

Information Sheet

Multi-State Class 3 Bus Mass Exemption Notice 2014

History

The original title of this notice was the *New South Wales and Victoria Class 3 Bus Mass Limit Exemption (Notice) 2014 (No.1)*. It was first published in 2014¹ and amended in 2016².

In 2014, the notice provided mass exemptions to two axle buses in New South Wales and Victoria, and to two categories of three axle bus in New South Wales.

The 2016 amendments did two things:

- They extended the mass exemption for two axle buses to some areas in Queensland.
- They provided a mass exemption to a third category of three axle buses (double decker buses) in some areas in New South Wales.

Because the amended notice applies in three states, its title was also amended to reflect current NHVR naming conventions. (Appendix A represents the Notice as amended.)

Purpose

The purpose of the Notice is to adjust mass limits for certain buses in order to avoid accidental loading above regulation mass limits. Overloading was occurring because the maximum number of passengers that a particular bus is allowed to carry is calculated using certain formulae and a predicted average passenger weight set by Australian Design Rules at 65kg. In fact, adult passengers in Australia now weigh closer to 75 or 80kg on average. The result is that buses loaded to full passenger capacity can exceed mass limits.

By authorising buses to travel at higher masses, the Notice may reduce the number of accidental overloading incidents. In some instances it will also allow bus operators to use the full capacity of fuel tanks, to install safety or emission reduction apparatus, or to carry equipment that assists disabled passengers, while still carrying their allocated number of passengers without breaching mass regulations.

¹ In the Commonwealth Gazette, on 30 January 2014, identified as C2014G00166.

² By *the New South Wales and Victoria Class 3 Bus Mass Limit Exemption (Notice) 2014 (No.1) Amendment Notice (No.1) 2016*, published in the Commonwealth Gazette on 24 August 2016 and identified as C2016G01130; and by *the Multi-State Class 3 Bus Mass Exemption (Notice) 2014 Amendment Notice (No.2) 2016*, published in the Commonwealth Gazette on 13 September 2016 and identified as C2016G01218.

Period of Operation

The amendments on 24 August 2016 and 13 September 2016 do not affect the operational period of the Notice which commenced on 10 February 2014 and ends on 9 February 2019.

Structure of the Notice

The Notice is divided into 5 parts:

- Part 1 - Preliminary Matters.
- Part 2 - Two axle buses – New South Wales, Queensland and Victoria.
- Part 3 - Three axle complying buses – New South Wales.
- Part 4 - Three axle low floor buses – New South Wales.
- Part 5 - Three axle double decker buses – New South Wales.

Mass Exemption

Parts 2, 4 & 5 of the Notice provide an exemption from total mass limits and axle mass limits in the *Heavy Vehicle (Mass, Dimension and Loading) National Regulation* (the Regulation).

Part 3 provides an exemption from total mass limits but still requires compliance with axle and axle group mass limits in the Regulation.

Mass Limits

Refer to Table 1- Mass Limits

Dimension Limits

The Notice does not provide any dimension exemptions. Regulation limits apply.

Conditions

To balance the potential impact of greater mass on the performance of buses, some jurisdictions include conditions that buses be fitted with extra safety features such as:

- ABS – antilock braking system
- EBS – electronic braking system
- ESC – electronic stability control

The requirements vary according to the type of bus and the date of its manufacture.

Refer to Table 2- Vehicle Conditions

A significant proportion of the national bus fleet is already equipped with some or all of these features.

The current standard for ESC is the UN ECE R13, however it is anticipated that ADR 35 will be amended for ESCs. Vehicles required to meet the new ADR standard (ADR 35/06) will not also be required to meet UN ECE R13.

In New South Wales drivers of buses operating under Parts 2, 3 and 5 of the Notice must carry paperwork confirming compliance with the vehicle conditions.

Routes

Part 2 – Two axle buses

In New South Wales and Victoria eligible two axle buses other than Controlled Access Buses may travel on all roads.

In Queensland, eligible two axle buses other than controlled access buses, may travel on any of the roads in the list published on the TMR website as a list of “Participating Road Managers” at the following link:

<http://www.tmr.qld.gov.au/business-industry/Heavy-vehicles/Heavy-vehicle-guidelines-and-class-permits>.

