



2004B00404

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Interstate Road Transport Amendment Regulations 2004 (No. 1)¹

Statutory Rules 2004 No. 1²

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I, PHILIP MICHAEL JEFFERY, Governor-General of the
Commonwealth of Australia, acting with the advice of the
Federal Executive Council, make the following Regulations
under the *Interstate Road Transport Act 1985*.

Dated 1 DEC 2004 2004

PM Jeffery
Governor-General

By His Excellency's Command

JOHN ANDERSON
Minister for Transport and Regional Services

1 Name of Regulations

These Regulations are the *Interstate Road Transport Amendment Regulations 2004 (No. 1)*.

2 Commencement

These Regulations commence on the date of their notification in the *Gazette*.

3 Amendment of *Interstate Road Transport Regulations 1986*

Schedule 1 amends the *Interstate Road Transport Regulations 1986*.

Schedule 1 Amendments

(regulation 3)

[1] Subregulation 12C (5), note

substitute

Note For the routes on which a B-double may operate, see subregulation 12L (1).

[2] Paragraph 12C (6) (a)

substitute

(a) only on:

- (i) a route mentioned in subregulation (5); or
- (ii) a route that the vehicle is authorised to operate on under a relevant instrument; or

[3] After subregulation 12C (6), including the penalty*insert*

- (6A) A person who operates a higher mass limit vehicle on a route mentioned in subparagraph (6) (a) (ii) must operate the vehicle in accordance with any conditions relating to infrastructure safety to which the relevant instrument for the route is subject.

Penalty: 10 penalty units.

[4] After subregulation 12C (7), including the note*insert*

- (8) In this regulation:

relevant instrument, in relation to a route in a State or Territory, means an instrument or other writing, as in force from time to time, made under a law (or provision of a law) of the State or Territory, being a law or provision that is mentioned in Part 1 of Schedule 4A.

[5] Subregulation 12L (1), including the penalty*substitute*

- (1) Subject to subregulation (2), a person must not operate a B-double except:
- (a) on a federal route that applies to the B-double; or
 - (b) on a route in a State or Territory that the B-double is authorised to operate on under a relevant instrument.

Penalty: 10 penalty units.

[6] Subregulation 12L (2)*omit*

federal route:

insert

route mentioned in paragraph (1) (a) or (b):

[7] After subregulation 12L (2)*insert*

- (2A) A person who operates a B-double on a route mentioned in paragraph (1) (b) must operate the B-double in accordance with any conditions relating to infrastructure safety to which the relevant instrument for the route is subject.

Penalty: 10 penalty units.

[8] After subregulation 12L (4), including the note*insert*

- (5) In this regulation:

relevant instrument, in relation to a route in a State or Territory, means an instrument or other writing, as in force from time to time, made under a law (or provision of a law) of the State or Territory, being a law or provision that is mentioned in Part 2 of Schedule 4A.

[9] After Schedule 4*insert*

Schedule 4A State and Territory laws under which relevant instruments are made

(subregulations 12C (8) and 12L (5))

Part 1 Laws for higher mass limit vehicles

Item	State or Territory law
1	<i>Road Transport (Mass, Loading and Access) Regulation 1996</i> (NSW), subregulation 23 (1) or (3)
2	Road Safety (Vehicles) Regulations 1999 (Vic), subregulation 516 (1)
4	<i>Interstate Road Transport Amendment Regulations 2004</i> (No.) 2004,

Item	State or Territory law
3	<i>Transport Operations (Road Use Management) Regulation 1995</i> (Qld), paragraph 11A (1) (a)
4	<i>Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 1999</i> (Qld), paragraph 10 (1) (a)
5	<i>Road Traffic (Vehicle Standards) Regulations 2002</i> (WA), regulation 33
6	<i>Road Traffic Act 1961</i> (SA), subsection 161A (1) or 163AA (1)
7	<i>Vehicle and Traffic (Vehicle Operations) Regulations 2001</i> (Tas), subregulation 45 (1)
8	<i>Road Transport (Dimensions and Mass) Act 1990</i> (ACT), subsection 31A (1)

Part 2 Laws for B-doubles

Item	State or Territory law
1	<i>Road Transport (Mass, Loading and Access) Regulation 1996</i> (NSW), regulation 17 or subregulation 23 (1) or (3)
2	Road Safety (Vehicles) Regulations 1999 (Vic), subregulation 510 (1) or 516 (1) or clause 11 of Schedule 2
3	<i>Transport Operations (Road Use Management) Regulation 1995</i> (Qld), paragraph 11A (1) (a)
4	<i>Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 1999</i> (Qld), paragraph 10 (1) (a)
5	<i>Road Traffic (Vehicle Standards) Regulations 2002</i> (WA), regulation 29 or 33
6	<i>Road Traffic Act 1961</i> (SA), subsection 161A (1) or 163AA (1)
7	<i>Vehicle and Traffic (Vehicle Operations) Regulations 2001</i> (Tas), subregulation 45 (1)
8	<i>Road Transport (Dimensions and Mass) Act 1990</i> (ACT), subsection 31A (1)

2004,	<i>Interstate Road Transport Amendment Regulations 2004</i> (No.)	5
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Notes

1. These Regulations amend Statutory Rules 1986 No. 291, as amended by 1986 No. 386; 1987 No. 141; 1988 No. 152; 1990 Nos. 144 and 435; 1991 No. 343; 1992 No. 350; 1994 Nos. 94 and 255; 1995 Nos. 5 and 151; 1996 No. 250; 1999 Nos. 11 and 133; 2001 No. 15; 2002 No. 13.
2. Notified in the *Commonwealth of Australia Gazette* on 1 2004. 8 December