitch circle diameter of the wheel securing stud holes is different from that of the original equipment wheel studs; or
 - (c) any wheel which will result in the widest track specified by the vehicle manufacturer being exceeded by more than—
 - (i) for a car or car derivative—26mm; or
 - (ii) for an off-road passenger vehicle fitted with front and rear beam axles—50mm; or
 - (d) a wheel that will reduce the track specified for the vehicle by its manufacturer; or
 - (e) for a motor vehicle manufactured on or after 1 July 1985, a wheel that—

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- (i) is not approved as original equipment or original equipment replacement by the vehicle manufacturer; or
- (ii) is not indelibly marked with the wheel's nominal diameter and width, offset, and the mark of a standard of an approved organisation in a location so that they are readily visible when the wheel is correctly installed on the vehicle; or
- (f) a spacer between wheel and hub additional to any provided by the vehicle manufacturer; or
- (g) a wheel nut which does not engage the thread of the wheel stud for at least the same length as the wheel nut provided by the vehicle manufacturer or a wheel nut that does not match the taper on the wheel stud hole; or
- (h) any eccentric wheel stud or eccentric wheel nut.
- (3) In subsection (2)(e)(ii)—
- approved organisation* means any of the following—
- Wheel Industries Association (Australia)
 - Standards Australia
 - Technischer Überwachungen, Verein
 - Japanese Industrial Standards.

Division 2 Additional requirements for motorbikes

45 Steering gear and handlebars

- (1) The handlebars on a motorbike must extend at least 250mm, but not over 450mm, on each side of the longitudinal axis of the motorbike.
- (2) In taking a measurement for subsection (1), mirrors and lights mounted on the handlebars of the motorbike are to be disregarded.

- (3) The lowest part of the hand grip on the handle bars must not be higher than 380mm above the attachment point of the handlebars to the motorbike.
- (4) Hand grips on the handle bars must be fitted symmetrically.
- (5) If a motorbike has the head stem as the steering pivot point, the horizontal distance from the midpoint between the head stem bearings to the centre of the front wheel must not be over 550mm.

46 Foot rests

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

47 Chain guards

- (1) If the engine power of a motorbike is transmitted to the rear wheel by a chain, the driver and any passenger must be protected from the front sprocket and at least the upper part of the chain by—
 - (a) the frame or equipment of the motorbike; or
 - (b) a chain guard.
- (2) A chain guard must cover the chain to a point—
 - (a) at least 300mm to the rear of the rearmost foot rest; or
 - (b) above the centre of the rear drive sprocket.

Part 5 Vehicle marking

48 Vehicle and engine identification numbers

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

- (2) The engine of motor vehicle built after 1930 must have the engine identification number on the engine block or main component.
- (3) A vehicle must have an individual vehicle identification number clearly stamped, embossed or otherwise permanently marked on a substantial part of its frame or chassis.
- (4) A vehicle or engine identification number must be located where a person can read it easily without having to use tools to remove a part of the vehicle that would otherwise obstruct the person's view.
- (5) In this section—
number includes letter.

49 White or silver band on certain vehicles

- (1) This section applies to a vehicle that—
 - (a) is at least 2.2m wide; and
 - (b) has a body with a vertical measurement under 300mm at the rear, measured from the lowest point of the body above ground level to the highest point; and
 - (c) is not fitted with rear marking plates in accordance with section 106.
- (2) For subsection (1)(a), the width of a vehicle is measured disregarding any anti-skid device mounted on wheels, central tyre inflation systems, lights, mirrors, reflectors, signalling devices and tyre pressure gauges.
- (3) The vehicle must have a white or silver band at least 75mm high across the full width of the rearmost part of the body of the vehicle.

50 Warning signs for combinations over 22m long

- (1) The following vehicles must display road train warning signs complying with this section and section 52—
 - (a) a combination over 36.5m long;

- (b) a road train over 30m, but not over 36.5m, long that includes 1 or more dog trailers.
- (2) The following vehicles must display road train warning signs, or a long vehicle warning sign, complying with this section and section 52—
 - (a) a road train over 22m, but not over 30m, long that includes 1 or more dog trailers;
 - (b) a road train over 22m, but not over 36.5m, long that does not include a dog trailer.
- (3) Another combination over 22m, but not over 36.5m, long must display a long vehicle warning sign complying with this section and section 52.
- (4) Road train warning signs must be used in pairs and fitted horizontally, one at the front and the other at the rear of the combination.
- (5) A long vehicle warning sign must be fitted horizontally at the rear of the combination.

51 Warning signs not to be displayed on other vehicles

- (1) A road train warning sign must not be displayed on a vehicle unless the vehicle is part of a combination or road train mentioned in section 50(1) or (2).
- (2) A long vehicle warning sign must not be displayed on a vehicle unless the vehicle is a part of a combination or road train mentioned in section 50(2) or (3).

52 Specifications for warning signs

- (1) A road train or long vehicle warning sign must be manufactured in 1 or 2 parts from sheet steel 0.8mm thick or another material of at least the same stiffness, unless it is designed to be fitted to a vehicle using an adhesive.
- (2) The warning sign must be at least 1.2m wide and at least 250mm high.

- (3) A road train warning sign must display the words ‘road train’, and a long vehicle warning sign must display the words ‘long vehicle’, in black capital letters at least 180mm high in typeface Series B (N) that complies with Australian Standard AS 1744 *Forms of Letters and Numerals for Road Signs*.
- (4) If the warning sign is in 2 parts, one word of the expression ‘road train’ or ‘long vehicle’ must be on one part and the other word of the expression must be on the other part.
- (5) The warning sign must display the sign manufacturer’s name or logo, and the brand and class of retro-reflective material used, in block letters not over 10mm high.
- (6) The warning sign must have a black border.
- (7) The warning sign must be coated with yellow retro-reflective material of class 1 or 2 that meets Australian Standard AS 1906 *Retro-reflective Materials and Devices for Road Traffic Control Purposes*.
- (8) The warning sign must be fitted so—
 - (a) no part of the sign is—
 - (i) over 1.8m above ground level; or
 - (ii) under 500mm above ground level; and
 - (b) if the sign is in 2 parts, the parts are fitted at the same height above ground level.

53 Left-hand drive signs

- (1) This section applies to a motor vehicle with a GVM over 4.5t that has the centre of a steering control to the left of the centre of the vehicle.
- (2) The vehicle must display the words ‘left hand drive’ on the rear of the vehicle.
- (3) The words must be in letters at least 75mm high, and in a colour contrasting with the background to the words.

Part 6 **Vehicle configuration**

54 **Axle configuration**

- (1) A motor vehicle, other than an articulated bus, must have only—
 - (a) 1 axle group, or single axle, towards the front of the vehicle; and
 - (b) 1 axle group, or single axle, towards the rear of the vehicle.
- (2) An articulated bus must have only—
 - (a) on its front section—
 - (i) 1 axle group, or single axle, towards the front of the section; and
 - (ii) 1 axle group, or single axle, towards the rear of the section; and
 - (b) on another section—1 axle group or single axle.
- (3) A trailer must have only—
 - (a) 1 axle group or single axle; or
 - (b) 2 axle groups, 2 single axles, or 1 axle group and single axle, in the following configuration—
 - (i) 1 axle group, or single axle, towards the front of the vehicle, with all the wheels on the axle group or single axle connected to the steering mechanism for that part of the trailer;
 - (ii) 1 axle group, or single axle, towards the rear of the vehicle.
- (4) A semitrailer that is extendible, or is fitted with sliding axles, must—
 - (a) have a securing device that—
 - (i) can securely fix the extendible part or sliding axles to the rest of the vehicle in any position of adjustment provided; and

- (ii) is located in a position that can prevent accidental or inadvertent release, if the device is mounted on the chassis of the vehicle; and
 - (iii) is fitted with a visible or audible warning system to indicate to a person standing beside the vehicle that the device is not engaged; and
 - (iv) is fitted with a way of preventing loss of air from the air brake supply, if the device uses air from the brake system and fails in a way allowing air to escape; and
 - (v) is held in the applied position by direct mechanical action without the intervention of an electric, hydraulic or pneumatic device; and
- (b) be built so the adjustable parts of the vehicle remain connected if the securing device fails.

55 Relation between axles in axle group

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

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

 - (a) is built to divide the load between the tyres on the group so that no tyre carries a mass over 10% more than the mass that it would carry if the load were divided equally; and
 - (b) has effective damping characteristics on all axles of the group.

Part 7 **Lights and reflectors**

Division 1 **General requirements for lights**

56 **Certain requirements apply only at night**

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

57 **Prevention of glare**

A light, other than a high-beam headlight, fitted to a vehicle must be built and adjusted to provide the necessary amount of light, without dazzling the driver of another vehicle approaching, or being approached by, the vehicle.

58 **Pairs of lights**

- (1) If lights are required under these standards to be fitted to a vehicle in pairs—
 - (a) a light must be fitted on each side of the longitudinal axis of the vehicle; and
 - (b) the centre of each light in a pair must be the same distance from the longitudinal axis of the vehicle; and
 - (c) the centre of each light in a pair must be at the same height above ground level; and
 - (d) each light in a pair must project approximately the same amount of light of the same colour.
- (2) Subsection (1) applies to a motorbike with an attached sidecar as if the sidecar were not attached.

Division 2 Headlights

59 Headlights to be fitted to vehicles

- (1) A motor vehicle must be fitted with—
 - (a) if it is a moped, motorbike, or motortrike with 1 front wheel—1 low-beam headlight; or
 - (b) if it has 4 or more wheels or is a motortrike, other than a moped, with 2 front wheels—a pair of low-beam headlights.
- (2) If a motor vehicle built after 1934 can travel at over 60km/h—
 - (a) each low-beam headlight mentioned in subsection (1) must be able to work in the high-beam position; or
 - (b) the vehicle must be fitted with—
 - (i) 1 headlight that can work in the high-beam position if the vehicle is required to have 1 low-beam headlight; or
 - (ii) a pair of headlights that can work in the high-beam position.
- (3) A motorbike may be equipped with a headlight modulation system that—
 - (a) varies the brightness of its high-beam headlight or low-beam headlight, but not both, at a rate of at least 200 and at most 280 flashes a minute; and
 - (b) is designed to operate only in the daylight.
- (4) Additional headlights may be fitted to—
 - (a) a motorbike or motortrike; or
 - (b) a motor vehicle with 4 or more wheels that was built before 1970.
- (5) Additional pairs of headlights may be fitted to a motor vehicle with 4 or more wheels that was built after 1969.

60 How headlights are to be fitted

- (1) The centres of low-beam headlights fitted as a pair on a motor vehicle with 4 or more wheels must be at least 600mm apart.
- (2) However, subsection (1) does not apply to a motor vehicle built before 1970 if the centres of its low-beam headlights—
 - (a) were under 600mm apart when the vehicle was built; and
 - (b) are not nearer than they were when the vehicle was built.
- (3) Each low-beam headlight of a pair on a motortrike, other than a moped, with 2 front wheels must not be over 400mm from the nearer side of the vehicle.
- (4) The centre of a low-beam headlight fitted to a motor vehicle built after June 1953 must be—
 - (a) at least 500mm above ground level; and
 - (b) not over 1.4m above ground level.

61 How single headlights are to be fitted

- (1) A motorbike or motortrike with a single headlight fitted must have the light fitted in the centre.
- (2) Subsection (1) applies to a motorbike with an attached sidecar as if the sidecar were not attached.

62 How additional headlights are to be fitted

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

63 Performance of headlights

- (1) When on, a headlight, or additional headlight, fitted to a motor vehicle must—
 - (a) show only white light; and
 - (b) project its main beam of light ahead of the vehicle.

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

64 Effective range of headlights

- (1) This section applies to a headlight that is on at night.
- (2) A low-beam headlight must illuminate the road ahead of the motor vehicle for at least 25m.
- (3) A high-beam headlight must illuminate the road ahead of the motor vehicle for at least 50m.
- (4) However, a low-beam headlight fitted to a motor vehicle built before 1931, or a moped, need only illuminate the road ahead of the vehicle for 12m.

65 Changing headlights from high-beam to low-beam position

- (1) A motor vehicle built after 1934 that can travel at over 60km/h must be fitted with—
 - (a) a dipping device enabling the driver in the normal driving position—
 - (i) to change the headlights from the high-beam position to the low-beam position; or
 - (ii) simultaneously to switch off a high-beam headlight and switch on a low-beam headlight; and
 - (b) for a motor vehicle built after June 1953, a device to indicate to the driver that the headlights are in the high-beam position.
- (2) A headlight fitted to a motor vehicle that is not fitted with a dipping device mentioned in subsection (1)(a) must operate in the low-beam position.
- (3) When a headlight fitted to a motor vehicle is switched to the low-beam position, any other headlight on the vehicle must operate only in the low-beam position or be off.

Division 3 Parking lights

66 Parking lights

- (1) A motor vehicle built after June 1953 must be fitted with—
 - (a) if it is a motortrike with 2 front wheels, other than a moped, or a motor vehicle with 4 or more wheels—a pair of parking lights; or
 - (b) if it is a motorbike with an attached sidecar, or a motortrike with 1 front wheel, other than a moped—at least 1 parking light.
- (2) A pair of parking lights fitted to a motor vehicle with 4 or more wheels must be fitted with the centre of each light—
 - (a) at least 600mm from the centre of the other light; and
 - (b) not over 510mm from the nearer side of the vehicle.
- (3) However, a pair of parking lights fitted to a motor vehicle under 1300mm wide may be fitted with the centre of each light not under 400mm from the centre of the other light.
- (4) A parking light fitted to a motortrike with 2 front wheels must not be over 400mm from the nearer side of the vehicle.
- (5) A parking light fitted to a motorbike with a sidecar must be fitted not over 150mm from the side of the sidecar furthest from the motorbike.
- (6) When on, a parking light must—
 - (a) show a white or yellow light visible 200m from the front of the motor vehicle; and
 - (b) not use over 7W.
- (7) A parking light fitted to a motor vehicle built after 1969 must be wired so the parking light is on when a headlight on the vehicle is on.
- (8) A parking light fitted to a sidecar attached to a motorbike must be wired to operate when a headlight, tail light or parking light on the motorbike is on.