In each state, access for controlled access buses is limited by the **National Class 2 Heavy Vehicle Controlled Access Bus Authorisation (Notice) 2014 (No.1)**, which may be found at the following link:

<https://www.nhvr.gov.au/files/c2014g00240-national-class-2-class-3-controlled-access-bus.pdf>

That Notice includes links to the following maps or lists:

New South Wales

http://www.nsw.gov.au/sites/default/files/Government_Gazette_24_September_0.pdf

Queensland

<http://www.tmr.qld.gov.au/business-industry/Heavy-vehicles/Heavy-vehicle-guidelines-andclass-permits.aspx>

Victoria

<http://www.vicroads.vic.gov.au/Home/Moreinfoandservices/HeavyVehicles/AccessAndRouteInformation/>

(Some of these lists are due to be updated to make them easier to read.)

Whenever a map or list of roads includes conditions of travel, compliance with those conditions is also a condition of travel under the Notice.

In Queensland, an eligible Controlled Access Bus would only be permitted to travel on the routes or areas that were included in both the Controlled Access Bus lists, and the Participating Road Managers Lists.



Part 3 - Three axle complying buses – New South Wales.

Eligible buses have access to all roads in New South Wales.

Part 4 - Three axle low floor buses – New South Wales.

Eligible buses providing public transport and rail replacement services have access to all roads in New South Wales.

Part 5 - Three axle double decker buses – New South Wales.

Eligible double decker buses providing public transport services have access to roads included in a list of roads for double decker buses published by Roads and Maritime Services New South Wales at the following link:

<http://www.rms.nsw.gov.au/business-industry/heavy-vehicles/road-access/restricted-access-vehicles/buses.html>

Table 1- Mass Limits

Part of Notice	Type of Bus	Tyre Configuration	Total Mass	Steer Axle	Rear Axle	Centre Axle
New South Wales, Queensland and Victoria						
2	Two Axle	Dual tyres on rear axle	18t	7t	12t	-
New South Wales						
3	Three Axle Complying Bus. Tandem rear axle.	Single tyres on one axle of tandem and dual on the other.	20.5t	*	*	-
	Three Axle Complying Bus. Tandem rear axle.	Dual tyres on both axles.	23.0t	*	*	-
4	Three Axle Ultra Low Floor Tandem rear axle.	Single tyres on one axle of tandem and dual on the other.	20.8t	6.5t	14.5t	-
	Three Axle Ultra Low Floor Three single axles	Dual tyres on the centre and rear axles.	26.8t	6.0t	11.8t	9.0t
5	Three Axle Double Decker Bus Twinsteer	No special requirements.	22.0t	11.0t	11.0t	-
	Three Axle Double Decker Bus Tandem rear axle.	Single tyres on one axle of tandem and dual on the other.	22.0t	6.5t	15.5t	-

* Axle Limits as per Regulation.

Table 2 – Vehicle Conditions

Part of Notice	Type of Bus	Jurisdiction	Date of Manufacture	Conditions
2	Two Axle	Queensland	Before 1 Jan 2016	ABS or ESC
			On or after 1 Jan 2016	ABS and EBS or ESC
		New South Wales	Before 1 Jan 2015	ABS or ESC*
			On or after 1 Jan 2015	ABS and EBS or ESC*
		Victoria	n/a	No extra requirements
3	Three Axle Complying Bus	New South Wales	n/a	ABS and EBS or ESC*
4	Three Axle Ultra Low Floor	New South Wales	n/a	No extra requirements
5	Three Axle Double Decker Bus	New South Wales	n/a	ABS and EBS or ESC*

*In New South Wales, proof is needed to show compliance with the conditions. This may be by:

- information on the identification plate of the vehicle
- a certificate verifying modifications from an authorised person
- a letter from the vehicle’s manufacturer

Where the proof is a certificate or letter, the document must be carried in the driving compartment of the bus.

Appendix A

Multi-State Class 3 Bus Mass Exemption (Notice) 2014

1 Purpose

The purpose of this Notice is to exempt specified types of buses from the mass limits and axle mass limits of the *Heavy Vehicle (Mass, Dimension and Loading) National Regulation* (the Regulation).

2 Authorising provision

This Notice is made under Section 117 of the *Heavy Vehicle National Law* as in force in each participating jurisdiction (HVNL) and section 69(1)(a) of the *Heavy Vehicle (General) National Regulation*.

3 Title

This Notice may be cited as the Multi-State Class 3 Bus Mass Exemption (Notice) 2014.

4 Commencement

This Notice commences on 10 February 2014.

5 Expiry

This Notice expires on 9 February 2019.

