



Road Transport Charges (Australian Capital Territory) Act 1993

Act No. 10 of 1993 as amended

This compilation was prepared on 17 April 2002
taking into account amendments up to Act No. 19 of 2002

The text of any of those amendments not in force
on that date is appended in the Notes section

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An Act relating to road transport charges

1 Short title *[see Note 1]*

This Act may be cited as the *Road Transport Charges (Australian Capital Territory) Act 1993*.

2 Obligations of the Government of the Australian Capital Territory

Registration charges

- (1) The Government of the Australian Capital Territory must determine charges for the grant of annual registrations of vehicles of a kind mentioned in Part 2 of the Schedule in accordance with that Part if:
 - (a) the *Road Transport Charges (Australian Capital Territory) Amendment Act 2000* commenced on or before 1 July 2000 and the registrations are granted on or after 1 July 2000; or
 - (b) that Act commenced after 1 July 2000 and the registrations are granted after that Act commenced.

Permit charges

- (2) The Government of the Australian Capital Territory must also determine charges for the grant of permits in circumstances set out in Part 3 of the Schedule in accordance with that Part if:
 - (a) the *Road Transport Charges (Australian Capital Territory) Amendment Act 2000* commenced on or before 1 July 2000 and the permits are granted on or after 1 July 2000; or
 - (b) that Act commenced after 1 July 2000 and the permits are granted after that Act commenced.

3 Section 2 is not to affect powers of ACT Government to do certain things

Nothing in section 2 affects the power of the Government of the Australian Capital Territory to:

- (a) charge fees in respect of the registration of vehicles or the inspection of vehicles for the purpose of registration; or

- (b) make rebates of registration charges for particular classes of vehicles or road users; or
- (c) charge pro rata amounts for registrations that are for less than a whole year; or
- (d) make refunds in respect of the surrender of the registration of a vehicle; or
- (e) charge other administrative fees in respect of matters relating to vehicles.

3A Increase of amounts of registration charge

- (1) This section applies to the charges determined in accordance with Part 2 of the Schedule (including charges whose amounts have already been increased by a previous application or applications of this section).
- (2) At the start of 1 July of each year, beginning with 1 July 2002, the amount of each of those charges is increased, from the amount that applied immediately before that 1 July, in accordance with Part 4 of the Schedule.

Note: In some circumstances, the operation of Part 4 of the Schedule can result in no increases occurring on a particular 1 July.

- (3) As soon as practicable, the National Road Transport Commission must make available to the public a statement setting out in detail its calculations of the new amounts of charge.

4 Alteration of amounts of permit charge

The regulations may alter the amounts specified in Part 3 of the Schedule in relation to a year, but any alteration in relation to a year must not increase or decrease the amounts applicable to the previous year by more than 5%.

5 Regulations

The Governor-General may make regulations prescribing matters:

- (a) required or permitted to be prescribed by this Act; or
- (b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.

Schedule

Sections 2 and 4

Part 1—Interpretation

In this Schedule:

articulated bus means a bus consisting of more than one rigid section with passenger access between the sections and the sections connected to one another so as to allow rotary movement between the sections.

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

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

bus means a motor vehicle, built mainly to carry people, that seats more than 9 adults (including the driver).

bus (type 1) means a rigid bus that has 2 axles and an MRC not exceeding 12 tonnes.

bus (type 2) means:

- (a) a rigid bus that has 2 axles and an MRC exceeding 12 tonnes;
or
- (b) a rigid bus that has 3 axles or 4 axles.

compliance plate means a plate authorised to be placed on a vehicle, or taken to have been placed on a vehicle, under the *Motor Vehicle Standards Act 1989*.

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

dog trailer means a trailer (including a trailer consisting of a semi trailer and converter dolly) with:

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

Schedule

Part 1 Interpretation

drawbar means a part of a trailer (other than a semi trailer) that connects the trailer body to a coupling for towing purposes.

driver means the person driving or in control of a motor vehicle.

