

Heavy Vehicle (Mass, Dimension and Loading) National Amendment Regulation

Subordinate Legislation 2014 No. 216

made under the

Heavy Vehicle National Law as applied by the *Heavy Vehicle National Law Act 2012* (Qld) and by the law of States and Territories

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1 Short title

This Regulation may be cited as the *Heavy Vehicle (Mass, Dimension and Loading) National Amendment Regulation*.

2 Commencement

This Regulation commences on 29 September 2014.

3 Regulation amended

This Regulation amends the *Heavy Vehicle (Mass, Dimension and Loading) National Regulation*.

4 Amendment of s 3 (Definitions)

Section 3—

insert—

one tonne tri-axle mass transfer allowance
means the mass transfer allowance stated in
section 1 of Schedule 5A.

5 Amendment of s 6 (Prescribed mass requirements)

Section 6(1) and (3), ‘5’—

omit, insert—

5A

6 Amendment of s 7 (Mass exceptions)

(1) Section 7(1)—

insert—

(e) the one-tonne tri-axle mass transfer
allowance.

(2) Section 7(1), note, ‘5’—

omit, insert—

5A

7 Insertion of new Sch 5A

After Schedule 5—

insert—

**Schedule 5A One tonne tri-axle
mass transfer
allowance**

section 6(3)

1 One tonne tri-axle mass transfer allowance

- (1) This section provides for the one tonne tri-axle mass transfer allowance which is a mass exception and is referred to in this Schedule as *the mass exception*.
- (2) The mass exception applies to a tri-axle group on a heavy vehicle if the tri-axle group would otherwise be eligible under the general mass limits to be loaded up to but not above 20t.
- (3) The mass exception applies as an exception to the general mass limits for the tri-axle group as stated in subsection (4).
- (4) The tri-axle group may be loaded up to 21t.
- (5) This section has effect subject to sections 2 to 5.

2 Increased mass to be offset as regards the heavy vehicle

- (1) The application of the mass exception to the heavy vehicle is contingent on—
 - (a) there being a corresponding adjustment in the mass of other axles on the vehicle, but so

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that the sum of all the axles does not exceed the sum of the general mass limits for all the axles; and

- (b) compliance with the applicable general mass limits for each of those other axles on the vehicle as so adjusted; and
 - (c) an adjustment by way of decrease for any of those other axles on the vehicle not exceeding 1t; and
 - (d) mass of the vehicle, whether loaded or not, not exceeding the mass determined by applying section 2 of Schedule 1 (but with the amount stated in that section for an axle group or single axle changed in line with any adjustment permitted by the mass exception as applying to the vehicle).
- (2) A reference in this section to other axles on the vehicle is a reference to all the single axles (if any) and axle groups (if any) on the vehicle other than the tri-axle group to which the mass exception applies.

3 Axle spacing

- (1) This section applies where—
 - (a) the mass of a tri-axle group within a particular axle spacing on the heavy vehicle is permitted by the mass exception to be increased by a particular amount; and
 - (b) the increase would otherwise result in a breach of the mass limits for the axle groups and any single axles within the axle spacing.
- (2) Subject to subsection (3), the mass for the single axles (if any) and axle groups within the axle spacing is permitted to be increased but must not exceed the mass otherwise permitted for the axle spacing increased by the same amount.

- (3) However, the increased mass must be offset by adjusting the masses on other axle groups or single axles, whether within the same axle spacing or different axle spacings.

Note—

Requirements about the mass of a heavy vehicle relating to an axle spacing of a heavy vehicle are referred to in section 5 of Schedule 1.

4 Adjustments

An adjustment under this Schedule may be made by way of—

- (a) one or more decreases only; or
- (b) a combination of one or more decreases and one or more increases.

5 Steer axles and steering axle groups excluded

This Schedule does not permit the mass limit imposed on a steer axle or twinsteer axle group to be increased or decreased.

ENDNOTES

- 1 Made by the Queensland Governor, as defined under section 730(5) of the Heavy Vehicle National Law, acting with the advice of the Executive Council of Queensland, on 25 September 2014.
- 2 Published on the NSW legislation website in accordance with Part 6A of the *Interpretation Act 1987* of NSW on 26 September 2014.
- 3 The administering agency is the National Heavy Vehicle Regulator.

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Authorised by the Parliamentary Counsel