Queensland

Transport Operations (Road Use Management) Act 1995

Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2010

Reprinted as in force on 9 December 2011

Reprint No. 1C

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel

Information about this reprint

This regulation is reprinted as at 9 December 2011. 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.**

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The spelling of certain words or phrases may be inconsistent in this reprint or with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, 'lodgement' has replaced 'lodgment'). Variations of spelling will be updated in the next authorised reprint.

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Queensland

Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2010

Contents

Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2010

[as amended by all amendments that commenced on or before 9 December 2011]

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2010*.

2 Commencement

This regulation commences on 1 September 2010.

3 Definitions

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

Part 2 Vehicle standards

Division 1 Preliminary

4 Vehicle standards

(1) The ***vehicle standards*** are based on the *Australian Vehicle Standards Rules 1999* contained in the *National Transport Commission (Road Transport Legislation—Vehicle Standards) Regulations 2006* (Cwlth), schedule 2.

(2) The vehicle standards are set out in schedule 1.

5 Compliance with vehicle standards

(1) A person must not drive or park, or permit someone else to drive or park, a vehicle on a road—

(a) unless—

(i) the vehicle is fitted with the equipment (the ***equipment***) mentioned in, or required by, the vehicle standards, other than optional equipment, that is appropriate to the vehicle, but only to the extent subsection (4)(a) or (5)(a) does not apply; and

(ii) if the vehicle is fitted with the equipment—the equipment complies with the requirements specified in the vehicle standards, but only to the extent subsection (4)(b) or (5)(b) does not apply; and

(iii) the vehicle is otherwise constructed and loaded to comply with the vehicle standards; and

(iv) the vehicle, its parts and equipment are in safe condition; and

(v) optional equipment fitted to the vehicle complies with the requirements in the vehicle standards for the optional equipment; and

(vi) the stationary noise level of the vehicle complies with the vehicle standards; or

(b) if the vehicle is not unsafe, but it is otherwise defective.

Maximum penalty—20 penalty units.

(2) Without limiting subsection (1)(a)(i), a vehicle is taken to be fitted with the equipment mentioned in subsection (1)(a)(i) only if—

(a) if the vehicle standards impose a requirement for fitting the equipment to the vehicle—the equipment is fitted as required by the standards; or

(b) otherwise—the equipment is fitted securely to the vehicle.

(3) Without limiting subsection (1)(a)(v), optional equipment fitted to a vehicle is taken to comply with the requirements of the vehicle standards only if—

(a) if the vehicle standards impose a requirement for fitting the optional equipment to the vehicle—the equipment is fitted as required by the standards; or

(b) otherwise—the optional equipment is fitted securely to the vehicle.

(4) A person must not drive or park a vehicle on a road unless—

(a) the vehicle is fitted with the equipment mentioned in, or required by, ADR 65 or part 11 of the vehicle standards that is appropriate to the vehicle; and

(b) if the vehicle is fitted with the equipment—the equipment complies with the requirements mentioned in ADR 65 or part 11 of the vehicle standards.

Maximum penalty—40 penalty units.

(5) A person must not permit someone else to drive or park a vehicle on a road unless—

(a) the vehicle is fitted with the equipment mentioned in, or required by, ADR 65 or part 11 of the vehicle standards that is appropriate to the vehicle; and

(b) if the vehicle is fitted with the equipment—the equipment complies with the requirements mentioned in ADR 65 or part 11 of the vehicle standards.

Maximum penalty—80 penalty units.

(6) Without limiting subsection (4)(a) or (5)(a), a vehicle is taken to be fitted with the equipment mentioned in subsection (4)(a) or (5)(a) only if—

(a) if ADR 65 or part 11 of the vehicle standards impose a requirement for fitting the equipment to the vehicle—the equipment is fitted as required by ADR 65 or part 11 of the vehicle standards; or

(b) otherwise—the equipment is fitted securely to the vehicle.

6 Identification and modification plates

(1) A person must not, without the chief executive's approval—

(a) alter or deface an identification plate on a vehicle; or

(b) remove an identification plate from a vehicle.

Maximum penalty—20 penalty units.

(2) A person must not, without the chief executive's approval—

(a) alter a modification plate on a vehicle; or

(b) remove a modification plate from a vehicle.

Maximum penalty—40 penalty units.

Division 2 Defective vehicles

7 When a vehicle is defective

(1) A vehicle is ***defective*** if—

(a) a part of the vehicle—

(i) does not comply with the requirements specified in the vehicle standards; or

(ii) does not perform its intended function; or

(iii) has deteriorated to an extent that it can not be reasonably relied on to perform its intended function; or

(b) equipment mentioned in, or required by, the vehicle standards, other than optional equipment, fitted to the vehicle—

(i) does not comply with the requirements specified in the vehicle standards; or

(ii) does not perform its intended function; or

(iii) has deteriorated to an extent that it can not be reasonably relied on to perform its intended function; or

(c) optional equipment fitted to the vehicle—

(i) does not comply with the requirements specified in the vehicle standards for the optional equipment; or

(ii) does not perform its intended function; or

(iii) prevents, or is likely to prevent, the vehicle, its parts or equipment—

(A) from complying with the requirements in the vehicle standards; or

(B) from performing its intended function; or

(iv) has deteriorated to an extent that it can not be reasonably relied on to perform its intended function; or

(d) the vehicle's odometer—

(i) does not perform its intended function; or

(ii) has deteriorated to an extent that it can not be reasonably relied on to perform its intended function; or

(e) the vehicle is unsafe; or

(f) 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.tmr.qld.gov.au> or through SDS Publications.

