



HEAVY VEHICLE NATIONAL LAW

Queensland Heavy Vehicle Standards (Sugar Cane Trailers) Exemption Notice 2019 (No. 1)

1. Purpose

The purpose of this notice is to exempt a heavy vehicle that is a sugar cane trailer operating in Queensland from the specified requirements of the *Heavy Vehicle (Vehicle Standards) National Regulation* (the National Regulation).

2. Authorising Provision

This notice is made under section 61 of the *Heavy Vehicle National Law* (HVNL) as in force in Queensland.

3. Commencement

This notice commences on 10 February 2019.

4. Expiry

This notice expires on 9 February 2024.

5. 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—

sugar cane trailer means a trailer—

- (a) with an ATM between 4,501 and 20,000kg; and
- (b) that is designed and used for carrying sugar cane.

daylight means the period in a day from sunrise to sunset.

6. Title

This Notice may be cited as the *Queensland Heavy Vehicle Standards (Sugar Cane Trailers) Exemption Notice 2019 (No. 1)*.

7. Application

- (1) This notice applies only in Queensland.
- (2) This notice applies to a sugar cane trailer.

8. Exemption from Prescribed Vehicle Standards

A sugar cane trailer need not comply with a provision of Schedule 2 listed in Column 1 of Table 1 provided it complies with the conditions listed in Column 2 and Section 9 of this notice.

9. Conditions

- (1) A vehicle described in Column 1 of Table 1 must comply with a condition nominated in Column 2 for that item.

Table 1 Special conditions for application of exemptions

<i>Item No.</i>	<i>Column 1 Exemption</i>	<i>Column 2 Condition</i>
<i>Tail lights</i>		
1	A sugar cane trailer towed during daylight hours is exempt from complying with the requirements of section 47 of the National Regulation.	Nil
2	A sugar cane trailer towed at night is exempt from complying with the requirements of section 47 of the National Regulation	(a) The trailer must have 2 tail lights; and (b) Each tail light must— (i) be attached to the rear of the trailer; and (ii) have its centre no more than 1m from the ground.
<i>Number plate lights</i>		
3	A sugar cane trailer towed during daylight hours is exempt from complying with the requirements of section 51(1) of the National Regulation <i>Note— A sugar cane trailer being towed at night is not exempt, and must comply with section 51(1) of the National Regulation.</i>	Nil
<i>Fitting Brake lights</i>		
4	A sugar cane trailer is exempt from complying with section 59 of the National Regulation	(a) The trailer must have 2 brake lights at the rear. (b) The lights must both be positioned at the same distance from the ground, no less than 350mm, and no more than 1.5m, above ground level. (c) One of the lights must be positioned no more than 400mm

Item No.	Column 1 Exemption	Column 2 Condition
		from the left side of the trailer and the other light the same distance from the right side of the trailer
<i>Rear reflector</i>		
5	<p>A sugar cane trailer towed during daylight hours is exempt from complying with the requirements of section 70(1) of the National Regulation.</p> <p><i>Note— A sugar cane trailer being towed at night is not exempt, and must comply with section 70(1) of the National Regulation.</i></p>	Nil
<i>Compulsory front reflectors</i>		
6	A sugar cane trailer is exempt from section 73 of the National Regulation	<p>(a) A sugar cane trailer that is at least 2.2m wide and is towed at night must have one white reflector fitted to each side of the trailer.</p> <p>(b) Each reflector mentioned in (a) must have its centre—</p> <p>(i) at least 350mm, but not more than 900mm, above ground level; and</p> <p>(ii) not over 150mm from the nearer side of the vehicle.</p>
<i>Trailer brakes</i>		
7	A sugar cane trailer with an ATM not more than 19t is exempt from section 91 of the National Regulations	<p>A sugar cane trailer, operating under this notice, that—</p> <p>(a) has an ATM less than 6t—requires no brakes;</p> <p>(b) has an ATM of 6t or more but not more than 12t—must have an efficient air or hydraulic braking system on at least 2 of its wheels capable of operation at the normal driving position by the driver of the vehicle towing the trailer;</p> <p>(c) has an ATM more than 12t but not more than 19t—must have an efficient air or hydraulic braking system on all its wheels capable of operation at the normal driving position by the driver of the vehicle towing the trailer.</p>

<i>Item No.</i>	<i>Column 1 Exemption</i>	<i>Column 2 Condition</i>
<i>Operation of brakes on trailers</i>		
8	A sugar cane trailer is exempt from section 92 of the National Regulation	Nil
<i>Air or vacuum brakes on trailers</i>		
9	A sugar cane trailer need not comply section 93 of the National Regulation	Nil

- (2) If a heavy vehicle is towing a sugar cane trailer, the heavy vehicle or trailer must be fitted with—
- (a) at least 1 lit flashing yellow light more than 1m above its direction indicators; or
 - (b) if the flashing light cannot be conveniently attached as required by paragraph (a)—at least 1 lit flashing green light within 1m of its direction indicators.
- (3) When it is on, a light mentioned in clause 12 must be visible, in direct sunlight, for at least 200m from the vehicle.
- (4) Fitting of one or more flashing lights that comply with the conditions of this notice is permitted, despite the requirements of Schedule 2 Section 79(3) and (4) or of a third edition ADR.

Geoff Casey
Executive Director Productivity and Safety
National Heavy Vehicle Regulator