

## Road Traffic (Vehicles) Amendment Regulations (No. 3) 2019

Made by the Governor in Executive Council.

### 1. Citation

These regulations are the *Road Traffic (Vehicles) Amendment Regulations (No. 3) 2019*.

### 2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

### 3. Regulations amended

These regulations amend the *Road Traffic (Vehicles) Regulations 2014*.

### 4. Regulation 3 amended

- (1) In regulation 3 delete the definition of *centre* (each occurrence).
- (2) In regulation 3 insert in alphabetical order:

*Airservices Australia* means the body established by the *Air Services Act 1995* (Commonwealth) section 7(1);

*Airservices Australia vehicle* means a vehicle driven by any of the following persons in the course of the person's duty to Airservices Australia —

- (a) the Chief Executive Officer appointed under the *Air Services Act 1995* (Commonwealth) section 34;
- (b) a person appointed to act as the Chief Executive Officer under the *Air Services Act 1995* (Commonwealth) section 41;
- (c) a person employed under the *Air Services Act 1995* (Commonwealth) section 42;
- (d) a person engaged as a consultant under the *Air Services Act 1995* (Commonwealth) section 43;

*air storage tank*, of a vehicle, means a tank fitted to the vehicle for storing compressed air;

**Australian Border Force** has the meaning given in the *Australian Border Force Act 2015* (Commonwealth) section 4(1);

**Australian Border Force vehicle** means a vehicle driven by an Immigration and Border Protection worker in the course of the worker's duty to the Australian Border Force;

**centre line**, of an axle, means —

- (a) for an axle consisting of 1 shaft — a line parallel to the length of the axle and passing through the centre of the axle; or
- (b) for an axle consisting of 2 shafts — a line in the vertical plane passing through —
  - (i) the centres of both shafts; and
  - (ii) the centres of the wheels on the shafts;

**centre line**, of an axle group, means —

- (a) if the group consists of 2 axles, one of which is fitted with twice the number of tyres as the other axle — a vertical line located one-third of the way from the centre line of the axle with more tyres towards the centre line of the axle with fewer tyres; and
- (b) in any other case — a line located midway between the centre lines of the outermost axles of the group;

**diesel engine** means an engine that works on the compression-ignition principle;

**Immigration and Border Protection worker** has the meaning given in the *Australian Border Force Act 2015* (Commonwealth) section 4(1);

**nearer side of the vehicle**, in relation to a light or reflector fitted to a vehicle, means the side of the vehicle that is closest to where the light or reflector is fitted;

**parking brake**, of a vehicle, means the brake usually used to keep the vehicle stationary while the vehicle is parked;

**side marker light** means a light fitted to the side of a vehicle indicating the presence and length of the vehicle when viewed on that side;

**vacuum storage tank**, of a vehicle, means a tank fitted to the vehicle for storing air at low pressure;

**5. Regulation 175 amended**

In regulation 175(4)(a) after “centre” insert:

line

Note: The heading to amended regulation 175 is to read:

**Rear overhang**

**6. Regulation 176 amended**

In regulation 176 after “centre” (each occurrence) insert:

line

**7. Regulation 178 amended**

Delete regulation 178(2)(b) and insert:

- (b) at the midpoint between adjacent axles — at least one-thirtieth of the distance between the centre lines of the axles; and

**8. Regulation 251 amended**

Delete regulation 251(3)(d) and insert:

- (d) an Australian Border Force vehicle; or

**9. Regulation 255 amended**

In regulation 255 delete “A motor vehicle propelled by a compression ignition engine (commonly known as a diesel engine)” and insert:

A motor vehicle propelled by a diesel engine

**10. Regulation 257 amended**

After regulation 257(1) insert:

- (1A) The electrical components of a vehicle must be securely mounted.

**11. Regulation 258A inserted**

After regulation 258 insert:

**258A. Motor vehicle windscreen to be fitted**

A motor vehicle (other than a motor cycle, a motor tricycle or a moped) must be fitted with a windscreen if it is manufactured or designed to have a windscreen.

**12. Regulation 259 amended**

In regulation 259(1) in the definition of *approved material* delete paragraphs (e) and (f) and insert:

- (e) British Standard BS 5282:1975 *Specification for Road Vehicle Safety Glass*;
- (f) British Standard BS AU178:1980 *Specification for Road Vehicle Safety Glass*;

**13. Regulation 260 replaced**

Delete regulation 260 and insert:

**260. Motor vehicle window tinting**

(1) In this regulation —  
*glazing* —

- (a) means material that may be used in a windscreen, window or interior partition of a motor vehicle, through which the vehicle's driver can see the road; but
- (b) does not include a coating added after manufacture of the material;

*luminous transmittance*, for glazing or a coating on glazing, means the amount of light that can pass through the glazing as a percentage of the amount of light that would be transmitted if the glazing or coating were absent;

*rear glazing*, for a motor vehicle, means glazing used in a window or interior partition of the motor vehicle located behind the driver in the normal driving position.