(2) In this section—

part, of a vehicle, includes a part of the vehicle that is necessary for the control of emissions of gas, particles or noise.

8 Defect notices

(1) Subsection (2) applies if an authorised officer reasonably believes—

(a) that a vehicle is defective; or

(b) that a vehicle is not defective, but that driving or parking it on a road would, for another reason, be in contravention of section 5.

(2) The authorised officer may, by notice in the approved form (a ***defect notice***), require the owner of the vehicle to take stated reasonable action to ensure that the vehicle is not defective or that driving or parking it on a road 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.

(5) 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.

(6) If the driver to whom a defect notice is given is not the owner, the driver must give the defect notice to the owner as soon as practicable but in any case within 48 hours after receiving the notice, unless the driver has a reasonable excuse.

Maximum penalty—30 penalty units.

(7) An authorised officer may state in a defect notice that the prohibition on use of the vehicle does not operate if the person driving the vehicle complies with conditions stated in the notice.

Example—

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

9 Defective vehicle label

(1) If an authorised officer issues a defect notice for a vehicle, the officer may also attach a label (a ***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.

Division 3 Modification of vehicles

Subdivision 1 Modifying vehicle

10 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 may adversely affect the safety of the vehicle; or

(c) 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—

(i) under section 5; or

(ii) under a guideline or permit issued under section 14; or

(d) 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.

(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 13(2); or

(b) the person reasonably believes the vehicle is not to be used on a road.

11 Modified silencing device

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

Maximum penalty—20 penalty units.

12 Action for compliance after speeding conviction

(1) This section applies if a person is convicted of an offence that involves driving at more than 110km/h—

(a) a motor vehicle that is required to, but does not, comply with ADR 65; or

(b) a motor vehicle that is required to, but does not, comply with part 11 of the vehicle standards; or

(c) a motor vehicle with a GVM of more than 15t.

Editor's note—

See the Act, schedule 4 for the definition *convicting*.

(2) The chief executive may, by written notice given to the owner of the motor vehicle, require the owner to take stated reasonable action to ensure the motor vehicle complies with—

(a) for a motor vehicle mentioned in subsection (1)(a)—ADR 65; or

(b) for a motor vehicle mentioned in subsection (1)(b) or (c)—part 11 of the vehicle standards.

(3) The owner must ensure the motor vehicle is not driven or parked on a road until the owner satisfies the chief executive that the owner has complied with the requirement under subsection (2).

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

Subdivision 2 Approval of modification

13 Approval of modified vehicle

(1) The owner of a modified vehicle must ensure the vehicle is not driven or parked on a road unless the modification has been approved by an authorised officer or approved person.

Maximum penalty—60 penalty units.

(2) After inspecting a vehicle, an authorised officer or approved person must not approve a modification of the vehicle unless—

(a) the modification complies with one of the following codes of practice approved by the chief executive—

(i) the Code of Practice—Light Vehicles;

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

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

Editor's note—

The codes of practice are available online at <www.tmr.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 authorised officer or approved person approves the modification, the officer or person must—

(a) give a certificate approving the modification, in the approved form (a ***certificate of modification***), to the owner; and

(b) ensure a plate, in the approved form, that is stamped or engraved with details of the modification (a

modification plate), is attached to a conspicuous part of the vehicle.

Maximum penalty—40 penalty units.

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

Maximum penalty—40 penalty units.

(5) 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.

(6) In this section—

authorised officer does not include a police officer.

Part 3 Guidelines and permits for safe movement of vehicles

14 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 vehicle or type of vehicle;

(b) whether in the circumstances—

(i) the vehicle or type of vehicle may be moved safely; or

(ii) compliance with 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 vehicle or type of vehicle may, or may not, be driven;

(b) any permissible or required modifications to the vehicle or type of vehicle;

(c) the times when the vehicle or type of vehicle may, or may not, be driven;

(d) signs and warning devices to be displayed on the vehicle or type of vehicle.

(5) The roads on which the type of vehicle may be driven may be shown on a map in the guideline.

15 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) a type of vehicle—the type of vehicle; and

(b) the name and address of the person to whom the permit is issued; and

(c) the term for which the permit is issued; 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 is disposed of or the vehicle's registration is transferred.

(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 37.

(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.

16 Driving under guideline or permit

(1) Subsection (2) applies to 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 the particular vehicle, carries the permit in the vehicle.

