



Queensland

Transport Operations (Road Use Management—Vehicle Standards and Safety) Amendment Regulation (No. 1) 2013

Subordinate Legislation 2013 No. 294

made under the

Transport Operations (Road Use Management) Act 1995

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1 Short title

This regulation may be cited as the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Amendment Regulation (No. 1) 2013*.

2 Commencement

This regulation commences on 12 January 2014.

3 Regulation amended

This regulation amends the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2010*.

4 Amendment of various sections for reference to ‘motor dealer’

Each of the following provisions is amended by omitting ‘motor dealer’, and inserting ‘dealer’—

- section 8(4)(b)
- section 24(2) and (3)(a)
- section 28(1)(a) and (3)(a).

5 Amendment of s 19 (Inspections by approved examiners for inspection certificate)

Section 19(7)(a) and (b)—

omit, insert—

- (a) if the vehicle is inspected at a fixed AIS—
 - (i) ensure the approved examiner has complied with subsection (6); and
 - (ii) after complying with subparagraph (i)—sign the certificate; or
- (b) if the vehicle is inspected at a mobile AIS—sign the certificate.

6 Amendment of s 23 (SC vehicles for sale—safety certificate requirement)

(1) Section 23(1) and (2)—

omit, insert—

(1) The owner of a registered SC vehicle that is for sale must ensure—

(a) a current safety certificate issued for the vehicle is attached to, or displayed on, a conspicuous part of the vehicle; and

(b) all of the information stated on the front of the certificate is clearly legible from outside the vehicle.

Maximum penalty—60 penalty units.

(2) A dealer who is acting for the owner of a registered SC vehicle in relation to its disposal must ensure—

(a) a current safety certificate issued for the vehicle is attached to, or displayed on, a conspicuous part of the vehicle; and

(b) all of the information stated on the front of the certificate is clearly legible from outside the vehicle.

Maximum penalty—60 penalty units.

(2) Section 23(3)(b) and (5), definition *demonstration vehicle*, paragraphs (a) and (b), ‘motor dealer’—

omit, insert—

dealer

(3) Section 23(3)(c), ‘motor dealers’—

omit, insert—

dealers

[s 7]

- (4) Section 23(4), ‘motor dealer’s’—
omit, insert—
dealer’s

7 Amendment of sch 1 (Vehicle standards)

- (1) Schedule 1, section 1—
omit, insert—

1 Non-application of standards to ADR compliant matters

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 the second or third edition ADR (each the **ADR requirement**); and
- (b) the vehicle—
 - (i) complies with the ADR requirement, whether or not the vehicle is required to comply with the requirement; and
 - (ii) is of the same class or type of vehicle to which the ADR requirement applies.

Example—

- 1 A motor vehicle built in 1968 must comply with these standards because the ADR requirements do not apply to motor vehicles built before 1969.
- 2 If the owner of a motor vehicle built in 1968 modifies the brakes of the vehicle so that the brakes comply with a requirement of the second edition ADR applying to vehicles of the same class or type as the motor vehicle, a provision of parts 4 to 12 of these standards relating to the motor vehicle’s brakes that is inconsistent with the requirement of the second edition ADR would not apply to the motor vehicle.
- 3 If the owner of a motor vehicle built in 1968 modifies the brakes of the vehicle so that the brakes comply with a requirement of the second edition ADR applying to vehicles not of the same class or type as

the motor vehicle, a provision of parts 4 to 12 of these standards relating to the motor vehicle's brakes that is inconsistent with the requirement of the second edition ADR will still apply to the vehicle despite the compliance of the modified brakes with the requirement of the second edition ADR.

- (2) Schedule 1, section 11(4), definition *personally imported vehicle*—

omit, insert—

personally imported vehicle means a vehicle built after 1968 that is imported into Australia under the *Motor Vehicle Standards Regulations 1989* (Cwlth), section 13.

- (3) Schedule 1, section 23(2), 'bell,'—

omit.

- (4) Schedule 1, section 23—

insert—

- (6) This section applies to a motor vehicle instead of a requirement of the relevant ADR prohibiting a device that can make a sound like the sound of a bell from being fitted to the vehicle.

