



HEAVY VEHICLE NATIONAL LAW

NATIONAL HEAVY VEHICLE STANDARDS (FLASHING WARNING LIGHTS) EXEMPTION
NOTICE 2015 (No. 1)

Part 1 – Preliminary

1. Revocation

This Notice revokes and replaces the following authorities, in so far as they apply to a heavy vehicle:

Queensland

- Guideline for the installation of auxiliary revolving or flashing warning lamps in Queensland, form 22, version 4 (updated December 2012).
- Guideline for the installation of auxiliary flashing warning lamps to animal management and other specified vehicles, form 27, version 5 (updated May 2013).

South Australia

- Exemption from the prohibition of using flashing yellow lights (published on 23 August 2012).
- Notice of Exemption (dated 13 July 2000).

2. Purpose

The purpose of this Notice is to exempt a heavy vehicle for which there is a safety requirement that one or more flashing warning lights be fitted, from the requirements of the *Heavy Vehicle (Vehicle Standards) National Regulation* (the Regulation) specified in this notice.

3. Authorising Provision

This Notice is made under section 61 of the Heavy Vehicle National Law (HVNL) as in force in each participating jurisdiction.

4. Commencement

This Notice commences on 1 October, 2015.

5. Expiry

This Notice expires on 30 September, 2020.

6. Definitions

Unless otherwise stated, words and expressions used in this Notice have the same meanings as those defined in the HVNL.

7. Title

This Notice may be cited as the *National Heavy Vehicle Standards (Flashing Warning Lights) Exemption Notice 2015*.

Part 2– Workplace Health and Safety or Civil Aviation

8. Application

- (1) Part 2 of this Notice applies in all participating jurisdictions.
- (2) Part 2 of this Notice applies to a heavy vehicle, other than an exempt vehicle or a special use vehicle, that is required to have one or more flashing yellow warning lights fitted to comply with work site or workplace health and safety legislation or *the Civil Aviation Safety Regulations 1988 (Cth)*, and to an omnibus used on the O-Bahn busway.

9. Exemption from Prescribed Vehicle Standards

A heavy vehicle, described in section 8(2), is exempt from complying with the requirements of section 79(3) and 79(4) of Schedule 2 of the Regulation.

10. Conditions

- (1) A heavy vehicle operating under this part may be fitted with one or more flashing yellow lights.
- (2) A flashing light or lights must be mounted on top of the heavy vehicle and be visible from all sides.
- (3) The operator of a heavy vehicle operating under this part must carry a letter of authorisation.
- (4) A letter of authorisation must:
 - (a) be issued either by the work site manager or an authorised representative of the registered operator; and
 - (b) identify the work site where the heavy vehicle is operating; and
 - (c) identify the heavy vehicle, or type of heavy vehicle, that the letter applies to; and
 - (d) include an end date for the authorisation.
- (5) For the purposes of subsection 10(4)(b), for a heavy vehicle working at more than one work site that requires the use of flashing warning lights, the letter of authority may refer to a 'run sheet', 'work schedule' or other company issued document that clearly identifies the work sites the vehicle will access.
- (6) For the purposes of subsection 10(4)(c) a heavy vehicle or type of heavy vehicle may be identified by either:
 - (a) the vehicle's registration number; or
 - (b) for an organisation that operates a fleet of vehicles where the vehicles are clearly marked on both sides of the cabin by a company logo and name; by these markings; or
 - (c) a unique fleet identification number, where this is permanently marked and clearly visible on the vehicle.
- (7) The letter of authorisation and any document mentioned in subsection 10(5) must be kept in each heavy vehicle at all times when operating under this notice and must be produced on request by an authorised officer.

- (8) Subsections 10(3)-(7) do not apply to a heavy vehicle that is clearly identifiable as a vehicle that is used at airports, in the mining, construction or manufacturing industries, or that is an omnibus used on the O-Bahn busway.
- (9) Flashing lights must not be turned on when the heavy vehicle is being driven or standing on a road or road-related area unless an emergency service officer gives that direction in response to an emergency or disaster.

Part 3 – Animal and Pest Management Vehicles in Queensland

11. Application

- (1) Part 3 of this Notice applies only in Queensland.
- (2) Part 3 of this Notice applies to a heavy vehicle, other than an exempt vehicle or a special use vehicle, which is operated by:
 - (a) the Brisbane City Council (as defined in the *City of Brisbane Act 2010* (Qld)) in the course of its daily operations of animal and pest control within the area of that council; or
 - (b) a local government (as defined under the *Local Government Act 2009* (Qld)) in the course of its daily operations of animal and pest control within the area of that local government; or
 - (c) the Queensland Royal Society for the Prevention of Cruelty to Animals (QRSPCA) in the course of the activities of the society's inspectorate; or
 - (d) a department of government (as established by the *Public Service Act 2008* (Qld) Division 2 section 14) in the course of its daily operations of animal and pest control in Queensland.

12. Exemption from Prescribed Vehicle Standards

A heavy vehicle, described in subsection 11(2) is exempt from complying with the requirements of section 79(3) and 79(4) of Schedule 2 of the Regulation.

13. Conditions

- (1) A heavy vehicle operating under this part may be fitted with one or more green and yellow flashing lights.
- (2) Flashing lights must not be turned on other than when the vehicle is being used for animal or pest management activities.

Part 4 – Fire Management Vehicles in Queensland

14. Application

- (1) Part 4 of this Notice applies only in Queensland
- (2) Part 4 of this Notice also applies to a heavy vehicle, other than an exempt vehicle or a special use vehicle, which is used for fire management by:
 - (a) a department of government (as established by the *Public Service Act 2008* (Qld) Division 2 section 14); or

- (b) the Brisbane City Council (as defined in the *City of Brisbane Act 2010* (Qld)); or
- (c) a local government (as defined in the *Local Government Act 2009* (Qld)); or
- (d) a plantation licensee (as defined in the *Forestry Act 1959* (Qld)); or
- (e) Griffith University; (as defined in the *Griffith University Act 1971* (Qld)); or
- (f) a new water entity (as defined in the *South East Queensland Water (Restructuring) Act 2007* (Qld)); or
- (g) another entity which provides fire management services on behalf of an entity listed in subsections (a) – (f).

15. Exemption from Prescribed Vehicle Standards

A heavy vehicle, described in subsection 14(2) is exempt from complying with the requirements of section 79(3) and 79(4) of Schedule 2 of the Regulation.

16. Conditions

- (1) A heavy vehicle operating under this part may be fitted with one or more green and yellow flashing lights.
- (2) Flashing lights must not be turned on other than when the vehicle is being used for fire management activities.

Part 5 – Vehicles Attending to Livestock Movement in South Australia

17. Application

- (1) Part 5 of this Notice applies only in South Australia.
- (2) Part 5 of this Notice applies to a heavy vehicle, other than an exempt vehicle or a special use vehicle, that is used by a primary producer for escorting livestock along or across a road or a road related area.

18. Exemption from Prescribed Vehicle Standards

A heavy vehicle, described in subsection 17(2) is exempt from complying with the requirements of section 79(3) and 79(4) of Schedule 2 of the Regulation.

19. Conditions

- (1) A heavy vehicle operating under this part may be fitted with one or more flashing yellow lights.
- (2) Flashing lights must not be turned on other than when the vehicle is being used in relation to the movement of livestock along or across a road or road related area.

Dated 25 September, 2015



Geoff Casey
Acting Chief Executive Officer
National Heavy Vehicle Regulator