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DIVISION 1 - PRELIMINARY MATTERS

1 OBJECTIVE

This Rule sets out the requirements for the construction and testing of motor vehicles used on public streets in Papua New Guinea.

The Rule retains the provisions in the Motor Traffic Act 1950 and Parts IIIA, V, VIII, IX, X, and XA of the Motor Traffic Regulation 1967 relating to construction and inspection of motor vehicles, with changes to reflect the establishment of the Road Traffic Authority.

This version of the Rule contains new provisions for frontal impact, exhaust emissions, refrigerant in air conditioning units, brake and clutch linings, stability control, wheel, hub and axle assemblies, glazing, doors and locks, seats and anchorages, seatbelts and anchorages, and child restraints. The Rule also includes updated provisions for passenger transport vehicles including entrances and exits, seats, interior lighting, ventilation and air conditioning, wheelchair restraint system, exhaust system, engine and transmission, fuel tank and fuel lines, and fire extinguishers. New provisions are added relating to age of vehicles, and inspection and certification of vehicles, at the time they are imported.

The overarching objective of the Rule is to clearly set out the standards for motor vehicles in Papua New Guinea so that the vehicles are safe to use, and to also set out the inspection and testing regime for such vehicles to ensure continuing compliance with the standards.

2 CONSULTATION

The original version of this Rule was prepared in consultation with officials of the Department of Transport, including from the Land Transport Division, members of the Royal Papua New Guinea Constabulary, and with personnel from Motor Vehicles Insurance Limited.

Intention to make the original Rule was notified as required by section 57(1) of the Act, in the National and Post Courier newspapers on 9, 12 & 14 January 2015. Following advertisement of the making of the rule, ten interested parties were provided with copies of the rule. These included government departments, transport sector statutory authorities and private companies. No written submissions were received from the stakeholders within the response period, which ended on 28 February 2015.

Making of this amended version of the Rule was notified in National Gazette G253 on 19 April 2018 and in the National and Post Courier newspapers on 15 May 2018. In addition, the Road Traffic Authority consulted selected motor vehicle dealers, testing stations and government agencies on the amended Rule as required by Section 57(1)(d) of the Act. One written submission was received within the response period, which ended on 31 May 2018.

3 COMMENCEMENT

This Rule comes into force on the date notified in the National Gazette.

4 INTERPRETATION

(1) In this Rule, unless the contrary intention appears–

“**Act**” means the *Road Traffic Act 2014*;

“**approved**” means approved by the Authority;

“**articulated vehicle**” means a prime mover and a semi-trailer;

“**Authority**” means the Road Traffic Authority established under Section 4 of the Act;

“auxiliary headlight” means a forward facing light that provides illumination in conditions of fog, cloud or other atmospheric conditions that reduce visibility;

“axle” means one or more shafts, spindles or bearings—

- (a) in the same vertical transverse plane; and
- (b) with wheels attached; and
- (c) which transmit a portion of the weight of a vehicle to a road;

“caravan” means a trailer that is permanently equipped with features intended to make the vehicle suitable as a person's dwelling place, and must include at least one sleeping berth and one table, both of which may be of a design that allows them to be retracted or folded away.

“certificate of roadworthiness” means a certificate of road worthiness issued for a motor vehicle in accordance with Section 70;

“driver” means a person driving a motor vehicle;

“fee for inspection and testing” means the fee set by the owner of an authorized inspection station not being greater in respect of any vehicle than the prescribed fee in respect of that vehicle;

“forward length” means—

- (a) in relation to a motor vehicle, other than a trailer, the distance from the rear axis to the foremost part of the motor vehicle or any load on the motor vehicle; and
- (b) in relation to a trailer the front axle of which is steered by a towbar, the distance from the rear axis of the trailer to the centre of the front axle of the trailer; and
- (c) in relation to a trailer, other than a trailer referred to in Paragraph (b), the distance from the rear axis of the trailer to the point of attachment to the towing vehicle;

“forward control vehicle” means a motor vehicle in which the centre of the steering wheel is in the forward quarter of the vehicle's total length;

“gross combination weight (GCM)” of a vehicle combination means the maximum loaded weight of that combination of vehicles;

“gross vehicle weight (GVW)” of a vehicle means the maximum loaded weight of the vehicle—

- (a) as specified by the vehicle's manufacturer on an identification plate on the vehicle; or
- (b) as specified by the Authority if—
 - (i) a GVW is not specified by the vehicle's manufacturer on an identification plate on the vehicle; or
 - (ii) a GVW so specified on an identification plate on the vehicle is no longer appropriate because the vehicle has been modified;

“heavy vehicle” means a motor vehicle that has a GVW greater than 4,500 kg;

“load sharing system” means an axle group suspension system that utilizes hydraulic, pneumatic, mechanical or other means to effect substantially equal load sharing by all the ground contact surfaces of an axle group;

“mobile crane” means a lifting device incorporating a cable suspended latticed boom or hydraulic telescopic boom designed to be moved by its own power between operating locations;

“mobile machine” means a vehicle designed to be moved by its own power between operating locations;

“mobility device” means a vehicle that—

- (a) is designed and constructed for use by persons who require mobility assistance due to a physical or neurological impairment; and
- (b) is solely powered by a motor that has a maximum output of 1,500 watts;

“motor car” means a motor vehicle constructed principally for the carriage of persons equipped to seat not more than 9 adult persons including the driver, but does not include a motor cycle;

“motorcycle” includes a motor vehicle with less than four wheels and an unladen weight of less than 750 kg;

“motor tractor” means a road, oil or steam engine constructed to be used—

- (a) for agricultural purposes; or
- (b) in connection with agricultural implements and machinery; or
- (c) for haulage or earth-moving purposes,

but does not include a vehicle used on a railway or tramway;

“motor tricycle” means a motor vehicle that has three wheels symmetrically arranged in relation to the longitudinal median axis and has a gross vehicle weight not exceeding 1,000kg;

“motor truck” means a motor vehicle used principally—

- (a) for the carriage of goods, wares or merchandise; or
- (b) for the conveyance of any kind of materials used in any trade, business or industry; or
- (c) for use in any work other than the conveyance of passengers,

but does not include a motor tractor;

“motor vehicle” means a vehicle drawn or propelled by mechanical power, including a trailer, but does not include—

- (a) a vehicle running on rails; or
- (b) a pedestrian-controlled machine; or
- (c) a mobility device;

“mudguard” means a fitting, including any portion of a vehicle and any flaps attached to such fitting, that—

- (a) serves to intercept any material thrown up by the rotation of a wheel; and
- (b) is of an effective width not less than the total width of the tyre on that wheel;

“off-road vehicle” means a motor vehicle designed with special features for off-road operation

“office of the Authority” refers at all times in this Rule to any of the offices of the Road Traffic Authority or any of the offices of an agent for registration of vehicles authorised by the Authority;

“omnibus” means a motor vehicle designed for the transport of passengers with a seating capacity of more than 8 passengers;

“operate”, in relation to a motor vehicle means—

- (a) to use, drive or ride that motor vehicle; or
- (b) to cause or permit the use, driving or riding of, that motor vehicle; or
- (c) to cause or permit that motor vehicle to be,

on a public street;

“owner” in relation to a motor vehicle means—

- (a) the person lawfully entitled to possession of the vehicle; or
- (b) in the case of a motor vehicle that is the subject of a hire-purchase agreement, the person who has use of the motor vehicle under the hire purchase agreement;

“parking brake” means a brake that can be readily applied by a driver and that is capable of remaining so applied for an indefinite period after the initial application without further application by the driver;

“passenger”, in relation to a motor vehicle, does not include the driver of the vehicle;

“passenger area” means that area of a motor vehicle where seating is provided for passengers;

“passenger transport vehicle” means an omnibus, passenger truck or taxicab;

“passenger truck” means a motor truck that has been adapted for carrying passengers;

“pedestrian” includes a person running, walking, sitting, standing or otherwise being on a public street;

“pole trailer” means a trailer attached to a towing vehicle by a telescoping or sliding pole, and designed to support a common long load spanning between the trailer and the towing vehicle;

“prime mover” means a motor vehicle used to tow a semi-trailer;

“prescribed fee”, in respect of any vehicle, means the fee specified in item 44 of Schedule 1 of the Road Traffic (Fees and Charges) Regulation in respect of that vehicle;

“public street” means a street, road, lane, thoroughfare, footpath, bridge or place to which the public have permitted access;

“rear axis” means the point at which the vehicle rotates around, during a turn. If the vehicle has only one non-steering axle, then the rear axis is the centre of that axle;

