**HEAVY VEHICLE NATIONAL LAW**

**New South Wales Class 2 Safety, Productivity & Environment Construction Transport Authorisation Notice 2021 (No.1)**

1. **Purpose**
2. This Notice authorises the use of stated categories of class 2 heavy vehicles that are Performance Based Standards (PBS) vehicles on the New South Wales SPECT Scheme Network, subject to specified conditions.
3. This Notice works in conjunction with the New South Wales Safety, Productivity & Environment Construction Transport Scheme (the SPECT Scheme), providing access to the New South Wales SPECT Scheme Network for the transport of specified construction materials under specified safety, environmental and productivity conditions. It is a condition of this Notice that a participating operator be enrolled in, and comply with, the SPECT Scheme.

*Note: Details of the Safety, Productivity & Environment Construction Transport Scheme may be found on the Transport for New South Wales website.*

*This Notice replaces the New South Wales Class 2 Safety, Productivity & Environment Construction Transport Authorisation Notice 2016.*

1. **Authorising Provision**

This Notice is made under the following provisions of the Heavy Vehicle National Law (HVNL):

1. section 138 - Regulator’s power to authorise use of all or stated categories of class 2 heavy vehicles
2. **Title**

This Notice may be cited as the New South Wales Class 2 Safety, Productivity & Environment Construction Transport Authorisation Notice 2021 (No.1).

1. **Commencement**

This Notice commences on 1 July 2021.

1. **Expiry**

This Notice expires on 30 June 2026.

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

***eligible vehicle*** means a vehicle that:

1. is the subject of a current PBS vehicle approval for operation at Level 1 or 2; and
2. is a nominated vehicle in accordance with the SPECT Scheme Business Rules.

***SPECT Scheme Business Rules*** means the set of operator requirements and conditions under the SPECT Scheme as maintained by Transport for new South Wales (TfNSW), and as amended from time to time.

1. **Application**

This Notice applies to eligible vehicles operating in New South Wales.

1. **Authorisation**

An eligible vehicle, operating under this Notice, and that complies with all of its conditions, may use areas and routes specified in the following network published by New South Wales Roads and Maritime Services:

*New South Wales SPECT Scheme Network*

*Note: The online SPECT Scheme PBS Network may be found on the TfNSW website.*

1. **Conditions – PBS vehicle approval**

An eligible vehicle operating under this Notice must comply with the conditions contained in its PBS Vehicle Approval.

1. **Conditions – Compliance with SPECT Scheme**
2. An eligible vehicle operating under this Notice must comply with:
3. all the requirements of the SPECT Scheme including the SPECT Scheme Business Rules; and
4. any special conditions of its SPECT Scheme nomination.

*Note: Section 153 of the HVNL requires a driver of a PBS vehicle to keep a copy of the PBS vehicle approval in their possession.*

1. **Conditions – Intelligent access program conditions (IAP conditions)**
2. An eligible vehicle operating under this Notice must comply with the intelligent access conditions set out in this section.
3. Pursuant to s402(a) and (b) of Chapter 7 of the HVNL, the following conditions of this Notice are intelligent access program conditions:
4. any condition relating to networks, including any relating to speed or time of travel; and
5. any condition relating to compliance with the eligible vehicle’s PBS vehicle approval, or with the SPECTS Scheme and its business rules.
6. Pursuant to s402(c) of Chapter 7 of the HVNL an eligible vehicle operating on a network under this Notice must be enrolled in and comply with the following approved intelligent transport system, approved by Transport Certification Australia:

*Road Infrastructure Management (RIM)*

Peter Caprioli

*Executive Director (Freight and Supply Chain Productivity)*

**National Heavy Vehicle Regulator**