(2) The provisions of this regulation relating to the safe movement on a road of a particular vehicle or type of vehicle that are stated in the guideline or permit do not apply to the person.

(3) 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.

Part 4 Vehicle safety

Division 1 Vehicle inspections

17 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.

18 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 was 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.

19 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 not more than 10t; or

(b) another registered vehicle with a GVM of not more than 16t; or

(c) an unregistered vehicle.

(1A) However, if an approved examiner has been given a notice under section 19A in relation to a type of registered vehicle, the approved examiner may sign a certificate of inspection for the type of registered vehicle stated in the notice.

(2) Subject to subsection (3), a person who is not an approved examiner must not sign an inspection certificate for a vehicle.

Maximum penalty—40 penalty units.

(3) Subsection (2) does not prevent—

(a) an authorised officer, other than a police officer, from issuing a certificate of inspection for a vehicle under section 17; or

(b) the proprietor of the AIS from signing the inspection certificate under subsection (7).

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

(a) the examiner is satisfied under section 18 about the identity of the vehicle; and

(b) the examiner has carried out a thorough inspection of the vehicle; and

(c) the examiner reasonably considers the vehicle is not defective; and

(d) 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 for the modification is attached to the vehicle.

Maximum penalty—40 penalty units.

(5) If, after a thorough 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 the proprietor of the AIS 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) 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.

(7) 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 (6); and

(b) sign the certificate.

Maximum penalty—30 penalty units.

(8) 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.

(9) If, after a thorough 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 states how the vehicle is defective.

Maximum penalty—30 penalty units.

19A Inspections by approved examiners in special circumstances

(1) If the chief executive is satisfied that special circumstances exist, the chief executive may, by written notice given to an approved examiner, authorise the approved examiner to sign a certificate of inspection for—

(a) a registered trailer with an ATM of more than 10t; or

(b) another registered vehicle with a GVM of more than 16t.

Example of special circumstances—

- natural disasters, including floods, affecting access to inspections of vehicles in the area in which an owner's vehicle or inspection facilities are located or affecting the availability of inspections of vehicles because of diversion of resources for inspections or loss of inspection capability
- circumstances in which authorised officers, other than police officers, are not reasonably able to provide inspection of vehicles in remote areas

(2) The notice must state that the authorisation is for a period, stated in the notice, the chief executive considers appropriate having regard to the special circumstances.

20 Issue of replacement inspection certificate if registration refused

(1) This section applies if, under the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010*, section 17(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, ask the proprietor of the AIS where the certificate was issued to again inspect the vehicle for an inspection certificate (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 requests it; and

(ii) at a time convenient to the person.

Maximum penalty—20 penalty units.

(4) Despite section 41, the proprietor must not charge a fee for the inspection or the issue of the replacement inspection certificate.

Maximum penalty—20 penalty units.

21 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 same person who signed the inspection report for the vehicle under section 19(9) 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 returned, 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 of the AIS must—

(a) arrange for a thorough 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 inspection under section 19 to the owner.

Maximum penalty—30 penalty units.

(5) If, after the reinspection, the approved examiner reasonably considers the defects stated in the inspection report have been satisfactorily corrected, the proprietor of the AIS 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 stated 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 an inspection report that states how the vehicle is still defective; and

(b) mark the inspection certificate that relates to the inspection report as cancelled.

Maximum penalty—30 penalty units.

22 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 relates to 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 thorough inspection of the vehicle.

(3) In this section—

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

Division 2 Vehicle inspection certification requirements

23 SC vehicles for sale—safety certificate requirement

(1) The owner of a registered SC vehicle that is for sale must ensure a current safety certificate issued for the vehicle is attached 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 attached 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 at which only motor dealers are allowed to bid; or

(d) a vehicle being disposed of in an area mentioned in schedule 2, item 1 if the owner of the vehicle lives in the area; or

(e) an SC vehicle being disposed of in an area mentioned in schedule 2, item 2, 3, 4 or 5 for that type of vehicle if the owner of the vehicle lives in the area.

(4) Subsection (1) also does not apply to a vehicle on a motor dealer's 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) does not have a sign or other marking on or near the vehicle indicating that the vehicle is 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.

(5) 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.

24 Disposal of registered vehicles—inspection certificate requirement

(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 ensuring 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) a vehicle being disposed of to a motor dealer; or

(b) a vehicle being disposed of if—

(i) the owner of the vehicle and the person to whom it is being disposed of are each an operator for an alternative compliance scheme; and

(ii) the vehicle is, and will continue to be, maintained under an alternative compliance scheme.

(4) Subsections (1) and (2) do not apply to—

(a) a vehicle being disposed of in an area mentioned in schedule 2, item 1 if the owner of the vehicle lives in the area; or

(b) an SC vehicle being disposed of in an area mentioned in schedule 2, item 2, 3, 4 or 5 for that type of vehicle if the owner of the vehicle lives in the area.