“rigid vehicle” means a vehicle with two axle sets, a driver's position, a steering system, motive power and a single rigid chassis;

“safety glass” means glass so constructed or so treated that if it is fractured it does not fly into fragments likely to cause severe cuts;

“safety sticker” means a safety sticker issued for a motor vehicle in accordance with Section 70;

“semi-trailer” means a trailer—

- (a) the forward end of which is superimposed on another motor vehicle; and
- (b) that is attached to that other motor vehicle by means of a turn-table or king pin;

“service brake” means a brake for intermittent use readily applicable by use generally of the driver's foot to retard or stop a vehicle;

“stock vehicle” means a motor vehicle, manufactured in a country other than Papua New Guinea, which at the time of manufacture was designed to carry more than eight persons including the driver;

“stop light” means a rearward facing red lamp that gives warning that the vehicle is slowing down or stopping;

“tandem axle group” means two adjacent axles the centres of which are not less than 1m and not more than 2 metres apart;

“tare” means the unladen weight of a vehicle and includes—

- (a) the weight of any fuel in the tank of the vehicle; and
- (b) the weight of any tools or equipment necessary for the operation of the vehicle;

“taxicab” means a motor car—

- (a) designed to carry at least four passengers for hire or reward and any luggage belonging to the passengers; and
- (b) that plies for hire in such a way that a separate fare is not paid in respect of each passenger;

“testing officer” means a testing officer approved by the Authority in accordance with Section 68;

“towing vehicle” means a rigid vehicle that tows a trailer, semi-trailer or other vehicle;

“Traffic Enforcement Officer” means—

- (a) a commissioned officer of the Police Force; or
- (b) a person appointed by the Authority under Section 32 of the Act;

“trailer” means a vehicle without motive power that is capable of being drawn or propelled by a motor vehicle from which it is readily detachable, but does not include:

- (a) a side-car attached to a motor cycle; or

(b) a vehicle normally propelled by mechanical power while it is being temporarily towed without the use of its own power;

“trailer combination” means a motor truck towing a trailer that is not a semi-trailer nor a caravan.

“tri-axle group” means three consecutive axles of which the two outer axles have centres not less than 2 metres and not more than 3.2 metres apart;

“twin steer axle group” means two axles fitted with single tyres which are so connected through steering gear to the steering wheel that both axles move in conjunction with the steering wheel to control the direction in which a motor vehicle will travel;

“unladen weight”, in relation to a motor vehicle, means the weight of the vehicle or trailer without its load (if any);

“vehicle” means any device with wheels, tracks or revolving runners on which it moves or is moved;

“vehicle combination” means a motor truck towing a trailer or semi-trailer;

“weight”, in relation to a wheel, an axle, a group of axles, or a motor vehicle, means the weight, or as the case may be, the sum of the weights, recorded or displayed on a weighing device of a type approved for the purpose by the Minister for Transport, by notice in the National Gazette, and used in a manner prescribed by the Minister, by notice in the National Gazette;

“wheel”, in relation to a motor vehicle, means a wheel the tyre or rim of which is in contact with the road;

“wide profile tyre” means a single tyre with a tyre section width of not less than 450mm and rated to perform the function of dual tyres;

“width”, in relation to a motor vehicle, means the width of the motor vehicle measured between vertical planes parallel to the longitudinal axis of the motor vehicle and passing through the extreme projecting points thereof including any load carried on the motor vehicle, but excluding any mirrors, side marker lights or direction indicators fitted to the motor vehicle;

“windscreen wiper” means a device capable of effectively moving rain, snow or other moisture from the windscreen immediately in front of the driver of a vehicle so as to give him or her a sufficient view of the road in front of the vehicle.

(2) Where a specific form number is referred to in this Rule, an equivalent form may be used, provided it contains the same information as the form provided in Schedule 1.

Cf MTR r1

DIVISION 2 - CONSTRUCTION OF MOTOR VEHICLES

SUBDIVISION 1 - CONSTRUCTION OF MOTOR VEHICLES - GENERAL

4A VEHICLE STRUCTURE, INCLUDING FRONTAL IMPACT

- (1) The chassis, body and other load-bearing structure of a motor vehicle must—
 - (a) be of adequate strength for all conditions of loading and operation for which the vehicle was constructed; and
 - (b) must not contain cracks or any deterioration likely to weaken the chassis, body and other load-bearing structure, or the integrity, operation or mounting of any component.
- (2) The means by which a body or item of equipment is attached to the chassis of a motor vehicle must be designed, constructed and maintained so that the attachment is secure.
- (3) The following motor vehicles with a gross vehicle weight of 2,500kg or less must comply with a frontal impact occupant protection standard—
 - (a) a motor car, that is not a forward control vehicle or an off-road vehicle, manufactured on or after 1 January 2000;
 - (b) a motor car, that is a forward control vehicle or an off-road vehicle, manufactured on or after 1 January 2005.
- (4) Subject to Sections 4B(1) to (5), the performance of a motor vehicle in relation to protecting occupants in a frontal impact collision must not be reduced below a safe tolerance of its state when manufactured, by any factors, including corrosion, structural damage, material degradation, inadequate repair, the fitting of additional equipment, or the removal of equipment.
- (5) The approved vehicle standards for frontal impact protection systems are—
 - (a) Directive 96/79/EC of the European Parliament and of the Council of 16 December 1996 on the protection of occupants of motor vehicles in the event of a frontal impact (which, for the purpose of occupant protection in the event of a frontal impact, amends the Council Directive of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers (70/156/EEC));
 - (b) UN/ECE Regulation No. 94 Uniform provisions concerning the approval of vehicles with regard to the protection of the occupants in the event of a frontal collision (E/ECE/324-E/ECE/TRANS/505/Rev.1/Add 93);
 - (c) Federal Motor Vehicle Safety Standard No. 208, Occupant Crash Protection in Passenger Cars, Multipurpose Passenger Vehicles, Trucks and Buses;
 - (d) Australian Design Rule 69, Full Frontal Impact Occupant Protection;
 - (e) Australian Design Rule 73, Offset Frontal Impact Protection;
 - (f) Technical Standard for Occupant Protection in Frontal Collision (Japan).

4B FRONTAL IMPACT AIRBAGS

- (1) Except as otherwise provided in this section, an airbag and its operating system designed to protect occupants in the event of a frontal impact must not be removed from a motor vehicle or rendered inoperable.
- (2) An airbag may be removed temporarily for the purpose of repair (either to the airbag or to another part of the motor vehicle to which it is attached) or replacement.
- (3) If the retention of an airbag could pose a risk of serious injury if the airbag is deployed, the airbag and its operating system may be rendered inoperable in, or removed from, a motor vehicle—
 - (a) that has been modified to accommodate the needs of a person with a disability;or

(b) that has had extensive modifications made to its frontal impact structure, for specialist use.

(4) An airbag may be rendered inoperable in, or removed from, a motor vehicle 14 years or more after the date on which the vehicle was first registered in any country.

(5) A switch may be installed in a motor vehicle to render an airbag temporarily inoperable, and the switch may be activated in circumstances where the deployment of an airbag could pose a risk of serious injury, provided that the switch was installed as original equipment by the vehicle manufacturer.

(6) A motor vehicle must not have a sign, light or other device that indicates it is fitted with an airbag, if it is not fitted with an airbag.

(7) If a device specified in sub-section (9) is not able to be readily removed, a label that indicates an airbag has been removed must be permanently attached in a prominent location where it is clearly visible to any occupant in the seating position previously protected by the airbag.

(8) A motor vehicle must not have a light or other device indicating an airbag operating system is operable if it is inoperable.

(9) An airbag warning-light system, if fitted by a vehicle manufacturer, must remain operational.

5 ENTRANCE AND EXIT

(1) A motor vehicle shall, in respect of passengers and driver, have a ready means of entry and a ready means of exit.

(2) Subject to Subsection (3), a door used for the entrance and exit of passengers and driver shall—

(a) be securely affixed to the motor vehicle; and

(b) be capable of remaining securely fastened when closed; and

(c) be fitted with an efficient, permanent device for opening and closing the door; and

(d) be capable of being operated from the inside and from the outside of the vehicle.

(3) Nothing contained in Subsection (2) shall be construed as prohibiting the use of a safety device, installed during the manufacture of a vehicle, to prevent the opening of the door from the inside of the vehicle.

Cf MTR r125B

6 EXHAUST SYSTEM

(1) A motor vehicle with an internal combustion engine must be fitted with an exhaust system that is in good working order.

(2) An exhaust system must not be constructed or modified in a way that allows a person to interfere readily with its operation or reduce its effectiveness.