6 Definitions

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

'**ABS**' means antilock braking system

'**ADR**' means Australian Design Rule

'**Australian Road Authority**' includes the National Heavy Vehicle Regulator

'**EBS**' means electronic braking system

'**ESC**' means electronic stability control

'**UN ECE**' means the United Nations Economic Commission for Europe Regulation"

7 Application

- (1) Part 2 of this Notice applies to eligible two axle buses operating in the stated areas and routes in New South Wales, Queensland or Victoria.
- (2) Parts 3, 4 & 5 of this Notice apply to eligible three axle buses operating in the stated areas and routes in New South Wales.

Part 2 – Two axle buses – New South Wales, Queensland and Victoria.

8 Interpretation

In this Part –

'controlled access bus' means a bus, other than an articulated bus, longer than 12.5m but not longer than 14.5m

9 Application

This Part applies to an eligible vehicle operating in New South Wales, Queensland or Victoria.

10 Eligible vehicle

An eligible vehicle for this Part is a two axle bus that—

- (a) has a drive axle fitted with dual tyres; and—
 - (i) is a complying bus; or
 - (ii) is an ultra-low floor bus; or
 - (iii) is a controlled access bus; or
 - (iv) is a bus, other than an ultra-low floor bus, that is licensed to carry standing passengers; and
- (b) complies with the relevant conditions of this Part.

11 Exemption from prescribed mass requirements

An eligible vehicle is exempt from the following prescribed mass requirements in Schedule 1 of the Regulation, to the extent provided in this Notice, for travel in the stated areas –

- (a) section 2(1)(a)(i)(A); and
- (b) section 2(1)(a)(iii); and
- (c) section 2(1)(b); and
- (d) section 4 as it relates to the general mass limits specified in Table 1 (Axle mass limits table) of Part 2.

12 Mass limit

The mass of an eligible vehicle must not be more than 18.0t.

13 Axle mass limits

The mass on an axle of an eligible vehicle must not be more than—

- (a) for a steer axle – 7.0 t.
- (b) for a drive axle – 12.0 t.

14 Vehicle safety conditions - New South Wales

- (1) An eligible vehicle manufactured before 1 January 2015 must be fitted with either—
 - (a) an ABS that complies with ADR 35/04 or later; or
 - (b) an ESC system that complies with UN ECE R13.
- (2) An eligible vehicle manufactured on or after 1 January 2015 must be fitted with either—
 - (a) an ABS that complies with ADR 35/04 or later and an EBS that complies with UN ECE R13; or
 - (b) an ESC system that complies with –
 - (i) for a vehicle to which ADR 35/06 applies – ADR 35/06; or
 - (ii) for another vehicle – UN ECE R13.
- (3) The manufacture date of an eligible vehicle is the date shown on its identification plate.
- (4) Compliance with the requirements of sub-sections (1) or (2) must be verified by either—
 - (a) an identification plate issued by a person authorised by an Australian Road Authority to affix an identification plate; or
 - (b) a certificate verifying modifications issued by a person authorised by an Australian Road Authority to certify heavy vehicle modifications; or
 - (c) an original letter from the manufacturer of the vehicle stating the vehicle complies with the requirements of sub-sections (1) or (2), and providing details of which system is installed, the model, and the VIN on the vehicle.
- (5) A certificate or letter referred to in sub-section (4)(b) or (4)(c) must be carried in the driving compartment of the vehicle.

15 Areas and routes - New South Wales

- (1) An eligible vehicle operating under this Part, other than a controlled access bus, may use any road in New South Wales.
- (2) An eligible vehicle operating under this Part that is a controlled access bus may use any road in New South Wales on which controlled access buses are permitted to travel pursuant to the *National Class 2 Heavy Vehicle Controlled Access Bus Authorisation (Notice) 2014*.

16 Vehicle safety conditions - Queensland

- (1) An eligible vehicle manufactured before 1 January 2016 must be fitted with either—
 - (a) an ABS that complies with ADR Rule 35/04 or later; or
 - (b) an ESC system that complies with UN ECE R13.
- (2) An eligible vehicle manufactured on or after 1 January 2016 must be fitted with either—
 - (a) an ABS that complies with ADR 35/04 or later and an EBS that complies with UN ECE R13; or
 - (b) an ESC system that complies with —
 - (i) for a vehicle to which ADR35/06 applies – ADR35/06; or
 - (ii) for another vehicle – UN ECE R13.
- (3) The manufacture date of an eligible vehicle is the date shown on its identification plate or compliance plate.

