



New South Wales

Road Transport (Heavy Vehicles Registration Charges) Amendment Bill 2000

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* and the *Road Transport (Heavy Vehicles Registration Charges) Regulation 1996*:

- (a) to revise the charges payable for registration and renewal of registration of heavy vehicles, in line with the charges developed by the National Road Transport Commission, and
- (b) to provide for the indexation of those charges and heavy vehicle permit charges in line with increases in the Consumer Price Index, subject to any determination by the Minister of a lesser increase.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on 1 July 2000.

Clause 3 is a formal provision giving effect to the amendments to the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* set out in Schedule 1.

Clause 4 is a formal provision giving effect to the amendments to the *Road Transport (Heavy Vehicles Registration Charges) Regulation 1996* set out in Schedule 2.

Schedule 1 [3] and **[7]** give effect to paragraph (a) of the objects outlined above. The items amend and replace certain definitions in clause 1 of Part 1 of Schedule 1 to the Act and replace the tables of registration charges set out in Part 2 of that Schedule. The new registration charges reflect those determined by the National Road Transport Commission on the basis of the cost of road usage.

For most heavy vehicle types the new charges represent no increase or only marginal increases. However, three types of heavy vehicles are subject to greater increases in charges and certain classification changes, namely B-doubles, Six axle truck and trailer combinations operating above 42.5 tonnes and Special Purpose Vehicles.

The charges relating to B-doubles are increased to reflect the greater number of, and use of, B-doubles. Six axle truck and trailer combinations operating above 42.5 tonnes will now be classified under a higher category of charges. Special Purpose Vehicles are currently classified as either Type 1 or Type 2 with differing registration charges depending on that type. Under the new charges Type 1 will be divided into two categories—Type P (plant) that will include plant vehicles such as backhoes, tractors, graders and Type T (truck) that will include trucks such as cherry pickers, mobile cranes and concrete pumps.

Schedule 1 [4]–[6] and **[8]** and **Schedule 2 [1]** and **[2]** make consequential amendments.

Schedule 1 [2] gives effect to paragraph (b) of the objects outlined above by replacing section 9 of the Act. The new section 9 provides for the indexation of charges by a mechanism based on the Consumer Price Index. The charges are only indexed for any given financial year if, before the start of that financial year, the Australian Transport Council (which is comprised of the Transport Ministers for the Commonwealth, the States and the Territories) consents to that indexation.

Schedule 1 [1] and **[2]** make consequential amendments to sections 7 and 8 of the Act.



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No. , 2000

A Bill for

An Act to amend the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* and the *Road Transport (Heavy Vehicles Registration Charges) Regulation 1996* to make further provision with respect to the charges under that Act and to provide for the indexation of those charges; and for other purposes.

The Legislature of New South Wales enacts:	1
1 Name of Act	2
This Act is the <i>Road Transport (Heavy Vehicles Registration Charges) Amendment Act 2000</i> .	3 4
2 Commencement	5
This Act commences or is taken to have commenced on 1 July 2000.	6
3 Amendment of Road Transport (Heavy Vehicles Registration Charges) Act 1995 No 72	7 8
The <i>Road Transport (Heavy Vehicles Registration Charges) Act 1995</i> is amended as set out in Schedule 1.	9 10
4 Amendment of Road Transport (Heavy Vehicles Registration Charges) Regulation 1996	11 12
The <i>Road Transport (Heavy Vehicles Registration Charges) Regulation 1996</i> is amended as set out in Schedule 2.	13 14

Schedule 1	Amendment of Road Transport (Heavy Vehicles Registration Charges) Act 1995 No 72	1
		2
		3
	(Section 3)	4
[1]	Section 7 Registration charges	5
	Omit section 7 (1). Insert instead:	6
	(1) The annual registration charges for a vehicle, or a combination of vehicles, of a kind mentioned in Part 2 of Schedule 1 are:	7
		8
	(a) if the registration or renewal of registration is granted during the financial year commencing on 1 July 2000—as set out in that Part, or	9
		10
		11
	(b) if the registration or renewal of registration is granted during any financial year (an <i>indexation year</i>) after the one commencing on 1 July 2000—as determined in accordance with section 9.	12
		13
		14
		15
[2]	Sections 8 and 9	16
	Omit the sections. Insert instead:	17
	8 Permit charges	18
	The charges for the grant of a heavy vehicle permit are:	19
	(a) if the permit is granted during the financial year commencing 1 July 2000—as set out in Part 3 of Schedule 1, or	20
		21
		22
	(b) if the permit is granted during any financial year (an <i>indexation year</i>) after the one commencing on 1 July 2000—as determined in accordance with section 9.	23
		24
		25