(3) An exhaust system must be designed, constructed, positioned and maintained in a way that minimises the risk of heat or fumes emitted from the system harming the motor vehicle's occupants.

(4) The noise output from a motor cycle, motor tricycle, motor car or light goods vehicle—

(a) must be less than, or similar to, the noise output from the vehicle's original exhaust system at the time of the vehicle's manufacture; or

(b) must not, if the noise output from the motor vehicle's original exhaust system at the time of the vehicle's manufacture is not known, exceed the following maximum decibel level—

(i) in the case of a motor cycle with engine capacity of 125cm³ or less— 96 dBA;

- (ii) in the case of a motor cycle with engine capacity of more than 125cm³– 100 dBA;
- (iii) in the case of a motor car, taxicab, omnibus, passenger truck, or motor truck– 95 dBA.

Cf MTR r125C

6A EXHAUST EMISSIONS

(1) A petrol-powered motor car, omnibus, passenger truck, or motor truck with a gross vehicle weight not exceeding 4,500 kg must comply with the following minimum exhaust emission standards–

- (a) a vehicle manufactured on or after 1 January 2009 and before 1 January 2012– ARD 79/01, Euro 3, Japan 00/02, or US 2001;
- (b) a vehicle manufactured on or after 1 January 2012– ARD 79/02, Euro 4, Japan 05, or US 2004.

(2) A petrol-powered motor truck that has a gross vehicle weight exceeding 4,500 kg must comply with the following minimum exhaust emission standards–

- (a) a vehicle manufactured on or after 1 January 2009 and before 1 January 2012– ARD 80/02; Japan 00/02, or US 98P;
- (b) a vehicle manufactured on or after 1 January 2012– ARD 80/02; Euro IV; Japan 05, or US 2004.

(3) A diesel-powered motor car, omnibus, passenger truck, or motor truck, with a gross vehicle weight not exceeding 4,500 kg, must comply with the following minimum exhaust emission standards–

- (a) a vehicle manufactured on or after 1 January 2009 and before 1 January 2012– ARD 30/01 and ADR 79/01, Euro 4, Japan 02/04, or US 2004;
- (b) a vehicle manufactured on or after 1 January 2012– ARD 79/02, Euro 4, Japan 05, or US 2004.

(4) A diesel-powered motor truck that has a gross vehicle weight exceeding 4,500 kg must comply with the following minimum exhaust emission standards–

- (a) a vehicle manufactured on or after 1 January 2009 and before 1 January 2012– ARD 80/02 and ADR 30/01; Euro IV, Japan 02/04, or US 2004;
- (b) a vehicle manufactured on or after 1 January 2012– ARD 80/03; Euro V, Japan 05, or US 2004.

(5) A motor vehicle must not emit clearly visible smoke when the vehicle's engine is running at its normal operating temperature, under either of the following conditions–

- (a) for a continuous period of five seconds when the engine is idling;
- (b) as the engine is being accelerated rapidly to approximately 2,500 revolutions per minute or approximately half the maximum engine speed (whichever is lower).

(6) Sub-section (5) does not apply if the driver of the vehicle produces documentation that proves that–

- (a) the engine is original equipment for the vehicle; and
- (b) the engine's design does not allow the vehicle to reasonably comply.

6B AIR CONDITIONING UNITS

An air conditioning unit in a motor vehicle imported into Papua New Guinea on or after 1 July 2018 must not contain chloro-fluoro-carbon (CFC) or hydro-fluoro-carbon (HFC) refrigerant gas.

6C BRAKE AND CLUTCH LININGS

Brake and clutch linings used on motor vehicles on or after 1 July 2018 must not contain asbestos.

6D ELECTRONIC STABILITY CONTROL

- (1) A motor car, omnibus, passenger truck, or goods vehicle, with a gross vehicle weight not exceeding 3,500 kg, manufactured on or after 1 July 2015 must be fitted with an electronic stability control system.
- (2) An electronic stability control system, including all components of that system fitted in a motor vehicle, must:
 - (a) be maintained in good working order; and
 - (b) not be removed from the vehicle.
- (3) If a motor vehicle is fitted with a warning system that is part of, or associated with, an electronic stability control system, that warning system must function correctly.

6E ENGINE AND TRANSMISSION

- (1) The owner of a motor vehicle with an engine shall ensure that the engine—
 - (a) is securely attached to the chassis of the vehicle; and
 - (b) does not leak a significant amount of oil or other fluid.
- (2) The transmission on a vehicle must be of adequate strength and have appropriate performance characteristics for all conditions of loading and operation for which the vehicle was constructed.
- (3) The transmission on a vehicle must be installed correctly, as determined by reference to the transmission manufacturer's instructions, and maintained within safe tolerance of its original condition.
- (4) A device fitted to a vehicle to restrict the field of swing of a driveshaft in the event of driveshaft failure must be maintained within safe tolerance of its original condition.

7 MUDGUARDS

- (1) A person shall not operate a motor vehicle unless that motor vehicle is fitted with a mudguard over each wheel on the front and over each wheel on the rearmost axle.
- (2) The mudguard fitted to the rear axle of a motor truck or passenger truck shall be so fitted that at all times while the vehicle is standing on a horizontal surface, the height of the lowest edge of the mudguard above the surface on which the vehicle stands is not more than one quarter of the horizontal distance between the lowest edge of the mudguard and a vertical plane passing through the centre of the wheels on the rear axle.
- (3) This section does not apply to—
 - (a) a pole trailer that is not used solely or principally for road work; or
 - (b) a straddle truck, fork lift, agricultural tractor or mobile machine; or
 - (c) an unladen vehicle—
 - (i) in an unfinished condition; and
 - (ii) used under the authority of a trader's plate; or
 - (d) any other motor vehicle in respect of which the body is so constructed that the body performs the functions of a mudguard.

Cf MTR r125D

8 REAR VIEW MIRRORS

- (1) A motor vehicle, other than a trailer, shall be so fitted with a mirror or mirrors that the driver of the vehicle, while maintaining his or her normal driving position, has a clear reflected view of the roadway behind, and along each side of, the vehicle.
- (2) In the case of—
 - (a) a motor vehicle constructed principally for the carriage of goods; or
 - (b) a motor vehicle constructed to carry nine or more passengers; or
 - (c) a motor vehicle towing a trailer or other vehicle,

driven in such a manner that the rear vision of the driver through an interior mirror is obscured, that motor vehicle shall be equipped with two mirrors, one on each side of the vehicle, mounted on the outside of the vehicle.

(3) A mirror shall be constructed of such material and so fitted, that it is not likely to cause injury to passengers in a motor vehicle.

Cf MTR r125E

9 STEERING AND SUSPENSION SYSTEMS

(1) A person shall not operate a motor vehicle unless the steering gear and associated mechanism are in a safe and efficient working condition.

(2) Except with the written authorization of the Authority, a person shall not operate a motor vehicle that has the steering column mounted to the left of the longitudinal centre line of the body of the motor vehicle.

(3) For the purposes of this section, “steering gear and associated mechanism” includes steering gear, linkages, couplings, wheels, bearings, and the attachment of the steering axle to the chassis of a trailer.

Cf MTR r125F

9A SPEEDOMETER

(1) Subject to sub-section (2), a motor vehicle that is capable of a speed exceeding 50 km/h must be fitted with a speedometer reading in kilometres per hour in good working order that operates while the vehicle is moving forward.

(2) Sub-section (1) does not apply to—

- (a) a trailer; or
- (b) a mobile crane; or
- (c) a mobile machine; or
- (d) a motor tractor; or
- (e) a mobility device.

10 SUN VISOR

(1) Unless a motor vehicle is so constructed that it is not reasonably practicable so to do, it shall be equipped with an effective sun visor for the use of the driver.

(2) A sun visor shall be constructed of such material so fitted that it is not likely to cause injury to passengers in the motor vehicle.

Cf MTR r125G

11 TYRES, WHEELS, HUBS AND AXLES

(1) The complete assembly of tyre, wheel, hub and axle must be sufficiently strong for the type of vehicle on which it is fitted, and must have a suitable and correctly adjusted geometry and a load-carrying capacity appropriate to all reasonable conditions of service and operational use.

(2) Tyres on the same axle shall be of the same size designation and construction, and of the same tread pattern type.

(3) A tyre must be of good quality and construction, fit for its purpose and maintained in a safe condition free from any defect that might in any way cause damage to the surface of the road, or danger to persons in or on the vehicle or to any persons using the road.

(4) A tyre must not have worn, damaged or visible cords apparent by external examination.