- (5) Schedule 1, section 25(2)—

omit.

- (6) Schedule 1, section 25(3)—

renumber as section 25(2).

- (7) Schedule 1, section 30, heading, after 'wiring'—

insert—

, components

- (8) Schedule 1, section 30—

insert—

- (1A) The electrical components of a vehicle must be securely mounted.

[s 7]

- (9) Schedule 1, section 30(2), ‘with Australian Standard AS 2513-1982 *Electrical Connectors for Trailer Vehicles*.’—

omit, insert—

with—

- (a) if the connector was fitted to the vehicle before 12 January 2014—Australian Standard AS 2513-1982 *Electrical Connectors for Trailer Vehicles* as it was in force on 4 November 1995; or
 - (b) if paragraph (a) does not apply—at least 1 of the following standards—
 - (i) Australian Standard AS 4177.5 *Caravan and light trailer towing components—Electrical connectors*;
 - (ii) Australian Standard AS 4735 *Heavy road vehicles—Electrical connectors for articulated vehicles*;
 - (iii) International Organisation for Standardisation ISO 1185 *Road vehicles—Connectors for the electrical connection of towing and towed vehicles—7-pole connector type 24 N (normal) for vehicles with 24 V nominal supply voltage*;
 - (iv) Society of Automotive Engineers International SAE J 560 *Primary and Auxiliary Seven Conductor Electrical Connector for Truck-Trailer Jumper Cable*.
- (10) Schedule 1, section 30—
- insert—*
- (2A) For subsection (2)(b)—
 - (a) a reference to a standard using an alphanumerical designation is a reference to the standard as it was or is in force under

that designation at the time the connector was or is fitted to the vehicle; and

Examples of alphanumerical designations—

- AS 4177.5
- ISO 1185
- SAE J 560

(b) the words appearing in italics after the standard's designation are included for information purposes only.

(5) In this section—

ISO means a standard published by the International Organisation for Standardisation.

SAE means a standard published by the Society of Automotive Engineers International.

(11) Schedule 1, after section 31—

insert—

31A When windscreen must be fitted

If a motor vehicle, other than a moped, motorbike or motortrike, is designed or manufactured to have a windscreen, the motor vehicle must be fitted with a windscreen.

(12) Schedule 1, section 32(2), definition *approved material*, fifth and sixth dot points, before 'Road Vehicle Safety Glass'—

insert—

Specification for

(13) Schedule 1, section 99(3)—

omit, insert—

(3) A vehicle may be fitted with a light or reflector not mentioned in these standards only if the light or reflector is required or permitted to be fitted to a vehicle under an Act.

- (14) Schedule 1, section 110(8), ‘gradient.’—

omit, insert—

gradient—

- (a) when the vehicle or combination is on a dry, smooth road surface, free from loose material; and
- (b) whether or not the vehicle or combination is loaded.

- (15) Schedule 1, section 131(1), from ‘measured—’—

omit, insert—

measured 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 - September 2006’ published by the commission.

8 Amendment of sch 4 (Dictionary)

- (1) Schedule 4, definition *motor dealer*—

omit.

- (2) Schedule 4—

insert—

dealer means—

- (a) in relation to a trailer—a person whose business is, or includes, the sale of used trailers; or
- (b) otherwise—a person licensed to conduct the business of a motor dealer under the *Property Agents and Motor Dealers Act 2000*.

(3) Schedule 4, definition *COI vehicle*, paragraph (b)—
omit, insert—

- (b) a bus not mentioned in paragraph (a), other than—
 - (i) a bus that has a GVM of not more than 4.5t and that is used for private purposes; or
 - (ii) a bus built mainly to carry not more than 12 seated adults, including the driver, and that is used for commercial purposes, other than for the business of carrying passengers;
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ENDNOTES

- 1 Made by the Governor in Council on 19 December 2013.
- 2 Notified on the Queensland legislation website on 20 December 2013.
- 3 The administering agency is the Department of Transport and Main Roads.

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Authorised by the Parliamentary Counsel