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Statutory Rules 1996 No. *L*

342

Road Transport Reform (Mass and Loading) Regulations (Amendment)

NOTE

These Regulations amend the mass limits in the Road Transport Reform (Mass and Loading) Regulations to allow "complying buses" an increase of up to 0.5 tonnes on the front axle and, except for 8-tyred tandem drive buses, up to 1 tonne on the rear axle or axle group.

These increases are subject to an overall requirement that the total mass of the bus must not exceed a limit that is 0.5 tonnes less than the sum of the axle mass limits.

A "complying bus" for this purpose is a bus that meets certain specifications in the Australian Design Rules concerning emergency exits, rollover strength and occupant protection and has an approved air suspension system.

The bus must either have a compliance plate indicating that it was manufactured on or after 1 July 1994 or be declared by an Authority to comply with the relevant specifications.

These Regulations also insert a new provision to ensure that if a person is prosecuted for a breach of the mass or dimension requirements of the Principal Regulations, an exemption from those requirements given under other Regulations must be disregarded if the conditions of the exemption have been breached in certain ways.

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Statutory Rules 1996 No. ¹

342 |

Road Transport Reform (Mass and Loading) Regulations ²(Amendment)

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Road Transport Reform (Vehicles and Traffic) Act 1993*.

Dated ¹ 1996.

20 December |

¹ WILLIAM DEANE |
Governor-General

By His Excellency's Command,

¹
Minister for Transport and Regional Development

JOHN SHARP |

1. Commencement

1.1 These Regulations commence on a day or days specified by the Commonwealth Minister for the time being administering the *Road Transport Reform (Vehicles and Traffic) Act 1993*, by notice in the *Gazette*.

2. Amendment

2.1 The Road Transport Reform (Mass and Loading) Regulations are amended as set out in these Regulations.

3. New regulations 12 and 13

3.1 After regulation 11, insert:

Failure to comply with certain exemption conditions

“12 (1) If:

- (a) a person is prosecuted for an offence under these Regulations; and
- (b) the offence relates to the failure of a vehicle or combination to comply with a mass or dimension limit specified in these Regulations; and
- (c) an exemption has been given under any Regulations made under the Act that is subject to the condition that the vehicle or combination complies with a greater mass or dimension limit than the mass or dimension limit referred to in paragraph (b); and
- (d) at the time of the alleged offence, the vehicle or combination was travelling:
 - (i) on a route other than a route on which the vehicle or combination was permitted to travel under a condition of the exemption; or
 - (ii) at a time other than a time at which the vehicle or combination was permitted to travel under a condition of the exemption; or
 - (iii) accompanied by fewer than the number of pilot or escort vehicles required under a condition of the exemption; or
 - (iv) with an aggregate mass that is more than 10% in excess of the limit allowed under a condition of the exemption;

the exemption must be disregarded for the purposes of the prosecution.

Declaring buses to be complying buses

- “13 (1) This regulation applies to a bus with 2 or 3 axles and a single steer axle that:
- (a) is not fitted with a compliance plate in accordance with the *Motor Vehicle Standards Act 1989*; or
 - (b) is fitted with a compliance plate in accordance with that Act but the compliance plate indicates that the bus was manufactured before 1 July 1994.
- “13 (2) The vehicle registration authority may declare that a bus equipped with an approved air suspension system is a complying bus for the purposes of these Regulations if the vehicle registration authority is satisfied that the bus meets:
- (a) the emergency exit specifications in ADR 44; and
 - (b) the rollover strength specifications in ADR 59; and
 - (c) the occupant protection specifications in ADR 68.”.

4. Schedule (Mass and Loading Requirements)

4.1 Subclause 1.2(6):

Omit the subclause, substitute:

- “1.2 (6) The sum of the mass on the axle groups and single axles on a vehicle or combination must not exceed:
- (a) in the case of a complying bus without a trailer:
 - (i) if the complying bus has 2 axles—16.0 tonnes; and
 - (ii) if the complying bus has a rear tandem axle group fitted with single tyres on one axle and dual tyres on the other axle—20.0 tonnes; and
 - (iii) if the complying bus has a rear tandem axle group fitted with dual tyres on both axles—22.5 tonnes; and
 - (b) in the case of a combination consisting of a complying bus and a trailer—the sum of the mass limit specified for the bus in paragraph 1.2(6)(a) and the mass limits of the axle groups and single axles of the trailer as provided in Table 1; and
 - (c) in any other case—the sum of the mass limits of the axle groups and single axles as provided in Table 1.”.

4.2 Table 1 (Mass Limits for Single Axles and Axle Groups):
Omit "Single steer axle on a motor vehicle 6.0",
substitute:

- "Single steer axle on:
- (a) a complying bus 6.5
 - (b) any other motor vehicle 6.0".

4.3 Table 1 (Mass Limits for Single Axles and Axle Groups):
Omit "(b) a bus licensed to carry standing passengers 10.0",
substitute:

- "(b) a complying bus or a bus licensed to
carry standing passengers 10.0".

4.4 Table 1 (Mass Limits for Single Axles and Axle Groups):
Omit "Tandem axle group fitted with single tyres
on one axle and dual tyres on the other axle 13.0",
substitute:

- "Tandem axle group fitted with single tyres
on one axle and dual tyres on the other axle on:
- (a) a complying bus 14.0
 - (b) any other vehicle 13.0".

4.5 Subclause 4.1 (1):
Insert the following definitions:

"**ADR**' (Australian Design Rule) means a national standard
under the *Motor Vehicle Standards Act 1989*, as amended and in
force from time to time;

'approved air suspension system', in relation to a vehicle,
means a suspension system in which:

- (a) vertical movement between each axle and the body
of the vehicle is controlled by variations in the
pressure of air in an air spring; and
- (b) the proportion of the vehicle's mass that is borne by
the air spring remains substantially constant despite
variations in the pressure of air in the air spring;

'complying bus' means:

- (a) a bus with 2 or 3 axles and a single steer axle that:
 - (i) is fitted with a compliance plate in accordance
with the *Motor Vehicle Standards Act 1989*
indicating that the bus was manufactured
during or after July 1994; and

- (ii) meets the emergency exit specifications in ADR 44; and
 - (iii) meets the rollover strength specifications in ADR 59; and
 - (iv) meets the occupant protection specifications in ADR 68; and
 - (v) is equipped with an approved air suspension system; or
- (b) a bus that is the subject of a declaration under regulation 13 or under a corresponding law of another State or Territory;”.

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- NOTES — continued
1. [] Notified in the *Commonwealth of Australia Gazette* on
 2. Statutory Rules 1995 No. 56.

K 1996. 21. December