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Motor Vehicles Act 1949

Width Exemption for a Class of Heavy Vehicles – Safer Freight Vehicles

I, Cindy-Lee McDonald, Registrar of Motor Vehicles, under section 59(2) of the *Motor Vehicles Act 1949*, exempt the class of vehicles in item 1 of the Schedule to this instrument ("Exempt Class"), on the conditions specified in item 3 of the Schedule ("Conditions"), from the vehicle width limits requirement in rule 66(1) of Schedule 6 to the *Motor Vehicles (Standards) Regulations 2003 – Australian Vehicle Standards Rules*.

C-L. MCDONALD
Registrar of Motor Vehicles

Dated 11 June 2024

Schedule

1. Exempt Class

Subject to the Conditions in item 3 of this Schedule, a vehicle is within the Exempt Class if it meets all of the following characteristics:

- a) The vehicle is a **heavy vehicle** as defined in section 5(1) of the *Motor Vehicles Act 1949*;
- b) The vehicle is not a trailer;
- c) The vehicle is not built or fitted to carry more than 9 adults (including the driver);

- d) The vehicle, together with its load, and measured in accordance with item 2 of this Schedule, must not be:
 - i. higher than 4.3 metres; or
 - ii. wider than 2.55 metres; or
 - iii. longer than 12.5 metres.

2. Vehicle Width

The width of a vehicle that is within the Exempt Class in item 1 of this Schedule is measured disregarding devices and systems in accordance with this item 2.

- a) The following are disregarded:
 - i. a mirror fitted to a heavy vehicle, other than a cross-view mirror;
 - ii. a prescribed device for indirect vision fitted to a heavy vehicle, if the device protrudes in accordance with the applicable Australian Design Rule ("ADR") for the device;
 - iii. a signalling device, side marker light or reflector fitted to a heavy vehicle;
 - iv. a blind spot information system fitted to a heavy vehicle, if the overall width of the heavy vehicle, including any part of the system, is not more than 2.6m;
 - v. the deflected part of the tyre sidewalls of a heavy vehicle, including any elevations due to labelling, marking, decoration or protective bands or ribs, between the lowest point of each tyre rim and the ground.

Example of deflected part of the tyre sidewalls:

load induced tyre bulge

- b) A cross-view mirror fitted to a heavy vehicle if the total lateral protrusion from the heavy vehicle does not exceed 100mm.
- c) A device, other than a cross-view mirror, fitted to a heavy vehicle to enable the driver to see objects in an area adjacent to the heavy vehicle, if the total lateral protrusion from the heavy vehicle does not exceed 100mm.
- d) A monitoring device fitted as part of an automated driving system or a close-proximity information system, if the total lateral protrusion from the heavy vehicle does not exceed 100mm.

- e) A tyre pressure gauge fitted to a heavy vehicle if the total lateral protrusion from the heavy vehicle does not exceed 100mm;
- f) An anti-skid device mounted on the wheels of a heavy vehicle if the total lateral protrusion from the heavy vehicle does not exceed 100mm;
- g) A central tyre inflation system fitted to a heavy vehicle if the system does not protrude more than 100mm on each side of the heavy vehicle.
- h) In this item:

automated driving system means an automated driving system as defined in the Australian Design Rules ("ADR") (Definitions and Vehicle Categories).

close-proximity information system means a close-proximity information system as defined in the ADR (Definitions and Vehicle Categories).

cross-view mirror means a cross-view mirror as defined in the ADR (Definitions and Vehicle Categories).

maximum lateral protrusion, for a device on the left or right side of a heavy vehicle specified in subsections (b) to (f), means the maximum lateral protrusion of the device beyond the extreme outer point from which the overall width of the heavy vehicle is measured on that side of the heavy vehicle.

prescribed device for indirect vision means a prescribed device for indirect vision as defined in the ADR (Definitions and Vehicle Categories).

total lateral protrusion, from a heavy vehicle, means the sum of the maximum lateral protrusion of any device on the left side of the heavy vehicle specified in subsections (b) to (f) and the maximum lateral protrusion of any device on the right side of the heavy vehicle specified in subsections (b) to (f).

3. Conditions

Excluding any provision to the effect that the ADR only applies to a vehicle that is manufactured on or after a specified date, or that the ADR only applies after a specified date -

- a) The vehicle must comply, so far as they are applicable, with the requirements of the following ADRs made under section 12 of the *Road Vehicle Standards Act 2018* (Commonwealth), as in force from time to time:
 - i. ADR 14/03 or a later version of ADR 14 (Devices for Indirect Vision);
 - ii. ADR 35/07 or a later version of ADR 35 (Commercial Vehicle Brake System);
 - iii. ADR 97/00 or a later version of ADR 97 (Advanced Emergency Braking for Omnibuses, and Medium and Heavy Goods Vehicles);
 - iv. ADR 99/00 or a later version of ADR 99 (Lane Departure Warning Systems).
- b) The vehicle must also comply with the requirements of ADR 105/00, or a later version of ADR 105 (Blind Spot Information Systems), so far as they are applicable, if the vehicle has a gross vehicle mass (GVM) of more than 8 tonnes.
- c) The vehicle, if it is a rigid heavy vehicle but not a prime mover, must also:
 - i. comply with the requirements of ADR 106/00 or a later version of ADR 106 (Side Underrun Protection), so far as they are applicable; and
 - ii. be fitted with conspicuity markings that comply with the requirements of ADR 13/00 or a later version of ADR 13 (Installation of Lighting and Light-signalling Devices on other than L-Group Vehicles), so far as they are applicable.

Note

The Exempt Class in item 1 of the Schedule is the same as the class of vehicles defined as a **safer freight vehicle** under section 153A(2) of the *Heavy Vehicle National Law 2012* (Queensland), as at 19 February 2024.
