

Queensland



Subordinate Legislation 1992 No. 275

Traffic Act 1949

**TRAFFIC AMENDMENT REGULATION (No. 3)
1992**

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Short title

1. This regulation may be cited as the *Traffic Amendment Regulation (No. 3) 1992*.

Amended regulation

2. The *Traffic Regulation 1962* is amended as set out in this regulation.

Amendment of s.4 (Interpretation)

3. Section 4(1)—

insert—

‘ **“Brisbane Central Traffic Area”** means the Brisbane Central Traffic Area under clause 2 of Part 5 of chapter 14 of the Ordinances of the Brisbane City Council;

“city” means a city under the *Local Government Act 1936*;

“City of Brisbane” has the meaning given in section 4 of the *City of Brisbane Act 1924*;

“excess dimension permission” means the permission of the District Superintendent or Superintendent to exceed the standard dimensions;

“excess dimension vehicle” means a motor vehicle with its loading (if any) that exceeds the standard dimensions;

“O.D. Route 2” means the route—

(a) described by that name on a map issued by the chief executive of the department; and

(b) indicated on the roads comprising the route by official traffic signs;

“pilot vehicle” means a motor vehicle used for escorting, and warning of the presence on a road of, an excess dimension vehicle;

“pilot vehicle driver’s licence” means a licence issued under section 188;

“pilot vehicle escort record” means a record kept under section 203;

“pilot vehicle licence” means a licence issued under section 187;

“standard dimensions” of a motor vehicle with its loading (if any) means the limits that, under clause 43 of the Schedule to Part 13, may be exceeded only in compliance with the prior written permission of a District Superintendent or Superintendent;’.

Amendment of s.50 (Speed limits)

4. Section 50—

insert—

‘(2) Without limiting subsection (1), a person must not drive an excess dimension vehicle, that is required to be escorted by a pilot vehicle, on a road at greater than 80 km/h.’.

Replacement of s.75B

5. Section 75B—

omit, insert—

‘Unauthorised use of warning signs prohibited

‘75B.(1) In this section—

“warning sign” means a sign bearing the words ‘Road Train’, ‘Long Load’, ‘Wide Load’, ‘Wide Vehicle’, ‘Long Wide Load’, ‘Long Vehicle’, ‘Slow Vehicle’ or other similar words.

‘(2) A person must not drive on a road a vehicle displaying a warning sign, unless—

- (a) it is a requirement of this regulation, or a permit issued or other permission given under this regulation; or
- (b) if the vehicle is temporarily in Queensland on a journey from another State or Territory, it is a requirement of—
 - (i) a law of the State or Territory; or
 - (ii) a permit issued or other permission given under such a law; in relation to driving the vehicle on a road in the State or Territory.’.

Omission of s.185**6.** Section 185—

omit.

Amendment of s.188**7.** Section 188(1)—

omit.

Amendment of s.190**8.(1)** Section 190(1)—

omit, insert—

‘(1) Subject to subsection (1A), a person must not operate a vehicle as a pilot vehicle unless—

- (a) the person holds a pilot vehicle driver’s licence; and
- (b) the operation of the vehicle as a pilot vehicle is authorised under a pilot vehicle licence; and
- (c) any excess dimension permission that is required in relation to the vehicle being escorted has been obtained; and
- (d) the person complies with every condition of the licences mentioned in paragraphs (a) and (b) and the permission mentioned in paragraph (c).

‘(1A) Subsection (1) does not apply to a primary producer operating a vehicle as a pilot vehicle if—

- (a) the excess dimension vehicle being escorted is intended, or is carrying an indivisible article that is intended, for use in primary production on land owned or controlled by the primary producer; and
- (b) the pilot vehicle is a motor car, motor utility truck or motor truck that—
 - (i) has a gross vehicle mass of not more than 4.5 t; and
 - (ii) complies with the provisions of Schedule C, other than

clause 7.’.

(2) Section 190(2)(a) (after ‘excess dimension vehicle’)—

insert ‘being escorted’.

