HEAVY VEHICLE NATIONAL LAW

New South Wales Class 3 Bus Mass Exemption Notice 2019 (No.1)

1 Purpose

The purpose of this Notice is to exempt specified types of buses from the mass limits and axle mass limits of the Heavy Vehicle (Mass, Dimension and Loading) National Regulation (the Regulation).

2 Authorising provision

This Notice is made under Section 117 of the Heavy Vehicle National Law as in force in each participating jurisdiction (HVNL).

3 Title

This Notice may be cited as the New South Wales Class 3 Bus Mass Exemption Notice 2019 (No.1).

4 Commencement

This Notice commences on 10 February 2019.

5 Expiry

This Notice expires on 9 February 2024.

6 Definitions

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

‘ABS’ means antilock braking system

‘ADR’ means Australian Design Rule

‘Australian Road Authority’ includes the National Heavy Vehicle Regulator

‘EBS’ means electronic braking system

‘ESC’ means electronic stability control

‘National Class 2 Controlled Access Bus Authorisation Notice’ means the current National Class 2 Controlled Access Bus Authorisation Notice published by the National Heavy Vehicle Regulator.

‘UN ECE’ means the United Nations Economic Commission for Europe Regulation”.

7 Application

(1) This Notice applies to eligible three axle buses operating in the stated areas and routes in New South Wales.
Part 3 – Three axle complying buses

8 Application

This Part applies to an eligible vehicle operating in New South Wales.

9 Eligible vehicle

An eligible vehicle for this Part is—

(a) a three axle complying bus that has a tandem rear axle group fitted either with
   —
   (i) single tyres on one axle and dual tyres on the other axle; or
   (ii) dual tyres on both axles; and

(b) that complies with the relevant conditions of this Part.

10 Exemption from prescribed mass requirement

An eligible vehicle is exempt from the following prescribed mass requirements in Schedule 1 of the Regulation, to the extent provided in this Notice, for travel in the stated areas—

(a) section 2(1)(a)(i)(B); and
(b) section 2(1)(a)(i)(C).

11 Mass limit

The mass of an eligible vehicle must not be more than—

(a) for an eligible vehicle described in section 20(a)(i) – 20.5t.
(b) for an eligible vehicle described in section 20(a)(ii) – 23.0t.

12 Axle and axle group mass limits

The mass on an axle or an axle group of an eligible vehicle must not exceed the limits that apply to single axles and axle groups as set out in Table 1, Part 2 of Schedule 1 to the Regulation.

13 Vehicle safety conditions

(1) An eligible vehicle must be fitted with either—

(a) an ABS that complies with ADR 35/04 or later and an EBS that complies with UN ECE R13; or

(b) an ESC system that complies with—
   (i) for a vehicle to which ADR 35/06 applies – ADR35/06; or
   (ii) for another vehicle – UN ECE R13.
(2) The manufacture date of an eligible vehicle is the date shown on its identification plate.

(3) Compliance with the requirements of sub-section (1) must be verified by either—

(a) an identification plate issued by a person authorised by an Australian Road Authority to affix an identification plate; or

(b) a certificate verifying modifications issued by a person authorised by an Australian Road Authority to certify heavy vehicle modifications; or

(c) an original letter from the manufacturer of the vehicle stating that the vehicle complies with the requirements of subsection (1), and providing details of which system is installed, the model, and the VIN on the vehicle.

(4) A certificate or letter referred to in subsection (3)(b) or (3)(c) must be carried in the driving compartment of the vehicle.

14 Areas and routes

An eligible vehicle operating under this Part may use any road in New South Wales.

Part 4 – Three axle ultra-low floor buses

15 Interpretation

In this Part –

‘disrupted railway passenger services’ means the unplanned disruption of railway passenger services operated by a NSW entity that are sufficiently serious to require the provision of rail replacement bus services.

‘rail replacement bus service’ means a bus operated by an accredited service operator within the meaning of the Passenger Transport Act 2014 (NSW) for the purpose of carrying passengers, and persons who were proposing to be passengers, of disrupted railway passenger services.

‘regular bus service’ means a bus service carrying passengers for fare or other consideration that is conducted according to regular routes and timetables in accordance with a passenger service contract entered into under Part 3 of the Passenger Transport Act 2014 (NSW).