(5) A tyre on a motor vehicle must have a tread pattern, excluding any tiebar or tread depth indicator strip, of not less than 1.5 mm in depth within all principal grooves containing moulded tread depth indicators, and around the entire circumference of the tyre.

(6) Subject to Subsection (7), a person shall not cause the designed tread depth of a tyre that is fitted to a motor car, motor cycle or other vehicle, to be increased by the process of

regrooving.

(7) Notwithstanding Subsection (6), a tyre that is specifically designed and constructed for the process of regrooving and used on a motor truck, or on a machine, operated at a speed below 50 km/h, may be regrooved subsequent to manufacture.

(8) A rubber-tyred road roller may be fitted with a smooth, treadless tyre.

Cf MTR r125H

12 TOWING CONNECTIONS

(1) Subject to Subsection (2), a person shall not operate a motor vehicle to which a trailer is attached unless the trailer is securely attached to that motor vehicle—

(a) by a tow coupling that is fit for purpose and in sound condition; and

(b) except in the case of a semi-trailer, by a securely attached chain or cable,

of sufficient strength to keep the trailer attached to the motor vehicle under all conditions of use.

(2) The provisions of Subsection (1) in respect of a chain and a cable do not apply to a trailer if—

(a) that trailer is equipped with brakes; and

(b) in the event of the trailer becoming disconnected from the motor vehicle to which it is attached, those brakes will automatically stop and hold the trailer.

(3) A person shall not operate a motor vehicle to which there is attached more than one trailer.

Cf MTR r125I

13 UNSAFE LOADS AND ORNAMENTS

(1) A person shall not operate a motor vehicle in such a manner or that is in such condition or on which a load is so distributed or so covered, as is likely to cause injury or annoyance to any person or damage to any property.

(2) A motor vehicle shall not be fitted with any ornament that is of such a nature or in such a position as is likely to cause injury to any person.

Cf MTR r125J

13A FOOTRESTS ON MOTOR CYCLES

A motor cycle must have—

(a) adequate footrests for the rider; and

(b) if provision is made for pillion riding, adequate footrests for the pillion passenger.

13B EQUIPMENT ON HEAVY VEHICLES

(1) An outrigger fitted to a heavy vehicle must have a locking device in good condition to prevent its inadvertent extension or separation.

(2) A swivelling crane fitted to a heavy vehicle for the purpose of loading the vehicle or a trailer must have either—

(a) a locking device fitted to each outrigger that is able to be seen in a locked position when an outrigger is retracted, or

(b) a visual or audible alarm to warn the driver if an outrigger is not in the fully retracted position.

14 AUDIBLE WARNING DEVICES

(1) A person must not operate a motor vehicle, other than a trailer, unless that motor vehicle is equipped with a warning device that is—

(a) located in such a position that it can be readily operated by the driver; and

(b) capable of giving a warning audible under normal conditions from a distance of not less than 100 metres.

(2) Except with the written approval of the Authority, a warning device referred in Subsection (1) shall emit a sound that is not strident and is continuous and uniform.

(3) A person must not use a warning device, or cause or permit a warning device to be used, to make unnecessary noise for the purpose other than to give a warning of danger.

Cf MTR r125K

15 WINDSCREEN AND OTHER GLAZING

(1) Subject to Subsection (2), all glazing on a motor vehicle—

(a) must be of a type suitable for the location in the vehicle; and

(b) must contain a recognised glazing marking; and

(c) must be mechanically sound, strong and securely affixed to the vehicle; and

(d) must not be manufactured with, or modified to have, a mirrored effect sufficient to dazzle other road users; and

(e) in the case of the windscreen, and front side windows (that is, glazing forward of the left or right of the driver's seatback in its rearmost and upright position), must be kept clean and free of obstruction to ensure that the driver has sufficient vision through the glazing to operate the vehicle safely; and

(f) in the case of the windscreen, must not have cracks, scratches or other defects that unreasonably impair the driver's vision through the glazing or compromise the strength of the glazing; and

(g) in the case of a laminated windscreen, must not show signs of discoloration that could unreasonably impair the driver's vision through the glazing.

(2) Subsection (1) does not apply to—

(a) plastic glazing behind the driver's seat in a soft-top convertible; or

(b) hard plastic material behind the driver's seat in a vehicle manufactured before 1 January 2000; or

(c) wire glass fitted to a window behind the driver's seat of a dangerous goods vehicle.

(3) Overlays must not have any bubbling or other defects that could unreasonably impair the driver's vision through the glazing; and

(4) The overall visible light transmittance of a windscreen must not be less than 70%; and

(5) The overall visible light transmittance of front side windows (that is, glazing forward of the left or right of the driver's seatback in its rearmost and upright position) must not be less than 35%.

(6) No surface film shall be attached to the windscreen of a motor vehicle other than a strip of tinted film applied in such a manner that no part of the film extends downwards more than 15cm from the top of the windscreen.

Cf MTR r125L

16 WINDSCREEN WASHING AND WIPERS

(1) A person shall not operate a motor vehicle that is fitted with a windscreen forward of the driver unless that windscreen is, at all times, kept so clean and so clear as not to impede or obstruct the forward view of the driver.

(2) A person shall not operate a motor vehicle, other than a motor cycle, that is fitted with a windscreen unless that windscreen is fitted with a mechanically operated windscreen wiper capable of effectively removing rain (or other moisture) from the portion of the windscreen immediately in front of the driver.

(3) A motor vehicle fitted with a windscreen wiper shall be equipped with a device capable of washing the exterior of the windscreen within the area swept by the wiper.

Cf MTR r125M

16A DOORS AND DOOR LOCKS

- (1) A door on a motor vehicle must—
 - (a) open and close easily; and
 - (b) remain secure in a closed position during operation of a motor vehicle; and
 - (c) be operable by any occupant seated by the door, from inside a motor vehicle.
- (2) A door retention system—
 - (a) and its mountings must be safe, structurally sound and in good working order; and
 - (b) must be within the motor vehicle manufacturer's operating limits;
 - (c) on a door to the rear of the driver's seat may incorporate safety devices installed during the manufacture of the motor vehicle to prevent the door from being opened from inside the vehicle;
 - (d) in a motor vehicle that is designed or adapted for transporting legally-detained prisoners does not have to be fitted with a mechanism for opening a door if the prison compartment has an alternative means of exit that can be operated by an authorised person from inside or outside the vehicle in an emergency;
 - (e) must comply with the version of one of the vehicle standards in Subsection (3) that is—
 - (i) applicable in the relevant standard-setting jurisdiction to the date of manufacture of the motor vehicle or as specified in the standard; or
 - (ii) a more recent version of that standard if the safety performance of the motor vehicle is not adversely affected.
- (3) The approved vehicle standards for door retention systems are—
 - (a) Council Directive 70/387/EEC of 26 July 1971 on the approximation of the laws of the Member States relating to the doors of motor vehicles and their trailers;
 - (b) UN/ECE Regulation No. 11, Uniform provisions concerning the approval of vehicles with regard to door latches and door retention components (E/ECE324-E/ECE/TRANS/505/Add.10);
 - (c) Federal Motor Vehicle Safety Standard No. 206, Door Locks and Door Retention Components - Passenger Cars, Multipurpose Passenger Vehicles, and Trucks;
 - (d) Australian Design Rule 2, Side Door Latches and Hinges;
 - (e) Technical Standard for Door Retention Systems (Japan).
- (4) A door retention system complies for the purpose of this Section with an applicable approved vehicle standard if:
 - (a) it complied with that standard when the motor vehicle was manufactured or modified; and
 - (b) it is currently within safe tolerance of its state when the motor vehicle was manufactured or modified.

16B SEATS AND SEAT ANCHORAGES

- (1) Seats and seat anchorages in a motor vehicle must be safe, strong, in sound condition, in good working order and compatible in strength with each other and with the vehicle's structure.
- (2) The driver's seat and its anchorages must be designed, constructed and maintained to enable the driver to have proper control of the motor vehicle.
- (3) Seats and seat anchorages must be securely attached to the motor vehicle's structure.
- (4) When a seatbelt or any part of a seatbelt is integral to a seat, the seat and the seat anchorages must be compatible in strength with the seatbelt or with that part of the seatbelt attached to the seat, as appropriate.