17 Area and routes - Queensland

- (1) An eligible vehicle operating under this Part, other than a controlled access bus, may operate in any area included in the “Participating Road Managers List” published on the Department of Transport and Main Roads website, subject to any conditions of travel in that area.

Note—
the “Participating Road Managers” list may be found at—
<http://www.tmr.qld.gov.au/business-industry/Heavy-vehicles/Heavy-vehicle-guidelines-and-class-permits>.
- (2) An eligible vehicle operating under this Part, that is a controlled access bus, may use any road—
 - (a) on which controlled access buses are permitted to travel pursuant to the National Class 2 Heavy Vehicle Controlled Access Bus Authorisation (Notice) 2014; and
 - (b) that is within an area referred to in subsection (1), subject to any conditions of travel in that area.

18 Areas and routes – Victoria

- (1) An eligible vehicle operating under this Part, other than a controlled access bus, may use any road in Victoria.
- (2) An eligible vehicle operating under this Part that is a controlled access bus, may use any road in Victoria on which controlled access buses are permitted pursuant to the *National Class 2 Heavy Vehicle Controlled Access Bus Authorisation (Notice) 2014*.

Part 3 – Three axle complying buses – New South Wales

19 Application

This Part applies to an eligible vehicle operating in New South Wales.

20 Eligible vehicle

An eligible vehicle for this Part is—

- (a) a three axle complying bus that has a tandem rear axle group fitted either with —
 - (i) single tyres on one axle and dual tyres on the other axle; or
 - (ii) dual tyres on both axles; and
- (b) that complies with the relevant conditions of this Part.

21 Exemption from prescribed mass requirement

An eligible vehicle is exempt from the following prescribed mass requirements in Schedule 1 of the Regulation, to the extent provided in this Notice, for travel in the stated areas —

- (a) section 2(1)(a)(i)(B); and
- (b) section 2(1)(a)(i)(C).

22 Mass limit

The mass of an eligible vehicle must not be more than—


- (a) for an eligible vehicle described in section 20(a)(i) – 20.5t.
- (b) for an eligible vehicle described in section 20(a)(ii) – 23.0t.

23 Axle and axle group mass limits

The mass on an axle or an axle group of an eligible vehicle must not exceed the limits that apply to single axles and axle groups as set out in Table 1, Part 2 of Schedule 1 to the Regulation.

24 Vehicle safety conditions

- (1) An eligible vehicle must be fitted with either—
 - (a) an ABS that complies with ADR 35/04 or later and an EBS that complies with UN ECE R13; or
 - (b) an ESC system that complies with —
 - (i) for a vehicle to which ADR 35/06 applies – ADR 35/06; or
 - (ii) for another vehicle – UN ECE R13.

- 
- (2) The manufacture date of an eligible vehicle is the date shown on its identification plate.
 - (3) Compliance with the requirements of sub-section (1) must be verified by either—
 - (a) an identification plate issued by a person authorised by an Australian Road Authority to affix an identification plate; or
 - (b) a certificate verifying modifications issued by a person authorised by an Australian Road Authority to certify heavy vehicle modifications; or
 - (c) an original letter from the manufacturer of the vehicle stating that the vehicle complies with the requirements of subsection (1), and providing details of which system is installed, the model, and the VIN on the vehicle.
 - (4) A certificate or letter referred to in subsection (3)(b) or (3)(c) must be carried in the driving compartment of the vehicle.

25 Areas and routes

An eligible vehicle operating under this Part may use any road in New South Wales.

Part 4 – Three axle ultra-low floor buses – New South Wales

26 Interpretation

In this Part –

‘disrupted railway passenger services’ means the unplanned disruption of railway passenger services operated by a NSW entity that are sufficiently serious to require the provision of rail replacement bus services.

‘rail replacement bus service’ means a bus operated by an accredited service operator within the meaning of the *Passenger Transport Act 2014 (NSW)* for the purpose of carrying passengers, and persons who were proposing to be passengers, of disrupted railway passenger services.

‘regular bus service’ means a bus service carrying passengers for fare or other consideration that is conducted according to regular routes and timetables in accordance with a passenger service contract entered into under Part 3 of the *Passenger Transport Act 2014 (NSW)*.

27 Application

This Part applies to an eligible vehicle operating in New South Wales.

