



## HEAVY VEHICLE NATIONAL LAW

### South Australia Class 1 Oyster Boat Exemption Notice 2019 (No.1)

#### 1. Purpose

- 1) This Notice provides dimension exemptions, conditions and road network access for heavy vehicle combinations towing one trailer carrying an oyster boat or an oyster boat on its own wheels.

*Note: This notice replaces the Exemption for Oyster Boats and Trailers to be Fitted With Brakes and to Exceed a Width of 2.5 metres, published in the South Australia Government Gazette on 8 January 2001*

#### 2. Authorising Provision

- 1) This notice is made under Section 117 of the Heavy Vehicle National Law (HVNL), and s169 of the Heavy Vehicle (General) National Regulation.

#### 3. Commencement

- 1) This Notice commences on 10 February 2019.

#### 4. Expiry

- 1) This Notice expires on 9 February 2024.

#### 5. Title

- 1) This Notice may be cited as the *South Australia Class 1 Oyster Boat Exemption Notice 2019*.

## 6. Definitions

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

**Eligible combination** means a heavy vehicle combination consisting of a vehicle towing one trailer carrying an oyster boat or an oyster boat on its own wheels.

**MDL Regulation** means the Heavy Vehicle (Mass, Dimension and Loading) National Regulation.

## 7. Application

- 1) This Notice applies to eligible vehicles operating in South Australia.

## 8. Exemptions - Dimension

- 1) Eligible vehicles operating under this notice are exempt from the following dimension requirements in Schedule 6 of the Heavy Vehicle (Mass Dimension and Loading) National Regulation (MDL Regulation)
  - a) Section 8 – Width

## 9. Conditions - Dimensions (Width)

- 1) The overall width of the vehicle combination including the oyster boat trailer, oyster boat and any framework used to support the boat shall not exceed 3.5m.

## 10. Condition - Application of Schedule 8 of the MDL Regulation

- 1) Eligible combinations operating under this Notice are Class 1 vehicles, and subject to all of the relevant requirements of Schedule 8 of the *Heavy Vehicle (Mass, Dimension and Loading) National Regulation*.

## 11. Condition - Speed restriction

- 1) An eligible combination operating under this notice must not exceed 25kph.

## **12. Conditions - Stated areas of operation**

- 1) An eligible combination complying with the requirements of this Notice may operate on all roads in South Australia, subject to the limitation in sub section 2).
- 2) Travel is only permitted for eligible combinations under this Notice for the purpose of transporting the oyster boat:
  - a) from the place of processing to the beach and return; or
  - b) from the place of processing to the boat launching ramp and return.

## **13. Condition – Times of Travel**

- 1) Travel is only permitted in the daytime, except where transporting of the boat is directly involved in the harvesting of oysters

## **14. Exemptions - Vehicle Standards (Brakes on oyster boats and trailers)**

- 1) This section applies to eligible combinations that have a gross combination mass of not more than 6t.
- 2) Eligible combinations complying with this section are exempt from the following vehicle standards requirements in Schedule 2 of the Heavy Vehicle (Vehicle Standards) National Regulation (VS Regulation):
  - a) Part 7, Division 3 - Heavy Trailer Braking Systems

Peter Caprioli

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**National Heavy Vehicle Regulator**