

Road Transport (General) Act 2005

Notice under Division 5 of Part 2 of the Road Transport (Mass, Loading and Access) Regulation 2005

I, Mike Hannon, Acting Chief Executive of the Roads and Traffic Authority, pursuant to Division 5 of Part 2 of the *Road Transport (Mass, Loading and Access) Regulation 2005*, do, by this Notice exempt the vehicles described in Part 2 of the Schedule to this Notice from the dimensions, as specified in this Notice, set out in Schedule 4 to the Road Transport (Vehicle Registration) Regulation 1998, subject to any conditions or requirements set out in the Schedule below.

Mike Hannon
A/Chief Executive
Roads and Traffic Authority

SCHEDULE

PART 1 PRELIMINARY

1.1 Citation

This Notice may be cited as the 26-metre B-Double Exemption Notice 2005.

1.2 Commencement

This Notice takes effect on 25 November 2005.

1.3 Effect

This Notice remains in force until 30 September 2010 unless it is amended or repealed earlier.

1.4 Interpretation

1.4.1 Unless stated otherwise, words and expressions used in this Notice have the same meaning as those defined in the Dictionary to the *Road Transport (Mass, Loading and Access) Regulation 2005*.

1.4.2 Notes in the text of this Notice do not form part of this Notice.

PART 2 APPLICATION

2.1 Application

- 2.1.1 This Notice applies to a B-Double where the combination exceeds the dimension limit specified in clause 73(1)(a) of Schedule 4 to the Road Transport (Vehicle Registration) Regulation 1998.
- 2.1.2 This Notice applies provided that the combination, of the kind described in 2.1.1, is operated in accordance with the provisions of Part 3 - Operating and Travel Requirements.

<p>Note: This notice applies to B-Doubles longer than 25-metres that comply with the requirements of this Notice. B-Doubles carrying loads of livestock or motor vehicles are permitted to operate at 26 metres. However, this Notice <u>does not provide an exemption</u> from the dimension limit in Clause 73(1)(c) [dimension of car carriers which limits the number of vehicle carried on each deck] or Clause 73(2) [dimension of trailer sets of B-Doubles carrying cattle, sheep, pigs or horses which limits the deck length] of Schedule 4 to the Road Transport (Vehicle Registration) Regulation 1998.</p>
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PART 3 OPERATION AND TRAVEL REQUIREMENTS

3.1 Dimensions

- 3.1.1 The laden or unladen dimensions of a B-Double (including any fittings) must not exceed 26 metres and the distance from centreline of the king-pin of the first trailer to the rear of the combination must not exceed 20.6 metres.

<p>Note: A B-Double may not comprise of a semi-trailer where the distance from the king-pin to the rear of that trailer exceeds 12.3 metres – refer Clause 2.1.5 of the General B-Doubles Notice 2005, Class 3 Semi-trailer Exemption Notice 2003, and Refrigerated Semi-Trailer Exemption Notice 2003. This also applies to B-Doubles up to 25 metres long.</p>

3.2 Front Under-run Protection Systems

- 3.2.1 The prime mover must:
- a) be a Front Under-run Protection Vehicle, which is fitted with an Approval Plate that is affixed on the vehicle cabin and in the proximity of the vehicle's CPA (Compliance) plate/label. The approval plate must be clearly visible to, and readable by, a Police Officer or an Authorised Officer; or
 - b) be fitted with a Front Under-run Protection Device which is fitted with an Approval Plate that is easily accessible to, and readable by, a Police Officer or an Authorised Officer.
- 3.2.2 Any protrusion fitted to the front of a prime mover, must be fitted with an Approval Plate, that is clearly visible to, and readable by, a Police Officer or an Authorised Officer. The Approval Plate must stipulate either that the protrusion is a Front Under-run Protection Device as outlined in 3.2.1 (b) or that the fitted protrusion does not negate the prime mover's compliance with 3.2.1.