- (5) If fitted as original equipment a seat and a seat anchorage must comply with the version of one of the vehicle standards in Subsection (6) that is—
- (a) applicable in the relevant standard-setting jurisdiction to the date of manufacture of the motor vehicle or as specified in the standard; or
 - (b) a more recent version of that standard if the safety performance of the motor vehicle is not adversely affected.
- (6) The approved vehicle standards for seats and seat anchorages are—
- (a) UN/ECE Regulation No. 17, Uniform provisions concerning the approval of vehicles with regard to the seats, their anchorages and any head restraints (E/ECE324-E/ECE/TRANS/505/Rev.1/Add.16);
 - (b) Council Directive of 22 July 1974 on the approximation of the laws of the Member States relating to the interior fittings of motor vehicles (strength of seats and their anchorages) (74/408/EEC);
 - (c) Federal Motor Vehicle Safety Standard No. 207, Seating Systems - Passenger Cars, Multipurpose Passenger Vehicles, Trucks, and Buses;
 - (d) Technical Standard for Seats and Seat Anchorages (Japan);
 - (e) Australian Design Rule 3/02, Seats and Seat Anchorages.
- (7) A seat or seat anchorage complies for the purpose of this Section with an applicable approved vehicle standard if:
- (a) it complied with that standard when the motor vehicle was manufactured or modified; and
 - (b) it is currently within safe tolerance of its state when the motor vehicle was manufactured or modified.

16C SEATBELTS AND SEATBELT ANCHORAGES

- (1) A motor car, taxicab, and a motor truck with a gross vehicle weight not exceeding 3,500 kg must be fitted with seatbelts and seatbelt anchorages of the type prescribed in Subsections (2) to (4), as appropriate.
- (2) In the case of a motor vehicle manufactured before 1 January 1980—
- (a) the driver's seating position and the front outer seating position shall be fitted with lap-and-diagonal seatbelts attached to three-point anchorages; and
 - (b) other seating positions do not have to be fitted with seatbelts.
- (3) In the case of a vehicle manufactured on or after 1 January 1980—
- (a) the driver's seating position, the front outer seating position and the rear outer seating positions shall be fitted with lap-and-diagonal seatbelts attached to three-point or four-point anchorages; and
 - (b) the front middle and the rear middle seating positions shall be fitted with a lap seatbelt attached to a two-point anchorage.
- (4) Where seatbelts are not required by Subsections (2) and (3), but seatbelts are fitted, they must be attached to seatbelt anchorages that are of an appropriate type, and—
- (a) the seatbelts must comply with Subsections (5) to (9); and
 - (b) the seatbelt anchorages must be two-point anchorages for lap seatbelts or three-point anchorages for lap-and diagonal seatbelts.
- (5) A seatbelt must be of a design suitable for the vehicle, and must be strong, secure, in sound condition and in good working order.
- (6) Seatbelt webbing—
- (a) must not be cut, stretched, frayed or faded, or have otherwise deteriorated so as to reduce the performance of the seatbelt to below safe tolerance; and

- (b) must be securely attached to the tongue or the adjusting buckle and to any fittings that secure a seatbelt to the seatbelt anchorages, and must be able to be adjusted by the wearer.
- (7) The strands of the steel cables of a seatbelt stalk must not be damaged or have deteriorated, and the seatbelt stalk must not have other weaknesses that could reduce the performance of the seatbelt to below safe tolerance.
- (8) Seatbelt buckles, retractor mechanisms, or any other fittings intended to ensure the safe use of the seatbelt, must not have deteriorated to below safe tolerance.
- (9) A seatbelt must be able to be readily fastened and released by the wearer.
- (10) A seatbelt anchorage and its mounting location—
- (a) must be of a strength appropriate to both the motor vehicle and the attached seatbelt; and
 - (b) must be structurally sound and free of corrosion; and
 - (c) must not be damaged or distorted.
- (11) When a seatbelt or part of a seatbelt is integral to a seat, the seat and the seat anchorages must be compatible in strength with the seatbelt or with that part of the seatbelt attached to the seat, as appropriate.
- (12) Seatbelts and seatbelt anchorages must comply with one of the standards in Subsection (13) or an equivalent standard and must be labelled or otherwise marked in accordance with the requirements of the applicable standard or standards.
- (13) The approved standards for seatbelts and seatbelt anchorages are—
- (a) Australian Standard/New Zealand Standard 2596, Seat belt assemblies for motor vehicles;
 - (b) Federal Motor Vehicle Safety Standard No. 209, Seat Belt Assemblies;
 - (c) Japanese Industrial Standard D 4604, Seat Belts for Automobiles;
 - (d) Technical Standard for Seat Belt Assemblies (Japan).

Cf MTR r136C

17 CHILD RESTRAINTS

- (1) When a child is carried in a motor vehicle in a child restraint, that child restraint must be fitted so that it restrains and protects the child effectively.
- (2) A motor vehicle complies with Subsection (1) if the child restraint is fitted in accordance with the child restraint manufacturer's instructions.
- (3) A child restraint must comply with a version of one or more of the approved standards for child restraints in Subsection (4) and must be labelled or otherwise marked in accordance with the requirements of the applicable standard or standards.
- (4) The approved standards for child restraints are—
- (a) Australian Standard/New Zealand Standard 1754: Child restraint systems for use in motor vehicles;
 - (b) British Standard 3254 for adult seat belts, forward facing child safety seats and child harnesses;
 - (c) British Standard AU185 for booster cushions;
 - (d) British Standard AU202, Specification for rearward-facing restraint systems for infants, for use in road vehicles;
 - (e) UN/ECE Regulation No. 44, Uniform provisions concerning the approval of restraining devices for child occupants of power-driven vehicles (“Child Restraint System”) (E/ECE324-E/ECE/TRANS/505/Add.43);
 - (f) Federal Motor Vehicle Safety Standard No. 213, Child Restraint Systems;
 - (g) Technical Standard for Child Restraints (Japan);

(h) UN/ECE Regulation 129, Uniform provisions concerning the approval of enhanced Child Restraint Systems used on board of motor vehicles (ECRS) (E/ECE324-E/ECE/TRANS/505/ Add.128).

18 FUEL TANKS AND FUEL LINES

- (1) Petrol or other liquid fuel in a motor vehicle shall be carried in a permanent supply tank.
- (2) The fuel tank, fuel lines and associated components in a motor vehicle must be—
 - (a) securely mounted; and
 - (b) made of durable materials; and
 - (c) in good condition; and
 - (d) free from significant leaks; and
 - (e) positioned so that the risk of mechanical damage or heat gain is minimised.
- (3) The fuel filling inlet—
 - (a) shall be situated on the outside of the body of the motor vehicle; and
 - (b) in the case of a petrol fuelled motor vehicle, shall not be situated—
 - (i) below, or laterally, within 600mm of any entrance or exit in general use; or
 - (ii) within 300mm of any exhaust outlet.

Cf MTR r125U

SUBDIVISION 2 - CONSTRUCTION OF PASSENGER TRANSPORT VEHICLES

19 APPLICATION OF SUBDIVISION

This Subdivision applies to passenger transport vehicles, whether or not they are licensed.

Cf MTR r125N

20 APPROVAL TO CONSTRUCT

A person shall, before he or she starts to construct a passenger transport vehicle:

- (a) submit to the Authority for approval—
 - (i) plans and specifications of the design, fittings, equipment, tyre size and ratings of the vehicle; and
 - (ii) an estimate of the weight of the completed vehicle; and
- (b) pay the fee prescribed in item 41 of Schedule 1 of the Road Traffic (Fees and Charges) Regulation.

Cf MTR r30

20A VEHICLE STRUCTURE AND SUSPENSION

- (1) An omnibus or passenger truck must be designed and constructed to ensure that—
 - (a) the chassis ratings are not exceeded; and
 - (b) at any normal loading condition of the vehicle, component overloading will not occur.
- (2) An omnibus must have a body that—
 - (a) is fit for the purpose; and
 - (b) meets the structural requirements in Section 4A; and
 - (c) is securely fixed to the chassis.
- (3) The design and construction of an omnibus must minimise the risk of fire.
- (4) An omnibus or passenger truck must be designed, constructed and maintained so that no excessive body sway will occur which is likely to adversely affect the steering stability.
- (5) The suspension of an omnibus or passenger truck must be strong enough for reasonably foreseeable conditions of loading and operation.

21 BODYWORK

A passenger transport vehicle shall–

- (a) in respect of the driver and passengers, provide adequate protection from the weather; and
- (b) not be equipped with fittings which have such sharp corners or edges, or which extend in such a way, as is likely to cause injury to passengers or damage to property; and
- (c) in respect of entrance, exit and aisles, be free from obstruction; and
- (d) in respect of steps, door hinges, handles and locks, be in good working condition; and
- (e) be effectively ventilated by windows, ventilators or by other approved means; and
- (f) in the case of a passenger truck that has a framework permanently mounted to the chassis or subframe, have a framework constructed–
 - (i) in accordance with an approved design; and
 - (ii) of approved material; and
- (g) in the case of a passenger truck other than a passenger truck referred to in Paragraph (f)–
 - (i) have a framework that is fitted with approved locking devices for the purpose of attaching the framework securely to the passenger truck; and
 - (ii) be made of approved material; and
 - (iii) subject to Subparagraph (i), have a metal frame securely attached to the chassis.