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

Division 4 Daytime running lights

67 Daytime running lights

- (1) A pair of daytime running lights may be fitted to a motor vehicle.
- (2) A pair of daytime running lights fitted to a motor vehicle with 4 or more wheels must be fitted with the centre of each light—
- (a) at least 600mm from the centre of the other light; and
 - (b) not over 510mm from the nearer side of the vehicle.
- (3) However, a pair of daytime running lights fitted to a motor vehicle under 1300mm wide may be fitted with the centre of each light not under 400mm from the centre of the other light.
- (4) When on, a daytime running light must—
- (a) show a white or yellow light visible from the front of the vehicle; and
 - (b) not use over 25W.
- (5) Daytime running lights must be wired so they are off when a headlight, other than a headlight being used as a flashing signal, is on.
- (6) For subsection (3), the width of a motor vehicle is measured disregarding any anti-skid device mounted on wheels, central tyre inflation systems, lights, mirrors, reflectors, signalling devices and tyre pressure gauges.

Division 5 Tail lights

68 Tail lights generally

- (1) A vehicle must have at least 1 tail light fitted on or towards the rear of the vehicle.
- (2) A motortrike with 2 rear wheels, or a motor vehicle with 4 or more wheels, built after 1959 must have at least 1 tail light fitted on or towards each side of the rear of the vehicle.
- (3) A trailer built after June 1973 must have at least 1 tail light fitted on or towards each side of the rear of the vehicle.
- (4) The centre of a tail light mentioned in subsection (1), (2) or (3) must not be over—
 - (a) 1.5m above ground level; or
 - (b) if it is not practicable to fit the light lower, 2.1m above ground level.
- (5) A vehicle may have 1 or more additional tail lights at any height above ground level.

69 Tail lights for sugar cane trailers

- (1) Despite section 68, a sugar cane trailer towed at night must have 2 tail lights.
- (2) Each tail light must—
 - (a) be attached to the rear of the trailer; and
 - (b) have its centre no more than 1m from the ground.

70 Pattern of fitting tail lights

- (1) If only 1 tail light is fitted to a vehicle, it must be fitted in the centre or to the right of the centre of the vehicle's rear.
- (2) Subsection (1) applies to a motorbike with an attached sidecar as if the sidecar were not attached.
- (3) If 2 or more tail lights are fitted to a vehicle, at least 2 must be fitted as a pair.

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

71 Performance of tail lights

- (1) When on, a tail light of a vehicle must—
- (a) show a red light visible 200m from the rear of the vehicle; and
 - (b) not use over 7W.
- (2) A tail light fitted to a street rod vehicle may incorporate a blue lens not over 20mm in diameter.

72 Wiring of tail lights

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

Division 6 Number plate lights

73 Number plate lights

- (1) At least 1 number plate light must be fitted to the rear of a vehicle.
- (2) However, a sugar cane trailer must comply with subsection (1) only when it is towed at night.
- (3) When on at night, the number plate light must illuminate a number plate on the rear of the vehicle with white light, so the characters on the number plate can be read at least 20m from the rear of the vehicle.
- (4) A number plate light—
- (a) may be combined with another light; and
 - (b) must not project white light to the rear of the vehicle other than by reflection; and

- (c) must not obscure the characters on the number plate; and
- (d) must be wired to come on, and stay on, when a parking light, headlight or tail light on the vehicle is on.

Division 7 Clearance lights

74 Front clearance lights

- (1) Front clearance lights may only be fitted to a vehicle that is at least 1.8m wide.
- (2) A pair of front clearance lights must be fitted to a motor vehicle that is at least 2.2m wide, or a prime mover.
- (3) The centre of a front clearance light must be—
 - (a) not over 400mm from the nearer side of the vehicle; and
 - (b) if the vehicle was built after June 1953—
 - (i) at least 750mm higher than the centre of any low-beam headlight fitted to the vehicle; or
 - (ii) not lower than the top of the windscreen.
- (4) However, a front clearance light may be mounted on an external rear vision mirror or a mirror support if, when the mirror is correctly adjusted, no part of the lens of the clearance light is visible to a person in the normal driving position.
- (5) When on, a front clearance light must—
 - (a) show a yellow or white light visible 200m from the front of the vehicle; and
 - (b) not use over 7W.

75 External cabin lights

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

- (2) The additional forward-facing lights must be spaced evenly between the front clearance lights, with their centres at least 120mm apart.
- (3) When on, an additional forward-facing light must—
 - (a) show a yellow or white light; and
 - (b) not use over 7W.

76 Rear clearance lights

- (1) Rear clearance lights may only be fitted to a vehicle that is at least 1.8m wide.
- (2) A pair of rear clearance lights must be fitted to the rear of a vehicle that is at least 2.2m wide.
- (3) The centre of a rear clearance light must be—
 - (a) not over 400mm from the nearer side of the vehicle; and
 - (b) if practicable, at least 600mm above ground level.
- (4) When on, a rear clearance light must—
 - (a) show a red light visible 200m from the rear of the vehicle; and
 - (b) not use over 7W.

Division 8 Side marker lights

77 Vehicles needing side marker lights

- (1) A pair of side marker lights must be fitted towards the rear of the sides of a motor vehicle that is over 7.5m long and at least 2.2m wide.
- (2) A pole-type trailer or a motor vehicle built to tow a pole-type trailer, each with at least 1 cross-bar or bolster, must have a side marker light fitted to each side of the back or only cross-bar or bolster.

- (3) A pole-type trailer with 2 or more cross-bars or bolsters may also have a side marker light fitted to each side of the front cross-bar or bolster.
- (4) At least 2 side marker lights must be fitted to each side of—
 - (a) a trailer, other than a pole-type trailer, that is at least 2.2m wide and not over 7.5m long; and
 - (b) a semitrailer that is not over 7.5m long.
- (5) At least 3 side marker lights must be fitted to each side of—
 - (a) a trailer, other than a pole-type trailer, that is at least 2.2m wide and over 7.5m long; and
 - (b) a semitrailer that is over 7.5m long.
- (6) For subsections (1), (4) and (5), the width of a vehicle is measured disregarding any anti-skid device mounted on wheels, central tyre inflation systems, lights, mirrors, reflectors, signalling devices and tyre pressure gauges.

78 Location of side marker lights

- (1) The centre of a side marker light must not be over 150mm from the nearer side of the vehicle.
- (2) A front side marker light fitted to a motor vehicle must be towards the front of the side of the vehicle with no part of the lens visible to the driver.
- (3) The centre of a front side marker light fitted to a trailer must be—
 - (a) within 300mm of the front of the side of the trailer; or
 - (b) if the construction of the trailer makes it impracticable to comply with paragraph (a)—as near as practicable to the front of the trailer.
- (4) The centre of a rear side marker light fitted to a vehicle must be—
 - (a) within 300mm of the rear of the side of the vehicle; or

- (b) if the construction of the vehicle makes it impracticable to comply with paragraph (a)—as near as practicable to the rear of the vehicle.
- (5) Side marker lights fitted to a vehicle must, as far as practicable, be evenly spaced along the side of the vehicle.
- (6) Subsections (2) to (5) do not apply to side marker lights fitted to a cross-bar or bolster of a pole-type trailer.
- (7) Only the side marker lights nearest to the rear need be fitted if complying with subsections (3) and (4) would result in the front and rear side marker lights being under 2.5m apart.
- (8) A side marker light fitted to a vehicle must be fitted so—
 - (a) its centre is not over—
 - (i) 1.5m above ground level; or
 - (ii) if it is not practicable to fit it lower—2.1m above ground level; and
 - (b) its centre is at least 600mm above ground level; and
 - (c) it is, as far as practicable, in a row of side marker lights along the side of the vehicle.
- (9) Subsection (8)(a) does not apply to a side marker light that is not required to be fitted to the vehicle by section 77.

79 Performance of side marker lights

- (1) When on, a side marker light fitted to a vehicle must—
 - (a) show a light visible 200m from the vehicle; and
 - (b) not use over 7W.
- (2) When on, a side marker light fitted to a vehicle must show—
 - (a) to the front of the vehicle—a yellow light; and
 - (b) to the rear of the vehicle—
 - (i) if the light also operates as a rear light or reflector—a red light; and
 - (ii) in any other case—a red or yellow light.

- (3) However, if a pole-type trailer with 2 or more cross-bars or bolsters has the side marker lights permitted by section 77(3)—
- (a) the side marker lights fitted to the front cross-bar or bolster may comply with subsection (2)(a) only; and
 - (b) the side marker lights fitted to the back cross-bar or bolster may comply with subsection (2)(b) only.

80 Side marker lights and rear clearance lights

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

Division 9 Brake lights

81 Fitting brake lights

- (1) A brake light must be fitted to the rear of a vehicle, other than a sugar cane trailer, built after 1934.
- (2) A pair of brake lights must be fitted to the rear of—
 - (a) a motor vehicle built after 1959 that has 4 or more wheels; and
 - (b) a motortrike built after 1959 that has 2 rear wheels; and
 - (c) a trailer, other than a sugar cane trailer, built after June 1973.
- (3) The centre of a brake light must be—
 - (a) at least 350mm above ground level; and
 - (b) not over—
 - (i) 1.5m above ground level; or
 - (ii) if it is not practicable to fit the light lower—2.1m above ground level.
- (4) A vehicle may be fitted with 1 or more additional brake lights.

- (5) The centre of an additional brake light must be at least 350mm above ground level.
- (6) If only 1 brake light is fitted to a vehicle, it must be fitted in the centre or to the right of the centre of the vehicle's rear.
- (7) Subsection (6) applies to a motorbike with an attached sidecar as if the sidecar were not attached.

82 Brake lights for sugar cane trailers

- (1) A sugar cane trailer must have 2 brake lights at the rear of the trailer.
- (2) The lights must both be positioned at the same distance from the ground no less than 350mm, and no more than 1.5m, above ground level.
- (3) One must be positioned no more than 400mm from the left side of the trailer and the other light the same distance from the right side of the trailer.

83 Performance and operation of brake lights

- (1) When on, a brake light must show a red light visible 30m from the rear of the vehicle.
- (2) A brake light fitted to a street rod vehicle may incorporate a blue lens not over 20mm in diameter.
- (3) A brake light fitted to a motor vehicle must come on, if it is not already on, when—
 - (a) for a vehicle with 4 or more wheels or built after 1974—a service brake is applied; or
 - (b) for another vehicle—the rear wheel brake is applied.
- (4) Subsection (3) does not apply if the controls in the vehicle that start the engine are in a position that makes it impossible for the engine to operate.
- (5) A brake light on a trailer must come on when—
 - (a) the brake light of the towing vehicle comes on; or

- (b) a brake control on the towing vehicle, that independently activates the service brake on the trailer, is operated.
- (6) A brake light may be operated by an engine brake, retarder, or similar device if the device does not interfere with the proper operation of the brake light.

Division 10 Reversing lights

84 Reversing lights

- (1) One or more reversing lights may be fitted to the rear of a vehicle and on each side towards the rear of the vehicle.
- (2) A reversing light must have its centre not over 1.2m above ground level.
- (3) When on, a reversing light must show a white or yellow light to the rear or to the side and rear of the vehicle.
- (4) A reversing light fitted to a motor vehicle must be wired so it operates only when the vehicle is reversing or in reverse gear.
- (5) A reversing light fitted to a trailer must be wired so it operates only when a motor vehicle towing the trailer is reversing or in reverse gear.
- (6) A yellow reversing light may also operate as a direction indicator light.

Division 11 Direction indicator lights

85 Direction indicator lights on motor vehicles

- (1) A motor vehicle with 4 or more wheels that was built after August 1966 must have—
 - (a) a pair of direction indicator lights fitted on, or towards, its front that face forwards; and
 - (b) a pair of direction indicator lights fitted on, or towards, its rear that face backwards.

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- (2) A motor vehicle with less than 4 wheels that was built after June 1975 must have—
 - (a) a pair of direction indicator lights fitted on, or towards, its front that face forwards; and
 - (b) a pair of direction indicator lights fitted on, or towards, its rear that face backwards.
 - (3) A motor vehicle that is not required to have direction indicator lights may have—
 - (a) 1 or more pairs of direction indicator lights that are visible from both the front and rear of the vehicle; or
 - (b) both—
 - (i) a pair of direction indicator lights fitted on, or towards, its front that face forwards; and
 - (ii) a pair of direction indicator lights fitted on, or towards, its rear that face backwards.

86 Direction indicator lights on trailers

- (1) A trailer built after June 1973 must have a pair of direction indicator lights fitted on, or towards, its rear that face backwards.
- (2) A trailer that is not required to have direction indicator lights may have 1 or more pairs of direction indicator lights fitted on, or towards, its rear that face backwards.

87 Location of direction indicator lights

- (1) A pair of direction indicator lights fitted to a vehicle must have the centre of each light at least—
 - (a) for a motorbike or the single wheel end of a motortrike—300mm from the centre of the other light; and
 - (b) for lights fitted at the 2 wheel end of a motortrike—600mm from the centre of the other light, unless the centre of each direction indicator light is not over 400mm from the nearer side of the vehicle; and

- (c) for another vehicle with a width of not over 1300mm—400mm from the centre of the other light; and
 - (d) for another vehicle with a width of over 1300mm—600mm from the centre of the other light.
- (2) The centre of each direction indicator light must be at least 350mm above ground level.
 - (3) The centre of each light in a pair of direction indicator lights required to be fitted to a vehicle must not be over—
 - (a) 1.5m above ground level; or
 - (b) if it is not practicable for the light to be fitted lower—2.1m above ground level.
 - (4) For subsection (1), the width of a vehicle is measured disregarding any anti-skid device mounted on wheels, central tyre inflation systems, lights, mirrors, reflectors, signalling devices and tyre pressure gauges.

88 Operation and visibility of direction indicator lights

- (1) A direction indicator light fitted to a motor vehicle must—
 - (a) when operating, display regular flashes of light at a rate of not over 120, and—
 - (i) for a motor vehicle with 4 or more wheels—at least 60 flashes a minute; and
 - (ii) for another motor vehicle—at least 45 flashes a minute; and
 - (b) be able to be operated from the normal driving position by the driver; and
 - (c) be wired to an audible or visible device in the vehicle that tells the driver that the direction indicator light is operating; and
 - (d) flash at the same time and rate as any other direction indicator lights fitted on the same side of the vehicle.
- (2) A direction indicator light fitted to a side of a trailer must, when operating, flash at the same time and rate as the

direction indicator light or lights fitted to the same side of the motor vehicle towing the trailer.

