



HEAVY VEHICLE NATIONAL LAW

New South Wales Class 1 Road Construction Vehicle Exemption Notice 2019 (No.1)

1 Purpose

- (1) The purpose of this Notice is to exempt construction vehicles used on construction work sites from all mass and dimension requirements of the Heavy Vehicle (Mass, Dimension and Loading) National Regulation (the Regulation).

Note: This Notice replaces the Ministerial Exemption Oversized and Overmass Construction Vehicle Order

2 Authorising Provision

- (1) This Notice is made under section 117 of the Heavy Vehicle National Law (HVNL).

3 Title

- (1) **This Notice may be cited as the** New South Wales Class 1 Road Construction Vehicle Exemption Notice 2019.

4 Commencement

- (1) This Notice commences on 10 February 2019.

5 Expiry

- (1) This Notice expires on 9 February 2024.

6 Definitions

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

- (2) In this Notice:

Construction Vehicle means a motor vehicle specially constructed for earthmoving or to transport water and includes dump trucks, water trucks and scrapers.

Primary Production has the same meaning as in the *Road Transport (Vehicle Registration) Regulation 2017*.

Roads authority has the same meaning as the *Roads Act 1993 (NSW)*.

Traffic Control Plan means a diagram showing signs and devices arranged to warn traffic and guide it around, past or, if necessary through a work site or temporary hazard and showing such detail as the location, spacing and sizes of all signs and devices, the location and lengths of tapers, all pavement markings and delineators, any containment or safety fencing, flashing arrow signs, portable traffic signals, variable message signs, roadwork speed zones, pedestrian routes and any other devices required for guidance at the work site.

Note: a Traffic Control Plan may include a plan required under a relevant guideline issued by RMS or a Relevant Roads Authority.

Vehicle Movement Plan means a diagram showing preferred travel paths for vehicles associated with a work site entering, leaving or crossing traffic and showing travel paths for construction vehicles.

Note: a Vehicle Movement Plan may include a plan required under a relevant guideline issued by RMS or a relevant Road Manager.

Work Site means an area of road, bridge or road reserve where construction or maintenance work is being done including areas where trucks and machines engaged in the work assemble and manoeuvre.

7 Application

(1) A construction vehicle may operate under this Notice if:

- a) the construction vehicle is being driven directly across a road or road related area that intersects with or traverses a work site, and
- b) it is being operated under a traffic control plan or a vehicle movement plan, and
- c) the traffic control plan or vehicle movement plan that complies with a relevant guideline issued by RMS or a relevant Roads Authority, and
- d) the vehicle is conditionally registered under the *Road Transport (Vehicle Registration) Regulation 2017*, and
- e) the construction vehicle is not engaged in primary production.

8 Exemption – Mass and Dimension

(1) A vehicle operating under this Notice is exempt from mass and dimension requirements set out in the following Schedules of the Regulation:

- a) Schedule 1 – General Mass Limits
- b) Schedule 2 – Dimension Requirements

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National Heavy Vehicle Regulator