9	Indexation of charges	1
(1)	For each indexation year:	2
(a)	the charges for the grant of registrations or renewals of registration during the year of vehicles of a kind mentioned in Part 2 of Schedule 1, and	3 4 5
(b)	the charges for the grant of permits during the year in circumstances set out in Part 3 of Schedule 1,	6 7
	are to be determined as if the monetary amounts set out in Parts 2 and 3 of Schedule 1 were replaced with the amounts (the <i>indexed amounts</i>) calculated for that indexation year as provided by this section.	8 9 10 11
(2)	The indexed amounts for a financial year are to be calculated in accordance with the following formula:	12 13
	previous year's indexed amounts × indexation factor	14
	where:	15
	<i>previous year's indexed amounts</i> means the indexed amounts calculated as provided by this section for the financial year before the indexation year. The indexed amounts for the financial year commencing on 1 July 2000 are the amounts set out in Parts 2 and 3 of Schedule 1.	16 17 18 19 20
	<i>indexation factor</i> means:	21
(a)	the fraction calculated by dividing the sum of the index numbers for the quarters in the year ending on 30 September before the indexation year by the sum of the index numbers for the quarters in the year ending on the previous 30 September, unless a smaller fraction applies under paragraph (b), or	22 23 24 25 26 27
(b)	such smaller fraction as the Minister may declare by order published in the Gazette to be the indexation factor for the indexation year concerned.	28 29 30
	Example	31
	For registrations during the financial year commencing on 1 July 2000, the charge under Part 2 of Schedule 1 for a vehicle that is a load carrying trailer is:	32 33 34
	\$300 × Number of axles	35

If the load carrying trailer has 2 axles, the charge for registrations during the financial year commencing 1 July 2000 is \$600. 1
2

For the financial year commencing on 1 July 2001, the charge for a vehicle of that kind is to be determined as if the amount of \$300 in Part 2 of Schedule 1 were adjusted by multiplying it by the indexation factor for the 2001 financial year. Assume the indexation factor is 1.103: 3
4
5
6

$\$300 \times 1.103 = \330.90 , which is rounded up to \$331 (see subsection (5)). 7
8

The charge for the vehicle is $\$331 \times 2 = \662 . 9

(3) Despite subsection (2), the indexation factor under that subsection for an indexation year is 1 if: 10
11

(a) the indexation factor calculated in accordance with subsection (2) would otherwise be less than 1, or 12
13

(b) the Australian Transport Council does not (by resolution carried in accordance with the Heavy Vehicles Agreement before the start of the indexation year) consent to the charges being indexed for the indexation year in accordance with this section. 14
15
16
17
18

(4) The indexation factor is calculated to 3 decimal places (rounding up if the fourth decimal place is 5 or more). 19
20

Example 21

If the factor is 1.102793, it is to be rounded up to 1.103. 22

(5) If an indexed amount calculated under subsection (2) in respect of an amount in Part 2 of Schedule 1 is not a whole number of dollars, the charge is rounded to the nearest whole number of dollars (rounding an amount ending in 50 cents upwards). The indexed amount calculated under subsection (2) in respect of the amount in Part 3 of Schedule 1 is to be calculated to 4 decimal places (rounding up if the fifth decimal place is 5 or more). 23
24
25
26
27
28
29
30

Example 31

If an indexed amount calculated under subsection (2) for the purposes of Part 2 of Schedule 1 is \$873.828, it is rounded up to \$874. 32
33

If the indexed amount calculated under subsection (2) for the purposes of Part 3 of Schedule 1 is 4.13247 cents, it is rounded up to 4.1325 cents. 34
35

(6) The index number for a quarter is the All Groups Consumer Price Index number (being the weighted average of the 8 capital cities) first published by the Australian Statistician for the quarter. 36
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38
39

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(7) If the Australian Statistician changes the reference base for an index number, index numbers used for the purposes of this section after the change are to be those published in terms of the new base or converted to be in terms of the new base.	1 2 3 4
(8) In this section: <i>Australian Transport Council</i> has the same meaning as in the <i>National Road Transport Commission Act 1991</i> of the Commonwealth. <i>Heavy Vehicles Agreement</i> has the same meaning as in the <i>National Road Transport Commission Act 1991</i> of the Commonwealth.	5 6 7 8 9 10 11
[3] Schedule 1 Charges	12
Omit the following definitions from clause 1 of Schedule 1:	13
<i>axle</i>	14
<i>axle group</i>	15
<i>bus (type 2)</i>	16
<i>dog trailer</i>	17
<i>dolly</i>	18
<i>long combination prime mover (type 1)</i>	19
<i>long combination prime mover (type 2)</i>	20
<i>medium combination truck</i>	21
<i>pig trailer</i>	22
<i>pole type trailer</i>	23
<i>semi trailer</i>	24
<i>short combination truck</i>	25
<i>special purpose vehicle</i>	26
<i>special purpose vehicle (type 1)</i>	27
<i>special purpose vehicle (type 2)</i>	28
Insert instead in alphabetical order:	29
<i>axle</i> means one or more shafts positioned in a line across a vehicle, on which one or more wheels intended to support the vehicle turn.	30 31 32

