

TASMANIA

**VEHICLE AND TRAFFIC AMENDMENT (HEAVY
VEHICLE CHARGES) BILL 2016**

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VEHICLE AND TRAFFIC AMENDMENT (HEAVY VEHICLE CHARGES) BILL 2016

This Public Bill originated in the House of Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

SHANE DONNELLY, *Clerk of the House*
17 March 2016

*(Brought in by the Minister for Infrastructure, the Honourable
Marinus Theodoor Hidding)*

A BILL FOR

An Act to amend the *Vehicle and Traffic Act 1999*

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

1. Short title

This Act may be cited as the *Vehicle and Traffic Amendment (Heavy Vehicle Charges) Act 2016*.

2. Commencement

This Act commences on 1 July 2016.

3. Principal Act

In this Act, the *Vehicle and Traffic Act 1999** is referred to as the Principal Act.

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4. Section 34A amended (Imposition of motor tax for heavy vehicles)

Section 34A of the Principal Act is amended by omitting subsection (2) and substituting the following subsections:

(2) The amount of tax for a heavy vehicle is –

(a) for the financial year commencing 1 July 2016, the amount calculated for the heavy vehicle in accordance with Schedule 2; and

(b) for each subsequent financial year, the amount for the heavy vehicle as specified in, or calculated in accordance with, the regulations.

(3) In this section –

subsequent financial year means a financial year following the financial year ending on 30 June 2017.

5. Schedule 2 substituted

Schedule 2 to the Principal Act is repealed and the following Schedule is substituted:

**SCHEDULE 2 – RATES OF MOTOR TAX FOR
HEAVY VEHICLES**

Section 34A

PART 1 – PRELIMINARY

1. Interpretation

In this Schedule –

articulated bus means a bus consisting of more than one rigid section, with passenger access between the sections and the sections connected to one another so as to allow rotary movement between the sections;

ATM (aggregate trailer mass), of a heavy trailer, means the total maximum mass of the trailer, as stated by the manufacturer, together with its load and mass imposed on the towing vehicle by the trailer when the towing vehicle and trailer are on a horizontal surface;

axle group means a single axle group, tandem axle group, twinsteer axle group, tri-axle group or quad-axle group;

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B-double combination means a combination consisting of a prime mover towing 2 semi-trailers;

B-double lead trailer means a semi-trailer that is nominated for use as the lead trailer in a B-double combination;

B-triple combination means a combination consisting of a prime mover towing 3 semi-trailers;

B-triple lead trailer means a semi-trailer that is nominated for use as the lead trailer in a B-triple combination;

B-triple middle trailer means a semi-trailer that is nominated for use as the second trailer in a B-triple combination;

bus (type 1) means a rigid bus that has 2 axles and an MRC not exceeding 12 tonnes;

bus (type 2) means –

- (a) a rigid bus that has 2 axles and an MRC exceeding 12 tonnes; or
- (b) a rigid bus that has 3 or 4 axles;

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compliance plate means a plate authorised to be placed on a vehicle, or taken to have been placed on a vehicle, under the *Motor Vehicle Standards Act 1989* of the Commonwealth;

converter dolly means a trailer with a fifth wheel coupling designed to support a semi-trailer for hauling purposes;

dog trailer means a trailer with –

- (a) one axle group or single axle at the front that is steered by connection to the towing vehicle by a drawbar; and
- (b) one axle group or single axle at the rear;

drawbar means a part of a trailer (other than a semi-trailer) that connects the trailer body to a coupling for towing purposes;

driver means the person driving or in control of a motor vehicle;

fifth wheel coupling means a device, other than the upper rotating element and the kingpin (which are parts of a semi-trailer), used with a prime mover, semi-trailer

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or converter dolly to permit quick coupling and uncoupling and to provide for articulation;

GTMR (gross trailer mass rating), of a trailer, means the mass transmitted to the ground by the axles of the trailer when –