Cf MTR r1250

22 ENTRANCES AND EXITS

- (1) An omnibus must have at least one doorway for passenger entry or exit on the left-hand side of the vehicle.
- (2) On an omnibus manufactured on or after 1 January 2003, a door, except a left-front door alongside and within direct line of sight of the driver, must have a device that warns the driver if the door is not closed properly.
- (3) An omnibus that has a door which is controlled from the driver's seat must have–
 - (a) a sign by the door, in letters at least 10 mm high, which states “In an emergency use door control by the driver's seat”; or
 - (b) emergency controls that–
 - i. can be operated in an emergency when the passenger bus is stationary; and
 - ii. are fitted on or next to the door, both inside and outside the vehicle; and
 - iii. have easy-to-understand operating instructions fitted next to them, both inside and outside the vehicle.
- (4) Doors that are not controlled by the driver must be able to be opened from both inside and outside the vehicle when someone is in the vehicle, except when the occupant has locked the doors.
- (5) A doorway provided for passenger entry or exit must–
 - (a) be situated on the left, or at the rear, of the passenger area; and
 - (b) be clear of obstruction; and
 - (b) be not less than 55cm in width; and
 - (c) be fitted with a door, tail gate, safety chain or drop bar, which shall be closed or placed in position, as the case may be, while the vehicle is in motion.

- (6) Safety devices installed during the manufacture of a vehicle that is used as a taxi to prevent the doors from being opened from the inside of the vehicle must be removed or permanently deactivated, unless a sign approved by the Authority is displayed at the outer door handle.
- (7) A door in a taxi must not lock automatically when it is closed.
- (8) Speed-sensitive or other automatically operating central-locking devices fitted to a taxi must not automatically cause any door to be locked while the vehicle is stationary.
- (9) A power-operated door in a taxi must be maintained so that the opening and closing force of the door, or its method of operation, is unlikely to injure or trap any person.
- (10) An omnibus shall, for the purpose of access to and exit from the vehicle, if the floor height of the vehicle is more than 400mm above a level surface on which the vehicle stands, be equipped with fixed, or folding, steps.
- (11) The rise between steps referred to in Subsection (10) shall not exceed 300mm.
- (12) The step-tread surfaces of entry and exit steps and the surface of ramps must be of a slip-resistant material.
- (13) On a vehicle fitted with a wheelchair ramp—
 - (a) there must be an unobstructed view from the driving position, either directly or indirectly of:
 - i. the exterior and interior of the doorway used for entry and exit; and
 - ii. the wheelchair parking position; and
 - iii. the ramp, except where the ramp is power operated and is fitted with a sensor so that the ramp stops or retracts if it meets an obstruction before it is fully extended; and
 - (b) ramps must have a slip-resistant surface; and
 - (c) ramps must have—
 - i. a safety ridge along the side edges; or
 - ii. a conspicuous stripe, at least 20mm wide, along the side edges; and
 - (d) there must be adequate illumination of the fully extended ramp to enable safe use during the hours of darkness; and
 - (e) power-operated ramps must—
 - i. be fitted with a device that gives audible warning while the ramp is extending or retracting; and
 - ii. have a safety system to prevent the vehicle from moving off while the ramp is extended; and
 - iii. be able to be operated in the event of power failure.

Cf MTR r125P

23 EMERGENCY EXITS

- (1) The compartment of an omnibus must have at least two emergency exits.
- (2) A dedicated emergency exit must have—
 - (a) a coloured band on the inside frame, at least 20mm wide, which contrasts with the background, or
 - (b) signs on the exit, both inside and outside the passenger bus, with the words EMERGENCY EXIT in letters that are at least 75mm high.
- (3) A clear instruction sign for opening the exit must be displayed—
 - (a) both inside and outside the vehicle on or next to every:
 - i. power-operated passenger entry and exit door; and
 - ii. dedicated emergency ; and
 - (b) the clear instruction sign must include—
 - i. the word "Emergency" in letters that are at least 10mm high; and

- ii. words or drawings that identify the exit, and clearly identify and describe or illustrate its operating mechanism.
- (4) A dedicated emergency exit that is operated by breaking a glass panel must comply with the following requirements–
- (a) the glazing must be made of readily breakable, toughened safety glass, and must not be laminated; and
 - (b) the glass must not be modified, covered or treated in a way which might adversely affect the breakability or the removal of the glass; and
 - (c) a device that is capable of breaking the glass to enable the safe exit of passengers must be provided in a prominent position on or next to the glass on the inside of the vehicle; and
 - (d) if the device in (c) is readily removable there must be an audible or visual alarm system that alerts the driver if the device is removed or tampered with.
- (5) Seats which are designed to tilt out of the way to provide access to a dedicated emergency exit must have–
- (a) a single-action tilting mechanism; and
 - (b) a tilting mechanism that has an automatic locking device which locks the seat in the tilted position; and
 - (c) operating instructions.
- (6) A dedicated emergency exit, its control mechanisms and associated equipment must comply with the following requirements–
- (a) its operation must be unlikely to injure or trap any person, if it is operated according to the operating instructions; and
 - (b) it must open easily from both inside and outside the vehicle when stationary; and
 - (c) the frame must not have sharp edges; and
 - (d) security locks or similar devices, if fitted, must have a device which gives audible and visible warning to the driver when the exit is locked and the engine is running.
- (7) Internal access to a dedicated emergency exit must not be obstructed.
- (8) A dedicated emergency exit must open easily from both inside and outside the PSV.
- (9) A dedicated emergency exit must have an audible alarm system to warn the driver if the opening mechanism is activated, with the exception of–
- (a) a breakable-glass dedicated emergency exit;
 - (b) an emergency roof hatch or emergency window, if its internal opening device is sealed in such a way that it is clearly apparent if the seal has been opened.
- (1) Where entry to the passenger area of a passenger carrying motor vehicle is provided in accordance with Section 22 that vehicle shall be equipped with an emergency exit that shall be–
- (a) a door on the right side of the motor vehicle; or
 - (b) a push out or sliding window on the right side, in the roof or at the rear of the vehicle.
- (2) An emergency exit referred to in Subsection (1) shall–
- (a) have a minimum clear area of 3500cm² with no dimension less than 53cm; and
 - (b) be clearly defined; and
 - (c) display instructions for opening the exit.

Cf MTR r125Q

23A AISLES

- (1) An aisle in an omnibus must provide unobstructed access throughout the vehicle from each doorway used for passenger entry and exit.
- (2) The aisle must be clear of any fixture, except that lights, push buttons, air vents, and similar devices may project up to 5mm into the required minimum aisle-height space, provided it is designed to minimise the risk of injury to passengers.
- (3) Aisle steps, internal ramps and landings must be provided with suitable handrails, handholds or handgrips.
- (4) If the licence allows standing passengers to be carried on an omnibus, handrails, handholds or handgrips must be fitted, whose number and location must be appropriate for the number of passengers permitted to occupy the aisle and for passengers of different heights.
- (5) The aisle step-tread surfaces must be of a slip-resistant material.

24 STEPS

- (1) A passenger carrying vehicle shall, for the purpose of access to and exit from the vehicle, if the floor height of the vehicle is more than 400mm above a level surface on which the vehicle stands, be equipped with fixed, or folding, steps.
- (2) A step referred to in Subsection (1) shall have suitable covering or tread plate maintained in such condition as to prevent slipping.
- (3) The rise between steps to which this Section applies shall not exceed 300mm.

