



## HEAVY VEHICLE NATIONAL LAW

### South Australian Heavy Vehicle Standards (2 For 3 Bus Seat) Exemption Notice 2021 (No.1)

#### 1. Purpose

The purpose of this notice is to exempt a heavy vehicle to which it applies from certain requirements of Part 1 of Schedule 1 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* (the National Law) as in force in South Australia.

#### 3. Title

This Notice may be cited as the *South Australian Heavy Vehicle Standards (2 for 3 bus seat) Exemption Notice 2021 (No.1)*

#### 4. Commencement

This Notice commences on 29 January 2021.

#### 5. Expiry

This Notice expires on 28 January 2023.

#### 6. Definitions

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

In this Notice –

**A '2 for 3 bus seat'** means a bus seat, consisting of two adult seating positions and incorporates an additional centre seating position for occupation of each of the three seating positions by a person who is under 12 years of age.

**MD and ME category vehicle** have the same meanings as in the *Vehicle Standards (Australian Design Rule - Definitions and Vehicle Categories) 2005, as amended from time to time*.

#### 7. Application

- 1) This Notice applies in South Australia.
- 2) This Notice applies to buses over 4.5 tonne GVM (MD and ME category vehicles).

## **8. Exemption from Prescribed Vehicle Standards**

A heavy vehicle described in section 7 of this notice is exempt from the minimum passenger seating position width requirement of clause 58.13.1 of Australian Design Rule 58/.. for the purposes of compliance with Part 1 of Schedule 1 of the National Regulation.

## **9. Conditions**

- (1) A 2 for 3 bus seat fitted to a heavy vehicle (bus) must meet the Australian Design Rule requirements specified below :
  - (a) the rear parts of the seat fitted directly in front of a centre seating position of a 2 for 3 bus seat must comply with the Energy Dissipation Test of Australian Design Rule 3 (Seats and Seat Anchorages); and
  - (b) the centre seating position of a 2 for 3 bus seat must comply with Australian Design Rule 5 (Anchorages for Seatbelts).
- (2) A bus operating under this notice must have a conspicuous label or sign affixed inside the bus warning passengers that a 2 for 3 bus seat can only be used in a three seat configuration by children aged under 12 years.

Peter Austin

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**National Heavy Vehicle Regulator**