25 Registered COI vehicles—requirement for 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 it is being used in an area mentioned in schedule 2, item 1; or

(c) a special interest vehicle within the meaning of the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010*; 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 29; or

(f) a vehicle while it is being 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.

26 Alternative compliance scheme—maintenance

(1) Section 25 is a prescribed provision for section 15(1) of the Act.

(2) The purpose of section 25 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 a road.

27 References to particular areas mentioned in sch 2

(1) This section applies for sections 23 to 25.

(2) For schedule 2, item 1 and item 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.tmr.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.

28 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 from and including the effective date; 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 from and including the effective date; 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 from and including the effective date; and

(d) for a primary production vehicle for which concessional registration has been granted—for 2 years from and including the effective date; and

(e) otherwise—for 1 year from and including the effective date.

(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 13; 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—

COI period, for a vehicle for which a previous COI has expired, means the following—

(a) for a vehicle mentioned in subsection (2)(a), (b) or (c)—6 months after the previous COI expired;

(b) for a vehicle mentioned in subsection (2)(d)—2 years after the previous COI expired;

(c) otherwise—1 year after the previous COI expired.

current COI, for a vehicle, means a certificate of inspection currently issued for the vehicle.

effective date, for a certificate of inspection, means—

(a) if the certificate is the first certificate issued for a vehicle—the date of issue of the certificate; or

(b) if the certificate is issued not more than 1 month before the current COI for a vehicle expires—the day after the current COI expires; or

(c) if the certificate is issued more than 1 month before the current COI for a vehicle expires—the date of issue of the certificate; or

(d) if the certificate is issued after a previous COI for a vehicle has expired but before the COI period has elapsed—the day after the previous COI expired; or

(e) if the certificate is issued after both a previous COI for a vehicle has expired and the COI period has elapsed—the date of issue of the certificate; or

(f) if the certificate is issued for a vehicle after the vehicle's registration under a registration law has been cancelled—the date of issue of the certificate.

previous COI, for a vehicle, means a certificate of inspection for the vehicle issued at some time before the current COI for the vehicle was issued.

primary production vehicle has the meaning given by the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010*.

29 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 25.

(2) The application—

(a) must 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 for subsection (4)—

An authorised officer may prohibit the use of the owner's vehicle on a road until the owner complies with section 25.

(5) If the chief executive is satisfied that special circumstances exist, the chief executive may extend the time for a period that the chief executive considers appropriate having regard to the special circumstances.

Examples of special circumstances for subsection (5)—

- natural disasters, including floods, affecting the area in which an owner's vehicle or inspection facilities are located
- flood damage to roads causing long term road closure

Division 3 General

30 Notification if certificate or plate destroyed, lost or stolen

(1) An approved person must immediately notify the chief executive if an unused 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.

31 Returning unused forms and plates

If the proprietor of a modification business stops carrying on business, the proprietor must return to the chief executive any unused modification certificates and modification plates within 7 days after the proprietor stops carrying on the business.

Maximum penalty—30 penalty units.

32 Document keeping

(1) The proprietor of a modification business must keep a copy of a certificate of modification for 7 years after it is given to an owner.

Maximum penalty—30 penalty units.

(2) The proprietor of a modification business must keep a cancelled certificate of modification for 2 years after the document is cancelled.

Maximum penalty—30 penalty units.

(3) The proprietor of a modification business 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 modification 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) within 7 days after the proprietor stops carrying on the business.

Maximum penalty—30 penalty units.

33 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.

34 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.

Part 5 Obtaining a permit

35 Applying for permit

An application for a permit 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.

36 Deciding application

The issuing authority must consider an application for a permit within 28 days after it is received and decide—

(a) to grant the permit; or

(b) to refuse to grant the permit.

37 Discretionary conditions

The issuing authority may impose reasonable and relevant conditions on a permit.

38 Granting a permit

If the issuing authority decides to grant the permit applied for, the issuing authority must give the permit in the approved form to the applicant as soon as practicable after making the decision.

39 Refusing to grant permit

(1) If the issuing authority decides to refuse to grant the permit 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 40.

40 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 section 65 were a reference to the approval decision.

(2) In this section—

approval decision means a decision of the issuing authority—

(a) to refuse to grant a permit; or

(b) to grant a permit on a condition.

Part 6 Miscellaneous

41 Fees

Fees payable under this regulation are in schedule 3.

Part 7 Repeal and transitional provisions

Division 1 Repeal

42 Repeal

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

Division 2 Transitional provisions

43 Definitions for div 2

In this division—

commencement means the commencement of this section.

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

44 Things done under repealed regulation

(1) This section applies if—

(a) a provision of the repealed regulation expressly or impliedly authorised or required the doing of a thing; and

(b) the thing was done or, as a result of doing the thing, a document existed and was in force immediately before the repeal of the provision; and

(c) the thing may be done or the document may be made or issued under this regulation.

Examples of things authorised or required under the repealed regulation—

- the issue of a safety certificate or a certificate of inspection for a vehicle
- an extension of a time to comply with a defect notice or section 22 of the repealed regulation

(2) The thing that was done and had effect, including a document, immediately before the repeal continues to have effect as if the thing had been done under this regulation.

