



Road Transport Charges (Australian Capital Territory) Amendment Act 2000

No. 42, 2000

An Act to amend the *Road Transport Charges (Australian Capital Territory) Act 1993*, and for related purposes

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No. 42, 2000

An Act to amend the *Road Transport Charges (Australian Capital Territory) Act 1993*, and for related purposes

[Assented to 3 May 2000]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Road Transport Charges (Australian Capital Territory) Amendment Act 2000*.

2 Commencement

- (1) Subject to subsection (2), this Act commences on a day to be fixed by Proclamation.

(2) If this Act does not commence under subsection (1) before 1 January 2001, it commences on that day.

3 Schedule(s)

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendment of the Road Transport Charges (Australian Capital Territory) Act 1993

1 Section 2

Repeal the section, substitute:

2 Obligations of the Government of the Australian Capital Territory

Registration charges

- (1) The Government of the Australian Capital Territory must determine charges for the grant of annual registrations of vehicles of a kind mentioned in Part 2 of the Schedule in accordance with that Part if:
 - (a) the *Road Transport Charges (Australian Capital Territory) Amendment Act 2000* commenced on or before 1 July 2000 and the registrations are granted on or after 1 July 2000; or
 - (b) that Act commenced after 1 July 2000 and the registrations are granted after that Act commenced.

Permit charges

- (2) The Government of the Australian Capital Territory must also determine charges for the grant of permits in circumstances set out in Part 3 of the Schedule in accordance with that Part if:
 - (a) the *Road Transport Charges (Australian Capital Territory) Amendment Act 2000* commenced on or before 1 July 2000 and the permits are granted on or after 1 July 2000; or
 - (b) that Act commenced after 1 July 2000 and the permits are granted after that Act commenced.

2 Part 1 of the Schedule (definition of *axle*)

Repeal the definition, substitute:

axle means one or more shafts positioned in a line across a vehicle, on which one or more wheels intended to support the vehicle turn.

3 Part 1 of the Schedule (definition of *axle group*)

Repeal the definition, substitute:

axle group means a single axle group, tandem axle group, twinsteer axle group, tri-axle group or quad-axle group.

4 Part 1 of the Schedule (definition of *bus*)

Repeal the definition, substitute:

bus means a motor vehicle, built mainly to carry people, that seats more than 9 adults (including the driver).

5 Part 1 of the Schedule (definition of *bus (type 2)*)

Repeal the definition, substitute:

bus (type 2) means:

- (a) a rigid bus that has 2 axles and an MRC exceeding 12 tonnes;
or
- (b) a rigid bus that has 3 axles or 4 axles.

6 Part 1 of the Schedule

Insert:

converter dolly means a trailer, with one axle group or single axle and a fifth wheel coupling, designed to convert a semi trailer into a dog trailer.

7 Part 1 of the Schedule (definition of *dog trailer*)

Repeal the definition, substitute:

dog trailer means a trailer (including a trailer consisting of a semi trailer and converter dolly) with:

- (a) one axle group or single axle at the front that is steered by connection to the towing vehicle by a drawbar; and
- (b) one axle group or single axle at the rear.

8 Part 1 of the Schedule (definition of *dolly*)

Repeal the definition.

9 Part 1 of the Schedule

Insert:

drawbar means a part of a trailer (other than a semi trailer) that connects the trailer body to a coupling for towing purposes.

10 Part 1 of the Schedule

Insert:

driver means the person driving or in control of a motor vehicle.

11 Part 1 of the Schedule

Insert:

fifth wheel coupling means a device, other than the upper rotating element and the kingpin (which are parts of a semi trailer), used with a prime mover, semi trailer or a converter dolly to permit quick coupling and uncoupling and to provide for articulation.

12 Part 1 of the Schedule

Insert:

load carrying trailer means a trailer that is carrying a load or that is built to carry a load.

13 Part 1 of the Schedule

Insert:

long combination prime mover means a prime mover nominated to haul 2 or more trailers, but does not include a medium combination prime mover.

14 Part 1 of the Schedule (definition of *long combination prime mover (type 1)*)

Repeal the definition.

15 Part 1 of the Schedule (definition of *long combination prime mover (type 2)*)

Repeal the definition.

16 Part 1 of the Schedule

Insert:

low loader means a gooseneck semi trailer with a loading deck no more than 1 metre above the ground.

17 Part 1 of the Schedule

Insert:

low loader dolly means a mass-distributing device that:

- (a) is usually coupled between a prime mover and low loader; and
- (b) consists of a gooseneck rigid frame; and
- (c) does not directly carry any load on itself; and
- (d) is equipped with one or more axles, a kingpin and a fifth wheel coupling.

