

Road Transport (Dimensions and Mass) B-Double, 4.6 Metre High Vehicle and 14.5 Metre Long Bus Exemption Notice 2009 (No 2)

Disallowable instrument DI2009–133

made under the

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

EXPLANATORY STATEMENT

Background

Section 31A (1) of the *Road Transport (Dimensions and Mass) Act 1990* (the Act) allows the Minister to exempt a vehicle or combination from a provision of Part 2 (Dimensions and design of vehicles) or Part 3 (Loads and equipment) of the Act, allowing for that vehicle or combination to operate within the ACT.

Section 31A (2) of the Act allows the Minister to exempt a person from Section 37 (Use of trailer with articulated vehicle) of the Act, which prohibits driving an articulated vehicle coupled to a trailer, B-Double or road train on a road or road related area in the ACT.

The disallowable instrument effects an exemption by the Minister for:

- a B-Double;
- a vehicle up to but not exceeding 4.6 metres in height; and
- a bus with an overall length of greater than 12.5 metres but not exceeding 14.5 metres;

that complies with the instrument from the requirements of Section 9 (relating to vehicle dimensions) and Section 24 (Relating to the gross mass of vehicles and combinations) of the Act.

The disallowable instrument, allows access to certain approved routes for B-Doubles with a gross mass limit not exceeding 62.5 tonnes gross combination mass with a maximum height of 4.6 metres, width of 2.5 metres and length of 25 metres or 26 metres where the vehicle complies with specific conditions of the Regulations made under the United Nations Economic Commission for

Europe Agreement for a front under-run protection system (UN ECE R93) and for cabin strength (UN ECE R29), and where the distance between the centre line of the kingpin on the first trailer and the rear of the second trailer does not exceed 20.6 metres, compared to the normal limits of 19 metres and 42.5 tonnes for other combinations.

These and the other conditions that apply to the operation of B-Doubles in the ACT are contained in the schedule to the instrument:

- Part 1 of the schedule – Travel Requirements;
- Part 2 – Operating Conditions and Restrictions;
- Part 3 – Mass and Dimension Limits;
- Part 4 – Standards and Specifications (including requirements for tracking and turning capabilities, front under-run protection systems and cabin strength);
- Part 5 – Approved Routes and Travel Conditions (approved routes and the travel restrictions and conditions are listed in the attachment to the schedule of the instrument). B-Doubles will continue to require individual permits in order to operate on any route not listed in the attachment;
- Part 6 – Note Related to Road Trains; and
- Part 7 – Definitions.

The instrument also exempts a person who drives a B-Double, or other vehicle to which this notice or current permit applies, from committing an offence under Section 37 (2) of the Act, provided that he or she holds a current licence to drive these vehicles.

It is a condition of the instrument that a copy of the instrument be carried in any vehicle to which this instrument applies while operating in the ACT in accordance with its terms. The conditions specified in the instrument are consistent with those which apply in New South Wales.

A copy of the instrument and the map identifying approved routes within the ACT can be located at www.tams.act.gov.au/move/vehicles/Heavy_Vehicles

This instrument revokes the previous disallowable instrument DI2009-28 of 5 March 2009.

Commencement

The instrument takes effect on the day after its notification on the legislation register.

Displacement of the Legislation Act, section 47(5) and (6)

The notice specifies certain matters by reference to other documents, either as in force when the instrument is made or as in force from time to time. Section 7 of the instrument displaces the operation of section 47(5) and (6) of the

Legislation Act. The effect of the displacement is that the applied documents are not notifiable instruments. However, the notice includes a note about where the applied United Nations regulations may be accessed.