- (3) The flashes of light displayed by a direction indicator light must be—
 - (a) if the light faces forwards—white or yellow; and
 - (b) if the light faces backwards—
 - (i) yellow; or
 - (ii) if a vehicle was built before July 1973—yellow or red; and
 - (c) if the light faces out from the side of the vehicle—
 - (i) white or yellow towards the front and side; and
 - (ii) if a vehicle was built before July 1973—yellow or red towards the rear and side; and
 - (iii) if a vehicle was built after June 1973—yellow towards the rear and side.
- (4) If a motor vehicle's direction indicator lights display only yellow light, the vehicle may be equipped to allow the lights to operate simultaneously on both sides of the vehicle, if a visible or audible signal tells the driver when the lights are operating simultaneously.
- (5) When on, a direction indicator light must be visible 30m from—
 - (a) if the light faces forwards—the front of the vehicle; or
 - (b) if the light faces backwards—the rear of the vehicle; or
 - (c) if the light faces out from the side of the vehicle—that side of the vehicle.
- (6) When on, each direction indicator light in at least 1 pair of lights fitted on or towards the front of a prime mover, or a motor vehicle over 7.5m long, must be visible at a point—
 - (a) 1.5m at right angles from the side of the vehicle where the light is fitted; and
 - (b) in line with the rear of the vehicle.

Division 12 Fog lights

89 Front fog lights

- (1) A pair of front fog lights may be fitted to a motor vehicle with 4 or more wheels.
- (2) A pair of front fog lights, or a single front fog light, may be fitted to a motorbike or motortrike.
- (3) A pair of front fog lights fitted to a motor vehicle with 4 or more wheels must have the centre of each light not over 400mm from the nearer side of the vehicle unless the centres of the lights are at least 600mm apart.
- (4) If the top of the front fog light is higher than the top of any low-beam headlight on the vehicle, the centre of the fog light must not be higher than the centre of the low-beam headlight.
- (5) A front fog light must—
 - (a) when on—
 - (i) project white or yellow light in front of the vehicle; and
 - (ii) be a low-beam light; and
 - (b) be able to be operated independently of any headlight; and
 - (c) be fitted so the light from it does not reflect off the vehicle into the driver's eyes.

90 Rear fog lights

- (1) A vehicle may have fitted to its rear—
 - (a) a pair of rear fog lights; or
 - (b) 1 rear fog light fitted on, or to the right, of the centre of the vehicle.
- (2) Subsection (1)(b) applies to a motorbike with an attached sidecar as if the sidecar were not attached.

- (3) A rear fog light must—
 - (a) have its centre—
 - (i) not over 1.5m above ground level; and
 - (ii) at least 100mm from the centre of a brake light; and
 - (b) when on, project red light behind the vehicle; and
 - (c) not use over 27W; and
 - (d) be wired to a visible device in the vehicle that tells the driver that the rear fog light is operating.

Division 13 Interior lights

91 Interior lights

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

Division 14 Reflectors generally

92 General requirements for reflectors

- (1) A reflector fitted to a vehicle must show a red, yellow or white reflection of light when light is projected directly onto the reflector at night by a low-beam headlight that—
 - (a) is 45m from the reflector; and
 - (b) complies with these standards.
- (2) The reflection must be clearly visible from the position of the headlight.

Division 15 Rear reflectors

93 Rear reflectors

- (1) A motor vehicle with 4 or more wheels, and a trailer, must have a rear-facing red reflector towards each side of its rear.
- (2) However, a sugar cane trailer need not comply with subsection (1) if is not towed at night.
- (3) A motorbike, a sidecar attached to a motorbike, and a motortrike, must have a rear-facing red reflector.
- (4) The centre of each reflector must be—
 - (a) at the same height above ground level; and
 - (b) not over 1.5m above ground level.
- (5) However, subsection (4) does not apply to a reflector fitted to a sidecar attached to a motorbike.
- (6) A reflector fitted to a motor vehicle with 4 or more wheels, or a trailer, must not be over 400mm from the nearer side of the vehicle.
- (7) A vehicle fitted with rear-facing red reflectors in accordance with subsection (1) or (3) may be fitted with additional red reflectors at any height above ground level or at any distance from the side of the vehicle.

Division 16 Side reflectors

94 Compulsory side reflectors on pole-type trailers

- (1) Yellow or red side-facing reflectors must be fitted to the pole of a pole-type trailer so that—
 - (a) 1 reflector is fitted to the middle third of the left and right faces of the pole; and
 - (b) the front reflector is not over 3m from the front of the trailer; and
 - (c) the other reflectors are not over 3m apart.

- (2) Additional side-facing reflectors may be fitted to a pole-type trailer in accordance with section 95.

95 Optional side reflectors

- (1) A vehicle may be fitted with side-facing reflectors.
- (2) A side-facing reflector—
 - (a) towards the front of the vehicle must be yellow or white; and
 - (b) towards the rear of the vehicle must be yellow or red; and
 - (c) on the central part of the vehicle must be yellow.

Division 17 Front reflectors

96 Compulsory front reflectors on certain trailers

- (1) A front-facing white or yellow reflector must be fitted towards each side of the front of either the following trailers, other than a sugar cane trailer—
 - (a) a semitrailer, other than a pole-type trailer;
 - (b) a trailer that is at least 2.2m wide.
- (2) A front-facing white or yellow reflector must be fitted towards the front of the front cross-bar or bolster of a pole-type trailer.
- (3) Each reflector must have its centre—
 - (a) at the same height above ground level; and
 - (b) not over 1.5m above ground level; and
 - (c) not over 400mm from the nearer side of the vehicle.
- (4) Additional front-facing reflectors may be fitted to a trailer mentioned in subsection (1) in accordance with section 95.

97 Compulsory front reflectors on sugar cane trailers

- (1) One white reflector must be fitted to each side of a sugar cane trailer, that is at least 2.2m wide, when it is towed at night.
- (2) Each reflector must have its centre—
 - (a) at least 350mm, but no more than 900mm, above ground level; and
 - (b) not over 150mm from the nearer side of the vehicle.

98 Optional front reflectors

- (1) A motor vehicle with 4 or more wheels, or a trailer, may have 1 or more front-facing white or yellow reflectors fitted towards each side of its front.
- (2) A motor vehicle with less than 4 wheels may have 1 or more front-facing white or yellow reflectors.
- (3) The centre of at least 1 reflector on each side of the front of the vehicle must be—
 - (a) at the same height above ground level as the centre of the other reflector; and
 - (b) the same distance from the longitudinal axis of the vehicle as the centre of the other reflector; and
 - (c) at least—
 - (i) if a vehicle has a width under 1.3m—400mm from the centre of the other reflector; or
 - (ii) if a vehicle has a width of 1.3m or over—600mm from the centre of the other reflector.
- (4) For subsection (3)(c), the width of a vehicle is measured disregarding any anti-skid device mounted on wheels, central tyre inflation systems, lights, mirrors, reflectors, signalling devices and tyre pressure gauges.

Division 19 Other lights, reflectors, rear marking plates or signals

104 Other lights and reflectors

- (1) Despite any requirement of a third edition ADR—
 - (a) an exempt vehicle may be fitted with any light or reflector; and
 - (b) a special use vehicle may be fitted with 1 or more flashing yellow lights; and
 - (c) a sugar cane trailer or a vehicle towing it may be fitted with 1 or more flashing yellow or green lights.
- (2) A vehicle, other than a police vehicle, must not be fitted with a blue light except with the written permission of the commissioner.
- (3) A vehicle may be fitted with any light or reflector not mentioned in these standards.
- (4) A vehicle, other than an exempt vehicle, a special use vehicle or a sugar cane trailer or a vehicle towing it must not be fitted with a light that flashes.
- (5) A vehicle, other than an exempt vehicle, must not be fitted with a light or reflector that—
 - (a) shows a red light to the front; or
 - (b) shows a white light to the rear; or
 - (c) is shaped or located in a way that reduces the effectiveness of a light or reflector that is required to be fitted to the vehicle under these standards.
- (6) In this section—

exempt vehicle means any of the following vehicles—

 - (a) a police vehicle;
 - (b) an emergency vehicle;
 - (c) a transport enforcement vehicle;
 - (d) an Australian Protective Service vehicle;

- (e) an Australian Customs Service vehicle;
- (f) an Airservices Australia vehicle.

special use vehicle means any of the following vehicles—

- (a) a vehicle built or fitted for use in hazardous situations on a road;
- (b) a vehicle, or combination, that because of its dimensions is permitted to be driven on a road only in accordance with a guideline or permit issued under the Act;
- (c) a vehicle built or fitted to accompany a vehicle, or combination, mentioned in paragraph (b);
- (d) a vehicle, whether or not a school bus, fitted with warning lights and warning signs under the *Transport Operations (Passenger Transport) Standard 2000*, schedule 1, section 19 or 25(1).

105 Flashing warning lights for sugar cane trailers

- (1) This section applies if a vehicle is towing a sugar cane trailer.
- (2) The vehicle or trailer must be fitted with—
 - (a) at least 1 lit flashing yellow light more than 1m above its direction indicators; or
 - (b) if the flashing light can not be conveniently attached as required by paragraph (a)—at least 1 lit flashing green light within 1m of its direction indicators.
- (3) When it is on, the light must be visible, in direct sunlight, for at least 200m from the vehicle.

106 Rear marking plates

- (1) Rear marking plates must be fitted to—
 - (a) a motor vehicle with a GVM over 12t, other than a bus fitted with hand grips or similar equipment for standing passengers to hold; and
 - (b) a trailer with a GTM over 10t.

- (2) Subsection (1) applies to a vehicle even if it was built before the date stated in the ADR.
- (3) Rear marking plates may be fitted to a motor vehicle with a GVM not over 12t or a trailer with a GTM not over 10t.
- (4) In this section—
rear marking plate means a rear marking plate complying with rule 13.6.101 of third edition ADR 13.

107 Signalling devices

- (1) This section applies to a motor vehicle if—
 - (a) the vehicle is not fitted with a brake light or direction indicator light mentioned in division 9 or 11; and
 - (b) the construction of the vehicle would otherwise prevent the driver from hand signalling an intention—
 - (i) to turn or move the vehicle to the right; or
 - (ii) to stop or suddenly reduce the speed of the vehicle.
- (2) The vehicle must be fitted with—
 - (a) a mechanical signalling device complying with section 108; or
 - (b) a pair of turn signals complying with section 109.

108 Mechanical signalling devices

- (1) A mechanical signalling device must—
 - (a) be fitted to the right side of the vehicle; and
 - (b) be able to be operated by the driver from a normal driving position; and
 - (c) consist of a white or yellow representation of an open human hand at least 15cm long; and
 - (d) be constructed so that the driver of the vehicle can keep the device—

- (i) in a neutral position so that it is unlikely that the driver of another vehicle or anyone else would regard it as a signal; and
 - (ii) in a horizontal position with the palm of the hand facing forwards and the fingers pointing out at a right angle to the vehicle to signal an intention to turn or move right; and
 - (iii) with the palm of the hand facing forwards and the fingers pointing upwards to signal an intention to stop or reduce speed suddenly.
- (2) When the mechanical signalling device is in a position mentioned in subsection (1)(d)(ii) or (iii), the complete hand must be clearly visible from both the front and the rear of the vehicle, at a distance of 30m.

109 Turn signals

A turn signal must—

- (a) consist of a steady or flashing illuminated yellow sign at least 15cm long and 25mm wide that—
 - (i) when in operation—is kept horizontal; and
 - (ii) when not in operation—is kept in a position so it is unlikely that the driver of another vehicle or anyone else would regard it as a signal; and
- (b) be fitted to the side of the vehicle at least 50cm and not over 2.1m above ground level, in a position so that the driver of the vehicle, from the normal driving position, can see whether the signal is in operation; and
- (c) be able to be operated by the driver from the normal driving position; and
- (d) when in operation, be visible from both the front and rear of the vehicle at a distance of 30m.

Division 20 Vehicles not required to have lights or reflectors

110 Certain vehicles used in daylight

This part does not apply to a vehicle built before 1931 that is used only in the daylight.

111 Certain vehicles used for collection or exhibition purposes

This part does not apply to a vehicle built before 1946 that is used mainly for exhibition purposes.

Part 8 Braking systems

Division 1 Brake requirements for all vehicles

112 Components of a braking system

- (1) A brake tube or hose fitted to a vehicle must—
 - (a) be manufactured from a material appropriate to its intended use in the vehicle; and
 - (b) be long enough to allow for the full range of steering and suspension movements of the vehicle; and
 - (c) be fitted to prevent it being damaged during the operation of the vehicle by—
 - (i) a source of heat; or
 - (ii) any movement of the parts to which it is attached or near.
- (2) Each component of the braking system of a vehicle with a GVM over 4.5t must comply with the design and performance requirements of any of the following relevant standards—

- (a) an Australian or British Standard; or
- (b) a standard approved by any of the following bodies—
 - the American Society of Automotive Engineers
 - the American National Standards Institute
 - the Japanese Standards Association
 - the Deutsches Institut für Normung
 - the International Organisation for Standardisation.

113 Provision for wear

The braking system of a vehicle must allow for adjustment to take account of normal wear in the braking system.

114 Supply of air or vacuum to brakes

- (1) If air brakes are fitted to a vehicle—
 - (a) the compressor supplying air to the brakes must be able to build up air pressure to at least 80% of the governor cut-out pressure in not over 5 minutes after the compressed air reserve is fully used up; and
 - (b) if the vehicle has a GVM over 4.5t—the air storage tanks must have sufficient capacity to allow 5 applications of the service brakes before the air pressure drops below half the governor cut-out pressure; and
 - (c) there must be an automatic or manual condensate drain valve at the lowest point of each air brake reservoir in the system; and
 - (d) any spring brake fitted to the vehicle must not operate before the warning mentioned in section 118(4)(a) or 121(3)(a) has been given.
- (2) If vacuum brakes are fitted to a vehicle, the vacuum supply must be able to build up vacuum—
 - (a) to the level when the warning signal mentioned in section 118(4)(a) or 121(3)(a) no longer operates within

30 seconds after the vacuum reserve is fully used up;
and

- (b) to the normal working level within 60 seconds after the vacuum reserve is fully used up.

