

Australian Capital Territory

Road Transport (Dimensions and Mass) Higher Mass Limits (HML) Exemption Notice 2007

Disallowable Instrument DI2007—202

made under the

Road Transport (Dimensions and Mass) Act 1990, Section 31A (Exemptions)

EXPLANATORY STATEMENT

Legislative Context

Section 31A of the *Road Transport (Dimensions and Mass) Act 1990* allows the Minister to issue notices exempting specified classes of vehicles or combinations from any or all of the normal requirements of Part 2 of the Act (relating to vehicle dimension and design) or Part 3 (relating to loads and equipment).

Section 31A of the Act provides that an exemption notice is a disallowable instrument under the *Legislation Act 2001*.

Determination

Vehicles and Conditions of the Notice

This notice exempts vehicles, fitted with road friendly suspensions (described in Clause 1.3 of the schedule to the notice), from the provisions of DI2006-119 which currently determines vehicle mass limits, subject to the conditions and requirements set out in the Schedule to the notice.

The exemption reflects nationally agreed policy relating to increasing the mass limits on the vehicles described in the notice. The National Road Transport Commission received Ministerial Council approval to increase general axle mass limits on these vehicles on 28 April 1998, subject to sufficient additional funding for upgrading bridges.

On 7 April 2000, a majority of Transport Ministers approved the introduction of a Higher Mass Limit (HML) regime. Although the ACT supported the initiative, there was no imperative to implement HML until NSW agreed to allow HML vehicles to operate on the roads into the ACT.

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In December 2005, NSW RTA advised the ACT that as a result of the NSW Auslink Bi-lateral funding agreement, a timetable for expanding the HML network in NSW has been prepared, including access and operating conditions for HML truck operations.

On 1 July 2006, NSW advised the route along the Barton Highway to the ACT border was accessible for HML vehicles under permit and have recently advised that, after major construction to strengthen bridges on the Federal Highway, this route is now accessible for HML vehicles to the ACT border. The ACT had previously assessed the bridges on the Federal Highway so the ACT could immediately join the existing network for HML vehicles when NSW finalised the bridge strengthening process.

This instrument allows for the extension of the HML route from Mitchell to the Federal Highway.

Section 31A of the Act empowers the Minister to issue notices exempting specified classes of heavy vehicles or combinations from any or all of the normal requirements of Part 2 (relating to dimensions and design) and Part 3 (relating to loads and equipment) of the Act.

It is a condition of the exemption notice that a copy of the exemption notice and any other Notice pertaining to the vehicle or combination, be carried in any vehicle to which the notice applies while operating in the ACT in accordance with its terms.

The conditions specified in the exemption notice are consistent with those that apply nationally.

The instrument takes effect on the day after it is notified on the ACT Government Legislation Register.

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