(3) Without limiting subsection (2), if the thing was subject to—

(a) an imposed condition immediately before the commencement, the thing continues to be subject to the condition; and

Example for paragraph (a)—

If an authorised officer had imposed a condition on an extension of time to comply with a defect notice under section 24(4) of the repealed regulation, the imposed condition continues to be imposed on the extension of time as continued under subsection (2).

(b) a time limit or a period of time, the thing continues to have effect for the period of time remaining at the commencement.

Example for paragraph (b)—

If the chief executive had issued a certificate of inspection for 6 months under section 23(2) of the repealed regulation and only 1 month had run at the commencement, the certificate of inspection has a term remaining of 5 months under subsection (2).

(4) This section is subject to a contrary intention stated in another provision of this division.

45 Existing guidelines and permits

(1) A guideline or permit about vehicle standards issued under the repealed regulation and in force immediately before the commencement, 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 repealed regulation; and

(b) for a permit—expires when it would have expired under the repealed regulation, unless it is sooner cancelled or suspended under the Act.

46 Existing applications

(1) This section applies if—

(a) an application for an approval was made to the issuing authority under the repealed regulation; and

(b) on the commencement, the application has not been decided.

(2) The application must be decided as if the repealed regulation was still in force.

(3) If the issuing authority grants the application, it is taken to be granted under this regulation.

(4) This section does not apply to an application for an AIS approval.

Note—

See the *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2005*, section 127.

47 References to repealed regulation

A reference in an Act or other document to the repealed regulation may, if the context permits, be taken to be a reference to this regulation.

Schedule 1 Vehicle standards

section 4

Part 1 Preliminary

Note—

The following note is from the *Australian Vehicle Standards Rules 1999* contained in the *National Transport Commission (Road Transport Legislation—Vehicle Standards) Regulations 2006* (Cwlth), schedule 2—

The *Australian Vehicle Standards Rules 1999* set standards that vehicles must comply with to be driven on roads and road-related areas.

The ADRs (Australian Design Rules) are rules for designing and building vehicles. Imported vehicles must also comply with the ADRs.

The Vehicle Standards require a vehicle that is subject to an ADR when built or imported to continue to comply with the ADR.

The Vehicle Standards also apply certain other standards (adopted standards) that are intended to complement the ADRs.

The ADRs do not cover—

- vehicles built before 1969
- combinations of vehicles of any age
- every safety feature for vehicles built between 1969 and 1988.

These matters are covered by the Vehicle Standards.

In most cases, if a vehicle complies with the Vehicle Standards, it is suitable for road use.

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 then 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) seatbelts that are as effective as seatbelts that meet an Australian Standard or British Standard for seatbelts as in force when this section commenced; and

(b) seatbelt 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) before the vehicle was imported into Australia, owned and used it for a continuous period of at least—

(i) for a vehicle owned by the applicant before 9 May 2000—3 months; or

(ii) in any other case—12 months; 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) has undertaken to comply with any requirements relating to road safety that are imposed for the vehicle under the *Motor Vehicle Standards Regulations 1989* (Cwlth); and

(d) 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

(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 101.

(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 150cm^2.

(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 fewer 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 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—

(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 Uberwachungen, 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 101.

(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, 1 word of the expression ‘road train’ or ‘long vehicle’ must be on 1 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.

(2) A motor vehicle with fewer 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 98.

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 fewer 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 18 Other lights, reflectors, rear marking plates or signals

99 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 2010,* schedule 1, part 4, section 19 or 25(1).

100 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.

101 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 VSB.

(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 VSB 12.

VSB means Vehicle Standards Bulletin.

102 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 103; or

(b) a pair of turn signals complying with section 104.

103 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.

104 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 19 Vehicles not required to have lights or reflectors

105 Certain vehicles used in daylight

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

106 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

107 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.

108 Provision for wear

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

109 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 113(4)(a) or 116(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 113(4)(a) or 116(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.

110 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—

(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

111 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.

112 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.

113 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 110 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 110 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 110 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 110; and

(c) include a visible or audible warning to the driver of the motor vehicle.

Division 3 Trailer braking systems

114 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.

115 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.

116 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 110; 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

117 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.

118 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.

119 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.

120 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.

121 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 0.5 seconds after the release of the foot-operated brake control, to 35kPa.

122 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—1 second after the rapid and complete application of the foot-operated brake control; or

(b) for a road train—1.5 seconds 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—1 second after the release of the foot-operated brake control; or

(b) for a road train—1.5 seconds 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.

123 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 minute after 3 full brake applications have been made within a 10 second 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.

124 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.

125 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.

126 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 120(2).

127 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

128 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.

129 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 10 seconds 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

130 Exhaust systems

(1) The outlet of the exhaust system fitted to a motor vehicle, other than a bus, 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, or required to be 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 45º 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, 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 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 45º 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 0º to 45º 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 90º (plus or minus 10º) to the longitudinal centre-line of the vehicle when viewed from above.