115 Performance of braking systems

- (1) One sustained application of the brake of a motor vehicle built after 1930, or a combination that includes a motor vehicle built after 1930, must be able to produce the performance mentioned in subsections (2) to (7)—
 - (a) when the vehicle or combination is on a dry, smooth, level road surface, free from loose material; and
 - (b) whether or not the vehicle or combination is loaded; and
 - (c) without part of the vehicle or combination moving outside a straight path—
 - (i) centred on the longitudinal axis of the vehicle or combination before the brake was applied; and
 - (ii) 3.7m wide.
- (2) The braking system of a motor vehicle or combination with a gross mass under 2.5t must bring the vehicle or combination from a speed of 35km/h to a stop within—
 - (a) 12.5m when the service brake is applied; and
 - (b) 30m when the emergency brake is applied.
- (3) The braking system of a motor vehicle or combination with a gross mass of at least 2.5t must bring the vehicle or combination from a speed of 35km/h to a stop within—
 - (a) 16.5m when the service brake is applied; and
 - (b) 40.5m when the emergency brake is applied.
- (4) The braking system of a motor vehicle or combination with a gross mass under 2.5t must decelerate the vehicle or combination, from any speed at which the vehicle or combination can travel, by an average of at least—

Schedule 1

- (a) 3.8m a second a second when the service brake is applied; and
 - (b) 1.6m a second a second when the emergency brake is applied.
- (5) The braking system of a motor vehicle or combination with a gross mass of at least 2.5t must decelerate the vehicle or combination, from any speed at which the vehicle or combination can travel, by an average of at least—
 - (a) 2.8m a second a second when the service brake is applied; and
 - (b) 1.1m a second a second when the emergency brake is applied.
- (6) The braking system of a motor vehicle or combination with a gross mass under 2.5t must achieve a peak deceleration of the vehicle or combination, from any speed at which the vehicle or combination can travel, of at least—
 - (a) 5.8m a second a second when the service brake is applied; and
 - (b) 1.9m a second a second when the emergency brake is applied.
- (7) The braking system of a motor vehicle or combination with a gross mass of at least 2.5t must achieve a peak deceleration of the vehicle or combination, from any speed at which the vehicle or combination can travel, of at least—
 - (a) 4.4m a second a second when the service brake is applied; and
 - (b) 1.5m a second a second when the emergency brake is applied.
- (8) The parking brake of a vehicle or combination must be able to hold the vehicle or combination stationary on a 12% gradient.

Division 2 Motor vehicle braking systems

116 What braking system a motor vehicle must have

- (1) A motor vehicle with 4 or more wheels built, or used, mainly for transporting goods or people by road must be fitted with—
 - (a) a braking system that—
 - (i) consists of brakes fitted to all wheels of the vehicle; and
 - (ii) has at least 2 separate methods of activation, arranged so effective braking remains on at least 2 wheels if a method fails; or
 - (b) 2 independent brakes, each of which, when in operation, acts directly on at least half the number of wheels of the vehicle.
- (2) The braking system of a motor vehicle mentioned in subsection (1) that was built after 1945 must have a service brake operating on all wheels that, when applied—
 - (a) acts directly on the wheels and not through the vehicle's transmission; or
 - (b) acts on a shaft between a differential of the vehicle and a wheel.
- (3) The braking system of a motor vehicle with 4 or more wheels must have a parking brake that—
 - (a) is held in the applied position by direct mechanical action without the intervention of an electrical, hydraulic or pneumatic device; and
 - (b) is fitted with a locking device that can hold the brake in the applied position; and
 - (c) has its own separate control.
- (4) The parking brake may also be the emergency brake.
- (5) If 2 or more independent brakes are fitted to a motor vehicle with 4 or more wheels, the brakes must be arranged so brakes

are applied to all the wheels on at least 1 axle of the vehicle when any brake is operated.

- (6) A motorbike or motortrike must be fitted with—
 - (a) 2 independent brakes; or
 - (b) a single brake that acts directly on all wheels of the vehicle and is arranged so effective braking remains on at least 1 wheel if a part of the system fails.
- (7) Subsection (6) applies to a motorbike with a sidecar attached as if the sidecar were not attached.
- (8) A motortrike must have a parking brake that is held in the applied position by mechanical means.
- (9) In this section—

independent brake, for a vehicle, means a brake that is operated entirely separately from any other brake on the vehicle, other than for any drum, disc or part, on which a shoe, band or friction pad makes contact, that is common to 2 or more brakes.

117 Operation of brakes on motor vehicles

The braking system on a motor vehicle must be arranged to allow the driver of the vehicle to apply the brakes from a normal driving position.

118 Air or vacuum brakes on motor vehicles

- (1) If a motor vehicle has air brakes, the braking system of the vehicle must include at least 1 air storage tank.
- (2) If a motor vehicle has vacuum brakes, the braking system of the vehicle must include at least 1 vacuum storage tank.
- (3) An air or vacuum storage tank must be built so the service brake can be applied to meet the performance standards of section 115 at least twice if the engine of the vehicle stops or the source of air or vacuum fails.
- (4) An air or vacuum storage system must—

- (a) be built to give a visible or audible warning to the driver, while in a normal driving position, of a lack of air or vacuum that would prevent the service brake from being applied to meet the performance standards of section 115 at least twice; and
 - (b) be safeguarded by a check valve or other device against loss of air or vacuum if the supply fails or leaks.
- (5) However, subsection (4)(a) does not apply to a vehicle with a GVM of 4.5t or less that is fitted with an air or vacuum assisted braking system.
- (6) If air or vacuum brakes are fitted to a motor vehicle equipped to tow a trailer, the brakes of the vehicle must be able to stop the vehicle, at the performance standards for emergency brakes under section 115 if the trailer breaks away.
- (7) The braking system of a motor vehicle with a GVM over 4.5t equipped to tow a trailer fitted with air brakes must include protection against loss of supply line air or brake control signal air.
- (8) The protection must, if a brake supply line hose connecting the motor vehicle and a trailer fails—
- (a) operate automatically; and
 - (b) maintain enough air pressure to allow the brakes to be applied to meet performance standards for emergency brakes under section 115; and
 - (c) include a visible or audible warning to the driver of the motor vehicle.

Division 3 Trailer braking systems

119 What brakes a trailer must have

- (1) A trailer with a GTM over 750kg must have brakes that operate on at least 1 wheel at each end of 1 or more axles of the trailer.

- (2) A semitrailer or converter dolly with a GTM over 2t must have brakes that operate on all its wheels.
- (3) Despite subsections (1) and (2), a sugar cane trailer that—
 - (a) has an ATM less than 6t—requires no brakes; or
 - (b) has an ATM of 6t or more and no more than 12t—must have an efficient air or hydraulic braking system on at least 2 of its wheels capable of operation at the normal driving position by the driver of the vehicle towing the trailer; or
 - (c) has an ATM more than 12t and no more than 19t—must have an efficient air or hydraulic braking system on all its wheels capable of operation at the normal driving position by the driver of the vehicle towing the trailer.

120 Operation of brakes on trailers

- (1) The braking system of a trailer with a GTM over 2t must allow the driver of a motor vehicle towing the trailer to operate the brakes from a normal driving position.
- (2) However, subsection (1) does not apply to an unloaded converter dolly that weighs under 3t if the motor vehicle towing the converter dolly has a GVM over 12t.
- (3) The brakes on a trailer with a GTM over 2t, other than a sugar cane trailer, must, if the trailer breaks away from the towing vehicle—
 - (a) operate automatically and quickly; and
 - (b) remain in operation for at least 15 minutes after a break-away; and
 - (c) be able to hold the trailer on a 12% grade while in operation after a break-away.

121 Air or vacuum brakes on trailers

- (1) If a trailer has air brakes, its braking system must include at least 1 air storage tank.

- (2) If a trailer has vacuum brakes, its braking system must include at least 1 vacuum storage tank.
- (3) An air or vacuum storage system must—
 - (a) be constructed to give a visible or audible warning to the driver of the towing vehicle, while in a normal driving position, of a lack of air or vacuum that would prevent the brakes from meeting the performance standards of section 115; and
 - (b) be safeguarded by a check valve or other device against loss of air or vacuum if the supply fails or leaks.
- (4) Subsections (1) to (3) do not apply to a trailer with a GTM of 2t or less or a sugar cane trailer.

Division 4 Additional brake requirements for B-doubles and long road trains

122 Application of division to certain road trains

This division does not apply to a road train, or a vehicle used in a road train, if the road train has a length of 19m or less.

123 Braking system design for a prime mover in a B-double

- (1) A prime mover used in a B-double must comply with second edition ADR 35A or third edition ADR 35.
- (2) A prime mover used in a B-double must also have an anti-lock braking system complying with third edition ADR 64, if the prime mover—
 - (a) was built after 1989; or
 - (b) was first used in a B-double after 1993; or
 - (c) is used in a B-double that includes a road tank vehicle carrying dangerous goods.

124 Braking system design for motor vehicles in road trains

The performance of the service, secondary and parking brake systems of a motor vehicle used in a road train must comply with second edition ADR 35A or third edition ADR 35 if the vehicle would not otherwise be required to comply with an ADR about braking.

125 Braking system design for trailers in B-doubles or road trains

- (1) The performance of the service, secondary and parking brake systems of a trailer used in a B-double or road train must comply with second edition ADR 38 or third edition ADR 38 if the trailer would not otherwise be required to comply with an ADR about braking.
- (2) A road train trailer to which subsection (1) applies need not be fitted with a mechanical parking brake if it carries wheel chocks that provide a performance equal to the performance standard required for a parking brake system.
- (3) A semitrailer, regardless of when it was built, must have an anti-lock braking system that complies with third edition ADR 38/01, if—
 - (a) it is being used in a B-double that includes a road tank vehicle, whether or not the semitrailer is itself a road tank vehicle; and
 - (b) the road tank vehicle is carrying dangerous goods.

126 Air brakes of motor vehicles in B-doubles or road trains

- (1) If a B-double or road train is fitted with brakes that operate using compressed air, the braking system of the motor vehicle must comply with subsections (2) and (3) when—
 - (a) the pressure is measured in an 800mL vessel connected by a 2m pipe with a bore of approximately 13mm to the coupling head of the braking system; and
 - (b) the air pressure before the brakes are applied is not more than—

-
- (i) the average of the maximum and minimum pressures in the operating pressure range specified by the vehicle's manufacturer; or
 - (ii) if there is no manufacturer's specification—650kPa.
 - (2) The pressure must reach at least 420kPa within 400ms after the rapid and complete application of the foot-operated brake control.
 - (3) After the brakes have been fully applied, the pressure must fall, within 0.5s after the release of the foot-operated brake control, to 35kPa.

127 Air brakes in a B-double or road train—least favoured chamber

- (1) The pressure in the least favoured chamber of the braking system of a B-double or road train with brakes that operate using compressed air must comply with subsections (2) and (3) when the air pressure before the brakes are applied is not more than—
 - (a) the average of the maximum and minimum pressures in the operating pressure range specified by the vehicle's manufacturer; or
 - (b) if there is no manufacturer's specification—650kPa.
- (2) The pressure must reach at least 420kPa within—
 - (a) for a B-double—1s after the rapid and complete application of the foot-operated brake control; or
 - (b) for a road train—1.5s after the rapid and complete application of the foot-operated brake control.
- (3) After the brakes have been fully applied, the pressure must fall to 35kPa, or the pressure at which the friction surfaces cease to contact each other, within—
 - (a) for a B-double—1s after the release of the foot-operated brake control; or
 - (b) for a road train—1.5s after the release of the foot-operated brake control.

(4) In this section—

least favoured chamber means the brake chamber with the longest line to the treadle valve in the prime mover.

128 Recovery of air pressure for brakes in B-doubles and road trains

The air pressure in each air brake reservoir in a B-double or road train must recover to at least 420kPa within 1 min after 3 full brake applications have been made within a 10s period if, before the 3 brake applications have been made—

- (a) the engine is running at maximum speed; and
- (b) the governor cut-in pressure is no higher than—
 - (i) the pressure specified by the vehicle's manufacturer; or
 - (ii) if there is no manufacturer's specification—550kPa; and
- (c) the air pressure in the storage tanks of the vehicle is not more than—
 - (i) the average of the maximum and minimum pressures in the operating pressure range specified by the vehicle's manufacturer; or
 - (ii) if there is no manufacturer's specification—650kPa.

129 Air supply for brakes in B-doubles and road trains

A B-double or road train that uses compressed air to operate accessories must have—

- (a) sufficient air compressor capacity and air receiver volume to ensure that the operation of the accessories does not adversely affect brake performance; and
- (b) a compressed air system built to ensure that the brake system is preferentially charged.

130 Brake line couplings

- (1) Brake line couplings on the same part of a vehicle in a B-double or road train must not be interchangeable.
- (2) The couplings must be polarised in accordance with Australian Standard AS D8-1971 *Hose Couplings for Use with Vacuum and Air-Pressure Braking Systems on Prime Movers, Trailers and Semi-trailers* if the hoses used with the brake couplings are used for the same purpose as the hoses mentioned in the standard.

131 Simultaneous parking brake application

- (1) If the parking brake of a motor vehicle in a B-double or road train is applied, the parking brakes of any attached trailer must be applied automatically.
- (2) This section does not apply to a trailer carrying wheel chocks complying with section 125(2).

132 Capacity of air reservoirs

- (1) The capacity of the air storage tanks of a motor vehicle used in a B-double or road train must be at least 12 times the volume of all the brake activation chambers on the motor vehicle.
- (2) The capacity of the air storage tanks of a trailer used in a B-double or road train must be at least 8 times the volume of all the brake activation chambers on the trailer.

Part 9 Control of emissions

Division 1 Crank case gases and visible emissions

133 Crank case gases

- (1) This section applies to a motor vehicle with 4 or more wheels that is powered by a petrol engine and was built after 1971.
- (2) The vehicle must be built to prevent, or fitted with equipment that prevents, crank case gases from escaping to the atmosphere.

134 Visible emissions

- (1) This section applies to a motor vehicle that is propelled by an internal combustion engine and was built after 1930.
- (2) The vehicle must not emit visible emissions for a continuous period of 10s or more.
- (3) However, this section does not apply to emissions that are visible only because of heat or the condensation of water vapour.