Note: Protrusions covered by 3.2.2 are fittings such as ‘Bull-bars’, ‘Roo-bars’, ‘Nudge-bars’ ‘Cow-catchers’ etc. It does not include driving lights, fog lights, ‘running’ lights, aerials etc (see clause 2 of Schedule 2 of the Road Transport (Mass, Loading and Access) Regulation 2005).

To comply with 3.2 all vehicles will require an approval plate on their protrusion. Some vehicles may require two approval plates – one on the protrusion and one on the cab of the vehicle.

3.3 Cabin strength

3.3.1 The prime mover, if manufactured after 31 December 2005, must comply with Regulation No. 29 made under the UN ECE Agreement (UN ECE R29) for cabin strength.

3.3.2 A vehicle complying with Clause 3.3.1 must be fitted with an Approval Plate that is affixed on the vehicle cabin and in the proximity of the vehicle CPA (Compliance) plate/label. The approval plate must be easily accessible to, and readable by, a Police Officer or an Authorised Officer.

3.4 Prime mover must not have a load carrying area

3.4.1 The prime mover must not have a load carrying area.

3.4.2 For the purposes of Clause 3.4.1, a load does not include:

- a) the driver or passengers, or personal items of the driver or passengers;
- b) fuel, water, lubricants, and readily removable equipment carried on or in the vehicle that is required for its normal operation.

3.5 Transition provision - Approval Plates

3.5.1 From the date of commencement of this Notice until 30 June 2006, inclusive, a vehicle does not require an Approval Plate under either of clauses 3.2 or 3.3 if an original letter from the manufacturer of the Front Under-run Protection Vehicle is carried in the cabin of the vehicle.

3.5.2 From the date of commencement until 30 June 2006, inclusive, vehicles operating under this transitional provision that met the requirements of 3.5.1 are considered to be fully compliant with the requirements of clauses 3.2 and 3.3 of this Notice.

3.5.3 A letter referred to in Clause 3.5.1 must:

- a) Declare that the manufacturer holds as Compliance Plate Approval (CPA) from the Australian Government;
- b) Identify the make, model and Vehicle Identification Number (VIN) of the prime mover;
- c) State that the vehicle was supplied into the market fully compliant with *UN ECE Regulation No. 93*; and
- d) Declare whether the vehicle was initially or subsequently supplied by the manufacturer with a fitting such as a ‘Bull-bar’, ‘Roo-bar’, ‘Nudge-bar’ ‘Cow catcher’ etc; and if so
- e) State that the fitting referred to in 3.5.3(d) was fitted by the manufacturer of the prime mover and is compliant with *UN ECE Regulation No. 93* or does not affect the *UN ECE Regulation No. 93* compliance of the prime mover.

Note: The transitional provisions outlined in this Clause do not apply to an ‘after-market’ Front Under-run Protection Device or fitting such as a ‘Bull-bar’, ‘Roo-bar’, ‘Nudge-bar’ ‘Cow-catcher’ etc, that has **not** been fitted/retro-fitted by the manufacturer (i.e. holder of the CPA) of the vehicle.

3.6 Compliance with the *General B-Doubles Notice 2005*

3.6.1 A B-Double must comply with all requirements of the *General B-Doubles Notice 2005* unless the requirement is inconsistent with a provision of this Notice, in which case this Notice takes precedence.

3.7 Travel restrictions

3.7.1 A B-Double operating under this notice may only be driven or stood on routes approved for:

- a) 25-metre B-Doubles under the *General B-Doubles Notice 2005*, Appendix 2, Parts 1 and 2; or
- b) Road Trains under the *General Notice for the Operation of Road Trains 2005*.

PART 4 NOTICE TO BE CARRIED

4.1 A copy of this Notice and the General B-Doubles Notice 2005, must be carried in the driving compartment of the hauling unit of a combination operating under this Notice, and must be produced to a police officer or an authorised officer when requested.