Division 3 Noise emissions

Subdivision 1 General

131 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).

132 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.

133 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

134 Application of sdiv 2

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

135 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—

(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).

136 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 135 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

137 Stationary noise levels—other vehicles with diesel engines

(1) This section applies to a motor vehicle, other than a motor vehicle to which section 135 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

138 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

139 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

140 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.

141 Exemptions from speed limiting

Section 140 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

142 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.

143 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 115(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

144 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.

145 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.

146 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 150(3); and

(b) not be worn away so that it does not comply with section 147.

147 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 146(1), the longitudinal movement, after readjusting the jaws of the coupling using a kingpin built to the dimensions mentioned in section 150(3)(a), must not be over 4mm.

148 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*.

149 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*.

150 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—

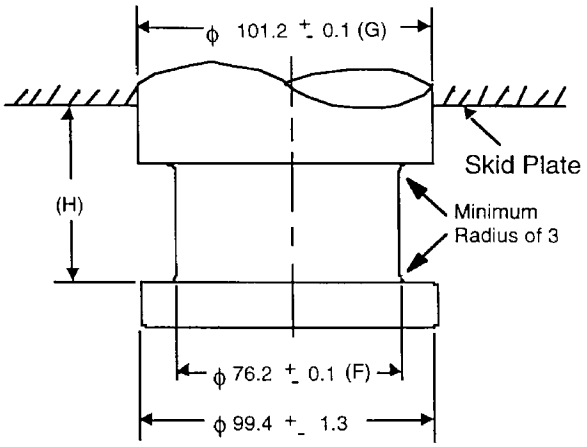
(a) be built to meet the dimension requirements in Australian Standard AS 2175-1990 *Articulated Vehicles–Kingpins*; and

(b) not be worn away more than recommended by the standard.

(3) A 75mm kingpin used in a B-double or road train must—

(a) be built to meet the dimensions in the following diagram; and

(b) not be worn away more than mentioned in subsection (4).



Dimensions of a 75mm kingpin

(4) In testing a 75mm kingpin mentioned in subsection (3), to decide whether its D-value complies with subsection (1)(b)—

(a) diameter F in the diagram must not wear more than 3mm; and

(b) diameter G in the diagram must not wear more than 2mm; and

(c) height H in the diagram must not wear more than 2.3mm.

151 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*.

152 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.

153 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.

154 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 15º 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.

155 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.

156 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

157 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.

158 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 23 to 25 and 27

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 motorbike—an area outside a radius of 50km of an AIS approved to inspect motorbike.

4 For a trailer with an ATM of more than 0.75t but not more than 3.5t—an area outside a radius of 50km of an AIS approved to inspect trailers with an ATM of more than 0.75t but not more than 3.5t.

5 For an SC vehicle of a type not covered under items 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	Column 2
Aramac	Aramac
	Barcaldine
Balonne	Dirranbandi
	Mungindi
	St. George
	Thallon
Barcaldine	Barcaldine
Bauhinia	Rolleston
	Springsure
Belyando	Clermont
	Moranbah

Column 1	Column 2
Bendemere	Yuleba
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

Column 1	Column 2
McKinlay	Julia Creek
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 41

		$
1	Inspection of vehicle for issue of safety certificate—	
	(a) motor vehicle with a GVM not more than 4.5t	66.55
	(b) motorbike	42.80
	(c) trailer with an ATM more than 0.75t but not more than 3.5t	33.30
2	Inspection of vehicle for issue of certificate of inspection—	
	(a) school bus or a bus with a GVM not more than 4t	69.70
	(b) any other bus with a GVM more than 4t	82.30
	(c) another motor vehicle with a GVM not more than 4.5t	42.80
	(d) another motor vehicle with a GVM more than 4.5t but not more than 16t	95.00
	(e) another motor vehicle with a GVM more than 16t	118.90
	(f) trailer with an ATM more than 3.5t	53.85
3	Vehicle inspection booking fee	24.95
4	Reinspection of vehicle because of major defect	78.25
5	Reinspection of vehicle because of minor defect	38.45
6	If an authorised officer inspects a vehicle outside ordinary business 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	18.75
8	Inspection of vehicle (Act, s 36)	42.80
9	Surveying plans for modification of vehicle	76.15
10	Inspection of vehicle for issue of certificate of modification	42.80
11	Supplying book of 50 inspection certificates	65.00
12	Supplying book of 50 certificates of modification	39.45

		$
13	Postage and handling for each package of up to 4 books of inspection certificates or certificates of modification .	7.85
14	Issuing a replacement inspection certificate or replacement certificate of modification	18.75
15	Approval of an alternative compliance scheme for section 25 (Act, s 15)	82.20
16	For each vehicle accredited to participate in an alternative compliance scheme mentioned in item 15 . . .	27.30

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 150(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.

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.

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

AIS means a fixed AIS or mobile AIS.