- (2) Glazing used in a windscreen of a motor vehicle must have a luminous transmittance of at least 70%.
- (3) Glazing used in a windscreen of a motor vehicle must not be coated in a way that reduces its luminous transmittance.
- (4) Subregulations (2) and (3) do not apply to the greater of the following areas of a windscreen —

- (a) the area above the highest point of the windscreen that is swept by a windscreen wiper;
  - (b) the upper 10% of the windscreen.
- (5) Glazing used in a window or interior partition of a motor vehicle must have a luminous transmittance of at least 70%.
- (6) Glazing used in a window or interior partition of a motor vehicle, other than rear glazing, may be coated to achieve a luminous transmittance of not less than 35%.
- (7) If a motor vehicle is fitted with at least 1 rear vision mirror to each side of the vehicle, the motor vehicle's rear glazing may be coated to achieve a luminous transmittance of at least 20%.
- (8) If all of the following apply to a motor vehicle, the motor vehicle's rear glazing may be coated to achieve a luminous transmittance of 0% or more —
  - (a) the vehicle is fitted with at least 1 rear vision mirror to each side of the vehicle;
  - (b) the vehicle is designed primarily for the carriage of goods;
  - (c) the vehicle has —
    - (i) at least 4 wheels; or
    - (ii) at least 3 wheels and a GVM of more than 1 tonne.
- (9) The requirements about luminous transmittance applying to glazing used in a window of a motor vehicle set out in a second edition ADR or third edition ADR do not apply to a window that has been coated as provided in subregulation (6), (7) or (8).
- (10) Glazing used in a windscreen, window or interior partition of a motor vehicle that has been coated to reduce its luminous transmittance must not have a reflectance of more than 10%.

#### **14. Regulation 264 amended**

In regulation 264(1) delete “A heavy vehicle” and insert:

A vehicle

Note: The heading to amended regulation 264 is to read:

**Pneumatic tyres for vehicles**

**15. Regulation 266 replaced**

Delete regulation 266 and insert:

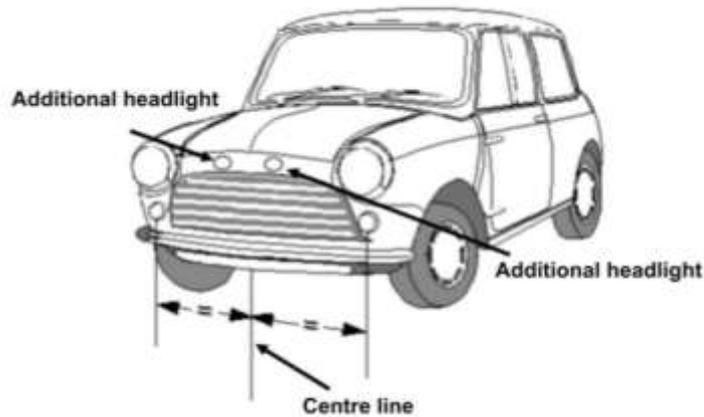
**266. Size and capacity of pneumatic tyres of certain vehicles**

- (1) In this regulation —  
*radial ply tyre* means a radial ply tyre within the meaning of the ADR titled “Vehicle Standard (Australian Design Rule — Definitions and Vehicle Categories) 2005”.
- (2) The wheels and tyres fitted to an axle of a vehicle must be of sufficient size and capacity to carry the part of the vehicle’s gross mass transmitted to the ground through the axle.
- (3) For the purposes of subregulation (1), the size and capacity of a pneumatic tyre to be fitted to a vehicle must be decided using a cold inflation pressure that is not more than the lesser of —
  - (a) the pressure recommended by the tyre manufacturer; and
  - (b) a pressure of —
    - (i) for a radial ply tyre — 825 kPa; or
    - (ii) for another tyre — 700 kPa.

**16. Regulation 286 amended**

Delete regulation 286(4) and (5) and insert:

- (4) Up to 4 additional headlights may be fitted to a motor vehicle with 4 or more wheels, a motor cycle or a motor tricycle.
- (5) An additional headlight fitted to a vehicle must be fitted so that it faces forward and is symmetrical in relation to the centre line of the vehicle.



### Location of additional headlights on a vehicle

#### 17. Regulation 307 amended

After regulation 307(7) insert:

- (8) For the purposes of this regulation, a light fitted to a vehicle that functions as a brake light and a direction indicator light is taken to be a brake light if the vehicle was built before 1 January 1973.

#### 18. Regulation 315 amended

At the beginning of regulation 315 insert:

- (1A) In this regulation —  
*rear fog light* means a light used on a vehicle to make the vehicle more easily visible from the rear in dense fog.

#### 19. Regulation 326 amended

In regulation 326(3)(c) delete “AS 1906-1990” and insert:

AS 1906

#### 20. Regulation 327 amended

In regulation 327(4) in the definition of *exempt vehicle* delete paragraph (c) and insert:

- (c) an Australian Border Force vehicle;

**21. Regulation 328 amended**

(1) Delete regulation 328(1) and insert:

(1) In this regulation —

*rear marking plate* means a rear marking plate complying with *Vehicle Standards Bulletin* VSB 12.

