

Australian Capital Territory

Road Transport (Dimensions and Mass) Higher Mass Limits (HML) Exemption Notice 2006

Disallowable Instrument DI 2006—132

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 II of the Act (relating to vehicle dimension and design) or Part III (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 this 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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Initials

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.

From 1 July 2006, NSW proposes to include the route along the Barton Highway to the ACT border.

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 II (relating to dimensions and design) and Part III (relating to loads and equipment) of the Act.

The Exemption Notice reflects nationally agreed policy relating to increasing the mass limits on the vehicles described in the Notice. The Notice also provides for the approval of a HML route within the ACT.

These and the other conditions that apply to the operation of vehicles operating at HML in the ACT are contained in the Schedule to the Instrument:

Part 1 of the Schedule - specifies eligible vehicles and mass limits for vehicles or combinations;

Part 2 - specifies operating requirements and other conditions;

Part 3 - specifies approved routes. (Other vehicles will continue to require individual permits in order to operate on any route not listed in the Schedule.) and

Part 4 - specifies definitions.

Contacts and Emergency contact numbers are listed at the rear of the Schedule.

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 1 July 2006.

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Initials