Cf MTR r125R

25 SEATS AND SEAT ANCHORAGES

- (1) Seats and seat anchorages in a passenger transport vehicle must comply with Section 16B.
- (2) A taxicab shall—
 - (a) in respect of each passenger, provide a seat the width of which shall, when measured 15cm forward of the back squab at points 15cm and 60cm above the seat cushion, be at least 40cm; and
 - (b) where the seat used by the driver is intended to accommodate two passengers on the driver's left, in respect of that seat provide a seat the width of which shall when measured in accordance with Paragraph (a), be at least 130cm.
- (3) There must not be a seat on the right-hand side of the driver's seat in an omnibus.
- (4) The driver must have safe and reasonably easy access to the driver's seat.
- (5) The driver's seat must be adjustable to ensure the driver has access to the driving controls.
- (6) The driving controls, including the handbrake, must be protected, or located in such a way as to minimise the risk that they will be operated accidentally.
- (7) If there are passenger seating positions to the left of the driver's seat, the seats and driving controls must be designed and located so that the shoulder width of the passenger seat does not encroach into the space required by the driver when driving.
- (8) From the driving position there must be an unobstructed field of view to the front and to the left and right of the passenger service vehicle.
- (9) Seats must not be positioned where their occupants will obstruct the driver's field of view.
- (10) The field of view from the driving position must ensure, either directly or indirectly, that the driver is provided with a clear view of both—
 - (a) the interior of the passenger bus, except when the vehicle is a stretch limousine; and
 - (b) any person in the exterior vicinity of any door used by passengers.

- (11) Folding crew seats–
- (a) may be fitted only in the stairwell of the front doorway of a passenger bus; and
 - (b) must fold away automatically when unoccupied; and
 - (c) must have clear signs stating that the seats–
 - i. are for use by crew members only; and
 - ii. must be secured in the fold-away position when they are not being used.
- (12) A passenger truck must be fitted with–
- (a) sufficient fixed seating for the number of passengers carried in accordance with the vehicle licence; and
 - (b) support above the sides of the tray for passengers to rest against; and
 - (c) a board, gate or other device at the rear of the tray that can be closed to contain passengers and luggage in the event of severe movement of the vehicle caused by the roughness of a road or by the vehicle stopping abruptly as a result of an accident; and
 - (d) a fixed shelter for the protection of passengers.
- (13) Subject to the provisions of this Section, seats in a passenger transport vehicle may be arranged–
- (a) across the passenger area; or
 - (b) along the perimeter of the passenger area, or
 - (c) in both ways,
- as approved by the Authority.
- (14) Where seats are arranged in accordance with Subsection (13)(a), there shall be a clear aisle not less than 30cm in width.
- (15) Where seats are arranged facing forward or backward, there shall be clear body-room of at least 66cm between each back support.
- (16) Where two seats face each other, the distance between back supports shall be not less than 1.2 metres.
- (17) A seat width of at least 40cm shall be provided for each passenger.
- (18) A seat shall–
- (a) be at a comfortable height from the floor; and
 - (b) provide reasonable depth; and
 - (c) be capable of withstanding accidental impact; and
 - (d) be fitted with adequate back support.
- (18) No more than two persons (excluding the driver) shall sit in the cab of a passenger truck.

Cf MTR r30(4)(a) & (b) & r125S

25A INTERIOR LIGHTING

Interior lights in an omnibus must be positioned so that they adequately illuminate doorways, aisles and steps, but without interfering with the driver's vision when the doors are closed.

25B VENTILATION AND AIR-CONDITIONING

- (1) An omnibus must have ventilation that is provided by–
- (a) opening windows or roof hatches; or
 - (b) forced ventilation.
- (2) The driver must have at least one independently adjustable means of ventilation.
- (3) The ventilation system must provide adequate ventilation throughout the length of the passenger compartment.
- (4) An interior air-conditioning system must be designed and constructed so that no harmful fumes associated with its operation can be introduced into the vehicle.

(5) Ventilation air intakes must be in a position which minimises the possibility of introducing exhaust gases or other harmful fumes into the passenger compartment.

25C REVERSE WARNING

An omnibus that can carry more than 12 persons, manufactured on or after 1 January 2010, must be fitted with a device that operates when the reverse gear is engaged and the engine is running, and which gives an audible and visible external warning when the vehicle is reversing.

25D WHEELCHAIR RESTRAINT SYSTEM

(1) A motor vehicle that is designed to carry a forward-facing wheelchair and occupant must be fitted with a restraint system for the wheelchair.

(2) A motor vehicle that is designed to carry a rearward-facing wheelchair and occupant, must be fitted with a backrest head support and a restraint system for the wheelchair.

(3) A restraint system for a wheelchair, or for a wheelchair and occupant must comply with all of the following requirements–

- (a) there must be a horizontal handrail adjacent to the wheelchair parking position for wheelchair occupants to steady themselves while the passenger service vehicle is moving; and
- (b) the wheelchair must be prevented from tipping backwards; and
- (c) a head support must be fitted if the back of the wheelchair occupant's head would be against a window, bulkhead or partition; and
- (d) a restraint system must be fitted to prevent the wheelchair from swinging out of position or tipping over, and
- (e) there must be a sign adjacent to the wheelchair parking position stating that the restraint system must be secured and the wheelchair's brakes applied; and
- (f) the restraint system must include easily accessible quick-release mechanisms.

25E EXHAUST SYSTEM

(1) The exhaust system of an omnibus, including any turbochargers, must be installed, located, shielded and ventilated so that–

- (a) no ignitable or heat-sensitive materials could fall on the exhaust system; and
- (b) material adjacent to any hot surface forming part of, or connected to, the exhaust system must not, under any operating condition, be heated sufficiently to cause degradation.

(2) The design, construction and maintenance of the exhaust system of an omnibus or passenger truck must ensure that–

- (a) emitted heat or fumes cannot harm the occupants of the bus or lorry; and
- (b) the outlet pipe is shielded, or located in a position where other road users, or passengers entering or exiting the vehicle, cannot be burned by the exhaust; and
- (c) the outlet pipe does not discharge on the left-hand side of the vehicle.

25F ENGINE AND TRANSMISSION

(1) The design of the engine installation and engine compartment of an omnibus must ensure that no fuel, oil or other combustible materials could accumulate in the engine compartment or drip on to any high temperature surface.

(2) The engine compartment of an omnibus must be lined with, or made of, fire-resistant materials, in a manner that complies with the engine manufacturer's specifications for minimum clearances.

(3) An omnibus may be fitted with a device to restrict the field of swing of a driveshaft in the event of driveshaft failure.

(4) Devices to protect against driveshaft failure must be maintained within safe tolerance of their original condition.

25G FUEL TANK AND FUEL LINES

(1) Fuels for an omnibus or passenger truck and the vehicle's equipment must be carried in permanent fuel tanks.

(2) The design and location of fuel tanks must—

(a) incorporate a device to compensate the internal pressure without fuel overflow and without fuel spillage, even in the case of roll-over of the vehicle, except as specified in Subsection (b);

(b) ensure that any fuel overflow will not accumulate on any part of the vehicle.

(3) Fuel tanks and fuel lines must be—

(a) corrosion-resistant; and

(b) designed and constructed of durable, fuel-resistant material; and

(c) securely mounted; and

(d) reasonably protected from collision damage.

(4) Access to the fuel-tank filling inlet must be from outside the body of the omnibus or passenger truck. Each filling inlet must be provided with a leak-proof cap.

26 EQUIPMENT

(1) If direct communication with the driver of an omnibus or passenger truck is restricted by a partition, obstruction or for some other reason, signalling equipment must be installed to provide the passengers with some other form of communication with the driver in case of emergency.

(2) An omnibus or passenger truck that has more than 12 seating positions must be equipped with fire extinguishers that are appropriate for—

(a) the size of the vehicle; and

(b) the materials used in the construction of the vehicle; and

(c) the type of fuel used.

(3) Every passenger compartment must have at least one fire extinguisher if that passenger compartment has more than 12 seating positions.

(4) Clear and simple operating instructions, in English or with pictorial symbols, must be attached to each fire extinguisher.

(5) One of the fire extinguishers must be located near the driver, and must—

(a) be clearly visible to passengers; or

(b) have clearly visible signage that indicates its location to passengers.

(6) If a fire extinguisher is located within a closed container, the container must—

(a) have a cover that is readily removable or breakable by a passenger; and

(b) clearly display instructions that explain how to access the fire extinguisher in an emergency; and

(c) enable a driver to confirm that the fire extinguisher is present by—

i. being sufficiently transparent to enable a clear view of the fire extinguisher;
or

ii. being equipped with an audible or visual alarm system that alerts the driver if the extinguisher is not in place when the vehicle's engine is running.

(7) A fire extinguisher must be—

(a) inspected regularly as is appropriate for the particular make and model of fire extinguisher, and the date of the inspection must be recorded on or near the fire extinguisher; and

(b) sealed so it is clearly apparent if it has been discharged and needs recharging or replacement.

(8) An omnibus or passenger truck must carry at least one spare inflated tyre in good condition fixed to a rim, spare wheel or other device, capable of being fitted to a wheel or axle and in place of a tyre or wheel removed.

Cf MTR r30(3)

27 REQUIREMENT FOR DUAL REAR WHEELS

A motor vehicle shall not carry more than 18 passengers unless it is equipped with dual rear wheels.