(2) In regulation 328(3) delete “in the ADR.” and insert:

in VSB 12.

**22. Regulation 334 amended**

(1) At the beginning of regulation 344 insert:

(1A) In this regulation —

*compressed air reserve*, for a vehicle, means compressed air stored on the vehicle for supplying the vehicle’s braking system;

*condensate drain valve* means a device used to remove water from the compressed air reserve for a vehicle fitted with air brakes;

*governor cut-out pressure*, of a vehicle, means the air pressure at which the vehicle’s air brake compressor stops supplying air to the vehicle’s air brake reservoir;

*spring brake* means a brake using one or more springs to store the energy needed to operate the brake;

*vacuum reserve*, in relation to a vehicle, means air at a low pressure stored on the vehicle for supplying the vehicle’s braking system.

(2) In regulation 334(1)(c) after “reservoir in the” insert:

vehicle’s braking

(3) Delete regulation 334(2).

**23. Regulation 335 amended**

Delete regulation 335(8) and insert:

(8) The parking brake of a vehicle or combination must be able to hold the vehicle or combination stationary on a 12% gradient —

(a) when the vehicle or combination is on a dry, smooth road surface, free from loose material; and

- (b) whether or not the vehicle or combination is loaded.

**24. Regulation 357 replaced**

Delete regulation 357 and insert:

**357. Measurement of stationary noise levels**

- (1) In this regulation —  
*Commission* means the National Transport Commission established by the *National Transport Commission Act 2003* (Commonwealth).
- (2) For this Subdivision, the stationary noise level of a motor vehicle is to be measured in accordance with the procedure set out for the kind of vehicle in the “National Stationary Exhaust Noise Test Procedures for In-Service Motor Vehicles” — September 2006 (ISBN 1 921168 50 1) published by the Commission.

**25. Regulation 357A inserted**

After regulation 357 insert:

**357A. Meaning of *certified to ADR 83/00***

For this Subdivision, a vehicle is *certified to ADR 83/00* if approval has been given under the *Motor Vehicle Standards Act 1989* (Commonwealth) section 10A to place identification plates on vehicles of that type showing compliance with that ADR.

**26. Regulation 358 replaced**

Delete regulation 358 and insert:

**358. Silencing device for exhaust systems**

- (1) A motor vehicle propelled by an internal combustion engine must be fitted with a silencing device through which all the exhaust from the engine passes.
- (2) For subregulation (1), any silencing device designed to be manipulated by the vehicle’s operator, such as by means of in-vehicle controls, must be designed so that it can be tested with the device fully opened.

**27. Regulation 358A inserted**

After regulation 358 insert:

**358A. Application of regulations 359 to 361**

Regulations 359 to 361 apply to a motor vehicle other than a vehicle certified to ADR 83/00.

**28. Regulation 361A inserted**

At the end of Part 10 Division 10 insert:

**361A. Stationary noise levels: vehicles certified to ADR 83/00**

The stationary noise level of a motor vehicle that is certified to ADR 83/00 must not exceed, by more than 5 dB(A), the noise level that is established for the motor vehicle when it is certified.

**29. Regulation 362 replaced**

Delete regulation 362 and insert:

**362. LPG-powered vehicles**

- (1) An LPG system installed in a motor vehicle, and the vehicle, must comply with all relevant requirements set out in the version of AS 1425 *LP Gas fuel systems for vehicle engines* that was current at the time the system was installed in the vehicle.
- (2) A motor vehicle that has an LPG system installed must have fixed conspicuously to its front and rear number plates the labels required by the version of AS 1425 *LP Gas fuel systems for vehicle engines* that was current at the time the system was installed in the vehicle.
- (3) If a motor vehicle had an LPG system installed before AS 1425 *LP Gas fuel systems for vehicle engines* was first published, the vehicle must have fixed conspicuously to its front and rear number plates a label:
  - (a) that is made of durable material; and
  - (b) that is at least 25 mm wide and 25 mm high; and
  - (c) that is of a reflective red that conforms with either AS 1743 *Road Signs - Specifications* or AS 1906.1 *Retroreflective materials and*

*devices for road traffic control purposes  
(Part 1: Retroreflective sheeting); and*

- (d) that states “LPGAS” or “LPG”, or similar words or acronyms that have the same meaning, in capital letters at least 6 mm high.

**30. Regulation 362A inserted**

After regulation 362 insert:

**362A. Vehicles powered by natural gas**

A natural gas system installed in a motor vehicle, and the vehicle, must comply with all relevant requirements set out in the version of *AS 2739 Natural gas (NG) fuel systems for vehicle engines* that was current at the time the system was installed in the vehicle.

R. KENNEDY, Clerk of the Executive Council.

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