

Road Transport (General) Act 2005

Class 3 Single Steer Axle Mass Limit Exemption Notice 2010

I, Michael Bushby, Chief Executive of the Roads and Traffic Authority pursuant to Division 5, Part 2, of the *Road Transport (Mass, Loading and Access) Regulation 2005*, do, by this Notice, exempt from the single steer axle mass limit for a motor vehicle other than a complying bus set out in Table 1, and total mass limit specified in Clause 6(1), of Schedule 1 to the *Road Transport (Mass, Loading and Access) Regulation 2005*, the vehicles described in Part 2 of the Schedule of this Notice subject to any condition or requirement set out in that Schedule.

Michael Bushby
Chief Executive
Roads and Traffic Authority

SCHEDULE

Explanatory Note

This notice replaces the *Class 3 Single Steer Axle Mass Limit Exemption Notice 2006*, that was published in the Government Gazette No. 189 of 22 December 2006, at pages 11843 to 11846 and subsequently amended from time to time.

PART 1 — PRELIMINARY

1.1 Citation

This Notice may be cited as the *Class 3 Single Steer Axle Mass Limit Exemption Notice 2010*.

1.2 Commencement

This Notice takes effect on 1 October 2010.

1.3 Effect

This Notice remains in force up to and including 30 September 2015 unless it is amended or repealed earlier.

1.4 Interpretation

1.4.1 Unless stated otherwise in Part 5 of this Notice, the words and expressions used in this Notice have the same meaning as those defined in the *Road Transport (General) Act 2005*.

1.4.2 Except where a contrary intention is indicated, notes in the text of this Notice do not form part of this Notice.

PART 2 — APPLICATION

- 2.1.1 This Notice applies to vehicles,
- a) That are not operating under a Permit or Notice made under the Regulation or the Act; or
 - b) Are operating under a Permit or Notice made under Divisions 4 , 5 or 7 of Part 2 of the Regulation; or
 - c) Are operating under an Excess Weight Permit;
 - d) With a manufacturer's Gross Vehicle Mass (GVM) of 15 tonnes or more; and
 - e) With a single steer axle mass that exceeds the limit for a motor vehicle other than a complying bus specified in Table 1 of Schedule 1 to the Regulation, but does not exceed the single steer axle mass limit in Part 3; and
 - f) With a steer axle with a manufacturer's rating of at least 6.5 tonnes; and
 - g) Which comply with Front Under-run Protection Device requirements in Part 3; and
 - h) Which comply with cabin strength requirements in Part 3; and
 - i) Which comply with Australian Design Rule (ADR) 80/01, 80/02 or 80/03 requirements in Part 4.
- 2.1.2 This Notice does not apply to a complying bus.

PART 3 - OPERATION AND TRAVEL CONDITIONS

3.1 Operating conditions

- 3.1.1 A copy of this Notice, must be carried in the driving compartment of a vehicle and must be produced in response to a request by a Police Officer or Authorised Officer.
- 3.1.2 All conditions of this Notice are to be observed when a vehicle is operating under this Notice.
- 3.1.3 Unless a contrary intention is stated by this Notice, a vehicle operating under this Notice must comply with all statutory requirements of the road transport legislation as defined by Section 5 of the *Road Transport (General) Act 2005*.
- 3.1.4 Without limiting 3.1.3, any other operating conditions applicable to a vehicle (or combination of which the vehicle forms a part) operating under another notice or permit made under the *Road Transport (Mass, Loading and Access) Regulation 2005*, or an excess weight permit made under the *Road Transport (General) Act*, are not affected by this Notice, other than to permit the additional single steer axle mass allowable under Part 4 of this Notice.