PART 5 DEFINITIONS

“**Approval Plate**” means a decal, label or plate issued by a Competent Entity that is made of a material and fixed in such a way that they cannot be removed without being damaged or destroyed and that contains the following information:

- For vehicles complying with Clause 3.2, the Trade name or mark of the Front Under-run Protection Vehicle or Front Under-run Protection Device;
- For vehicles complying with Clause 3.2, the manufacturer of the Front Under-run Protection Vehicle or Front Under-run Protection Device;
- For vehicles complying with Clause 3.2.1(b), the make of the vehicle or vehicles the component or device has been designed and certified to fit;
- For vehicles complying with Clause 3.2.1(b), the model or models of vehicle the component or device has been designed and certified to fit;
- For vehicles complying with Clause 3.3, the vehicle manufacturer’s name;
- Competent Entity unique identification number;
- Approval Plates relating to 3.2.1(b) and 3.2.2 must include the Approval Number issued by the Competent Entity; and
- Purposes of the approval i.e. approval for a Front Under-run Protection Device, and/or for a Front Under-run Protection Vehicle (UN ECE 93), or for Cab Strength (UN ECE 29).
- Approval Plates relating to Clause 3.2.1(b) shall bear the words “UN ECE R93 FUPD” or other words or markings with a clearly equivalent meaning.

- Approval Plates relating to Clause 3.2.2 must bear the words “UN ECE R93 FUP Compatible” or other words or markings with a clearly equivalent meaning.
- Approval Plates relating to either Clause 3.2.1(b) and 3.2.2 may include both the words “UN ECE R93 FUPD” and “UN ECE R93 FUP Compatible” or other words or markings with a clearly equivalent meaning. Each statement must be annotated or marked, such as with either a “Yes” or “XXX”, so as to clearly and unambiguously signify upon the Plate which statement is applicable (A FUP compatible device is one that complies with Clause 3.2.2).
- Approval Plates relating to Clause 3.3 must include the statement “This vehicle was manufactured to conform with the Cab Strength requirements of UN ECE R29” or words with an equivalent meaning.

“Competent Entity” means a person or organisation appointed by an Australian Road Authority, and issued with a unique identification number, with the power to certify that the UN ECE requirements for Front Under-run Protection and Cab Strength have been met, and continue to be met, and who may authorise the fixing of appropriate Approval Plates to a Front Under-run Protection Device or a Front Under-run Protection Vehicle.

A Compliance Plate Approval (CPA) holding heavy vehicle manufacturer is deemed to be a Competent Entity.

A Competent Entity, that is not a CPA holding manufacturer, is only approved to inspect and certify those vehicles that are registered in the same jurisdiction as the Competent Entity’s place of business.

“Front Under-run Protection Device” means a device fitted to a prime mover:

- That complies with *UN ECE Regulation No. 93* and meets all of the requirements set out in *Section 6 “Requirement For FUPDs” of Part I* and *Section 8 “Requirements for Installation of an Approved FUPD” of Part II* of those regulations,
- Where compliance with the performance requirements of *UN ECE Regulation No. 93* was established by laboratory testing carried out in accordance with the procedures set out in *Annex 5 of UN ECE Regulation No. 93*, and
- That was tested using the *Test Conditions* set out in *Section 1* and the *Test Procedure* set out in *Section 3 of Annex 5 of the Guidelines for Implementing Front Underrun Protection and Cab Strength Requirements* published by the National Transport Commission (NTC). (Simulation of the test procedure by calculation or other such method as provided for in *Section 1.3 of Annex 5* is not available under the NTC Guideline, except with the specific approval of the Authority or when approval has been granted using an “E-mark” issued pursuant to *Annex 4 of UN ECE Regulation No. 93*).

“Front Under-run Protection Vehicle” means a vehicle that complies with *UN ECE Regulation No.93 (UN ECE R93)* because it is designed and constructed so that it meets all of the requirements of *Section 10 “Requirements for a vehicle with FUP” of Part III* of those regulations.

“Load” has the same meaning as it has in the *Road Transport (General) Act 2005*.