- (a) coupled to a towing vehicle; and
- (b) carrying its maximum load approximately uniformly distributed over the trailer's load bearing area;

lead trailer, in a combination, means the trailer that is, or that is to be, attached to the prime mover;

load-carrying vehicle means a vehicle designed and constructed to haul or carry goods and wares in addition to any fuel, water, lubricants, tools and any other equipment or accessories necessary for normal operation of the vehicle;

long combination truck means a truck nominated to haul 2 or more trailers;

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low loader means a gooseneck semi-trailer with a loading deck no more than one metre above the ground;

low loader dolly means a mass-distributing device that –

- (a) is usually coupled between a prime mover and a low loader; and
- (b) consists of a gooseneck rigid frame; and
- (c) does not directly carry any load on itself; and
- (d) is equipped with one or more axles, a kingpin and a fifth wheel coupling;

medium combination truck means a truck, other than a short combination truck, nominated to haul one trailer;

MRC (Mass Rating for Charging), in relation to a vehicle, means –

- (a) the maximum mass of the vehicle, including any load, recorded on the compliance plate as the GVM, GTMR or ATM of the vehicle; or

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- (b) in relation to a vehicle for which there is no compliance plate, its operating mass;

multi-combination prime mover means a prime mover nominated to haul 2 or more trailers;

nominated means nominated by the person applying for registration;

operating mass, in relation to a vehicle, means the maximum mass of the vehicle, including any load, as determined by the vehicle registration authority having regard to the design and construction of the vehicle or of any of its components;

pig trailer means a trailer with one axle group or single axle near the middle of its load-carrying surface, and connected to the towing vehicle by a drawbar;

pole-type trailer means a trailer that –

- (a) is attached to a towing vehicle by means of a pole or an attachment fitted to a pole; and
- (b) is ordinarily used for transporting loads, such as

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logs, pipes, structural members or other long objects, that are generally capable of supporting themselves like beams between supports;

prime mover means a motor vehicle designed to haul a semi-trailer;

quad-axle group means a group of 4 axles, in which the horizontal distance between the centre-lines of the outermost axles is more than 3.2 metres but not more than 4.9 metres;

road means an area that is open to or used by the public and is developed for, or has as one of its main uses, the driving or riding of motor vehicles;

road-related area means –

- (a) an area that divides a road; or
- (b) a footpath or nature strip adjacent to a road; or
- (c) an area that is open to the public and is designated for use by cyclists or animals; or

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- (d) an area that is not a road and that is open to or used by the public for driving, riding or parking motor vehicles; or
- (e) any shoulder of a road; or
- (f) an area that is a road-related area for the purposes of a law of a State or Territory of the Commonwealth;

short combination prime mover means a prime mover nominated to haul one semi-trailer;

short combination truck means a truck nominated to haul one trailer where, according to the nomination –

- (a) the combination has 6 axles or fewer; and
- (b) the maximum total mass that is legally allowable for the combination is 42.5 tonnes or less;

single axle means an axle not forming part of an axle group;

single axle group means a group of 2 or more axles, in which the

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horizontal distance between the
centre-lines of the outermost
axles is less than one metre;

special-purpose vehicle – see clause 2;

special-purpose vehicle (type O) – see
clause 3;

special-purpose vehicle (type P)
means a special-purpose vehicle
built, or permanently modified,
primarily for –

- (a) off-road use; or
- (b) use on a road-related area;
or
- (c) use on an area of road that
is under construction or
repair;

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
- (b) that has no axle or axle
group loaded in excess of
the axle load limits

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specified in the table to
clause 3;

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 one metre but not more than 2 metres;

trailer means a vehicle that is built to be towed, or is towed, by a motor vehicle, but does not include a motor vehicle that is being towed;

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;

truck means a rigid motor vehicle that is principally constructed as a load-carrying vehicle;

truck (type 1) means a truck that has –

- (a) 2 axles and an MRC not exceeding 12 tonnes; or
- (b) 3 axles and an MRC not exceeding 16.5 tonnes; or