AIS approval see the *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2005*, section 100A.

approved examiner has the meaning given by 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

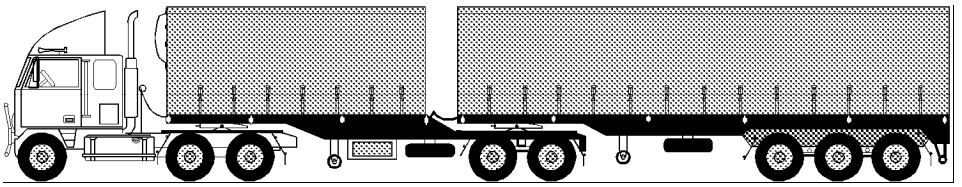
(b) rotary movement between the sections.

ATM means aggregate trailer mass.

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.

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

(a) seats not more than 9 adults, including the driver; and

(b) has a body commonly known as a sedan, hatchback, 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.

certificate of inspection means an inspection certificate in the approved form issued for a COI vehicle.

certificate of modification see section 13(3).

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 not more than 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 mentioned in paragraph (a), other than a bus built mainly to carry not more than 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;

(c) a vehicle, not mentioned in paragraph (a), that is used by a school to carry students attending the school;

(d) a driver training vehicle;

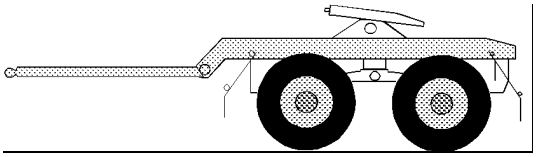
(e) a vehicle licensed as a tow truck under the *Tow Truck Act 1973*;

(f) any other motor vehicle not mentioned in paragraphs (a) to (e) with a GVM of more than 4.5t;

(g) 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 1 axle group or single axle and a fifth wheel coupling designed to convert a semitrailer into a dog trailer.



Typical converter dolly

current, for a safety certificate or a certificate of inspection, has the meaning given by section 28.

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

defective see section 7.

defect notice means a notice given under—

(a) section 36 or 37 of the Act; or

(b) section 8(2).

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

(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) disposal of the vehicle to a person because the person is entitled to the vehicle as beneficiary in an estate; or

(c) passing of possession of the vehicle, or the apparent passing of possession of the vehicle, from 1 body

corporate (the ***first body corporate***) to another body corporate (the ***second body corporate***) that happens or appears to happen only because of any of the following—

(i) the name of the first body corporate is changed according to law to the name of the second body corporate;

(ii) the second body corporate is a reconstruction of the first body corporate or is the result of an amalgamation of the first body corporate and 1 or more other bodies corporate, effected according to law;

(iii) the second body corporate is a holding company or a subsidiary company of the first body corporate; or

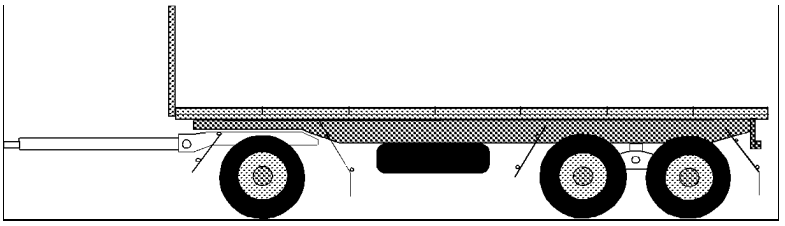
(d) disposal as a result of the reconstitution of a partnership; or

(e) disposal of an SC vehicle by a person to the person's 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 the 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 Service 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 has the meaning given by the *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2005*.

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.

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.

GTM means gross trailer mass.

high-beam, for a headlight or front fog light fitted to a vehicle, means the light is built or adjusted so that, 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 a certificate of inspection.

inspection report see section 19(9).

issuing authority, for a permit, means the chief executive or the commissioner.

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

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.

low-beam, for a headlight or front fog light fitted to a vehicle, means the light is built or adjusted so that, 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 more than 1m higher than the level at which the motor vehicle is standing, when measured 25m in front of the vehicle.

LPG means liquefied petroleum gas.

major defect means, for a vehicle being reinspected, that the vehicle is defective under section 7(1)(e).

minor defect means, for a vehicle being reinspected, that the vehicle is defective other than under section 7(1)(e).

mobile AIS has the meaning given by the *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2005*.

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

modification plate see section 13(3).

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 more than 50mL and a maximum speed of not more than 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 of the vehicle for 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—

(a) having not more than 9 seating positions, including that of the driver; and

(b) 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 issued under section 14.

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

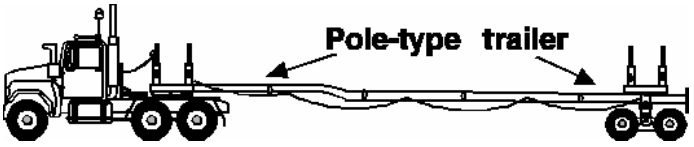
(d) the vertical axis of rotation of the front axle group, or single axle, of a dog trailer; or

(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 a business that is an AIS—

(i) if the holder of the AIS approval to operate the AIS is required to have a nominee—the nominee; or

(ii) otherwise—the holder of the AIS approval to operate the AIS; or

(b) for a modification business—

(i) a self-employed person who is accredited under the *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2005* 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 more than 3.2m, but not more than 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 2010* or a corresponding law.