Division 2 Exhaust systems

135 Exhaust systems

- (1) The outlet of the exhaust system fitted to a motor vehicle with a GVM over 4.5t, other than a bus or minibus, must extend—
 - (a) behind the back seat; and
 - (b) at least 40mm beyond the outermost joint of the floorpan that is not continuously welded or permanently sealed; and
 - (c) to the edge of the vehicle, if—

- (i) the body of the vehicle is permanently enclosed; and
 - (ii) the vehicle is not fitted with a vertical exhaust system; and
 - (d) no further than the edge of the vehicle at its widest point.
- (2) The outlet must discharge the main exhaust flow to the air—
- (a) if the vehicle is fitted with an exhaust system with a vertical outlet pipe—
 - (i) at an angle above the horizontal; and
 - (ii) at least 150mm above the cab of the vehicle; and
 - (iii) towards the rear, or to the right, of the vehicle; and
 - (b) in any other case—
 - (i) horizontally or at an angle of not over 45° downwards; and
 - (ii) under 750mm above ground level; and
 - (iii) towards the rear, or to the right, of the vehicle.
- (3) An exposed section of a vertical exhaust system fitted to a motor vehicle, other than a bus or minibus, with a GVM over 4.5t must be positioned or shielded to prevent injury.
- (4) The outlet of the exhaust system fitted to a bus or minibus with a GVM over 4.5t must—
- (a) be as near as practicable to the rear of the vehicle; and
 - (b) extend no further than the edge of the vehicle at its widest point.
- (5) An outlet mentioned in subsection (4) must discharge the main exhaust flow to the air—
- (a) if the vehicle is fitted with an exhaust system with a vertical outlet pipe—
 - (i) behind the passenger compartment; and
 - (ii) at an angle above the horizontal; and

- (iii) upwards or rearwards; and
 - (b) in any other case—
 - (i) horizontally or at an angle of not over 45° downwards; and
 - (ii) rearwards or to the right of the vehicle.
- (6) A vertical exhaust system fitted to a motor vehicle with a GVM over 4.5t must—
 - (a) if the vehicle is fitted with an exhaust system with a vertical outlet pipe that does not direct the main exhaust flow straight up—direct the flow rearwards at an angle within 0° to 45° of the longitudinal centre-line of the vehicle; and
 - (b) if a rain cap is fitted to the outlet pipe—be installed so the hinge of the cap is at an angle of 90° (plus or minus 10°) to the longitudinal centre-line of the vehicle when viewed from above.

Division 3 Noise emissions

Subdivision 1 General

136 Measurement of stationary noise levels

- (1) For this regulation, the stationary noise level of a motor vehicle must be measured—
 - (a) in accordance with the procedure set out for the kind of vehicle in the document entitled '*National Stationary Exhaust Noise Test Procedures for In-Service Motor Vehicles*' (the *national document*) published by the commission in April 2000; and
 - (b) by using 1 of the following instruments—
 - (i) an instrument mentioned in the national document;

- (ii) a type 2 meter under Australian Standard AS 1259.1—1990 *Acoustics—Sound level meters—Non-Integrating*;
- (iii) a class 1 or 2 meter under Australian Standard AS IEC 61672.1—2004 *Electroacoustics—Sound level meters—Specifications*.

(2) In this section—

commission means the National Transport Commission established by the *National Transport Commission Act 2003* (Cwlth).

136A Meaning of certified to ADR 83/00

For this regulation, a vehicle is certified to ADR 83/00 if approval has been given, under the *Motor Vehicle Standards Act 1989* (Cwlth), section 10A, to place identification plates showing compliance with ADR 83/00 on vehicles of that type.

136B Silencing device for exhaust systems

A motor vehicle propelled by an internal combustion engine must be fitted with a silencing device through which all the exhaust from the engine passes.

Subdivision 2 Noise levels applying to vehicles not certified to ADR 83/00

136C Application of sdiv 2

This subdivision applies to a motor vehicle other than a vehicle certified to ADR 83/00.

136D Stationary noise levels—cars, car derivatives, motorbikes and motortrikes

The stationary noise level of a car, car derivative, motorbike or motortrike must not be more than—

Schedule 1

- (a) for a car or car derivative built after 1982—90dB(A); or
- (b) for another car or car derivative—96dB(A); or
- (c) for a motorbike or motortrike built after February 1985—94dB(A); or
- (d) for another motorbike or motortrike—100dB(A).

136E Stationary noise levels—other vehicles with spark ignition engines

- (1) This section applies to a motor vehicle, other than a motor vehicle to which section 136D applies, with a spark ignition engine.
- (2) The stationary noise level of the motor vehicle must not be more than the noise level applying to the vehicle under the following table.

Column 1 Item	Column 2 GVM (t)	Column 3 Exhaust height (mm)	Column 4 When vehicle built	Column 5 Noise level (dB(A))
1	≤3.5	<1500	before July 1983	92
			after June 1983	89
2	>3.5	<1500	before July 1983	98
			after June 1983	95
3	≤3.5	≥1500	before July 1983	88
			after June 1983	85
4	>3.5	≥1500	before July 1983	94
			after June 1983	91

136F Stationary noise levels—other vehicles with diesel engines

- (1) This section applies to a motor vehicle, other than a motor vehicle to which section 136D applies, with a diesel engine.

- (2) The stationary noise level of the motor vehicle must not be more than the noise level applying to the vehicle under the following table.

Column 1 Item	Column 2 GVM (t)	Column 3 Exhaust height (mm)	Column 4 When vehicle built	Column 5 Noise level (dB(A))
1	≤3.5	<1500	before July 1980	105
			after June 1980 but before July 1983	102
			after June 1983	99
2	>3.5 but ≤12	<1500	before July 1980	107
			after June 1980 but before July 1983	104
			after June 1983	101
3	>12	<1500	before July 1980	109
			after June 1980 but before July 1983	106
			after June 1983	103
4	≤3.5	≥1500	before July 1980	101
			after June 1980 but before July 1983	98
			after June 1983	95
5	>3.5 but ≤12	≥1500	before July 1980	103
			after June 1980 but before July 1983	100
			after June 1983	97
6	>12	≥1500	before July 1980	105
			after June 1980 but before July 1983	102
			after June 1983	99

Subdivision 3 Noise levels applying to vehicles certified to ADR 83/00

136G Stationary noise levels

The stationary noise level of a motor vehicle that is certified to ADR 83/00 must not exceed, by more than 5dB(A), the noise level that is established for the motor vehicle when it is certified.

Part 10 LPG fuel systems

137 LPG-powered vehicles

- (1) A motor vehicle equipped to run on LPG must comply with the requirements for the use of LPG in vehicles in—
 - (a) Australian Standard AS 1425 in force at the commencement of this section; or
 - (b) if an earlier version of the standard was current when the vehicle was first equipped to run on LPG—that version.
- (2) A vehicle equipped to run on LPG must have fitted conspicuously to the front and rear number plates a label that is—
 - (a) made of durable material; and
 - (b) at least 25mm wide and 25mm high; and
 - (c) reflective red conforming to Australian Standard AS 1742-1975 *Manual of Uniform Traffic Control Devices*, Appendix C, Class 2; and

- (d) marked 'LPGAS' or 'LPG', or with words or acronyms to similar effect, in capital letters at least 6mm high.

Part 11 Maximum road speed limiting

138 Speed limiting

- (1) A bus with a GVM over 14.5t that was built after 1987 must comply with third edition ADR 65.
- (2) A prime mover with a GVM over 15t that was built after 1987 must comply with third edition ADR 65.
- (3) For third edition ADR 65, the maximum road speed capability of a motor vehicle used in a road train is 100km/h.

Note—

See, however, the Queensland Road Rules, section 24A, for the speed limit applying to a driver driving a road train.

139 Exemptions from speed limiting

Section 138 does not apply to—

- (a) an emergency vehicle or police vehicle; or
- (b) a bus fitted with hand grips or similar equipment for standing passengers to hold; or
- (c) a 2-axle prime mover if—
 - (i) it was built after 1987 but before July 1991; and
 - (ii) its owner is a person who uses it for agriculture, horticulture, or other primary production activities, other than forestry, fishing and mining.

Part 12 Mechanical connections between vehicles

Division 1 Couplings on all types of vehicles

140 General coupling requirements

- (1) A fifth wheel coupling, the mating parts of a coupling, a kingpin or a towbar must not be used for a load more than the manufacturer's load rating.
- (2) A kingpin must be used only with a fifth wheel coupling that has a corresponding jaw size.

Example for subsection (2)—

An adaptor must not be used to fit a kingpin to a fifth wheel coupling.

- (3) The mating parts of a coupling used to connect a semitrailer to a towing vehicle must not allow the semitrailer to roll to an extent that makes the towing vehicle unstable.

141 Drawbar couplings

- (1) A coupling for attaching a trailer, other than a semitrailer or pole-type trailer, to a towing vehicle must be built and fitted so that—
 - (a) the coupling is equipped with a positive locking mechanism; and
 - (b) the positive locking mechanism can be released regardless of the angle of the trailer to the towing vehicle.
- (2) If the trailer is in a combination and is not fitted with breakaway brakes in accordance with section 120(3), it must be connected to the towing vehicle by at least 1 chain, cable or other flexible device (the **connection**), as well as the coupling required by subsection (1).
- (3) The connection must be built and fitted so that—

- (a) if the coupling breaks or accidentally detaches—the trailer is kept in tow; and
 - (b) normal angular movement of the coupling is permitted without unnecessary slack.
- (4) If practicable, the connection must be built and fitted so the drawbar of the trailer is prevented from hitting the ground if the coupling accidentally detaches.
- (5) However, subsection (2) does not apply to a sugar cane trailer if it is fitted with a load sharing coupling that can not be disconnected from the towing vehicle without using tools.

Division 2 Additional coupling requirements for B-doubles and long road trains

142 Division does not apply to particular vehicles or couplings

This division does not apply to a vehicle or a coupling, including a part of a coupling, used in a road train 19m, or less, in length.

143 Couplings for B-doubles and road trains

- (1) A fifth wheel coupling used to connect a towing vehicle to a semitrailer used in a B-double or road train must not be built with a pivot that allows a semitrailer to roll relative to the towing vehicle.
- (2) However, subsection (1) does not apply to a fifth wheel coupling if—
- (a) the semitrailer design requires torsional stresses to be minimised; and
 - (b) the roll axis of the fifth wheel coupling is above the surface of the coupler plate; and
 - (c) the degree of rotation allowed around the roll axis of the fifth wheel coupling is restricted to prevent roll instability.

- (3) A trailer with only 1 axle group, or a single axle, other than a semitrailer or a converter dolly, that is used in a road train must not have a coupling fitted at its rear.

144 Selection of fifth wheel couplings for B-doubles and road trains

- (1) A fifth wheel coupling used in a B-double or road train must have a D-value complying with Australian Standard AS 1773-1990 *Articulated Vehicles—Fifth Wheel Assemblies*.
- (2) A turntable used in a B-double or road train must have a D-value conforming with Australian Standard AS 1773-1990 *Articulated Vehicles—Fifth Wheel Assemblies*.
- (3) If a fifth wheel coupling used in a B-double or road train is built for a 50mm or 90mm kingpin, the coupling must—
 - (a) meet the dimension requirements in Australian Standard AS 1773-1990 *Articulated Vehicles—Fifth Wheel Assemblies*; and
 - (b) not be worn away more than recommended by the standard.
- (4) If a fifth wheel coupling used in a B-double or road train is built for a 75mm kingpin, the coupling must—
 - (a) be compatible with the kingpin mentioned in section 148(3); and
 - (b) not be worn away so that it does not comply with section 145.

145 D-value of a fifth wheel coupling

In testing a fifth wheel coupling built for a 75mm kingpin used in a B-double or road train to decide whether its D-value complies with section 144(1), the longitudinal movement, after readjusting the jaws of the coupling using a kingpin built to the dimensions mentioned in section 148(3)(a), must not be over 4mm.

146 Mounting of fifth wheel couplings on B-doubles and road trains

A fifth wheel coupling must be mounted on a prime mover, or a semitrailer used in a B-double or road train, in accordance with Australian Standard AS 1771-1987 *Installation of Fifth Wheel and Turntable Assemblies*.

147 Branding of fifth wheel couplings and turntables on B-doubles and road trains

- (1) A fifth wheel coupling on a vehicle built after June 1991 forming part of a B-double or road train must be clearly and permanently marked in accordance with Australian Standard AS 1773-1990 *Articulated Vehicles—Fifth Wheel Assemblies* with—
 - (a) the name or trademark of its manufacturer; and
 - (b) its D-value rating; and
 - (c) its nominal size.
- (2) A turntable used in a vehicle built after the commencement of this section that forms part of a B-double or road train must be clearly and permanently marked with—
 - (a) the name or trademark of the turntable's manufacturer; and
 - (b) the D-value rating of the turntable in accordance with Australian Standard AS 1773-1990 *Articulated Vehicles—Fifth Wheel Assemblies*.

148 Selection of kingpins for B-doubles and road trains

- (1) A kingpin used in a B-double or road train must—
 - (a) be a 50, 75 or 90mm kingpin; and
 - (b) have a D-value complying with Australian Standard AS 2175-1990 *Articulated Vehicles—Kingpins*.
- (2) A 50 or 90mm kingpin used in a B-double or road train must—

149 Attachment of kingpins on B-doubles and road trains

A kingpin used in a trailer that forms part of a B-double or road train must be attached in accordance with—

- (a) the manufacturer's specifications and instructions; or
- (b) the guidelines detailed in Australian Standard AS 2175-1990 *Articulated Vehicles—Kingpins*.

150 Branding of kingpins on B-doubles and road trains

A kingpin used in a trailer built after June 1991 that forms part of a B-double or road train must be clearly and permanently marked on the lower circular face of the kingpin in accordance with Australian Standard AS 2175-1990 *Articulated Vehicles—Kingpins* with—

- (a) the name or trademark of its manufacturer; and
- (b) its D-value rating; and
- (c) its nominal size.

151 Selection of couplings and drawbar eyes for road trains

A drawbar-type coupling, or drawbar eye, used in a road train must—

- (a) be a 50mm pin type; and
- (b) have a D-value complying with Australian Standard AS 2213-1984 *50 mm Pin-Type Couplings and Drawbar Eyes for Trailers*; and
- (c) be built to the dimensions mentioned in the standard; and
- (d) not be worn away more than is recommended in the standard.

152 Attachment of couplings and drawbar eyes on road trains

A drawbar-type coupling, or drawbar eye, used in a road train must be built and positioned so—

- (a) when the road train is moving, the drawbar can move at least 15° upwards or downwards from the position it occupies when the road train is parked on level ground; and
- (b) the pivot point of the coupling is not over 300mm forward of the rear of the trailer to which it is attached; and
- (c) it is at a height of at least 800mm, but not over 950mm, when the road train is unloaded and parked on level ground.

153 Branding of couplings and drawbar eyes on road trains

A drawbar-type coupling, or drawbar eye, used on a vehicle built after June 1991 that forms part of a road train must be clearly and permanently marked in accordance with Australian Standard AS 2213-1984 *50 mm Pin-Type Couplings and Drawbar Eyes for Trailers* with—

- (a) the name or trademark of its manufacturer; and
- (b) its D-value rating.