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- (c) 4 or more axles and an MRC not exceeding 20 tonnes;

truck (type 2) means a truck that has –

- (a) 2 axles and an MRC exceeding 12 tonnes; or
- (b) 3 axles and an MRC exceeding 16.5 tonnes; or
- (c) 4 or more axles and an MRC exceeding 20 tonnes;

twinsteer axle group means a group of 2 axles –

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

2. Special-purpose vehicle

- (1) In this Schedule –

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special-purpose vehicle means –

- (a) a vehicle (other than a caravan, mobile home, mobile library, mobile workshop, mobile laboratory, mobile billboard or a vehicle 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
 - (b) any of the following vehicles:
 - (i) a forklift;
 - (ii) a straddle carrier;
 - (iii) a mobile cherry picker;
 - (iv) a mobile crane; or
 - (c) a vehicle declared by the regulations to be a special-purpose vehicle for the purposes of this definition.
- (2) For the purposes of subclause (1) –

goods does not include fuel, water, lubricants, tools or any other equipment or accessories

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necessary for the normal
operation of the vehicle;

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

3. Special-purpose vehicle (type O)

In this Schedule, *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
- (b) that has at least one axle or axle group loaded in excess of the axle load limits specified in the following table:

Column 1	Column 2	Column 3
Item No	Type of axle or axle group	Axle load limit (tonnes)
1.	Single axles – (a) 2 tyres (b) 2 wide profile tyres – (i) 375mm to 450mm	 6.0 6.7

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Column 1	Column 2	Column 3
Item No	Type of axle or axle group	Axle load limit (tonnes)
	(ii) more than 450mm	7.0
	(c) 4 or more tyres –	
	(i) on pig trailers	8.5
	(ii) on other vehicles	9.0
2.	Twinsteer axle groups –	
	(a) non-load sharing suspensions	10.0
	(b) load sharing suspensions	11.0
3.	Tandem axle groups –	
	(a) 4 tyres	11.0
	(b) 4 wide profile tyres –	
	(i) 375mm to 450mm	13.3
	(ii) more than 450mm	14.0
	(c) 6 tyres	13.0
	(d) 8 or more tyres –	
	(i) on pig trailers	15.0
	(ii) on other vehicles	16.5
4.	Tri-axle groups –	

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Column 1	Column 2	Column 3
Item No	Type of axle or axle group	Axle load limit (tonnes)
	(a) 6, 8 or 10 tyres	15.0
	(b) 6 wide profile tyres (375mm or more) –	
	(i) on pig trailers	18.0
	(ii) on other vehicles	20.0
	(c) 12 or more tyres –	
	(i) on pig trailers	18.0
	(ii) on other vehicles	20.0

4. Close-spaced axles

- (1) For the purposes of this Schedule (other than the definitions of *single axle group*, *tandem axle group*, *twinsteer axle group*, *tri-axle group* and *quad-axle group*) –
- (a) 2 axles less than one metre apart are to be regarded as one axle; and
 - (b) 3 axles not more than 2 metres apart are to be regarded as 2 axles; and

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- (c) 4 axles not more than 3.2 metres apart are to be regarded as 3 axles.
- (2) A reference to a distance in subclause (1) is a reference to the horizontal distance between the centre-lines of –
 - (a) in the case of subclause (1)(a), the 2 axles; and
 - (b) in any other case, the outermost axles.

5. Determination of number of trailers

For the purposes of this Schedule, in determining the number of trailers that a prime mover or truck is nominated to haul –

- (a) a converter dolly and a semi-trailer when used together are to be regarded as one trailer; and
- (b) a low loader dolly and a low loader when used together are to be regarded as one trailer.

6. Heavy vehicles in 2 or more categories

For the purposes of this Schedule, if a heavy vehicle falls within 2 or more categories of heavy vehicle, the tax payable for the heavy vehicle is the

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higher or highest of the taxes that could apply to the heavy vehicle.

PART 2 – HEAVY VEHICLE TAX FOR 2016/17

1. Heavy vehicle tax for 2016/17

For the purposes of section 34A(2)(a), the amount of tax payable for a heavy vehicle for the financial year commencing 1 July 2016 is calculated by adding together –

- (a) the road component of motor tax for a heavy vehicle of that type calculated in accordance with Table 1; and
- (b) the regulatory component of motor tax for a heavy vehicle of that type calculated in accordance with Table 2.