(3) Section 190(2)(c)—

omit ‘; and’, *insert* ‘.’.

(4) Section 190(2)(d)—

omit.

Omission of s.191

9. Section 191—

omit.

Amendment of s.192

10.(1) Section 192(1)—

omit.

(2) Section 192(5)—

omit ‘The’, *insert* ‘Subject to subsection (5A), the’.

(3) After section 192(5)—

insert—

‘(5A) Subsection (5) does not apply to a primary producer to whom section 190(1A) applies.’.

(4) Section 192(6)(b) (after ‘amber light’)—

insert ‘or strobe-type flashing amber light’.

Replacement of s.203

11. Section 203—

omit, insert—

‘Pilot vehicle escort record

‘203.(1) In this section—

“approved form” means the form approved by the chief executive of the department;

“licensee” means the holder of a pilot vehicle driver’s licence.

‘(2) This section does not apply in relation to a journey undertaken as an escort for an excess dimension vehicle for which excess dimension permission has been obtained.

‘(3) A licensee must keep a record in the approved form containing, for each journey undertaken as an escort for an excess dimension vehicle, the following details—

- (a) the starting time and place;
- (b) the destination;
- (c) the route;
- (d) the dimensions of the excess dimension vehicle;
- (e) the dimensions and a description of any loading carried by the excess dimension vehicle;
- (f) any other details required by the approved form.

‘(4) Before escorting an excess dimension vehicle on a journey, a licensee must—

- (a) complete the pilot vehicle escort record with the details mentioned in subsection (3) that the licensee knows at the time; and
- (b) give a copy of the record to the driver of the excess dimension vehicle.

‘(5) The licensee and the driver of the excess dimension vehicle must each—

- (a) during the journey—
 - (i) keep his or her copy of the record in his or her vehicle; and
 - (ii) produce the copy for inspection if requested by an authorised officer; and
- (b) at the end of the journey—complete his or her copy of the record

with the details mentioned in subsection (3).

‘(6) The licensee is not required to comply with this section in relation to a journey if—

- (a) another licensee also escorted the excess dimension vehicle on the journey; and
- (b) the other licensee has complied with this section in relation to the journey.’

Amendment of s.205

12.(1) Section 205(2)(b) and (c)—

omit.

(2) After section 205(2)—

insert—

‘**(2A)** Subject to this section, a person is not required to have excess dimension permission for an excess dimension vehicle that is a motor vehicle carrying an indivisible article—

- (a) if—
 - (i) the motor vehicle is escorted by at least 1 licensed pilot vehicle; and
 - (ii) the article is not more than 25 m long or 4 m wide; and
 - (iii) the loaded motor vehicle is not more than 4 m wide or 5 m high; or
- (b) if—
 - (i) the motor vehicle is escorted by at least 1 licensed pilot vehicle; and
 - (ii) the motor vehicle is an articulated vehicle of the type commonly known as a ‘low loader’; and
 - (iii) the dimensions of the loaded motor vehicle do not exceed 30 m in length, 3.5 m in width or 5 m in height; or

- (c) if—
- (i) the motor vehicle is escorted by at least 2 licensed pilot vehicles; and
 - (ii) the article is not more than 30 m long or 4.6 m wide; and
 - (iii) the loaded motor vehicle is not more than 4.6 m wide or 5 m high.’.

Insertion of new ss.205A–E

13. After section 205—

insert—

‘Application of ss.205B–E

‘205A. Sections 205B to E apply only in relation to an excess dimension vehicle for which, under section 205(2A), excess dimension permission is not required.

‘Requirements for an excess dimension vehicle being escorted

‘205B.(1) This section applies only in relation to an excess dimension vehicle mentioned in section 205A.