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

indivisible load means a load comprising one item or a number of similar items that cannot, without disproportionate effort, expense or risk of damage, be divided into 2 or more smaller loads for the purpose of transport.

load carrying trailer means a trailer that is carrying a load or that is built to carry a load.

load carrying vehicle means a vehicle designed and constructed to haul or carry goods and wares in addition to any fuel, water, lubricants, tools and any other equipment or accessories necessary for normal operation of the vehicle.

loaded mass, in relation to a vehicle, means the sum of the mass of the vehicle and the mass of the load on the vehicle that is imposed on the surface on which the vehicle is standing or running.

long combination prime mover means a prime mover nominated to haul 2 or more trailers, but does not include a medium combination prime mover.

long combination truck means a truck nominated to haul 2 or more trailers.

low loader means a gooseneck semi trailer with a loading deck no more than 1 metre above the ground.

low loader dolly means a mass-distributing device that:

- (a) is usually coupled between a prime mover and low loader; and
- (b) consists of a gooseneck rigid frame; and
- (c) does not directly carry any load on itself; and

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- (d) is equipped with one or more axles, a kingpin and a fifth wheel coupling.

medium combination prime mover means a prime mover nominated to haul 2 semi trailers where the second semi trailer is mounted on the rear of the semi trailer being hauled by the prime mover (a B-double).

medium combination truck means a truck, other than a short combination truck, nominated to haul one trailer.

MRC (Mass Rating for Charging), in relation to a vehicle, means:

- (a) the maximum mass of the vehicle, including any load, recorded on the compliance plate as the GVM, GTMR or ATM of the vehicle; or
- (b) in relation to a vehicle for which there is no compliance plate-its operating mass.

nominated means nominated by the person applying for registration.

operating mass, in relation to a vehicle, means the maximum mass of the vehicle, including any load, as determined by the Registration Authority having regard to the design and construction of the vehicle or of any of its components.

pig trailer means a trailer with one axle group or single axle near the middle of its load-carrying surface, and connected to the towing vehicle by a drawbar.

pole type trailer means a trailer that:

- (a) is attached to a towing vehicle by means of a pole or an attachment fitted to a pole; and
- (b) is ordinarily used for transporting loads, such as logs, pipes, structural members or other long objects, that are generally capable of supporting themselves like beams between supports.

prime mover means a motor vehicle designed to haul a semi trailer.

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 3.2 metres but not more than 4.9 metres.

Schedule

Part 1 Interpretation

Registration Authority means the authority that is responsible for registering vehicles.

road means an area that is open to or used by the public and is developed for, or has as one of its main uses, the driving or riding of motor vehicles.

road related area means:

- (a) an area that divides a road; or
- (b) a footpath or nature strip adjacent to a road; or
- (c) an area that is open to the public and is designated for use by cyclists or animals; or
- (d) an area that is not a road and that is open to or used by the public for driving, riding or parking motor vehicles; or
- (e) any shoulder of a road; or
- (f) an area that is a road related area for the purposes of the *Road Transport (General) Act 1999* of the Australian Capital Territory.

semi trailer means a trailer (including a pole type trailer) that has:

- (a) one axle group or single axle towards the rear; and
- (b) a means of attachment to a prime mover that results in some of the load being imposed on the prime mover.

short combination prime mover means a prime mover nominated to haul one semi trailer.

short combination truck means a truck nominated to haul one trailer where, according to the nomination:

- (a) the combination has 6 axles or fewer; and
- (b) the maximum total mass that is legally allowable for the combination is 42.5 tonnes or less.

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

single axle group means a group of 2 or more axles, in which the horizontal distance between the centre-lines of the outermost axles is less than 1 metre.

special purpose vehicle means:

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- (a) a vehicle (other than one that the regulations declare not to be a special purpose vehicle for the purposes of this definition) where the primary purpose for which it was built, or permanently modified, was not the carriage of goods or passengers; or
 - (b) a vehicle declared by the regulations to be a special purpose vehicle for the purposes of this definition.

Note: The second last sentence of this Part contains an interpretation provision affecting this definition.

special purpose vehicle (type o) means a special purpose vehicle (other than a special purpose vehicle (type p)):

- (a) built, or permanently modified, primarily for use on roads; and
- (b) that has at least one axle or axle group loaded in excess of the mass limits specified in the regulations for the purposes of this definition.

Note: Some possible examples of this kind of vehicle are mobile cranes, fire engines, truck-mounted concrete pumps and boring plants. These may also fall within the definition of ***special purpose vehicle (type t)*** if they have no axle or axle group loaded in excess of the mass limits specified in the regulations for the purposes of that definition.

special purpose vehicle (type p) means a special purpose vehicle built, or permanently modified, primarily for:

- (a) off-road use; or
- (b) use on a road related area; or
- (c) use on an area of road that is under construction or repair.