18 Part 1 of the Schedule (definition of *medium combination truck*)

Repeal the definition, substitute:

medium combination truck means a truck, other than a short combination truck, nominated to haul one trailer.

19 Part 1 of the Schedule (definition of *pig trailer*)

Repeal the definition, substitute:

pig trailer means a trailer with one axle group or single axle near the middle of its load-carrying surface, and connected to the towing vehicle by a drawbar.

20 Part 1 of the Schedule (definition of *pole type trailer*)

Repeal the definition, substitute:

pole type trailer means a trailer that:

- (a) is attached to a towing vehicle by means of a pole or an attachment fitted to a pole; and

- (b) is ordinarily used for transporting loads, such as logs, pipes, structural members or other long objects, that are generally capable of supporting themselves like beams between supports.

21 Part 1 of the Schedule

Insert:

quad-axle group means a group of 4 axles, in which the horizontal distance between the centre-lines of the outermost axles is more than 3.2 metres but not more than 4.9 metres.

22 Part 1 of the Schedule

Insert:

road means an area that is open to or used by the public and is developed for, or has as one of its main uses, the driving or riding of motor vehicles.

23 Part 1 of the Schedule

Insert:

road related area means:

- (a) an area that divides a road; or
- (b) a footpath or nature strip adjacent to a road; or
- (c) an area that is open to the public and is designated for use by cyclists or animals; or
- (d) an area that is not a road and that is open to or used by the public for driving, riding or parking motor vehicles; or
- (e) any shoulder of a road; or
- (f) an area that is a road related area for the purposes of the *Road Transport (General) Act 1999* of the Australian Capital Territory.

24 Part 1 of the Schedule (definition of *semi trailer*)

Repeal the definition, substitute:

semi trailer means a trailer (including a pole type trailer) that has:

- (a) one axle group or single axle towards the rear; and
-

- (b) a means of attachment to a prime mover that results in some of the load being imposed on the prime mover.

25 Part 1 of the Schedule (definition of *short combination truck*)

Repeal the definition, substitute:

short combination truck means a truck nominated to haul one trailer where, according to the nomination:

- (a) the combination has 6 axles or fewer; and
(b) the maximum total mass that is legally allowable for the combination is 42.5 tonnes or less.

26 Part 1 of the Schedule

Insert:

single axle means an axle not forming part of an axle group.

27 Part 1 of the Schedule

Insert:

single axle group means a group of 2 or more axles, in which the horizontal distance between the centre-lines of the outermost axles is less than 1 metre.

28 Part 1 of the Schedule (definition of *special purpose vehicle*)

Repeal the definition, substitute:

special purpose vehicle means:

- (a) a vehicle (other than one that the regulations declare not to be a special purpose vehicle for the purposes of this definition) where the primary purpose for which it was built, or permanently modified, was not the carriage of goods or passengers; or
(b) a vehicle declared by the regulations to be a special purpose vehicle for the purposes of this definition.

Note: The second last sentence of this Part contains an interpretation provision affecting this definition.

29 Part 1 of the Schedule (definition of *special purpose vehicle (type 1)*)

Repeal the definition.

30 Part 1 of the Schedule (definition of *special purpose vehicle (type 2)*)

Repeal the definition.

31 Part 1 of the Schedule

Insert:

special purpose vehicle (type o) means a special purpose vehicle (other than a special purpose vehicle (type p)):

- (a) built, or permanently modified, primarily for use on roads; and
- (b) that has at least one axle or axle group loaded in excess of the mass limits specified in the regulations for the purposes of this definition.

Note: Some possible examples of this kind of vehicle are mobile cranes, fire engines, truck-mounted concrete pumps and boring plants. These may also fall within the definition of *special purpose vehicle (type t)* if they have no axle or axle group loaded in excess of the mass limits specified in the regulations for the purposes of that definition.

32 Part 1 of the Schedule

Insert:

special purpose vehicle (type p) means a special purpose vehicle built, or permanently modified, primarily for:

- (a) off-road use; or
- (b) use on a road related area; or
- (c) use on an area of road that is under construction or repair.

Note: Some examples of this kind of vehicle are agricultural tractors, self-propelled agricultural harvesters, bulldozers, backhoes, graders and front-end loaders.

33 Part 1 of the Schedule

Insert:

special purpose vehicle (type t) means a special purpose vehicle (other than a special purpose vehicle (type p)):

- (a) built, or permanently modified, primarily for use on roads; and
- (b) that has no axle or axle group loaded in excess of the mass limits specified in the regulations for the purposes of this definition.

Note: Some possible examples of this kind of vehicle are mobile cranes, fire engines, truck-mounted concrete pumps and boring plants. These may also fall within the definition of *special purpose vehicle (type o)* if they have at least one axle or axle group loaded in excess of the mass limits specified in the regulations for the purposes of that definition.

