

Information Sheet

Mass Limits for Eligible 3-axle Buses under the Heavy Vehicle National Law (this amendment will commence 10 December 2019)

Purpose

The purpose of this information sheet is to describe the recent amendment to the *Heavy Vehicle (Mass, Dimension and Loading) National Regulation* (the MDL Regulation) that introduces a new category of 3-axle bus, an **Eligible 3-axle bus**, and provides those buses with a 22t mass limit.

The previous mass limit in the MDL Regulation for a 3-axle bus (with a rear tandem axle group fitted with single tyres on 1 axle and dual tyres on the other axles) was 20t. There is also a New South Wales Notice titled *New South Wales Class 3 Bus Mass Exemption Notice 2019* that allows this vehicle to operate up to 20.5t (with conditions).

In some jurisdictions, to reflect the increasing average weight of passengers, these buses were able to operate at 22t under permit, but were subject to operating conditions that varied from state-to-state. This adjusted mass limit has been transferred to the MDL Regulation with harmonised conditions.

This information sheet will provide guidance to assist bus drivers and operators to comply with the adjusted mass limits and suggestions to streamline roadside interactions with Authorised Officers.

Mass limits

The mass limits for an **Eligible 3-axle bus** are:



Variable	Maximum Limit (tonnes)
Steer axle	6.5
Drive axle	15.5 ¹
Gross Vehicle Mass	22.0

Note: The rear tandem axle group must only be fitted with single tyres on one axle and dual tyres on the other axles.

Sum of axles must not exceed maximum allowable Gross Vehicle Mass limit.

¹Must be fitted with single tyres that have a section width of at least 295mm.

What is an Eligible 3-axle bus?

A bus is an **Eligible 3-axle bus** if the bus—

- (a) has 3 axles, including a rear tandem axle group fitted with single tyres on 1 axle and dual tyres on the other axle; and
- (b) is 1 of the following—
 - (i) a complying bus;
 - (ii) a bus, other than an articulated bus, whose length is more than 12.5m but not more than 14.5m;
 - (iii) an ultra-low floor bus;
 - (iv) a bus, other than an ultra-low floor bus, that is authorised to carry standing passengers under an Australian road law.

Note: Eligible 3-axle buses must comply with the additional safety features in the next section. These are part of the definition of 'eligible 3-axle bus' in the MDL Regulation.

Note: Eligible 3-axle bus is defined in Part 1 Section 3 of the MDL Regulation. Complying bus is also defined in Part 1 Section 3 of the MDL Regulation

Additional safety features

To be classed as an **Eligible 3-axle bus** and operate at the adjusted mass limits, the bus must be equipped with the following additional safety features detailed below.

A bus manufactured before 1 January 2015 must be fitted with:

- (1) a complying anti-lock braking system; or
- (2) a vehicle stability function that complies with the version of UN ECE Regulation No. 13 that applied to the bus at the bus's date of manufacture or a later version of UN ECE Regulation No. 13.

A bus manufactured on or after 1 January 2015 must be fitted with:

- (1) a complying anti-lock braking system; and
- (2) for a bus that is
 - (a) a complying bus; or
 - (b) a bus, other than an articulated bus, whose length is more than 12.5m but not more than 14.5m -

it must be fitted with with—

- (i) an eligible electronic braking system; or
- (ii) a vehicle stability function that complies with the version of UN ECE Regulation No. 13 that applied to the bus at the bus's date of manufacture or a later version of UN ECE Regulation No. 13.

Note: The requirements for ABS can be found in Australian Design Rule 35

Note: A vehicle stability function is more commonly known as electronic stability control (ESC).

Compliance with additional safety requirements

When operating an Eligible 3-axle bus the NHVR recommends drivers carry some form of documentation to demonstrate to Authorised Officers that the bus is equipped with the required additional safety features. Providing this information to Authorised Officers at the roadside will streamline and expedite the intercept process.

Such documentation may be:

- a modification certificate, issued by an Approved Vehicle Examiner, verifying modifications that have been performed to fit the additional safety features; or
- a letter from the vehicle's manufacturer that identifies the VIN and a description of the vehicle (Year, make and model) and confirming the additional safety features the vehicle was manufactured with.

Occupant Capacity

Over time, the mass of passengers has increased, but the mass limit for buses has not. This has meant that for bus operators to comply with their mass limits, they were required to carry fewer passengers, which reduced the efficiency of passenger transport services. This new category of bus will ensure productivity levels are maintained while improving the safety of commercial passenger vehicles. For more information on occupant capacity requirements please refer to state or territory passenger transport requirements.

The Bus Industry Confederation (BIC) has developed a bus passenger capacity titled *BIC Three Axle Bus Operating Mass Calculations to Access 22 Tonne Three Axle Allowances*. This document can be found at <http://bic.asn.au/solutions-for-moving-people/technical-environment-safety#Vehicle%20Mass>

Driver Responsibilities

Before starting and throughout a journey, drivers must:

- ensure that the vehicle they are driving complies with the relevant HVNL requirements
- be aware of their responsibilities in regard to the safe operation of the vehicle

Operator Responsibilities

Operators should ensure that:

- they have business practices or systems in place to ensure that the vehicle complies with the relevant HVNL requirements, such as vehicle standards, maintenance and mass and dimension requirements
- the driver is provided with any appropriate documents required to operate the heavy vehicle in compliance with the HVNL
- the driver is aware of their responsibilities in regard to the safe operation of the vehicle

Chain of Responsibility (CoR)

Parties in the Chain of Responsibility who have control or influence over transport activities have a duty to ensure that heavy vehicles, including buses, are used safely on the road.

This obligation – known as safety duties – requires risk management to identify and reduce or eliminate risks to safety. Safety is broadly defined and includes protection of road infrastructure by compliance with mass limits. It also includes safety of passengers and other road users.

Bus operators, as parties in the CoR, must ensure they have systems or processes in place to manage and control the weight carried by buses, including passengers, luggage and any other freight.

More information about CoR is available from www.nhvr.gov.au/cor

It is important to note:

- The mass limits for Eligible 3-axle buses are not intended to increase the existing passenger carrying capacity.

Regardless of the passenger carrying capacity of the bus, the prescribed mass limits in the MDL Regulation must not be exceeded.

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