Note: Some examples of this kind of vehicle are agricultural tractors, self-propelled agricultural harvesters, bulldozers, backhoes, graders and front-end loaders.

special purpose vehicle (type t) means a special purpose vehicle (other than a special purpose vehicle (type p)):

- (a) built, or permanently modified, primarily for use on roads; and
- (b) that has no axle or axle group loaded in excess of the mass limits specified in the regulations for the purposes of this definition.

Note: Some possible examples of this kind of vehicle are mobile cranes, fire engines, truck-mounted concrete pumps and boring plants. These may

Schedule

Part 1 Interpretation

also fall within the definition of *special purpose vehicle (type o)* if they have at least one axle or axle group loaded in excess of the mass limits specified in the regulations for the purposes of that definition.

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

trailer means a vehicle that is built to be towed, or is towed, by a motor vehicle, but does not include a motor vehicle that is being towed.

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 2 metres, but not more than 3.2 metres.

truck means a rigid motor vehicle that is principally constructed as a load carrying vehicle.

truck (type 1) means a truck that:

- (a) has 2 axles and an MRC not exceeding 12 tonnes; or
- (b) has 3 axles and an MRC not exceeding 16.5 tonnes; or
- (c) has 4 or more axles and an MRC not exceeding 20 tonnes.

truck (type 2) means:

- (a) a truck that has 2 axles and an MRC exceeding 12 tonnes; or
- (b) a truck that has 3 axles and an MRC exceeding 16.5 tonnes;
or
- (c) a truck that has 4 or more axles and an MRC exceeding 20 tonnes.

twinsteer axle group means a group of 2 axles:

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

For the purposes of this Schedule (other than the definitions of *single axle group*, *tandem axle group*, *twinsteer axle group*, *tri-axle group* and *quad-axle group*):

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- (a) 2 axles not more than one metre apart are to be regarded as one axle; and
 - (b) 3 axles not more than 2 metres apart are to be regarded as 2 axles; and
 - (c) 4 axles not more than 3.2 metres apart are to be regarded as 3 axles.

For the purposes of determining the number of trailers that a prime mover or truck may tow:

- (a) a converter dolly and a semi trailer when used together are to be regarded as one trailer; and
- (b) a low loader dolly and a low loader when used together are to be regarded as one trailer.

In paragraph (a) of the definition of *special purpose vehicle*:

goods does not include fuel, water, lubricants, tools and any other equipment or accessories necessary for the normal operation of the vehicle.

Note: For example, in the case of a crane, **goods** would not include any chains on the crane necessary to operate the crane.

passengers does not include the driver, a trainee driver or any person necessary for the normal operation of the vehicle.

Nothing in this Schedule applies to a vehicle with an MRC less than or equal to 4.5 tonnes.

Schedule

Part 2 Annual registration charges

Part 2—Annual registration charges

1 Load carrying vehicles

Load carrying vehicles					
Item	Vehicle type	2-axle	3-axle	4-axle	5-axle
1	Truck (type 1)	\$310	\$620	\$930	\$930
2	Truck (type 2)	\$516	\$826	\$2,066	\$2,066
3	Short combination truck	\$568	\$2,066	\$2,066	\$2,066
4	Medium combination truck	\$3,925	\$3,925	\$4,235	\$4,235
5	Long combination truck	\$5,423	\$5,423	\$5,423	\$5,423
6	Short combination prime mover	\$1,343	\$3,512	\$4,545	\$4,545
7	Medium combination prime mover	\$4,132	\$5,165	\$5,681	\$5,681
8	Long combination prime mover	\$5,165	\$5,165	\$5,681	\$5,681

2 Load carrying trailer, converter dolly and low loader dolly

The amount of the charge applicable to a load carrying trailer, a converter dolly or a low loader dolly is worked out using the formula:

$$\$310 \times \text{Number of axles}$$

3 Buses

Buses				
Item	Bus type	2-axle	3-axle	4-axle
1	Bus (type 1)	\$310	Not applicable	Not applicable
2	Bus (type 2)	\$516	\$1,291	\$1,291

Buses				
Item	Bus type	2-axle	3-axle	4-axle
3	Articulated bus	Not applicable	\$516	\$516

4 Special purpose vehicles

Special purpose vehicles		
Item	Special purpose vehicle type	Charge
1	Special purpose vehicle (type p)	No charge
2	Special purpose vehicle (type t)	\$207
3	Special purpose vehicle (type o)	The amount worked out using the formula: \$258 + \$258 × Number of axles in excess of 2

5 Vehicles in 2 or more categories

If a vehicle falls within 2 or more categories specified in this Part, the charge for the vehicle is the higher or highest of the charges that could apply to the vehicle.