154 Tow coupling overhang on road trains

- (1) The tow coupling overhang of a motor vehicle, other than a prime mover, used in a road train must not be more than the greater of—
 - (a) 30% of the distance from the centre of the front axle to the centre of the axle group or single axle at the rear of the vehicle; and
 - (b) 2.7m.
- (2) The tow coupling overhang of a semitrailer, or a dog trailer consisting of a semitrailer and converter dolly, used in a road train must not be more than 30% of the distance from the point of articulation to the centre of the axle group or single axle at the rear of the vehicle.
- (3) The tow coupling overhang of another dog trailer used in a road train must not be more than 30% of the distance from the

centre of the front axle group or single axle to the centre of the axle group or single axle at the rear of the vehicle.

(4) In this section—

tow coupling overhang, of a vehicle, means the horizontal distance from the centre of the axle group, or the centre-line of the single axle, at the rear of the vehicle to the pivot point of the coupling near the rear of the vehicle.

Part 13 Other matters

155 Retractable axles

(1) For these standards, a retractable axle is taken to be an axle only when it is in the lowered position.

(2) In this section—

retractable axle means an axle with a means of adjustment enabling it to be raised or lowered relative to the other axles in the axle group.

156 Interpretation of certain second edition ADRs

(1) This section applies to a left-hand drive motor vehicle.

(2) In applying the vehicle standards to the vehicle, the words “left” and “right” in the following second edition ADRs have the opposite meaning—

- ADR 8 Safety Glass
- ADR 12 Glare Reduction in Field of View
- ADR 14 Rear Vision Mirrors
- ADR 16 Windscreen Wipers and Washers
- ADRs 18 and 18A Location and Visibility of Instruments

- ADRs 35 and 35A Commercial Vehicle Braking Systems.

Schedule 2 Exempt areas

sections 20 to 22A

- 1 The areas of the shires of Aurukun, Barcoo, Boulia, Bulloo, Burke, Carpentaria, Cook, Croydon, Diamantina, Doomadgee, Etheridge, Hope Vale, Injinoo, Kowanyama, Lockhart River, Mapoon, Mornington, Napranum, New Mapoon, Pormpuraaw, Quilpie, Torres, Umagico, Warroo and Wujal Wujal.
- 2 For a type of SC vehicle—a Queensland island on which there is no AIS approved to inspect the type of SC vehicle.
- 3 For a motor cycle—an area outside a radius of 50km of an AIS approved to inspect motor cycles.
- 4 For a trailer with an ATM over 0.75t and under 3.5t—an area outside a radius of 50km of an AIS approved to inspect trailers with an ATM over 0.75t and under 3.5t.
- 5 For an SC vehicle of a type not covered under sections 2 to 4—an area of a shire or city mentioned in column 1, but not part of an area that is within a 25km radius of the principal post office of a town or city mentioned in column 2.

Column 1

Aramac

Balonne

Barcaldine

Bauhinia

Belyando

Bendemere

Column 2

Aramac

Barcaldine

Dirranbandi

Mungindi

St. George

Thallon

Barcaldine

Rolleston

Springsure

Clermont

Moranbah

Yuleba

Schedule 2

Column 1	Column 2
Blackall	Blackall
Booringa	Mitchell
	Morven
Bowen	Bowen
	Collinsville
Broadsound	Dysart
Bungil	Injune
	Roma
Chinchilla	Chinchilla
	Miles
Cloncurry	Cloncurry
	Mount Isa
Dalrymple	Charters Towers
	Greenvale
Douglas	Mossman
Duaringa	Blackwater
	Duaringa
Emerald	Blackwater
	Emerald
Flinders	Hughenden
Herberton	Herberton
	Ravenshoe
Ilfracombe	Isisford
	Longreach
Isisford	Isisford
Jericho	Alpha
Longreach	Longreach
Mareeba	Dimbula
	Kuranda
	Mareeba
	Mossman
McKinlay	Julia Creek

Column 1	Column 2
Mount Isa	Mount Isa
Murilla	Miles
Murweh	Augathella
	Charleville
	Morven
	Tambo
Nebo	Moranbah
Paroo	Cunnamulla
Peak Downs	Capella
	Clermont
	Dysart
	Emerald
Richmond	Richmond
Tambo	Tambo
Tara	Meandarra
	Tara
Taroom	Taroom
	Wandoan
Waggamba	Goondiwindi
	Thallon
Winton	Winton
Woorabinda	Duaringa

Schedule 3 Fees

section 4

	\$
1	Inspection of vehicle for issue of safety certificate—
	(a) motor vehicle with a GVM not over 4.5t 62.40
	(b) motorcycle. 40.10
	(c) trailer with an ATM over 0.75t but not over 3.5t . . 31.20
2	Inspection of vehicle for issue of certificate of inspection—
	(a) school bus or a bus with a GVM not over 4t. 65.35
	(b) any other bus with a GVM over 4t 77.15
	(c) another motor vehicle with a GVM not over 4.5t. . 40.10
	(d) another motor vehicle with a GVM over 4.5t but not over 16t. 89.05
	(e) another motor vehicle with a GVM over 16t 111.40
	(f) trailer with an ATM over 3.5t 50.50
3	Vehicle inspection booking fee 23.40
4	Reinspection of vehicle because of major defect 73.35
5	Reinspection of vehicle because of minor defect 36.00
6	If an authorised officer inspects a vehicle outside normal hours at the request of the vehicle’s owner, the owner must also pay a fee equal to the overtime payable to, and the travelling expenses incurred by, the officer.
7	Copy of approved examiner’s inspection report issued by the chief executive 17.60
8	Inspection of vehicle under section 36 of the Act 40.10
9	Surveying plans for modification of vehicle 71.35
10	Inspection of vehicle for issue of certificate of modification. 40.10
11	Application for AIS approval—
	(a) if the applicant is 1 or more individuals—the total of the following—
	(i) the fee payable under this subparagraph 77.00
	(ii) additional application fee—for each individual 33.05

	\$
(b) if the applicant is a corporation—the total of the following—	
(i) the fee payable under this subparagraph	77.00
(ii) additional application fee—for each executive officer of the corporation	33.05
12 Annual renewal of AIS approval	40.55
12A Application for appointment as the nominee for an AIS approval holder	33.05
13 Supplying book of 50 inspection certificates	60.95
14 Supplying book of 50 certificates of modification	37.00
15 Postage and handling for each package of up to 4 books of inspection certificates or certificates of modification	7.40
16 Issuing a replacement AIS approval	17.55
17 Issuing a replacement inspection certificate or replacement certificate of modification	17.60
18 Approval, under section 15 of the Act, of an alternative compliance scheme for section 22	77.05
19 For each vehicle accredited to participate in an alternative compliance scheme mentioned in item 18	25.60

Schedule 3A Statutory conditions of AIS approval

section 40A

- 1 The holder must comply with the vehicle inspection code of practice.
- 2 The proprietor of the AIS must not contravene the Act or permit or allow an approved examiner or other agent or employee of the proprietor to contravene the Act.
- 3 The proprietor of the AIS must ensure that a copy of the vehicle inspection code of practice—
 - (a) is kept in or at each AIS to which the approval relates; and
 - (b) is available for—
 - (i) use by an approved examiner for inspecting a vehicle; or
 - (ii) inspection by any other person at the AIS.
- 4 The proprietor of the AIS must ensure that—
 - (a) the proprietor or an approved examiner operating from the AIS is familiar with the contents of the vehicle inspection code of practice before undertaking an inspection for issuing an inspection certificate for a vehicle; and
 - (b) in determining whether or not a vehicle is defective, the proprietor or approved examiner has appropriate regard for the requirements of the vehicle inspection code of practice.
- 5 If the AIS is a mobile AIS, the proprietor must ensure that the AIS trading name and approval number is clearly and legibly displayed on the sides of the AIS.

- 6 The proprietor of the AIS must ensure that an incomplete inspection certificate is kept in a secure place except when the certificate is to be issued or is required by an authorised officer to be produced for inspection.
- 7 The holder must give the chief executive signed notice of any of the following events within 14 days after the event happens—
 - (a) the holder, or if the holder is a corporation, an executive officer of the holder is—
 - (i) convicted of a disqualifying offence; or
 - (ii) charged with a disqualifying offence and the charge has not been finally disposed of; or
 - (iii) convicted of an offence against the Act, or a corresponding law;
 - (b) if the holder is a corporation—a new executive officer of the holder is appointed.

Schedule 4 Dictionary

section 3

50mm kingpin means a kingpin meeting the dimension requirements for a 50mm kingpin in Australian Standard AS 2175-1990 *Articulated Vehicles—Kingpins*.

75mm kingpin means a kingpin with the dimensions mentioned in schedule 1, section 148(3).

90mm kingpin means a kingpin meeting the dimension requirements for a 90mm kingpin in Australian Standard AS 2175-1990 *Articulated Vehicles—Kingpins*.

adopted standard see schedule 1, section 13.

ADR see schedule 1, section 3.

air brake means an air-operated or air-assisted brake.

AIS means a fixed AIS or mobile AIS.

AIS approval see section 25.

approval, for chapter 4, means—

- (a) an AIS approval; or
- (b) a permit.

approved examiner means a person accredited as an approved person under the *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2005*.

approved person means a person accredited as an approved person under the *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2005*.

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

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

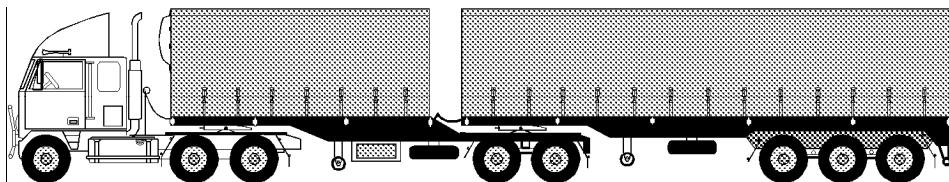
ATM (aggregate trailer mass), for a trailer—

- (a) means the maximum mass, specified by the manufacturer, for the loaded trailer; and
- (b) includes any mass imposed on the vehicle towing the trailer when they are on a horizontal surface.

axle means 1 or more shafts, positioned in a line across a vehicle, on which 1 or more wheels intended to support the vehicle turn.

axle group means a single axle, tandem axle, twinsteer axle, tri-axle, or quad-axle group.

B-double means a combination consisting of a prime mover towing 2 semitrailers.



Typical B-double

braking system, of a vehicle, means all the brakes of the vehicle and all the components of the mechanisms by which they are operated.

British Standard means a standard approved for publication on behalf of the British Standards Institution.

British Standards Institution means the institution of that name established under royal charter in the United Kingdom.

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

business means an AIS or a modification business.

car means a motor vehicle built mainly to carry people that—

- (a) seats not over 9 adults (including the driver); and
- (b) has a body commonly known as a sedan, station wagon, coupe, convertible, or roadster; and
- (c) has 4 or more wheels.

car derivative means a motor vehicle—

- (a) known as a utility or panel van; and
- (b) of the same make as a factory produced car; and
- (c) in which the forward part of the body and the greater part of the mechanical equipment are the same as those in the car mentioned in paragraph (b).

centre-line of an axle group means—

- (a) if the group consists of 2 axles, 1 of which is fitted with twice the number of tyres as the other axle—a line located one-third of the way from the centre-line of the axle with more tyres towards the centre-line of the axle with fewer tyres; and
- (b) in any other case—a line located midway between the centre-lines of the outermost axles of the group.

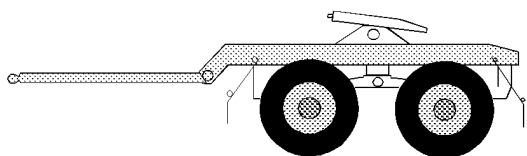
COI vehicle means each of the following—

- (a) a vehicle that is a public passenger vehicle under the *Transport Operations (Passenger Transport) Regulation 2005*, section 137, other than a public passenger vehicle mentioned there that—
 - (i) is built mainly to carry up to 9 seated adults (including the driver); and
 - (ii) is used to provide a community or courtesy transport service under the *Transport Operations (Passenger Transport) Act 1994*;
- (b) a bus not included in paragraph (a), other than a bus built mainly to carry up to 12 seated adults, including the driver, that is used for—
 - (i) private purposes; or
 - (ii) commercial purposes, other than for the business of carrying passengers;
- (ba) a vehicle, not included in paragraph (a), that is used by a school to carry students attending the school;
- (c) a driver training vehicle;

- (d) a vehicle licensed as a tow truck under the *Tow Truck Act 1973*;
- (e) any other motor vehicle not included in paragraphs (a) to (d) with a GVM of more than 4.5t;
- (f) a trailer with an ATM of more than 3.5t.

combination means a group of vehicles consisting of a motor vehicle connected to 1 or more vehicles.

converter dolly means a trailer with one axle group or single axle and a fifth wheel coupling designed to convert a semitrailer into a dog trailer.



Typical converter dolly

daylight means the period in a day from sunrise to sunset.

defective see section 13.

defect notice means a notice given under—

- (a) section 36 or 37 of the Act; or
- (b) section 14(2).

disposal of a vehicle includes a delivery of possession of the vehicle under a barter, gift, hire purchase agreement, lease, or sale but does not include—

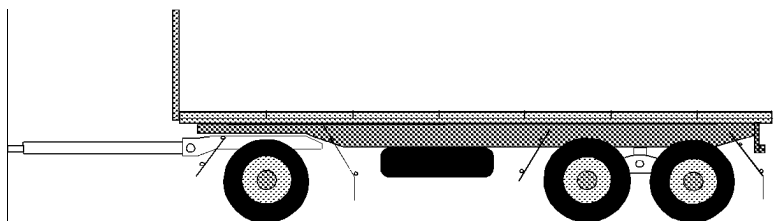
- (a) a disposal of the vehicle to a bailee for the purpose of the alteration, repair, renovation or garaging of the vehicle or a similar purpose that does not involve the use of the vehicle for the bailee's benefit; or
- (b) a disposal of the vehicle to a person because of the person being entitled to the vehicle as beneficiary in an estate; or
- (c) a passing of possession of the vehicle, or the apparent passing of possession of the vehicle, from 1 body corporate to another body corporate that happens or

appears to happen only because of any of the following—

- (i) the name of the former body corporate is changed according to law to the name of the latter body corporate;
 - (ii) the latter body corporate is a reconstruction of the former body corporate or is the result of an amalgamation of the former body corporate and 1 or more other bodies corporate, effected according to law;
 - (iii) the latter body corporate is a holding company or a subsidiary company of the former body corporate; or
- (d) a disposal as a result of the reconstitution of a partnership; or
 - (e) a disposal of an SC vehicle by a person to his or her spouse.

dog trailer means a trailer (including a trailer consisting of a semitrailer and converter dolly) with—

- (a) 1 axle group or single axle at the front that is steered by connection to the towing vehicle by a drawbar; and
- (b) 1 axle group or single axle at the rear.