PART 4 – SPECIAL CONDITIONS

4.1 Mass Limits

- 4.1.1 The single steer axle mass of a vehicle to which this Notice applies may exceed the 6-tonne single steer axle mass limit for a motor vehicle other than a complying bus specified in Table 1, Clause 2 of Schedule 1 of the *Road Transport (Mass, Loading and Access) Regulation 2005* by up to 500kg.
- 4.1.2 The additional mass permitted under Clause 4.1.1 is additional to the total mass limit allowable for that vehicle (or combination of which the vehicle forms a part) under the *Road Transport (Mass, Loading and Access) Regulation 2005*, or a Notice or permit made under Divisions 4, 5 or 7 of Part 2 of the *Road Transport (Mass, Loading and Access) Regulation 2005* or an Excess Weight Permit.

4.2 Front Underrun Protective Devices

- 4.2.1 The vehicle must:
- a) be a Front Under-run Protection Device, which is fitted with an Approval Plate that is affixed on the vehicle cabin and in the proximity of the vehicle's CPA (Compliance) plate/label. The Approval Plate must be clearly visible to, and readable by, a Police Officer or an Authorised Officer; or
 - b) be fitted with a Front Under-run Protection Device which is fitted with an Approval Plate that is clearly visible to, and readable by, a Police Officer or an Authorised Officer.
- 4.2.2 Any protrusion fitted to the front of a vehicle, must be fitted with an Approval Plate, that is clearly visible to, and readable by, a Police Officer or an Authorised Officer. The Approval Plate must stipulate either that the protrusion is a Front Under-run Protection Device as outlined in 4.2.1 (b) or that the fitted protrusion does not negate the vehicle's compliance with 4.2.1.

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| <p>Note: Protrusions covered by 4.2.2 are fittings such as 'Bull-bars', 'Roo-bars', 'Nudge-bars' 'Cow-catchers' etc. It does not include driving lights, fog lights, 'running' lights, aerials etc. To comply with 3.2 all vehicles will require an approval plate on their protrusion. Some vehicles may require two approval plates – one on the protrusion and one on the cab of the vehicle.</p> |
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4.3 Cabin strength

- 4.3.1 The vehicle must comply with Regulation No. 29 made under the UN ECE Agreement (UN ECE R29) for cabin strength.
- 4.3.2 A vehicle complying with Clause 4.3.1 must be fitted with an Approval Plate that is affixed on the vehicle cabin and in the proximity of the vehicle CPA (Compliance) plate/label. The Approval Plate must be clearly visible to, and readable by, a Police Officer or an Authorised Officer.

4.4 Australian Design Rule (ADR) 80/01, 02 or 03- verification

- 4.4.1 A vehicle operating under this Notice must comply with:
- a) ADR 80/01, or
 - b) ADR 80/02, or

- c) ADR 80/03.
- 4.4.2 For the purposes of this Notice a vehicle fitted with a Compliance Plate dated January 2008, or later, is deemed to comply with ADR 80/01
- 4.4.3 For all other vehicles, compliance with ADR 80/01, ADR 80/02 or ADR 80/03 must be verified by either:
 - a) An Approval Plate that is affixed on the vehicle cabin and in the proximity of the vehicle CPA (Compliance) plate/label. The Approval Plate must be clearly visible to, and readable by, a Police Officer or an Authorised Officer;
 - or
 - b) An original letter from the manufacturer of the vehicle that is carried in the cabin of the vehicle.
- 4.4.4 A letter referred to in Clause 4.4.2 must:
 - a) Declare that the manufacturer holds an Compliance Plate Approval (CPA) from the Australian Government;
 - b) Identify the make, model and Vehicle Identification Number (VIN) of the vehicle; and
 - c) State that the vehicle was supplied into the market fully compliant with Australian Design Rule 80/01, 80/01, 80/02 or ADR 80/03.

PART 5 DEFINITIONS

“Act” means the *Road Transport (General) Act 2005*.

