



## HEAVY VEHICLE NATIONAL LAW

### National Class 3 Mechanical Tarping and Safety Harness Systems Dimension Exemption Notice 2024 (No.1)

#### 1. Purpose

The purpose of this notice is to exempt class 3 heavy vehicles that are equipped with a mechanical tarping system or a safety harness system from prescribed dimension requirements relating to width.

#### 2. Authorising Provision

- 1) This notice is made under the following provision of the Heavy Vehicle National Law (HVNL):
  - a) section 117 – *Regulator’s power to exempt category of class 1 or 3 heavy vehicles from compliance with mass or dimension requirement.*

#### 3. Title

This Notice may be cited as the *National Class 3 Mechanical Tarping and Safety Harness Systems Dimension Exemption Notice 2024 (No.1)*.

#### 4. Commencement

This Notice commences on 10 February 2024.

#### 5. Expiry

This Notice expires on 9 February 2029.

## 6. Definitions

- 1) Unless otherwise stated, words and expressions used in this notice have the same meanings as those in the HVNL and its regulations.
- 2) In this notice, definitions from the following notices apply:
  - a) *National Class 2 B-double Authorisation Notice*, as amended from time to time; and
  - b) *National Class 2 Road Train Authorisation Notice*, as amended from time to time.
- 3) In this notice:

**Guide** means the *National Class 3 Mechanical Tarping and Safety Harness Systems Dimension Exemption Notice Operator's Guide* published by the National Heavy Vehicle Regulator, and as amended from time to time.

**Mechanical Tarping System** means a device fitted to the rear of the vehicle that is designed to cover the vehicle load with a tarpaulin and/or fabric cover without requiring a person to climb to the top of the vehicle.

**Safety Harness System** means a device fitted to the vehicle that is designed to prevent or control the risk of a person falling from the top or side of the vehicle.

## 7. Application

- 1) This notice applies to a class 3 heavy vehicle that meets all the requirements in this section.
- 2) This notice applies to a heavy vehicle that was first registered before 1 July 2006 and has subsequently been fitted with a mechanical tarping system, or a safety harness system.
- 3) This notice applies in the following participating jurisdictions:
  - a) New South Wales;
  - b) Queensland; and
  - c) Victoria.
- 4) A heavy vehicle to which this section applies and that complies with the conditions of this notice is an eligible vehicle.

## **8. Exemption – Prescribed dimension requirements**

- 1) An eligible vehicle is exempt from the following dimension requirements under Schedule 6 of the *Heavy Vehicle (Mass Dimension and Loading) National Regulation* (MDL Regulation):
  - a) section 7 – Width
- 2) An exemption in 1) only applies to the extent that specific conditional dimension limits are provided in section 9 of this notice.

## **9. Conditions – Width**

- 1) An eligible vehicle must not exceed 2.6m in width including any width attributable to protrusion of a mechanical tarping system or safety harness system.
- 2) An eligible vehicle must not exceed 2.5m in width, not including any width attributable to protrusion of a mechanical tarping system or safety harness system.
- 3) For this section, the width of a heavy vehicle must be measured in the same manner as in section 8 of the *Heavy Vehicle (Vehicle Standards) National Regulation*.

*Note: The intention of this section is to ensure that the extra width afforded under this exemption only applies to the extent that any width in excess of prescribed limits is caused by a mechanical tarping system or safety harness system.*

## **10. Condition – Maximum extent of protrusion**

- 1) Any mechanical tarping system or a safety harness system on an eligible vehicle must not protrude more than 50mm to either side of the vehicle.
- 2) This condition does not apply in Queensland.

## **11. Condition – Height requirements for protrusion**

- 1) Any part of a mechanical tarping system or a safety harness system on an eligible vehicle that causes the eligible vehicle to exceed 2.5m in width must be more than 2.0m from the ground.
- 2) This condition does not apply in Queensland.

## 12. Condition – stated areas or routes

- 1) An eligible vehicle complying with the conditions of this notice is authorised to operate on areas and routes specified in this section.
- 2) An eligible vehicle other than a B-double or road train has general access.
- 3) An eligible vehicle that is a compliant B-double but for the exemption provided in this notice may operate on networks in the following Gazette notice as though it were a compliant class 2 B-double subject to all conditions of that notice:

### *National Class 2 B-Double Authorisation Notice*

- 4) An eligible vehicle that is a compliant road train but for the exemption provided in this notice may operate on networks in the following Gazette notice as though it were a compliant class 2 road train subject to all conditions of that notice:

### *National Class 2 Road Train Authorisation Notice*

- 5) For the purposes of section 119(1)(a) of the HVNL, an area or route specified in this section is a stated area or route to which this notice applies.
- 6) Regardless of any access granted under this section, an eligible vehicle must comply with any conditions or restrictions applied to a given area or route by the *Specified Road Manager Network Requirements* in the Guide.
- 7) In this section:

**general access** means access to all roads except as restricted by the Specified Road Manager Network Requirements in the Guide.

**network** means a map, list or database, presented either electronically or otherwise, that represents the stated areas and stated routes authorised under this notice.

- 8) An eligible vehicle operating on an area or route specified in this section must comply with any of the following conditions prescribed for that area or route:
  - a) Road conditions pursuant to section 160 of the HVNL; and
  - b) Travel conditions pursuant to section 161 of the HVNL; and
  - c) Vehicle conditions pursuant to section 162 of the HVNL.

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