

Australian Capital Territory

Road Transport (General) (Restricted Access Vehicle Route Access Permit Fees) Determination 2010 (No 1)

Disallowable instrument DI2010–23

made under the

Road Transport (General) Act 1999, section 96 (Determination of fees, charges and other amounts)

EXPLANATORY STATEMENT

Legislative Context

Section 96 of the *Road Transport (General) Act 1999* provides for the Minister to determine fees, charges and other amounts payable under the ACT road transport legislation.

Sections 17, 24, 31, 41 and 48 of the *Road Transport (Mass, Dimensions and Loading) Regulation 2010* (the MDL Regulation) provides that the Road Transport Authority (RTA) may issue a permit to a person for a vehicle or combination to be used on a road or road related area in the ACT, which would otherwise not be permitted because the vehicle or combination does not comply with the dimension and mass requirements in schedule 1 of the MDL Regulation, or because the vehicle or combination is a class 2 restricted access vehicle.

The proposed fees determined under clause 4 (2) reflect a 14% increase over the fees for equivalent applications made under the repealed legislation. Those fees were last adjusted in 2005 and since then, nationally agreed road transport fee increases have increased by around 15%. The new fee levels will bring ACT permit fees into line with national parameters for road transport fees increases.

Determination

Clause 2 provides that the instrument takes effect on the day after its notification of the determination.

Clause 3 defines the term “125t indivisible load carrier” which is used to describe the combinations to which the fee under clause 4 (3) applies.

Clause 4 sets out the fees payable in relation to applications for permits under sections 17, 24, 31, 41 and 48 of the MDL Regulation.

Clause 4 (2) sets the fees for vehicles or combinations that are not 125t indivisible load carriers; in that provision, paragraph (i) applies to applications that do not require a bridge calculation, vehicle inspection or route survey, while paragraph (ii) imposes a higher fee if the application will require a bridge calculation, inspection or survey. This differential fee level reflects the increased administrative costs in deciding this type of application.

Clause 4 (3) sets out the formula to be applied to calculate the fee for applications involving vehicles and combinations with a loaded mass exceeding 125 tonnes and carrying an indivisible load. This formula takes into account the number of 'equivalent standard axles' for the vehicle and is the nationally agreed formula for determining the fee for applications of this nature.