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

replacement inspection certificate see section 20(2).

right, for a vehicle, means right of the centre of the vehicle when viewed by a person in the vehicle who is facing 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 an inspection certificate in the approved form issued for an SC vehicle and consisting of a certificate and a 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 not more than 4.5t that is used for transporting dangerous goods.

second edition ADR see schedule 1, section 5.

service brake, for a vehicle, means the brake usually 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 less than 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 not 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 1m, but not more than 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 more than 2m, but not more than 3.2m.

turntable means a bearing that is built to carry vertical and horizontal loads, but that 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 a semitrailer; or

(b) the steering axle or axle group of a dog trailer and the body of the trailer; or

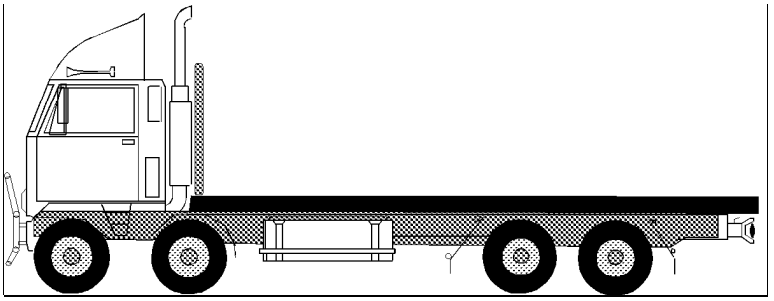
(c) a fifth wheel coupling and the vehicle to which it is mounted.

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) in which the horizontal distance between the centre-lines is at least 1m, but not more than 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 more than 10km an hour; or

(f) a vehicle or combination being repaired, or being tested in the course of being repaired, to comply with the vehicle standards; or

(g) an aircraft; or

(h) for sections 17 to 28, 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 2010*;

(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 7.

vehicle standards see section 4.

yellow includes amber.

Endnotes

1 Index to endnotes

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 9 December 2011. Future amendments of the Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2010 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 included	Effective	Notes
1	none	1 September 2010	
1A	2011 SL No. 64	1 July 2011	
1B	2011 SL No. 204	14 October 2011	
1C	2011 SL No. 287	9 December 2011	

5 List of legislation

Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2010 SL No. 192

made by the Governor in Council 22 July 2010
notfd gaz 23 July 2010 pp 1196–9
ss 1–2 commenced on date of notification
remaining provisions commenced 1 September 2010 (see s 2)

exp 1 September 2020 (SIA s 54)
Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

Transport Legislation (Fees) Amendment Regulation (No. 1) 2011 SL No. 64 pts 1, 18
notfd gaz 20 May 2011 pp 142–3
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2011 (see s 2)
Note—An explanatory note was prepared.

Transport Legislation Amendment Regulation (No. 3) 2011 SL No. 204 pts 1, 3
notfd gaz 14 October 2011 pp 318–20
commenced on date of notification
Note—An explanatory note was prepared.

Transport Legislation Amendment Regulation (No. 6) 2011 SL No. 287 pts 1, 4
notfd gaz 9 December 2011 pp 729–35
commenced on date of notification
Note—An explanatory note was prepared.

6 List of annotations

Inspections by approved examiners for inspection certificate
s 19 amd 2011 SL No. 204 s 5

Inspections by approved examiners in special circumstances
s 19A amd 2011 SL No. 204 s 6

PART 8—AMENDMENT OF STATE PENALTIES ENFORCEMENT REGULATION 2000
pt 8 (ss 48–49) om R1 (see RA ss 7(1)(k) and 40)

PART 9—CONSEQUENTIAL AND OTHER AMENDMENTS
pt hdg om R1 (see RA s 7(1)(k))

Division 1—Amendment of Petroleum and Gas (Production and Safety) Regulation 2004
div 1 (ss 50–51) om R1 (see RA ss 7(1)(k) and 40)

Division 2—Amendment of Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2005
div 2 (ss 52–54) om R1 (see RA ss 7(1)(k) and 40)

Division 3—Amendment of Transport Operations (Road Use Management—Fatigue Management) Regulation 2008
div 3 (ss 55–56) om R1 (see RA ss 7(1)(k) and 40)

SCHEDULE 1—VEHICLE STANDARDS
Compulsory front reflectors on certain trailers
s 96 amd 2011 SL No. 64 s 40

Other lights and reflectors
s 99 amd 2011 SL No. 287 s 15

SCHEDULE 3—FEES
sub 2011 SL No. 64 s 41

SCHEDULE 4—DICTIONARY
def **"approved examiner"** sub 2011 SL No. 204 s 7