Schedule

Part 3 Charges for the grant of certain permits

Part 3—Charges for the grant of certain permits

The charge for the grant of a permit to operate a vehicle, or a combination of vehicles with a loaded mass exceeding 125 tonnes and that is carrying an indivisible load is to be worked out using the formula:

$$K \times 4 \text{ cents} \times N$$

where:

K is the number of kilometres involved in the journey; and

N is a number ascertained in accordance with the regulations.

Part 4—Increase of amounts

1 Formula

- (1) The amount of the increase of each charge that is to occur on each 1 July, as mentioned in section 3A, is the amount determined in accordance with the following formula, expressed as a percentage of the charge that was applicable immediately before that 1 July:

$$\left(0.6 \times RA\right) + \left(0.21 \times UA\right) + \left(0.17 \times RL\right) + \left(0.02 \times UL\right) - 1.5$$

where:

RA means the Rural Arterial Road Expenditure adjustment factor that applies for that 1 July (see clause 5).

RL means the Rural Local Road Expenditure adjustment factor that applies for that 1 July (see clause 5).

UA means the Urban Arterial Road Expenditure adjustment factor that applies for that 1 July (see clause 5).

UL means the Urban Local Road Expenditure adjustment factor that applies for that 1 July (see clause 5).

Rounding

- (2) The amount determined under subclause (1) is to be rounded up or down to one decimal place (rounding an amount of 0.05 percentage points upwards).

Example: An amount of 3.55 percentage points would be rounded up to 3.6 percentage points.

2 Ceiling of CPI indexation factor

If the amount worked out under clause 1 for a particular 1 July is greater than the CPI indexation factor for that 1 July (see clause 6), that amount is taken to be the amount of that CPI indexation factor instead.

Schedule

Part 4 Increase of amounts

3 Floor of nil

If the amount worked out under clause 1 for a particular 1 July is less than nil, no increase occurs on that 1 July.

Note: No decrease occurs either, as this Part does not provide for amounts of charge to decrease.

4 Rounding of final charge amount

Each amount of charge that is increased in accordance with this Part is to be rounded up or down to the nearest whole dollar amount (rounding an amount of 50 cents upwards).

Example: An amount of \$507.50 would be rounded up to \$508.

5 Adjustment factors

- (1) The 4 *adjustment factors* used in the formula in clause 1, for 1 July in a particular year, are to be worked out under this clause.
- (2) Each adjustment factor is the amount of percentage points worked out by applying the following formula for that factor:

$$100 \times \left[\frac{(\text{Year 2 expenditure} + \text{Year 3 expenditure} + \text{Year 4 expenditure})}{(\text{Year 1 expenditure} + \text{Year 2 expenditure} + \text{Year 3 expenditure})} - 1 \right]$$

where:

expenditure, for a financial year, means the amount specified in the most recent annual report as being:

- (a) in the case of the Rural Arterial Road Expenditure adjustment factor—the estimated amount of expenditure on rural arterial roads for the year; and
- (b) in the case of the Urban Arterial Road Expenditure adjustment factor—the estimated amount of expenditure on urban arterial roads for the year; and
- (c) in the case of the Rural Local Road Expenditure adjustment factor—the estimated amount of expenditure on rural local roads for the year; and
- (d) in the case of the Urban Local Road Expenditure adjustment factor—the estimated amount of expenditure on urban local roads for the year.

most recent annual report means the annual report of the National Road Transport Commission that was tabled in each House of the Parliament most recently before the 1 July in question.

Year 1 means the financial year immediately before Year 2.

Year 2 means the financial year immediately before Year 3.

Year 3 means the financial year immediately before Year 4.

Year 4 means the latest financial year for which all 4 of the amounts of estimated expenditure mentioned in the definition of ***expenditure*** are specified in the most recent annual report.

Example: Suppose that, on 1 July 2003, the most recent annual report to have been tabled is the annual report for 2001-02 and that the latest financial year for which that report contains the relevant expenditure figures is 2000-01. Year 4 would therefore be 2000-01, for the purpose of working out the 1 July 2003 increase.