-
- axle group** means a single axle group, tandem axle group, twinsteer axle group, tri-axle group or quad-axle group. 1
2
- bus (type 2)** means: 3
- (a) a rigid bus that has 2 axles and an MRC exceeding 12 4
tonnes, or 5
- (b) a rigid bus that has 3 axles or 4 axles. 6
- converter dolly** means a trailer, with one axle group or single 7
axle and a fifth wheel coupling, designed to convert a semi 8
trailer into a dog trailer. 9
- dog trailer** means a trailer (including a trailer consisting of a 10
semi trailer and converter dolly) with: 11
- (a) one axle group or single axle at the front that is steered 12
by connection to the towing vehicle by a drawbar, and 13
- (b) one axle group or single axle at the rear. 14
- drawbar** means a part of a trailer (other than a semi trailer) that 15
connects the trailer body to a coupling for towing purposes. 16
- driver** means the person driving or in control of a motor 17
vehicle. 18
- fifth wheel coupling** means a device, other than the upper 19
rotating element and the kingpin (which are parts of a semi 20
trailer), used with a prime mover, semi trailer or a converter 21
dolly to permit quick coupling and uncoupling and to provide 22
for articulation. 23
- load carrying trailer** means a trailer that is carrying a load or 24
that is built to carry a load. 25
- long combination prime mover** means a prime mover 26
nominated to haul 2 or more trailers, but does not include a 27
medium combination prime mover. 28
- low loader** means a gooseneck semi trailer with a loading deck 29
no more than 1 metre above the ground. 30
- low loader dolly** means a mass-distributing device that: 31
- (a) is usually coupled between a prime mover and low 32
loader, and 33
- (b) consists of a gooseneck rigid frame, and 34

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- (c) does not directly carry any load on itself, and 1
- (d) is equipped with one or more axles, a kingpin and a 2
fifth wheel coupling. 3
- medium combination truck** means a truck, other than a short 4
combination truck, nominated to haul one trailer. 5
- pig trailer** means a trailer with one axle group or single axle 6
near the middle of its load-carrying surface, and connected to 7
the towing vehicle by a drawbar. 8
- pole type trailer** means a trailer that: 9
- (a) is attached to a towing vehicle by means of a pole or an 10
attachment fitted to a pole, and 11
- (b) is of a kind ordinarily used for transporting loads, such 12
as logs, pipes, structural members or other long objects, 13
that are generally capable of supporting themselves like 14
beams between supports. 15
- quad-axle group** means a group of 4 axles, in which the 16
horizontal distance between the centre-lines of the outermost 17
axles is more than 3.2 metres but not more than 4.9 metres. 18
- semi trailer** means a trailer (including a pole type trailer) that 19
has: 20
- (a) one axle group or single axle towards the rear, and 21
- (b) a means of attachment to a prime mover that results in 22
some of the load being imposed on the prime mover. 23
- short combination truck** means a truck nominated to haul one 24
trailer where, according to the nomination: 25
- (a) the combination has 6 axles or fewer, and 26
- (b) the maximum total mass that is legally allowable for the 27
combination is 42.5 tonnes or less. 28
- single axle** means an axle not forming part of an axle group. 29
- single axle group** means a group of 2 or more axles, in which 30
the horizontal distance between the centre-lines of the 31
outermost axles is less than 1 metre. 32

- special purpose vehicle*** means: 1
- (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 2
3
4
5
6
 - (b) a vehicle declared by the regulations to be a special purpose vehicle for the purposes of this definition. 7
8
- Note.** Clause 7 of this Schedule contains an interpretation provision affecting this definition. 9
10
- 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 13
14
 - (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. 15
16
17
- 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. 18
19
20
21
22
- special purpose vehicle (type p)*** means a special purpose vehicle built, or permanently modified, primarily for:
- (a) off-road use, or 25
 - (b) use on a road related area, or 26
 - (c) use on an area of road that is under construction or repair. 27
28
- Note.** Some examples of this kind of vehicle are agricultural tractors, self-propelled agricultural harvesters, bulldozers, backhoes, graders and front-end loaders. 29
30
31
- 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 34
35

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- (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. 1
2
3

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. 4
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6
7
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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. 9
10
11