Dog trailer

drawbar means a part of a trailer, other than a semitrailer, connecting the trailer body to a coupling for towing purposes.

drive includes be in control of.

driver of a vehicle means the person driving a vehicle.

emergency brake means a brake designed to be used if a service brake fails.

emergency vehicle means a motor vehicle—

- (a) fitted with—
 - (i) a repeater horn or siren; or
 - (ii) a flashing warning light; and
- (b) driven by—
 - (i) an officer of the Queensland Ambulance Service or an ambulance service of another State in the course of the officer's duty; or
 - (ii) an officer of the Queensland Fire and Rescue Authority or a fire and rescue service of another State in the course of the officer's duty; or
 - (iii) an officer or employee of another entity with the written permission of the commissioner in the course of the officer's or employee's duty.

fifth wheel coupling means a device, other than the upper rotating element and the kingpin (which are parts of a semitrailer), used with a prime mover, semitrailer, or converter dolly, to allow quick coupling and uncoupling and to provide for articulation.

fixed AIS means premises for which an AIS approval is current.

front fog light means a light used to improve the illumination of the road in case of fog, snowfall, heavy rain or a dust storm.

GTM (gross trailer mass) means the mass transmitted to the ground by the axles of a trailer when the trailer is loaded to its GVM and connected to a towing vehicle.

high-beam, for a headlight or front fog light fitted to a vehicle, means that the light is built or adjusted so, when the vehicle is standing on level ground, the top of the main beam of light projected is above the low-beam position.

identification plate has the meaning given by the *Motor Vehicle Standards Act 1989* (Cwlth).

inspection certificate means a safety certificate or certificate of inspection.

inspection report see section 17(8).

issuing authority means—

- (a) for an approval that is a permit for the safe movement on a road of a particular vehicle—the chief executive or commissioner; or
- (b) for any other approval—the chief executive.

left, for a vehicle, means to the left of the centre of the vehicle when viewed by a person in the vehicle who is facing to the front of the vehicle.

low-beam, for a headlight or front fog light fitted to a vehicle, means that the light is built or adjusted so, when the vehicle is standing on level ground, the top of the main beam of light projected is—

- (a) not higher than the centre of the headlight or fog light, when measured 8m in front of the vehicle; and
- (b) not over 1 metre higher than the level where the motor vehicle is standing, when measured 25m in front of the vehicle.

LPG (liquefied petroleum gas) means a mixture composed substantially of C3 or C4 hydrocarbons or both of them either in a liquid or a gaseous state.

major defect means, in relation to a vehicle being reinspected, that the vehicle is defective because of section 13(a) or (d).

minor defect means, in relation to a vehicle being reinspected, that the vehicle is defective other than because of section 13(a) or (d).

mobile AIS means a vehicle for which an AIS approval is current.

modification business means a business at which inspections are carried out for the issue of a certificate of modification.

modification plate means a modification plate.

modify a vehicle means change a vehicle (including by adding something to the vehicle) from the manufacturer's specifications for the vehicle.

moped means a motorbike or motortrike with an engine cylinder capacity of not over 50mL and a maximum speed of not over 50km/h.

motorbike means a motor vehicle with 2 wheels, and includes a 2 wheeled motor vehicle with a sidecar attached to it that is supported by a third wheel.

motor dealer means a person licensed to conduct the business of a motor dealer under the *Property Agents and Motor Dealers Act 2000*.

motortrike means a motor vehicle with 3 wheels, but does not include a 2 wheeled motor vehicle with a sidecar attached to it that is supported by a third wheel.

motor vehicle means a vehicle built to be propelled by a motor that forms part of the vehicle.

mudguard means a fitting or device, with or without a mudflap, that is built and fitted to a vehicle in a way that will, as far as practicable, catch or deflect downwards any stone, mud, water, or other substance, thrown up by the rotation of the wheel to which the fitting or device is fitted.

national standard see schedule 1, section 4.

night means the period between sunset on a day and sunrise on the next day.

off-road passenger vehicle means a motor vehicle having up to 9 seating positions, including that of the driver, and being designed with special features for off-road operation.

park a vehicle includes stop a vehicle and allow the vehicle to stay, whether or not the driver leaves the vehicle.

permit means a permit for the safe movement on a road of a particular vehicle.

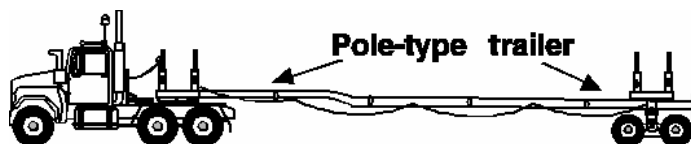
point of articulation means—

- (a) the axis of a kingpin for a fifth wheel; or

- (b) the vertical axis of rotation of a fifth wheel coupling; or
- (c) the vertical axis of rotation of a turntable assembly; or
- (d) the vertical axis of rotation of the front axle group, or single axle, of a dog trailer; or
- (e) the coupling pivot point of a semitrailer.

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 can generally support themselves like beams between supports.



Pole-type trailer

police vehicle means a vehicle driven by a police officer of the Queensland Police Service, or the police service of the Commonwealth or another State in the course of the police officer's duty.

proprietor of a business means—

- (a) for an AIS for which a nominee has been appointed—the nominee; or
- (b) for an AIS for which a nominee has not been appointed—the holder of the AIS approval; or
- (c) for a modification business—
 - (i) a self-employed person who is accredited to inspect and approve a type of modification; or
 - (ii) a person who employs an approved person to inspect and approve a type of modification.

quad-axle group means a group of 4 axles in which the horizontal distance between the centre-lines of the outermost axles is over 3.2m, but not over 4.9m.

rear fog light means a light used on a vehicle to make it more easily visible from the rear in dense fog.

reasonably considers means considers on reasonable grounds.

registered vehicle means a vehicle registered under a registration law.

registration law means the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 1999* or a corresponding law.

repeater horn means a device that makes a sound alternating between different tones or frequencies on a regular time cycle.

right, for a vehicle, means to the right of the centre of the vehicle when viewed by a person in the vehicle who is facing to the front of the vehicle.

road tank vehicle has the meaning given by the Australian Code for the Transport of Dangerous Goods by Road and Rail, seventh edition, approved by the Australian Transport Council.

safety certificate means a safety certificate consisting of a certificate and label.

school bus means any bus while it is being used exclusively for the carriage of school children to or from a school.

SC vehicle means—

- (a) a private vehicle other than a trailer with an ATM of not more than 3.5t; or
- (b) a trailer with an ATM of more than 0.75t but not more than 3.5t; or
- (c) a vehicle with a GVM of 4.5t or less that is used for transporting dangerous goods.

second edition ADR see schedule 1, section 5.

service brake, for a vehicle, means the brake normally used to decelerate the vehicle.

single axle means an axle not forming part of an axle group.

single axle group means a group of at least 2 axles in which the horizontal distance between the centre-lines of the outermost axles is under 1m.

spring brake means a brake using 1 or more springs to store the energy needed to operate the brake.

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

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

sugar cane trailer means a trailer—

- (a) with an ATM of no more than 20t; and
- (b) designed for carrying sugar cane.

tandem axle group means a group of at least 2 axles in which the horizontal distance between the centre-lines of the outermost axles is at least 1 metre, but not over 2m.

third edition ADR see schedule 1, section 6.

transport enforcement vehicle means a vehicle marked as a department vehicle and used by the department for enforcement purposes.

tri-axle group means a group of at least 3 axles in which the horizontal distance between the centre-lines of the outermost axles is over 2m, but not over 3.2m.

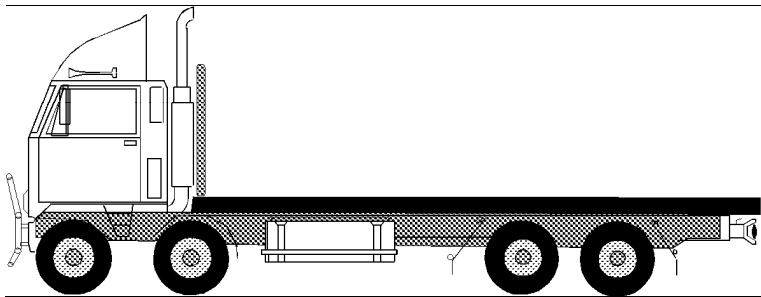
turntable means a bearing built to carry vertical and horizontal loads, but does not allow quick separation of its upper and lower rotating elements, and that is used to connect and allow articulation between—

- (a) a prime mover and semitrailer; or
- (b) the steering axle or axle group of a dog trailer and the body of the trailer; or

- (c) a fifth wheel coupling and the vehicle to which it is mounted.

twinsteer axle group means a group of 2 axles—

- (a) with single tyres; and
- (b) fitted to a motor vehicle and connected to the same steering mechanism; and
- (c) the horizontal distance between the centre-lines of which is at least 1 metre, but not over 2m.



Typical twinsteer axle group on a motor vehicle

vacuum brakes means vacuum-operated or vacuum-assisted brakes.

vehicle includes the equipment fitted to, or forming part of, a vehicle, but does not include—

- (a) a vehicle designed to be controlled by a person walking next to it; or
- (b) a vehicle propelled or designed to be propelled by human power; or
- (c) a vehicle drawn by animal power; or
- (d) a vehicle propelled by a motor with a maximum power output of not more than 200W; or
- (e) a motorised wheelchair that can not travel at over 10km an hour; or
- (f) a vehicle or combination being repaired, or being tested in the course of being repaired, so it will comply with the vehicle standards; or

- (g) an aircraft; or
- (h) for sections 16 to 23, any of the following—
 - (i) an agricultural implement, agricultural machine or mobile machinery within the meaning of the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 1999*;
 - (ii) a straddle truck;
 - (iii) a mobile crane;
 - (iv) a mobile dump truck;
 - (v) a tractor.

vehicle chassis, for a vehicle whose frame and body are a unit, includes the cab and cowl and a part of the body that is a structural support.

vehicle inspection code of practice see section 13.

vehicle standards means the standards for vehicles stated in schedule 1.

yellow includes amber.

Endnotes

1 Index to endnotes

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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 1 December 2009. Future amendments of the Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 1999 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	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 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments to	Effective	Reprint date
1	none	1 October 1999	1 October 1999
1A	2000 SL No. 89	1 July 2000	7 July 2000
1B	2000 SL No. 195	14 July 2000	21 July 2000
1C	2000 SL No. 297	27 November 2000	8 December 2000
2	2001 SL No. 57	1 July 2001	6 July 2001
2A	2002 SL No. 32	1 March 2002	15 March 2002

Reprint No.	Amendments included	Effective	Notes
2B	2002 SL No. 112	1 July 2002	
2C	2002 SL No. 199	19 August 2002	
2D	2003 SL No. 106	1 July 2003	
2E	2003 SL No. 358	19 December 2003	
2F	2004 SL No. 14	12 March 2004	

Reprint No.	Amendments included	Effective	Notes
2G	2004 SL No. 54	1 July 2004	
2H	2004 SL No. 302	17 December 2004	
2I	2005 SL No. 91	1 July 2005	
2J	2004 SL No. 301	5 July 2005	
2K	2005 SL No. 186	12 August 2005	
2L	2005 SL No. 187	1 September 2005	
2M	2005 SL No. 329	16 December 2005	R2M withdrawn, see R3
3	—	16 December 2005	
3A	2006 SL No. 90	1 July 2006	
3B	2006 SL No. 173	7 July 2006	
3C	2006 SL No. 289	1 December 2006	
3D	2007 SL No. 27	16 March 2007	
3E	2007 SL No. 83	1 July 2007	R3E withdrawn, see R4
4	—	1 July 2007	
4A	2007 SL No. 306	4 February 2008	
4B	2008 SL No. 58	15 March 2008	
4C	2008 SL No. 131	1 July 2008	
4D	2008 SL No. 396	17 December 2008	
4E	2008 SL No. 427	1 January 2009	R4E withdrawn, see R5
5	—	1 January 2009	
5A	2009 SL No. 64	1 July 2009	
5B	2009 SL No. 248	30 November 2009	
5C	2009 Act No. 24	1 December 2009	

5 Tables in earlier reprints

Name of table	Reprint No.
Corrected minor errors	2

6 List of legislation

Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 1999 SL No. 213

made by the Governor in Council on 9 September 1999

notfd gaz 10 September 1999 pp 180–3

ss 1–2 commenced on date of notification

remaining provisions commenced 1 October 1999 (see s 2)

exp 1 September 2010 (see SIA s 54)

Notes—(1) The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

(2) A regulatory impact statement and explanatory note were prepared.

amending legislation—

Transport Legislation Amendment Regulation (No. 1) 2000 SL No. 89 pts 1, 10
notfd gaz 19 May 2000 pp 218–19
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2000 (see s 2)

Transport Legislation Amendment Regulation (No. 3) 2000 SL No. 195 pts 1, 3
notfd gaz 14 July 2000 pp 946–7
commenced on date of notification

Transport Legislation Amendment Regulation (No. 4) 2000 SL No. 297 pts 1, 9
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, 6
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, 12
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 Legislation Amendment Regulation (No. 1) 2002 SL No. 32 pts 1, 9
notfd gaz 1 March 2002 pp 850–2
commenced on date of notification

Transport Legislation Amendment Regulation (No. 2) 2002 SL No. 112 pts 1, 15
notfd gaz 24 May 2002 pp 308–10
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2002 (see s 2)

Transport Legislation Amendment Regulation (No. 3) 2002 SL No. 199 pts 1, 5
notfd gaz 16 August 2002 pp 1420–1
ss 1–2 commenced on date of notification
remaining provisions commenced 19 August 2002 (see s 2)

Transport Legislation Amendment Regulation (No. 2) 2003 SL No. 106 pts 1, 16
notfd gaz 30 May 2003 pp 371–6
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2003 (see s 2)

Transport Legislation Amendment Regulation (No. 3) 2003 SL No. 358 pts 1, 7
notfd gaz 19 December 2003 pp 1307–13
commenced on date of notification

**Property Agents and Motor Dealers and Other Legislation Amendment Regulation
(No. 1) 2004 SL No. 14 pts 1, 3**
notfd gaz 12 March 2004 pp 966–7
commenced on date of notification

Transport Legislation Amendment Regulation (No. 1) 2004 SL No. 54 pts 1, 15

notfd gaz 14 May 2004 pp 112–14
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2004 (see s 2)

Transport Legislation Amendment Regulation (No. 4) 2004 SL No. 301 pts 1, 5

notfd gaz 17 December 2004 pp 1277–85
ss 1–2 commenced on date of notification
remaining provisions commenced 5 July 2005 (see s 2)

**Transport Legislation and Another Regulation Amendment Regulation (No. 1) 2004
SL No. 302 s 1, pt 6**

notfd gaz 17 December 2004 pp 1277–85
commenced on date of notification

Transport Legislation Amendment Regulation (No. 1) 2005 SL No. 91 pts 1, 16

notfd gaz 20 May 2005 pp 224–6
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2005 (see s 2)

Transport Legislation Amendment Regulation (No. 2) 2005 SL No. 186 pts 1, 8

notfd gaz 12 August 2005 pp 1297–1303
commenced on date of notification

**Transport Operations (Road Use Management—Accreditation and Other
Provisions) Regulation 2005 SL No. 187 ss 1–2, pt 10 div 3**

notfd gaz 12 August 2005 pp 1297–1303
ss 1–2 commenced on date of notification
remaining provisions commenced 1 September 2005 (see s 2)

**Transport Operations (Passenger Transport) Regulation 2005 SL No. 329 ss 1, 160
sch**

notfd gaz 16 December 2005 pp 1490–6
commenced on date of notification
Note—A regulatory impact statement and explanatory note were prepared.