‘(2) A person driving an excess dimension vehicle being escorted by a pilot vehicle must ensure that the excess dimension vehicle has—

- (a) a rotating flashing amber light or strobe-type flashing amber light attached to its roof; and
- (b) signs attached to—
 - (i) the front, so as to be clearly visible to approaching traffic; and
 - (ii) the rear, so as to be clearly visible to following traffic;

indicating, in black letters against a reflective yellow background, the nature of the construction or loading of the vehicle, by using the words ‘Wide Load’, ‘Long Load’, ‘Long Wide Load’ or other appropriate words; and
- (c) red flags of at least 300 mm by 300 mm, attached to each corner

of the vehicle or its load, whichever exceeds the standard dimensions.

‘(3) On the signs mentioned in subsection (2)(b)—

- (a) the black letters must be at least 140 mm high; and
- (b) the reflective yellow background must comply with Australian Standard 1906 Part 1—class 1 or 2.

‘(4) A person driving an excess dimension vehicle that is not being escorted by a pilot vehicle must ensure that any light or lamp attached to the vehicle, of the type mentioned in subsection (2)(a), is not operated.

‘Times that excess dimension vehicles may be driven

‘205C.(1) This section applies only in relation to an excess dimension vehicle mentioned in section 205A.

‘(2) Subject to this section, a person must not drive an excess dimension vehicle on a road out of daylight hours.

‘(3) Despite subsection (2), a person may drive an excess dimension vehicle until 7 p.m. if—

- (a) the journey being undertaken on that day can be completed by that time; and
- (b) the person reasonably considers that to do so—
 - (i) would be safe, having regard to road and traffic conditions; and
 - (ii) would not unreasonably inconvenience the public.

‘(4) Despite subsection (2), a person may drive an excess dimension vehicle in the City of Brisbane or any other city from 2 a.m. if the person reasonably considers that it is necessary to do so to complete the journey being undertaken on that day, or to be out of the city, by 7 a.m.

‘Requirements for excess dimension vehicle being driven out of daylight hours

‘205D.(1) This section applies only in relation to an excess dimension vehicle mentioned in section 205A.

‘(2) Without limiting section 205C, a person must not drive an excess dimension vehicle out of daylight hours unless subsections (3) and (4) are complied with.

‘(3) The excess dimension vehicle must be escorted by at least 1 pilot vehicle driving in front and 1 pilot vehicle driving behind, unless—

- (a) the person is driving after daylight hours to complete a journey in compliance with section 205C(3); and
- (b) this regulation does not otherwise require more than 1 pilot vehicle to escort the excess dimension vehicle on the journey.

‘(4) The extremities of the excess dimension vehicle or its load, whichever exceeds the standard dimensions, must be clearly indicated by—

- (a) amber lights at the front and red lights at the rear, evenly spaced in a line across the vehicle or load—
 - (i) at intervals of no more than 70 cm; and
 - (ii) starting and finishing at a point within 15 cm of the side; and
 - (iii) situated between 1 m and 2 m above the ground; and
 - (iv) being of equal wattage to the vehicle’s clearance lamps; and
- (b) amber or white lights on both sides, evenly spaced in a line along the length of the vehicle or load at intervals of no more than 2 m.

‘Restrictions on driving an excess dimension vehicle in certain areas

‘205E.(1) This section applies only in relation to an excess dimension vehicle mentioned in section 205A.

‘(2) A person must not drive an excess dimension vehicle—

- (a) in the City of Brisbane or any other city; or
- (b) on a single lane section of the Pacific Highway between the New South Wales Border and Nerang;

between 7 a.m. and 9 a.m. or between 4 p.m. and 6 p.m. on a business day.

‘(3) Subject to subsection (4), a person must not drive an excess dimension vehicle, between 7 a.m. and sunset on a Saturday, Sunday or public holiday, in the area bounded by a line from the point where the

Queensland/New South Wales border meets the coast, then to Warwick, then to Toowoomba, then to Gympie, then due east to the coast, then along the coastline to the start.

‘(4) Despite subsection (3), a person may drive an excess dimension vehicle—

(a) between 10 a.m. and 4 p.m. on a Sunday; and

(b) between 12 midday and sunset on a Saturday or a public holiday;

on the Warrego Highway between Toowoomba and Gales.