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. 12
13
14

twinsteer axle group means a group of 2 axles: 15

- (a) with single tyres, and 16
(b) fitted to a motor vehicle, and 17
(c) connected to the same steering mechanism, and 18
(d) the horizontal distance between the centre-lines of which is at least 1 metre, but not more than 2 metres. 19
20

[4] Schedule 1, clause 2 21

Insert “(other than the definitions of *single axle group*, *tandem axle group*, *twinsteer axle group*, *tri-axle group* and *quad-axle group*)” after “For the purposes of this Schedule”. 22
23
24

[5] Schedule 1, clause 3 25

Omit the clause. Insert instead: 26

3 For the purposes of determining the number of trailers that a prime mover or truck may tow: 27
28

- (a) a converter dolly and a semi trailer when used together are to be regarded as one trailer, and 29
30
(b) a low loader dolly and a low loader when used together are to be regarded as one trailer. 31
32

[6] Schedule 1, clause 7 1

Insert after clause 6: 2

7 In paragraph (a) of the definition of *special purpose vehicle*: 3

goods does not include fuel, water, lubricants, tools and any 4
other equipment or accessories necessary for the normal 5
operation of the vehicle. 6

Note. For example, in the case of a crane, goods would not include any 7
chains on the crane necessary to operate the crane. 8

passengers does not include the driver, a trainee driver or any 9
person necessary for the normal operation of the vehicle. 10

[7] Schedule 1, Part 2 11

Omit the Part. Insert instead: 12

Part 2 Annual registration charges 13

1 Load carrying vehicles 14

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

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Medium combination prime mover	\$4,000	\$5,000	\$5,500	\$5,500
Long combination prime mover	\$5,000	\$5,000	\$5,500	\$5,500

2 Load carrying trailer, converter dolly and low loader dolly

1

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

2

3

4

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

5

3 Buses

6

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

7

Item	Special purpose vehicle type	Charge
1	Special purpose vehicle (type p)	No charge
2	Special purpose vehicle (type t)	\$200
3	Special purpose vehicle (type o)	The amount calculated using the formula: $\$250 + \$250 \times \text{Number of axles in excess of 2}$

5 Vehicles in 2 or more categories	1
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.	2 3 4
[8] Schedule 1, Part 3, heading	5
Omit the heading. Insert instead:	6
Part 3 Charges for the grant of certain permits	7
[9] Schedule 2, Part 4	8
Insert at the end of Schedule 2:	9
Part 4 Provisions consequent on enactment of Road Transport (Heavy Vehicles Registration Charges) Amendment Act 2000	10 11 12
8 Transitional provision if assent after 1 July 2000	13
(1) If the date of assent to the <i>Road Transport (Heavy Vehicles Registration Charges) Amendment Act 2000</i> is after 1 July 2000, the charges payable under sections 7 and 8 in respect of registration or renewal of registration, or for a heavy vehicle permit, granted before that date of assent are the charges that would have been payable had the amendments made by that Act not been made.	14 15 16 17 18 19 20
(2) The amendments made by the <i>Road Transport (Heavy Vehicles Registration Charges) Amendment Act 2000</i> do not affect the charges payable under this Act before the date of assent to that Act.	21 22 23 24

Schedule 2	Amendment of Road Transport (Heavy Vehicles Registration Charges) Regulation 1996	1 2 3
	(Section 4)	4
[1] Clauses 4A and 4B		5
Insert after clause 4:		6
4A Vehicles declared not to be special purpose vehicles		7
For the purposes of paragraph (a) of the definition of <i>special purpose vehicle</i> in Part 1 of Schedule 1 to the Act, each of the following vehicles is declared not to be a special purpose vehicle:		8 9 10 11
(a) a caravan,		12
(b) a mobile home,		13
(c) a mobile library,		14
(d) a mobile workshop,		15
(e) a mobile laboratory,		16
(f) a mobile billboard.		17
4B Vehicles declared to be special purpose vehicles		18
For the purposes of paragraph (b) of the definition of <i>special purpose vehicle</i> in Part 1 of Schedule 1 to the Act, each of the following vehicles is declared to be a special purpose vehicle:		19 20 21
(a) a forklift,		22
(b) a straddle carrier,		23
(c) a mobile cherry picker,		24
(d) a mobile crane.		25

[2] Clause 5 What are the axle load limits for special purpose vehicles?	1
Omit “ <i>special purpose vehicle (type 1)</i> ” and “ <i>special purpose vehicle (type 2)</i> ”.	2
	3
Insert instead “ <i>special purpose vehicle (type o)</i> ” and “ <i>special purpose vehicle (type t)</i> ” respectively.	4
	5