

Roads and Traffic Authority
Road Transport (Mass, Loading and Access) Regulation 2005

I, Mike Hannon, Acting Chief Executive of the Roads and Traffic Authority, pursuant to Clause 36 of the Road Transport (Mass, Loading and Access) Regulation 2005, do set conditions for the operation eligible vehicles, as defined by Clause 7 of Schedule 1 to the *Road Transport (Mass, Loading and Access) Regulation 2005*.

[Signed]

Mike Hannon
A/Chief Executive
Roads and Traffic Authority

Schedule

1 Citation

This notice may be cited as the Higher Mass Limits (Eligible Vehicles) Notice 2006.

2 Commencement

This notice is effective from its date of publication in the NSW Government Gazette.

3 Effect

This notice remains in force until 30 September 2010, unless it is amended or repealed earlier.

4 Application

This Notice applies to an eligible vehicle as defined in Clause 7(3) of Schedule 1 to the Road Transport (Mass, Loading and Access) Regulation 2005.

5. Compliance with other Permits and Notices

- 5.1 An eligible vehicle being operated in accordance with Clause 7 of Schedule 1 to the Road Transport (Mass, Loading and Access) Regulation 2005, must also comply with the provisions of any Permit or other Notice issued under the Regulation which applies or would otherwise apply to such a vehicle or combination.
- 5.2 A copy of this Notice must be carried in the driving compartment of the vehicle and must be produced to a police officer or an authorised officer when requested.

Note:

The Road Transport (Mass, Loading and Access) Regulation 2005 can be viewed at the NSW Parliamentary Counsel website:

- www.legislation.nsw.gov.au/maintop/search/inforce

Roads and Traffic Authority
Road Transport (Mass, Loading and Access) Regulation 2005

I, Les Wielinga, Chief Executive of the Roads and Traffic Authority, pursuant to Clause 36 of the Road Transport (Mass, Loading and Access) Regulation 2005, do set conditions for the operation eligible vehicles, as defined by Clause 7 of Schedule 1 to the *Road Transport (Mass, Loading and Access) Regulation 2005*.

[Signed]

Les Wielinga
Chief Executive
Roads and Traffic Authority

Amendments

The Higher Mass Limits (Eligible Vehicles) Notice 2006 published in Government Gazette No. 167 of 30 December 2005 at page 11979, is amended:

Insert

PART 2 — STEER AXLE MASS LIMITS

6.1 Application

6.1.1 This Part applies to vehicles:

- a) That are operating under Clause 7 of Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 (the Regulation) or a permit or Notice made under Clause 36 of the Regulation;
- b) With a manufacturer's Gross Vehicle Mass (GVM) of 15 tonnes or more; and
- c) With a single steer axle mass that exceeds the limit for a motor vehicle other than a complying bus specified in Table 1 of Schedule 1 to the Regulation, but does not exceed the single steer axle mass limit in Part 7; and
- d) With a steer axle with a manufacturer's rating of at least 6.5 tonnes; and
- e) Which comply with Front Under-run Protection Systems requirements in 7.2; and
- f) Which comply with cabin strength requirements in 7.3; and
- g) Which comply with Australian Design Rule (ADR) 80/01 and the ADR80/01 compliance verification requirements in 7.4.

7.1 Mass Limits

- 7.1.1. The single steer axle mass of a vehicle to which this Part applies may exceed the 6-tonne single steer axle mass limit for a motor vehicle other than a complying bus specified in Table 1 of Schedule 1 of the Regulation by up to 500kg.
- 7.1.2. The additional mass permitted under Clause 7.1.1 is additional to the total mass limit allowable for that vehicle (or combination of which the vehicle forms a part) under Clause 7 of Schedule 1 of the Regulation or a Notice or permit made under Clause 36 of the Regulation.

7.2 Front Under-run Protection Systems

- 7.2.1 The vehicle 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.
- 7.2.2 Any protrusion fitted to the front of a vehicle, 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 7.2.1 (b) or that the fitted protrusion does not negate the vehicle's compliance with 7.2.1.

Note:

Protrusions covered by 7.2.2 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. To comply with 7.2 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.

7.3 Cabin strength

- 7.3.1 The vehicle, if manufactured after 31 December 2005, must comply with Regulation No. 29 made under the UN ECE Agreement (UN ECE R29) for cabin strength.
- 7.3.2 A vehicle complying with Clause 7.3.1 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.

7.4 Australian Design Rule (ADR) 80/01 - verification

- 7.4.1 For the purposes of this Part a vehicle fitted with a Compliance Plate dated January 2008, or later, is deemed to comply with ADR 80/01.
- 7.4.2 For all other vehicles to which this Part applies, compliance with ADR 80/01, must be verified by either:

- a) 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; or
- b) An original letter from the manufacturer of the vehicle that is carried in the cabin of the vehicle.

7.4.3 A letter referred to in Clause 7.4.2 must:

- a) Declare that the manufacturer holds an Compliance Plate Approval (CPA) from the Australian Government;
- b) Identify the make, model and Vehicle Identification Number (VIN) of the vehicle; and
- c) State that the vehicle was supplied into the market fully compliant with Australian Design Rule 80/01.

8.4 Affect on other operating conditions

8.4.1 For a vehicle to which this Part applies, any other operating conditions applicable to that vehicle (or combination of which the vehicle forms a part) under the Regulation or permit or Notice made under the Clause 36 of the Regulation, are not affected by this Part other than to permit the additional single steer axle mass allowable under this Part.

PART 4 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 7.2, the Trade name or mark of the Front Under-run Protection Vehicle or Front Under-run Protection Device;
- For vehicles complying with Clause 7.2, the manufacturer of the Front Under-run Protection Vehicle or Front Under-run Protection Device;
- For vehicles complying with Clause 7.2.1(b), the make of the vehicle or vehicles the component or device has been designed and certified to fit;
- For vehicles complying with Clause 7.2.1(b), the model or models of vehicle the component or device has been designed and certified to fit;
- For vehicles complying with Clause 7.3, the vehicle manufacturer’s name;
- Competent Entity unique identification number;
- Approval Plates relating to 7.2.1(b) and 7.2.2 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 7.2.1(b) shall bear the words “UN ECE R93 FUPD” or other words or markings with a clearly equivalent meaning.

- Approval Plates relating to Clause 7.2.2 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 7.2.1(b) and 7.2.2 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 7.2.2).
- Approval Plates relating to Clause 7.3 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.
- Approval plates relating to Clause 7.4 must include the statement “This vehicle was manufactured to comply with Australian Design Rule 80/01 “Emissions Control for Heavy Vehicles”” 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.

With respect to ADR80/01 compliance a Competent Entity is a Compliance Plate Approval (CPA) holding heavy vehicle manufacturer.

“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.

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[Signed]

Les Wielinga
Chief Executive
Roads and Traffic Authority

AMENDMENTS

The Higher Mass Limits (Eligible Vehicles) Notice 2006 published in Government Gazette No. 167 of 30 December 2005 at page 11979 and No. 189 of 22 December 2006 at pages 11849 to 11851, is amended:

Delete

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

Insert

7.3.1 The vehicle must comply with Regulation No. 29 made under the UN ECE Agreement (UN ECE R29) for cabin strength.