Table 1

Road Component of Motor Tax for 2016/2017

Division 1 – Load-carrying vehicles

Vehicle type	2 axles	3 axles	4 axles	5 or more axles
Trucks				
Truck (type 1)	\$418	\$732	\$732	\$732
Truck (type 2)	\$731	\$831	\$830	\$830

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Short combination truck	\$731	\$830	\$1,723	\$1,723
Medium combination truck	\$9,052	\$9,052	\$9,776	\$9,776
Long combination truck	\$12,513	\$12,513	\$12,513	\$12,513
Prime movers				
Short combination prime mover	\$732	\$4,176	\$4,489	\$4,489
Multi-combination prime mover	\$10,591	\$10,591	\$11,651	\$11,651

Division 2 – Load-carrying trailers

Charge per axle (\$)

Trailer type	Single axle	Tandem axle group	Tri-axle group	Quad-axle group and above
Goods-carrying trailer with a GVM less than 9 tonnes	\$201	\$100	\$67	\$50
Pig trailer with a GVM of 9 tonnes or more	\$622	\$622	\$623	\$622
Dog trailer with a GVM of 9 tonnes or more	\$622	\$622	\$623	\$622
Semi-trailer with a GVM of 9 tonnes or more	\$622	\$790	\$562	\$421
B-double lead trailer and B-triple lead and middle trailers with a GVM of 9 tonnes or more	\$622	\$790	\$562	\$421
Converter dolly	\$0	\$0	\$0	\$0

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Division 3 – Buses

Bus type	2 axles	3 axles	4 or more axles
Bus (type 1)	\$314		
Bus (type 2)	\$314	\$2,297	\$2,297
Articulated bus		\$314	\$314

Division 4 – Special-purpose vehicles

Vehicle type			
Special-purpose vehicle (type P)			No charge
Special-purpose vehicle (type T)			\$305
Special-purpose vehicle (type O)		Calculated using the formula: \$381 + (\$381 x number of axles more than 2)	

Table 2

Regulatory Component of Motor Tax for 2016/2017

Division 1 – Load-carrying vehicles

Vehicle type	2 axles	3 axles	4 axles	5 or more axles
Trucks				
Truck (type 1)	\$202	\$238	\$254	\$254
Truck (type 2)	\$264	\$336	\$359	\$359

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Short combination truck	\$296	\$375	\$359	\$359
Medium combination truck	\$671	\$671	\$726	\$726
Long combination truck	\$929	\$929	\$929	\$929
Prime movers				
Short combination prime mover	\$418	\$418	\$418	\$418
Multi-combination prime mover	\$945	\$945	\$1,039	\$1,039

Division 2 – Load-carrying trailers

Charge per axle (\$)

Trailer type	Single axle	Tandem axle group	Tri-axle group	Quad-axle group and above
Goods-carrying trailer with a GVM less than 9 tonnes	\$55	\$28	\$18	\$14
Pig trailer with a GVM of 9 tonnes or more	\$55	\$28	\$18	\$14
Dog trailer with a GVM of 9 tonnes or more	\$55	\$28	\$18	\$14
Semi-trailer with a GVM of 9 tonnes or more	\$55	\$28	\$18	\$14
B-double lead trailer and B-triple lead and middle trailers with a GVM of 9 tonnes or more	\$55	\$28	\$18	\$14
Converter dolly	\$55	\$28	\$18	\$14

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Division 3 – Buses

Bus type	2 axles	3 axles	4 or more axles
Bus (type 1)	\$211		
Bus (type 2)	\$346	\$429	\$429
Articulated bus		\$343	\$343

Division 4 – Special-purpose vehicles

Vehicle type	
Special-purpose vehicle (type P)	No charge
Special-purpose vehicle (type T)	\$209
Special-purpose vehicle (type O)	\$209

6. Repeal of Act

This Act is repealed on the three hundred and sixty fifth day from the day on which it commences.