

Heavy Motor Vehicle Amendment Regulations 1998

PURSUANT to sections 77 and 199 of the Transport Act 1962, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following regulations.

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1 Title and commencement

- (1) These regulations may be cited as the Heavy Motor Vehicle Amendment Regulations 1998, and are part of the Heavy Motor Vehicle Regulations 1974¹ (“the principal regulations”).

¹ SR 1974/218

Amendment No 1: SR 1974/309

Amendment No 2: *(Revoked by SR 1989/179)*

Amendment No 3: SR 1985/145

Amendment No 4: SR 1987/206

Amendment No 5: SR 1988/325

Amendment No 6: SR 1989/179

Amendment No 7: SR 1989/309

Amendment No 8: SR 1992/182

- (2) These regulations come into force on the 28th day after the date of their notification in the *Gazette*.

2 Use of roads and general weight limitations

Regulation 5(4) of the principal regulations is amended by omitting from the proviso the words “and the vehicle or combination does not comply with all of the applicable provisions in regulation 16A(1) of these regulations”, and substituting the words “, and a certificate of loading under section 79B of the Transport Act 1962 stating that the vehicle or combination meets the standards set out in regulation 16A(1) has not been issued”.

3 Form D amended

Form D in Schedule 1 of the principal regulations is amended by omitting the last sentence, and substituting the following sentence:

“Attention is drawn to the applicable infringement fees set out in the Second Schedule of the Transport Act 1962, which apply to infringements of these limits.”

4 Revocation

Regulation 9(2) of the Heavy Motor Vehicle Regulations 1974, Amendment No 4 is consequentially revoked.

MARIE SHROFF,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on the 28th day after the date of their notification in the *Gazette*, amend the Heavy Motor Vehicle Regulations 1974.

Regulation 2 relates to the weight limit for vehicles where the distance from the centre of the first axle to the centre of the last axle is 13.5 m or more, and amends the proviso to regulation 5(4) of the principal regulations. Under the amended provision, if the vehicle does

not have an appropriate current certificate of loading stating that the vehicle meets the standards set out in regulation 16A(1), the vehicle's weight must not exceed 39000 kg.

Regulation 3 amends form D in Schedule 1 of the principal regulations by removing a reference to specified infringement fees. This minor change avoids the need to update the reference whenever the corresponding fees in Schedule 2 of the Transport Act 1962 are altered.

Regulation 4 contains a consequential revocation.

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