“Approval Plate” means a decal, label or plate issued by a Competent Entity that is made of a material and fixed in such a way that they cannot be removed without being damaged or destroyed and that contains the following information:

- For vehicles complying with Clause 4.2, the Trade name or mark of the Front Under-run Protection Vehicle or Front Under-run Protection Device;
- For vehicles complying with Clause 4.2, the manufacturer of the Front Under-run Protection Vehicle or Front Under-run Protection Device;
- For vehicles complying with Clause 4.2.1(b), the make of the vehicle or vehicles the component or device has been designed and certified to fit;
- For vehicles complying with Clause 4.2.1(b), the model or models of vehicle the component or device has been designed and certified to fit;
- For vehicles complying with Clause 4.3, the vehicle manufacturer’s name;
- Competent Entity unique identification number;
- Approval Plates relating to 4.2.1(b) and 4.2.2 must include the Approval Number issued by the Competent Entity; and
- Purposes of the approval i.e. approval for a Front Under-run Protection Device, and/or for a Front Under-run Protection Vehicle (UN ECE 93), or for Cab Strength (UN ECE 29).
- Approval Plates relating to Clause 4.2.1(b) shall bear the words “UN ECE R93 FUPD” or other words or markings with a clearly equivalent meaning.
- Approval Plates relating to Clause 4.2.2 must bear the words “UN ECE R93 FUP Compatible” or other words or markings with a clearly equivalent meaning.

- Approval Plates relating to either Clause 4.2.1(b) and 4.2.2 may include both the words “UN ECE R93 FUPD” and “UN ECE R93 FUP Compatible” or other words or markings with a clearly equivalent meaning. Each statement must be annotated or marked, such as with either a “Yes” or “XXX”, so as to clearly and unambiguously signify upon the Plate which statement is applicable (A FUP compatible device is one that complies with Clause 4.2.2).
- Approval Plates relating to Clause 4.3 must include the statement “This vehicle was manufactured to conform with the Cab Strength requirements of UN ECE R29” or words with an equivalent meaning.
- Approval plates relating to Clause 4.4 must include the statement “This vehicle was manufactured to comply with Australian Design Rule 80/01 “Emissions Control for Heavy Vehicles”” or words with an equivalent meaning.

“Competent Entity” means a person or organisation appointed by an Australian Road Authority, and issued with a unique identification number, with the power to certify that the UN ECE requirements for Front Under-run Protection and Cab Strength have been met, and continue to be met, and who may authorise the fixing of appropriate Approval Plates to a Front Under-run Protection Device or a Front Under-run Protection Vehicle.

A Compliance Plate Approval (CPA) holding heavy vehicle manufacturer is deemed to be a Competent Entity.

A Competent Entity, that is not a CPA holding manufacturer, is only approved to inspect and certify those vehicles that are registered in the same jurisdiction as the Competent Entity’s place of business.

With respect to ADR80/01, ADR 80/02 and ADR 80/03, a Competent Entity is a Compliance Plate Approval (CPA) holding heavy vehicle manufacturer.

“Excess Weight Permit” means a permit issued under Section 27 of the Act.

“Front Under-run Protection Device” means a device fitted to a prime mover:

- That complies with UN ECE Regulation No. 93 and meets all of the requirements set out in Section 6 “Requirement For FUPDs” of Part I and Section 8 “Requirements for Installation of an Approved FUPD” of Part II of those regulations,
- Where compliance with the performance requirements of *UN ECE Regulation No. 93* was established by laboratory testing carried out in accordance with the procedures set out in *Annex 5 of UN ECE Regulation No. 93*, and
- That was tested using the Test Conditions set out in Section 1 and the Test Procedure set out in Section 3 of Annex 5 of the Guidelines for Implementing Front Underrun Protection and Cab Strength Requirements published by the National Transport Commission (NTC). (Simulation of the test procedure by calculation or other such method as provided for in Section 1.3 of Annex 5 is not available under the NTC Guideline, except with the specific approval of the Authority or when approval has been granted using an “E-mark” issued pursuant to Annex 4 of UN ECE Regulation No. 93).
- Complies with ADR 84 - Front Underun Impact Protection.
- “Front Under-run Protection Vehicle” means a vehicle:
 - that complies with *UN ECE Regulation No.93* (UN ECE R93) because it is designed and constructed so that it meets all of the requirements of *Section 10 “Requirements for a vehicle with FUP”* of *Part III* of those regulations.
 - or
 - Complies with ADR 84 - Front Underun Impact Protection.