Rounding

- (3) The amount of percentage points worked out under subclause (2) is to be rounded up or down to 4 decimal places (rounding an amount of 0.00005 percentage points upwards).

Example: An amount of 2.35065 percentage points would be rounded up to 2.3507 percentage points.

Transitional—special data for 1 July 2002

- (4) In working out the 4 ***adjustment factors*** for 1 July 2002:
- (a) the amounts of the relevant kinds of expenditure mentioned in the definition of ***expenditure*** in subclause (2) are taken to be those specified, for each of Years 1 to 4, in a document entitled “Road Transport Charges Expenditure Data—July 2002 adjustment” that is published by the National Road Transport Commission for the purposes of this clause, instead of the amounts specified in the most recent annual report; and
 - (b) ***Year 4*** is taken to be the financial year that is specified in that document as being Year 4, instead of what it would otherwise be.

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- (5) The information in the document mentioned in paragraph (4)(a) must be included in the next annual report of the National Road Transport Commission that is given to the Minister.

6 CPI indexation factor

- (1) The **CPI indexation factor** for a particular 1 July is the amount of percentage points worked out using the following formula:

$$100 \times \left[\frac{\left(\text{Sum of index numbers for the 4 quarters in the recent calendar year} \right)}{\left(\text{Sum of index numbers for the 4 quarters in the previous calendar year} \right)} - 1 \right]$$

where:

index number for a quarter means the All Groups Consumer Price Index number that is the weighted average of the 8 capital cities and is published by the Australian Statistician for that quarter.

previous calendar year means the last calendar year before the recent calendar year.

recent calendar year means the calendar year that ended most recently before the 1 July in question.

Rounding

- (2) The CPI indexation factor worked out under subclause (1) is to be rounded up or down to one decimal place (rounding up in the case of exactly halfway between).

Example: An amount of 3.55 percentage points would be rounded up to 3.6 percentage points.

Changed reference base

- (3) If the Australian Statistician changes the reference base for the Consumer Price Index, only index numbers published in terms of the new reference base are to be used, for the purposes of this clause.

Negative factor taken to be nil

- (4) If the CPI indexation factor worked out under this clause is less than nil, it is taken to be nil instead.

Special index numbers for March 2000 and June 2000 quarters

- (5) The index numbers for the March 2000 and June 2000 quarters are taken to be 128.0 and 129.1 respectively, for the purposes of this clause.

Note: This is to adjust for the special effects of the start of the GST on the index numbers.

Table of Acts**Notes to the *Road Transport Charges (Australian Capital Territory) Act 1993*****Note 1**

The *Road Transport Charges (Australian Capital Territory) Act 1993* as shown in this compilation comprises Act No. 10, 1993 amended as indicated in the Tables below.

For all relevant information pertaining to application, saving or transitional provisions *see* Table A.

Table of Acts

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Road Transport Charges (Australian Capital Territory) Act 1993</i>	10, 1993	27 May 1993	24 June 1993	
<i>Road Transport Charges (Australian Capital Territory) Amendment Act 2000</i>	42, 2000	3 May 2000	1 July 2000 (see <i>Gazette</i> 2000, No. S303)	Sch. 1 (item 42)
<i>Road Transport Charges (Australian Capital Territory) Amendment Act 2002</i>	19, 2002	4 Apr 2002	4 Apr 2002	—

Table of Amendments

Table of Amendments

ad. = added or inserted	am. = amended	rep. = repealed	rs. = repealed and substituted
Provision affected	How affected		
S. 2.....	rs. No. 42, 2000		
S. 3A	ad. No. 19, 2002		
Heading to s. 4	am. No. 19, 2002		
S. 4.....	am. No. 19, 2002		
Schedule	am. No. 42, 2000; No. 19, 2002		

Table A

Table A

Application, saving or transitional provisions

Road Transport Charges (Australian Capital Territory) Amendment Act 2000
(No. 42, 2000)

Schedule 1

42 Amendments not to affect requirement to determine certain charges

The amendments made by this Act do not affect the requirement for the Government of the Australian Capital Territory to determine:

- (a) if this Act commences on or before 1 July 2000—charges for the grant of annual registrations, or of permits, taking place before 1 July 2000; or
- (b) if this Act commences after 1 July 2000—charges for the grant of annual registrations, or of permits, taking place before this Act commences.