**Transport Legislation and Another Regulation Amendment Regulation (No. 1) 2006
SL No. 90 ss 1, 2(1), pt 18**

notfd gaz 19 May 2006 pp 252–4
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2006 (see s 2(1))

**Transport Legislation and Another Regulation Amendment Regulation (No. 2) 2006
SL No. 173 pts 1, 10**

notfd gaz 7 July 2006 pp 1167–9
commenced on date of notification

**Transport and Other Legislation Amendment Regulation (No. 1) 2006 SL No. 289 s
1, pt 6**

notfd gaz 1 December 2006 pp 1587–90
commenced on date of notification

Transport Operations (Road Use Management—Accreditation and Other Provisions) and Other Legislation Amendment Regulation (No. 1) 2007 SL No. 27 s 1, pt 5

notfd gaz 16 March 2007 pp 1221–2
commenced on date of notification

Transport Legislation (Fees) Amendment Regulation (No. 1) 2007 SL No. 83 pts 1, 17

notfd gaz 18 May 2007 pp 345–8
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2007 (see s 2)

Transport Legislation Amendment Regulation (No. 3) 2007 SL No. 306 pts 1, 5

notfd gaz 7 December 2007 pp 1978–82
ss 1–2 commenced on date of notification
remaining provisions commenced 4 February 2008 (see s 2)

Transport Legislation Amendment Regulation (No. 1) 2008 SL No. 58 pts 1, 5

notfd gaz 14 March 2008 pp 1469–72
ss 1–2 commenced on date of notification
remaining provisions commenced 15 March 2008 (see s 2)

Transport Legislation (Fees) Amendment Regulation (No. 1) 2008 SL No. 131 pts 1, 17

notfd gaz 23 May 2008 pp 543–5
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2008 (see s 2)

Transport and Other Legislation Amendment Regulation (No. 2) 2008 SL No. 396 pts 1, 4

notfd gaz 5 December 2008 pp 1840–3
ss 1–2 commenced on date of notification
remaining provisions commenced 17 December 2008 (see s 2)

Transport Operations (Road Use Management—Dangerous Goods) Regulation 2008 SL No. 427 ss 1–2, 253 sch 3

notfd gaz 12 December 2008 pp 2044–53
ss 1–2 commenced on date of notification
remaining provisions commenced 1 January 2009 (see s 2)

Transport Legislation (Fees) Amendment Regulation (No. 1) 2009 SL No. 64 pts 1, 17

notfd gaz 22 May 2009 pp 331–3
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2009 (see s 2)

Queensland Civil and Administrative Tribunal (Jurisdiction Provisions) Amendment Act 2009 No. 24 ss 1–2, ch 13 pt 21

date of assent 26 June 2009
ss 1–2 commenced on date of assent
remaining provisions commenced 1 December 2009 (2009 SL No. 252)

Transport Legislation Amendment Regulation (No. 2) 2009 SL No. 248 pts 1, 4, s 16 sch

notfd gaz 6 November 2009 pp 728–30

ss 1–2 commenced on date of notification

remaining provisions commenced 30 November 2009 (see s 2)

7 List of annotations

Vehicles must comply with vehicle standards

s 5 amd 2000 SL No. 297 s 61; 2004 SL No. 302 s 16

Modifying motor vehicle after speeding conviction

s 7 amd 2004 SL No. 301 s 19

Guidelines and permits for vehicles

s 10 amd 2002 SL No. 32 s 33

Permit contents and conditions

s 11 amd 2002 SL No. 32 s 34

Driving under guideline or permit

s 12 amd 2002 SL No. 32 s 35

When a vehicle is defective

s 13 amd 2000 SL No. 297 s 62; 2001 SL No. 28 s 28

Defect notices

s 14 amd 2000 SL No. 297 s 63

Identifying vehicle before inspection

s 16A ins 2001 SL No. 28 s 29
amd 2006 SL No. 173 s 35

Inspections by approved examiners for inspection certificate

s 17 amd 2000 SL No. 297 s 64; 2001 SL No. 28 s 30; 2005 SL No. 186 s 40

Issue of replacement certificate if registration refused

s 17A ins 2001 SL No. 28 s 31
amd 2007 SL No. 27 s 19

Reinspection by approved examiners for inspection certificate

s 18 amd 2000 SL No. 297 s 65; 2005 SL No. 186 s 41

SC vehicles for sale

s 20 amd 2000 SL No. 297 s 66; 2001 SL No. 28 s 32; 2005 SL No. 186 s 42; 2009
SL No. 248 s 16 sch

Disposal of registered vehicles

s 21 amd 2000 SL No. 297 s 67

Registered COI vehicles always require certificate of inspection

s 22 amd 2000 SL No. 297 s 68

References to particular areas mentioned in schedule 2

s 22A ins 2008 SL No. 58 s 14

Currency of certificates

s 23 amd 2000 SL No. 297 s 69; 2002 SL No. 32 s 36; 2004 SL No. 302 s 17

Extension of time to comply

s 24 amd 2003 SL No. 358 s 27

AIS approvals

s 25 amd 2003 SL No. 358 s 28

Nominees

s 26 amd 2009 SL No. 248 s 17

Nominee is required to notify chief executive of particular events

s 26A ins 2009 SL No. 248 s 18

Inspections permitted at an AIS

s 29 amd 2000 SL No. 297 s 70

Approval of modified vehicle

s 30 amd 2002 SL No. 32 s 37; 2005 SL No. 186 s 43

Document keeping

s 34 amd 2000 SL No. 297 s 71; 2005 SL No. 186 s 44

Codes of practice

s 36 om 2000 SL No. 297 s 72

Prescribed approvals—Act, ss 17B and 18(1)(c)(ii)

prov hdg amd 2009 SL No. 248 s 19(1)

s 37 amd 2009 SL No. 248 s 19(2)–(6)

Statutory conditions

s 40A ins 2001 SL No. 28 s 33

Discretionary conditions

s 41 amd 2000 SL No. 297 s 73

sub 2001 SL No. 28 s 33

Review of decisions

s 44 amd 2001 SL No. 28 s 34; 2009 SL No. 248 s 16 sch

sub 2009 Act No. 24 s 1828

Waiver of particular fees

s 44A ins 2007 SL No. 306 s 13

sub 2009 SL No. 248 s 20

Refund of particular fees for AIS approval or approval as nominee

prov hdg sub 2009 SL No. 248 s 21(1)

s 44B ins 2007 SL No. 306 s 13

amd 2009 SL No. 248 s 21(2)–(3)

Existing nominees for holders of AIS approvals

s 48A ins 2009 SL No. 248 s 22

Application for appointment of nominee

s 48B ins 2009 SL No. 248 s 22

CHAPTER 6—MISCELLANEOUS

ch hdg sub 2000 SL No. 195 s 6

Alternative compliance scheme—maintenance

s 49 sub 2000 SL No. 195 s 6

CHAPTER 7—OTHER AMENDMENTS

ch hdg om R1 (see RA s 7(1)(k))

PART 1—AMENDMENT OF JUSTICES REGULATION 1993

pt hdg om R1 (see RA s 7(1)(k))

Meaning of “nominee” for Act, s 17C

s 50 prev s 50 om (see RA s 40)
pres s 50 ins 2009 SL No. 248 s 23

**Omission of sch 1, pt 25 (Transport Operations (Road Use Management—Motor
Vehicles Safety) Transitional Regulation 1984)**

s 51 om (see RA s 40)

Amendment of sch 1, pt 40 (Traffic Regulation 1962)

s 52 om (see RA s 40)

Insertion of new sch 1, pt 45F

s 53 om (see RA s 40)

PART 2—AMENDMENT OF TRAFFIC REGULATION 1962

pt 2 (ss 54–67) om R1 (see RA ss 7(1)(k) and 40)

**PART 3—AMENDMENT OF TRANSPORT OPERATIONS (ROAD USE
MANAGEMENT) REGULATION 1995**

pt 3 (ss 68–75) om R1 (see RA ss 7(1)(k) and 40)

SCHEDULE 1—VEHICLE STANDARDS

sch hdg amd 2002 SL No. 32 s 38

Mudguards and spray suppression

s 22 amd 2007 SL No. 27 s 20(1)

Electrical wiring, connections and installations

s 30 amd 2007 SL No. 27 s 20(2)

Television receivers and visual display units

s 31 amd 2007 SL No. 27 s 20(3)

Tyres—manufacturer’s rating

s 41 amd 2000 SL No. 297 s 74(1)

Retreads

s 42 amd 2007 SL No. 27 s 20(4)

Tyre tread

s 43 amd 2000 SL No. 297 s 74(2)

Alternative tyres, rims and wheels

s 44 amd 2005 SL No. 186 s 45

Compulsory front reflectors on certain trailers

s 96 amd 2007 SL No. 27 s 20(5)

Division 18—Warning lights and signs on buses carrying children

div 18 (ss 99–103) om 2004 SL No. 301 s 20(1)

Other lights and reflectors

s 104 amd 2004 SL No. 301 s 20(2)–(3); 2005 SL No. 329 s 160 sch 10; 2008 SL No. 396 s 15

PART 9—CONTROL OF EMISSIONS

Exhaust systems

s 135 amd 2009 SL No. 248 s 16 sch

Division 3—Noise emissions

div hdg sub 2004 SL No. 302 s 18

Subdivision 1—General

sdiv hdg ins 2004 SL No. 302 s 18

Measurement of stationary noise levels

s 136 sub 2004 SL No. 302 s 18
amd 2009 SL No. 248 s 16 sch

Meaning of certified to ADR 83/00

s 136A ins 2004 SL No. 302 s 18

Silencing device for exhaust systems

s 136B ins 2004 SL No. 302 s 18

Subdivision 2—Noise levels applying to vehicles not certified to ADR 83/00

sdiv 2 (ss 136C–136F) ins 2004 SL No. 302 s 18

Subdivision 3—Noise levels applying to vehicles certified to ADR 83/00

sdiv 3 (s 136G) ins 2004 SL No. 302 s 18

LPG-powered vehicles

s 137 amd 2000 SL No. 297 s 74(3)

Speed limiting

s 138 amd 2006 SL No. 289 s 39

General coupling requirements

s 140 amd 2007 SL No. 27 s 20(6)

Selection of couplings and drawbar eyes for road trains

s 151 amd 2007 SL No. 27 s 20(7)

Branding of couplings and drawbar eyes on road trains

s 153 amd 2007 SL No. 27 s 20(8)

Tow coupling overhang on road trains

s 154 amd 2009 SL No. 248 s 16 sch

SCHEDULE 2—EXEMPT AREAS

amd 2000 SL No. 297 s 75; 2008 SL No. 58 s 15

SCHEDULE 3—FEES

sub 2000 SL No. 89 s 20

amd 2000 SL No. 195 s 7; 2000 SL No. 297 s 76

sub 2001 SL No. 57 s 24; 2002 SL No. 112 s 30

amd 2002 SL No. 199 s 11

sub 2003 SL No. 106 s 32; 2004 SL 54 s 30; 2005 SL No. 91 s 32; 2006 SL
No. 90 s 40; 2007 SL No. 83 s 34

amd 2007 SL No. 306 s 14

sub 2008 SL No. 131 s 37; 2009 SL No. 64 s 38

amd 2009 SL No. 248 s 24

SCHEDULE 3A—STATUTORY CONDITIONS OF AIS APPROVAL

ins 2001 SL No. 28 s 35

amd 2009 SL No. 248 s 25

SCHEDULE 4—DICTIONARY

def “**50mm kingpin**” amd 2007 SL No. 27 s 21

def “**90mm kingpin**” amd 2007 SL No. 27 s 21

def “**approved examiner**” amd 2005 SL No. 187 s 139(1)

def “**approved person**” amd 2005 SL No. 187 s 139(2)

def “**Australian Standard**” om 2002 SL No. 32 s 39

def “**axle group**” sub 2009 SL No. 248 s 16 sch

def “**bus**” amd 2000 SL No. 297 s 77(3)

def “**centre-line**” ins 2009 SL No. 248 s 16 sch

def “**centre line**” om 2009 SL No. 248 s 16 sch

def “**COI vehicle**” sub 2000 SL No. 297 s 77(1)–(2)

amd 2004 SL No. 302 s 19; 2005 SL No. 329 s 160 sch 10

def “**inspection report**” amd 2000 SL No. 297 s 77(4)

def “**major defect**” ins 2002 SL No. 199 s 12

def “**minibus**” om 2000 SL No. 297 s 77(1)

def “**minor defect**” ins 2002 SL No. 199 s 12

def “**motor dealer**” amd 2004 SL No. 14 s 5

def “**quad-axle group**” ins 2009 SL No. 248 s 16 sch

def “**quad axle group**” om 2009 SL No. 248 s 16 sch

def “**road tank vehicle**” sub 2008 SL No. 427 s 253 sch 3

def “**single axle group**” amd 2009 SL No. 248 s 16 sch

def “**Standards Association of Australia**” om 2002 SL No. 32 s 39

def “**tandem axle group**” amd 2009 SL No. 248 s 16 sch

def “**tri-axle group**” ins 2009 SL No. 248 s 16 sch

def “**tri axle group**” om 2009 SL No. 248 s 16 sch

def “**twinsteer axle group**” amd 2009 SL No. 248 s 16 sch

def “**vehicle**” sub 2000 SL No. 297 s 77(1)–(2)

def “**vehicle inspection code of practice**” ins 2001 SL No. 28 s 36

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