16 Application

This Part applies to an eligible vehicle operating in New South Wales.
17 **Eligible vehicle**

An eligible vehicle for this Part is—

(a) a three axle bus providing a rail replacement bus service or a regular bus service that is either—

(i) a rigid ultra-low floor bus that is longer than 12.5m but not longer than 14.5m, and that has a rear tandem axle group fitted with single tyres on one axle and dual tyres on the other axle; or

(ii) an articulated ultra-low floor bus that has three single axles, fitted with dual tyres on the centre and rear axles; and

(b) that complies with the relevant conditions of this Part.

18 **Exemption from prescribed mass requirement**

An eligible vehicle is exempt from the following prescribed mass requirements in Schedule 1 of the Regulation, to the extent provided in this Notice, for travel in the stated areas—

(a) section 2(1)(a)(i)(B); and

(b) section 2(1)(b); and

(c) section 4 as it relates to the general mass limits specified in Table 1 (Axle mass limits table) of Part 2.

19 **Mass limit**

The mass of an eligible vehicle must not be more than—

(a) for an eligible vehicle described in section 28(a)(i) – 20.8t.

(b) for an eligible vehicle described in section 28(a)(ii) – 26.8t.

20 **Axle and axle group mass limits**

(1) An eligible vehicle described in section 28(a)(i) must not exceed the following mass limits—

(a) for a steer axle – 6.5t.

(b) for a tandem axle group – 14.5t.

(2) An eligible vehicle described in section 28(a)(ii) must not exceed the following mass limits—

(c) for a steer axle – 6.0t.

(d) for a central axle – 9.0t.

(e) for a rear axle – 11.8t.
21 **Areas and routes**

An eligible vehicle operating under this Part may use any road in New South Wales.

**Part 5 – Three axle double decker buses**

22 **Interpretation**

In this Part—

‘regular bus service’ means a bus service carrying passengers for fare or other consideration that is conducted according to regular routes and timetables in accordance with a passenger service contract under Part 3 of the *Passenger Transport Act 2014* (NSW).

23 **Application**

This Part applies to an eligible vehicle operating in New South Wales.

24 **Eligible vehicle**

An eligible vehicle for this Part is—

(a) a three axle double decker bus no longer than 12.5m that is providing a regular bus service, and that has either—

(i) a twinsteer axle; or

(ii) a rear tandem axle group fitted with single tyres on one axle and dual tyres on the other axle; and

(b) complies with the relevant conditions of this Part.

25 **Exemption from prescribed mass requirement**

An eligible vehicle is exempt from the following prescribed mass requirements in Schedule 1 of the Regulation to the extent provided in this Notice, for travel in the stated areas—

(a) section 2(1)(b); and

(b) section 4 as it relates to the general mass limits specified in Table 1 (Axle mass limits table) of Part 2.

26 **Mass limit**

The mass of an eligible vehicle must not be more than 22.0t.

27 **Axle and axle group mass limits**

(1) An eligible vehicle described in section 35(a)(i) must not exceed the following axle mass limits—

(a) for a twinsteer axle – 11.0t.

(b) for a rear axle – 11.0t.
(2) An eligible vehicle described in section 35(a)(ii) must not exceed the following axle mass limits—
   (a) for a steer axle – 6.5t.
   (b) for a tandem axle group – 15.5t.

28 Vehicle safety conditions

(1) An eligible vehicle must be fitted with either—
   (a) an ABS that complies with ADR 35/04 or later and an EBS that complies with UN ECE R13; or
   (b) an ESC system that complies with—
       (i) for a vehicle to which ADR 35/06 applies – ADR35/06; or
       (ii) for another vehicle – UN ECE R13.

(2) The manufacture date of an eligible vehicle is the date shown on its identification plate.

(3) Compliance with the requirements of sub-section (1) must be verified by either—
   (a) an identification plate issued by a person authorised by an Australian Road Authority to affix an identification plate; or
   (b) a certificate verifying modifications issued by a person authorised by an Australian Road Authority to certify heavy vehicle modifications; or
   (c) an original letter from the manufacturer of the vehicle stating that the vehicle complies with the requirements of subsection (1), and providing details of which system is installed, the model, and the VIN on the vehicle.

(4) A certificate or letter referred to in subsection (3)(b) or (3)(c) must be carried in the driving compartment of the vehicle.

29 Areas and routes

An eligible vehicle operating under this Part may use any route specified on the ‘Double Decker Bus Routes’ published on the Roads and Maritime Services website.

Note — The ‘Double Decker Bus Routes’ network is maintained by the New South Wales Roads and Maritime Service and may be found on its website.

Peter Caprioli
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