

MOTOR VEHICLES (DIMENSIONS AND MASS) ACT 1990

62.5 TONNE B-DOUBLE EXEMPTION NOTICE

INSTRUMENT NO. 24 OF 1998

EXPLANATORY STATEMENT

The *Motor Vehicles (Dimensions and Mass) Act 1990* (the Act) governs the operation of heavy vehicles in the ACT. In particular, Part IV of the Act deals with access to the road network for heavy vehicles and vehicle combinations that exceed standard mass and dimension limits.

The Act was amended in 1996 to give effect to nationally agreed standards and simplified administrative procedures for regulating the dimensions and mass of heavy vehicles, pending the full implementation of nationally uniform road transport legislation.

The ability to exempt not just individual vehicles but whole classes of vehicles or combinations from particular requirements of the Act is central to the national transport reform process.

Previously, vehicles (or combinations) in excess of dimension and mass limits applying under the Act could only operate in the ACT under a permit issued by the Registrar of Motor Vehicles to that vehicle (or combination) under section 27, subject to any conditions of a kind specified in section 30.

Section 31A now enables the Minister to issue notices exempting specified classes of vehicles or combinations from any or all of the normal requirements of Part II of the Act (relating to vehicle dimensions and design) or Part III (relating to loads and equipment). The same section also allows the Minister to exempt specified classes of persons from having to comply with section 37 which prohibits driving certain types of vehicle combinations in the ACT.

An exemption notice is subject to any conditions specified in the notice, including conditions of a kind specified in section 30 such as:

- operating speeds;
- the mass carried by a wheel, axle loads and maximum gross vehicle operating masses;
- vehicle dimensions;
- the routes on which and times at which vehicles or combinations may operate;
- the securing of equipment and loads;
- requirements for strengthening bridges and other structures and indemnities for damage; and
- any other matter relating to the safety of persons or property.

A B-Double is defined in section 3 of the Act as a motor vehicle combination consisting of a prime mover towing two semi-trailers.

This notice exempts B-Doubles complying with notice conditions from the requirements of section 9 (relating to vehicle dimensions) and section 24 (relating to the gross masses of vehicles and combinations).

In particular, the exemption notice permits complying B-Doubles to have a maximum length of 25 metres and a maximum loaded gross combination mass of 62.5 tonnes, compared to the standard limits of 19 metres and 42.5 tonnes as determined under the Act for vehicle combinations. These and the other conditions that apply to the operation of B-Doubles in the ACT are contained in the schedule to the notice:

- Part 1 of the schedule specifies operating conditions and restrictions;
- Part 2 specifies mass and dimension limits;
- Part 3 specifies requirements for warning signs;
- Part 4 specifies the standards and specifications with which a B-Double must comply, including requirements for speed limiting, the use of speed limiting devices, tracking and turning capabilities, spray suppression, braking and coupling; and
- Part 5 provides for approved routes and travel requirements. These approved routes and the travel restrictions and conditions applying to them are listed in the attachment to the schedule.

A B-Double will continue to require an permit issued under section 27 of the Act if it does not comply with the conditions laid down in the schedule to the notice or to operate on any route not listed in the attachment.

The exemption notice also exempts the driver of a B-Double, to which the notice or a permit applies, from committing an offence against section 37, provided that he or she holds a current driver's licence authorising him or her to drive a B-Double.

It is a condition of the exemption notice that a copy of it be carried in any B-Double operating under its terms.

The conditions imposed by the exemption notice are consistent with those applying in New South Wales.