34 Part 1 of the Schedule

Insert:

tandem axle group means a group of at least 2 axles, in which the horizontal distance between the centre-lines of the outermost axles is at least 1 metre but not more than 2 metres.

35 Part 1 of the Schedule (definition of *trailer*)

Repeal the definition, substitute:

trailer means a vehicle that is built to be towed, or is towed, by a motor vehicle, but does not include a motor vehicle that is being towed.

36 Part 1 of the Schedule

Insert:

tri-axle group means a group of at least 3 axles, in which the horizontal distance between the centre-lines of the outermost axles is more than 2 metres, but not more than 3.2 metres.

37 Part 1 of the Schedule

Insert:

twinsteer axle group means a group of 2 axles:

- (a) with single tyres; and
 - (b) fitted to a motor vehicle; and
-

-
- (c) connected to the same steering mechanism; and
 - (d) the horizontal distance between the centre-lines of which is at least 1 metre, but not more than 2 metres.

38 Part 1 of the Schedule (third last sentence)

After “For the purposes of this Schedule”, insert “(other than the definitions of *single axle group*, *tandem axle group*, *twinsteer axle group*, *tri-axle group* and *quad-axle group*)”.

39 Part 1 of the Schedule (second last sentence)

Repeal the sentence, substitute:

For the purposes of determining the number of trailers that a prime mover or truck may tow:

- (a) a converter dolly and a semi trailer when used together are to be regarded as one trailer; and
- (b) a low loader dolly and a low loader when used together are to be regarded as one trailer.

In paragraph (a) of the definition of *special purpose vehicle*:

goods does not include fuel, water, lubricants, tools and any other equipment or accessories necessary for the normal operation of the vehicle.

Note: For example, in the case of a crane, *goods* would not include any chains on the crane necessary to operate the crane.

passengers does not include the driver, a trainee driver or any person necessary for the normal operation of the vehicle.

40 Part 2 of the Schedule

Repeal the Part, substitute:

Part 2—Annual registration charges

1 Load carrying vehicles

Schedule 1 Amendment of the Road Transport Charges (Australian Capital Territory)
Act 1993

Load carrying vehicles				
Vehicle Type	2-axle	3-axle	4-axle	5-axle
1 Truck (type 1)	\$300	\$600	\$900	\$900
2 Truck (type 2)	\$500	\$800	\$2,000	\$2,000
3 Short combination truck	\$550	\$2,000	\$2,000	\$2,000
4 Medium combination truck	\$3,800	\$3,800	\$4,100	\$4,100
5 Long combination truck	\$5,250	\$5,250	\$5,250	\$5,250
6 Short combination prime mover	\$1,300	\$3,400	\$4,400	\$4,400
7 Medium combination prime mover	\$4,000	\$5,000	\$5,500	\$5,500
8 Long combination prime mover	\$5,000	\$5,000	\$5,500	\$5,500

2 Load carrying trailer, converter dolly and low loader dolly

The amount of the charge applicable to a load carrying trailer, a converter dolly or a low loader dolly is worked out using the formula:

$$\$300 \times \text{Number of axles}$$

3 Buses

Buses				
Item	Bus Type	2-axle	3-axle	4-axle
1	Bus (type 1)	\$300	Not applicable	Not applicable
2	Bus (type 2)	\$500	\$1,250	\$1,250
3	Articulated bus	Not applicable	\$500	\$500

4 Special purpose vehicles

Special purpose vehicles		
Item	Special purpose vehicle type	Charge
1	Special purpose vehicle (type p)	No charge
2	Special purpose vehicle (type t)	\$200

Special purpose vehicles		
Item	Special purpose vehicle type	Charge
3	Special purpose vehicle (type o)	The amount calculated using the formula: $\$250 + \$250 \times \frac{\text{Number of axles}}{\text{in excess of 2}}$

5 Vehicles in 2 or more categories

If a vehicle falls within 2 or more categories specified in this Part, the charge for the vehicle is the higher or highest of the charges that could apply to the vehicle.

41 Part 3 of the Schedule (heading)

Repeal the heading, substitute:

Part 3—Charges for the grant of certain permits

42 Amendments not to affect requirement to determine certain charges

The amendments made by this Act do not affect the requirement for the Government of the Australian Capital Territory to determine:

- (a) if this Act commences on or before 1 July 2000—charges for the grant of annual registrations, or of permits, taking place before 1 July 2000; or
- (b) if this Act commences after 1 July 2000—charges for the grant of annual registrations, or of permits, taking place before this Act commences.

*[Minister's second reading speech made in—
House of Representatives on 8 March 2000
Senate on 16 March 2000]*

(21/00)