‘(5) A person must not drive an excess dimension vehicle on a part of the South East Arterial Road north of its intersection with the Gateway Arterial Road.

‘(6) A person must not drive an excess dimension vehicle in the City of Brisbane between 7 a.m. and sunset—

(a) from the Thursday before Easter to the Tuesday after Easter inclusive; or

(b) from 23 December to 2 January inclusive.

‘(7) A person must not drive an excess dimension vehicle that is more than 30 m long or 4.6 m wide, between 9 a.m. and 4 p.m. on a business day, in the City of Brisbane other than on O.D. Route 2.

‘(8) A person must not drive an excess dimension vehicle that is more than 25 m long or 3.5 m wide in the Brisbane Central Traffic Area between 7 a.m. and 6 p.m. on a business day.

‘(9) A person driving an excess dimension vehicle on the following roads or sections of a road must first contact the following police to request a police escort—

(a) a part of the Old Marlborough Sarina Road on the Sarina Range—Sarina police;

(b) a part of the Peak Downs highway on the Eton Range—Mackay Superintendent of Traffic;

(c) the Burdekin River bridge—Home Hill police;

(d) any road on the Kuranda Range—Cairns police.’.

Amendment of s.206

14.(1) Section 206 (from ‘(c) the overall’ to ‘every respect:—’)—

omit, insert—

‘(c) its height is not more than 5 m; and

(d) the following conditions are complied with—’.

(2) Section 206 (condition 1)—

omit ‘DANGER’.

(3) Section 206 (condition 2)—

omit ‘200’, insert ‘140’.

(4) Section 206 (condition 3, after ‘amber light’)—

insert ‘or strobe-type flashing amber light’.

(5) Section 206 (condition 4)—

omit ‘600 mm by 600 mm’, insert ‘300 mm by 300 mm’.

(6) Section 206 (condition 7)—

omit, insert—

‘7. The implement must not be moved, between 7 a.m. and sunset on a Saturday, Sunday or public holiday, in the area bounded by a line from the point where the Queensland/New South Wales border meets the coast, then to Warwick, then to Toowoomba, then to Gympie, then due east to the coast, then along the coastline to the start.’.

(7) Section 206 (conditions 9 and 10)—

omit, insert—

‘9. Before moving the implement on the following roads or sections of a road, a person must contact the following police to request a police escort—

(a) a part of the Old Marlborough Sarina Road on the Sarina Range—Sarina police;

(b) a part of the Peak Downs highway on the Eton Range—Mackay Superintendent of Traffic;

(c) the Burdekin River bridge—Home Hill police;

(d) any road on the Kuranda Range—Cairns police.

‘10. The implement must not be moved on a part of the South East Arterial Road north of its intersection with the Gateway Arterial Road.’.

Amendment of Schedule C

15.(1) Schedule C (clauses 1–3)—

omit, insert—

‘1. The vehicle must carry a sign—

- (a) securely fastened to the vehicle in a position centrally and vertically above the vehicle’s roof; and
- (b) indicating, in black letters against a reflective yellow background, the nature of the construction or loading of the vehicle being escorted, by using the words ‘Wide Load Ahead’, ‘Long Load Ahead’, ‘Long Wide Load Ahead’ or other appropriate words.

‘2. On the sign—

- (a) the black letters must be at least 140 mm high; and
- (b) the reflective yellow background must comply with Australian Standard 1906 Part 1—class 1 or 2.

‘3. At each end of the sign there must be a rotating flashing amber light or strobe-type flashing amber light, mounted so that it shows an unobstructed light through 360° of the horizon.’.

(2) Schedule C (clause 8)—

omit.

ENDNOTES

- 1. Made by the Governor in Council on 27 August 1992.
- 2. Notified in the Gazette on 28 August 1992.
- 3. Laid before the Legislative Assembly on . . .
- 4. The administering agency is the Department of Transport.