28 Eligible vehicle

An eligible vehicle for this Part is—

- (a) a three axle bus providing a rail replacement bus service or a regular bus service that is either—
 - (i) a rigid ultra-low floor bus that is longer than 12.5m but not longer than 14.5m, and that has a rear tandem axle group fitted with single tyres on one axle and dual tyres on the other axle; or
 - (ii) an articulated ultra-low floor bus that has three single axles, fitted with dual tyres on the centre and rear axles; and
- (b) that complies with the relevant conditions of this Part.

29 Exemption from prescribed mass requirement

An eligible vehicle is exempt from the following prescribed mass requirements in Schedule 1 of the Regulation, to the extent provided in this Notice, for travel in the stated areas—

- (a) section 2(1)(a)(i)(B); and
- (b) section 2(1)(b); and
- (c) section 4 as it relates to the general mass limits specified in Table 1 (Axle mass limits table) of Part 2.

30 Mass limit

The mass of an eligible vehicle must not be more than—

- (a) for an eligible vehicle described in section 28(a)(i) – 20.8t.
- (b) for an eligible vehicle described in section 28(a)(ii) – 26.8t.

31 Axle and axle group mass limits

- (1) An eligible vehicle described in section 28(a)(i) must not exceed the following mass limits—
 - (a) for a steer axle – 6.5t.
 - (b) for a tandem axle group – 14.5t.
- (2) An eligible vehicle described in section 28(a)(ii) must not exceed the following mass limits—
 - (c) for a steer axle – 6.0t.
 - (d) for a central axle – 9.0t.
 - (e) for a rear axle – 11.8t.

32 Areas and routes

An eligible vehicle operating under this Part may use any road in New South Wales.

Part 5 – Three axle double decker buses – New South Wales

33 Interpretation

In this Part—

‘regular bus service’ means a bus service carrying passengers for fare or other consideration that is conducted according to regular routes and timetables in accordance with a passenger service contract under Part 3 of the *Passenger Transport Act 2014* (NSW).

34 Application

This Part applies to an eligible vehicle operating in New South Wales.

35 Eligible vehicle

An eligible vehicle for this Part is—

- (a) a three axle double decker bus no longer than 12.5m that is providing a regular bus service, and that has either—
 - (i) a twinsteer axle; or
 - (ii) a rear tandem axle group fitted with single tyres on one axle and dual tyres on the other axle; and
- (b) complies with the relevant conditions of this Part.

36 Exemption from prescribed mass requirement

An eligible vehicle is exempt from the following prescribed mass requirements in Schedule 1 of the Regulation to the extent provided in this Notice, for travel in the stated areas—

- (a) section 2(1)(b); and
- (b) section 4 as it relates to the general mass limits specified in Table 1 (Axle mass limits table) of Part 2.

37 Mass limit

The mass of an eligible vehicle must not be more than 22.0t.

38 Axle and axle group mass limits

- (1) An eligible vehicle described in section 35(a)(i) must not exceed the following axle mass limits –
 - (a) for a twinsteer axle – 11.0t.

- (b) for a rear axle – 11.0t.
- (2) An eligible vehicle described in section 35(a)(ii) must not exceed the following axle mass limits –
 - (a) for a steer axle – 6.5t.
 - (b) for a tandem axle group – 15.5t.

39 Vehicle safety conditions

- (1) An eligible vehicle must be fitted with either—
 - (a) an ABS that complies with ADR 35/04 or later and an EBS that complies with UN ECE R13; or
 - (b) an ESC system that complies with —
 - (i) for a vehicle to which ADR 35/06 applies – ADR 35/06; or
 - (ii) for another vehicle – UN ECE R13.
- (2) The manufacture date of an eligible vehicle is the date shown on its identification plate.
- (3) Compliance with the requirements of sub-section (1) must be verified by either—
 - (a) an identification plate issued by a person authorised by an Australian Road Authority to affix an identification plate; or
 - (b) a certificate verifying modifications issued by a person authorised by an Australian Road Authority to certify heavy vehicle modifications; or
 - (c) an original letter from the manufacturer of the vehicle stating that the vehicle complies with the requirements of subsection (1), and providing details of which system is installed, the model, and the VIN on the vehicle.
- (4) A certificate or letter referred to in subsection (3)(b) or (3)(c) must be carried in the driving compartment of the vehicle.

40 Areas and routes

An eligible vehicle operating under this Part may use any route specified on the approved route list titled 'Double Decker Bus Routes' published on the Roads and Maritime Services website.

Note—

The list of 'Double Decker Bus Routes' may be found at—

<http://www.rms.nsw.gov.au/business-industry/heavy-vehicles/road-access/restricted-access-vehicles/buses.html>