Cf MTR r125V

DIVISION 3 - MAXIMUM WEIGHT AND DIMENSIONS

28 MAXIMUM LENGTH OF VEHICLE

The maximum length of a motor vehicle or vehicle combination shall not exceed—

- (a) in the case of a rigid vehicle, other than a semi-trailer—
 - (i) if the vehicle is used to tow a trailer or semi-trailer – 11.5 metres of which the forward length shall not exceed 8.5 metres; or
 - (ii) if the vehicle is not used to tow a trailer or semi-trailer – 11.6 metres of which the forward length shall not exceed 9.5 metres.
- (b) in the case of an articulated vehicle, 18 metres of which—
 - (i) the maximum length of a semi-trailer shall not exceed 12.5 metres; and
 - (ii) the forward length of a semi-trailer shall not exceed 8.5 metres; and
- (c) in the case of a motor vehicle and trailer, not being an articulated vehicle, 18 metres of which the space between the motor vehicle and trailer shall not exceed 4 metres.

Cf MTR r111

29 MAXIMUM WIDTH OF VEHICLE

The maximum width of a motor vehicle together with any load or equipment thereon shall not—

- (a) exceed 2.55 metres; or
- (b) extend more than 1.275 metres beyond the longitudinal centre line of that vehicle.

Cf MTR r112

30 SIDE OVERHANG

No part of a motor vehicle or its load shall extend sideways more than 300mm from the longitudinal centre line of the outermost tyre.

Cf MTR r113

31 HEIGHT

The maximum height of a motor vehicle together with any load or equipment thereon shall not exceed 4.3 metres.

Cf MTR r114

32 FORWARD PROJECTION

No part of a motor vehicle shall extend more than 3 metres forward from the front edge of the driver's seat.

Cf MTR r115

33 REAR OVERHANG

(1) No part of a motor vehicle shall overhang the rear axis by more than—

- (a) 70% of the wheel base; or
- (b) 4 metres,

whichever is the lesser.

(2) For the purposes of Subsection (1) the wheelbase of a motor vehicle is—

- (a) in the case of a motor vehicle other than an articulated vehicle, the distance from the centre line of the front axle to the rear axis of that vehicle; and
- (b) in the case of an articulated vehicle, the distance from the rear axis of the towing unit to the rear axis of the semi-trailer.

Cf MTR r116

34 PROJECTING LOADS

(1) No load shall project more than 1.5 metres beyond the rear, or the front, of a motor vehicle unless—

- (a) between sunrise and sunset there is affixed to the projecting end of the load a clean, red flag at least 400mm long and 300mm wide; and
- (b) between sunset and sunrise there is carried on the end of the load—
 - (i) projecting rearward, a red marker light; and
 - (ii) projecting forward, a white marker light.

(2) No load shall project more than 3 metres beyond the rear, or the front, of a vehicle unless the written consent of the Authority is first obtained.

Cf MTR r117

35 CERTAIN VEHICLES TO HAVE A MINIMUM POWER TO WEIGHT RATIO

A motor truck that is propelled by a compression ignition engine shall be so constructed that the power of the engine produces at least 4.4 kilowatts for every 1000 kilogram of the gross weight of the vehicle and any trailer or semi-trailer drawn thereby.

Cf MTR r118

36 WEIGHT LIMITATIONS

A person shall not operate a motor vehicle or vehicle combination unless—

- (a) all axles in an axle group, other than axles referred to in Paragraph (e), are equipped with a load sharing suspension system; and
- (b) the weight carried by a single tyre, other than a wide profile tyre, does not exceed 2.8 tonnes; and
- (c) subject to Paragraph (g), the weight carried by a single axle—
 - (i) fitted with single tyres, does not exceed 5.5 tonnes; or
 - (ii) fitted with dual tyres, does not exceed 8.5 tonnes, or the vehicle manufacturer's gross axle load limit, whichever is the lesser; and
- (d) in the case of a tandem axle group—
 - (i) where both axles are fitted with dual tyres—
 - (A) the weight carried by the axle group does not exceed 16 tonnes; and
 - (B) the weight carried by either axle does not exceed 8.5 tonnes; and
 - (ii) where one axle is fitted with dual tyres and the other axle is fitted with single tyres—
 - (A) the weight carried by the axle group does not exceed 12 tonnes; and
 - (B) the weight carried by the axle fitted with dual tyres does not exceed 8.5 tonnes; and
 - (C) the weight carried by the axle fitted with single tyres does not exceed 5.5 tonnes; and
 - (iii) where both axles are fitted with single tyres—
 - (A) the weight carried by the axle group does not exceed 10 tonnes; and
 - (B) the weight carried by either axle does not exceed 5.5 tonnes; and
- (e) in the case of a twin steer axle group—
 - (i) the weight carried by the group does not exceed 10 tonnes; and
 - (ii) the weight carried by either axle does not exceed 5.5 tonnes; and
- (f) in the case of a tri-axle group—
 - (i) where all axles are fitted with dual tyres—
 - (A) the weight carried by the axle group does not exceed 20 tonnes; and
 - (B) the weight carried by any one axle does not exceed 8.5 tonnes; and

- (ii) where all axles are fitted with single tyres or a combination of single and dual tyres–
 - (A) the weight carried by the axle group does not exceed 15 tonnes; and
 - (B) the weight carried by an axle fitted with dual tyres does not exceed 8.5 tonnes; and
 - (C) the weight carried by an axle fitted with single tyres does not exceed 5.5 tonnes; and
- (g) the weight carried by an axle, other than a steering axle, that is fitted with wide profile tyres is equivalent to the weight specified in this Section in respect of axles fitted with dual tyres; and
- (h) the combined axle load of any group of consecutive axles does not exceed the weight specified in Column 2 of Schedule 2 in relation to the axle spacing set out opposite to that weight in Column 1 of that Schedule; and
- (i) the gross weight of the vehicle or vehicle combination does not exceed the weight specified in Column 2 of Schedule 2 in relation to the axle spacing set out opposite to that weight in Column 1 of that Schedule.

Cf MTR r119

37 MAXIMUM PERMISSIBLE GROSS VEHICLE WEIGHT

- (1) The gross vehicle weight (GVW) of a motor vehicle means the maximum loaded weight for which the vehicle is designed–
- (a) as specified by the vehicle’s manufacturer; or
 - (b) as specified by the Authority if–
 - (i) a GVW is not specified by the vehicle’s manufacturer; or
 - (ii) a weight so specified by the vehicle’s manufacturer is no longer appropriate because the vehicle has been modified.
- (2) The maximum permissible gross weight of a motor vehicle shall not exceed the lesser of–
- (a) the gross vehicle weight in accordance with Subsection (1); or
 - (b) the maximum gross weight of the vehicle in accordance with Section 36.

Cf MTR r125T

38 NAME AND WEIGHT TO BE DISPLAYED

The owner of a motor truck shall at all times display, in a conspicuous position on the right-hand side of the truck, in letters and figures at least 50mm high–

- (a) the name and address of the owner of that truck; and
- (b) the word “Tare” or the letter “T” followed by the unladen weight of that truck; and
- (c) the words “Maximum GVW” or the letters “GVW” followed by the maximum permissible gross weight of that truck in accordance with Section 37(2).

Cf MTR r120

39 AUTHORITY MAY LIMIT WEIGHT, HEIGHT ETC

- (1) The Authority may, either generally or in relation to a specified public street or a specified portion of a public street, by notice in the National Gazette, limit–
- (a) the maximum weight, height, length or width of a vehicle; and
 - (b) the distance to be maintained between vehicles, permitted to be driven or towed on that public street.
- (2) As soon as practicable after the publication of a notice under Subsection (1), the Authority shall, at such points on the public street, or on the portion of the public street, to

which the notice relates, as it thinks desirable, cause signs showing the maximum weight, height, length or width specified in that notice, to be erected.

(3) Where, in accordance with—

- (a) Subsection (1), a notice has been published; and
- (b) Subsection (2), a sign has been erected,

a person must not, in contravention of those Subsections, operate or tow a motor vehicle or cause or permit a motor vehicle to be operated or towed on the public street or portion of the public street, the subject of the notice and the sign.

Cf MTR r121

40 WEIGHT WHERE AXLE LOADS MEASURED SEPARATELY

Where a motor vehicle, with or without a load, is weighed at a weighbridge or weighing machine and the axles of that motor vehicle are weighed separately, in groups or both separately and in groups, the sum of the weight of all axles shall be deemed to be the weight of the vehicle with that load or without that load, as the case may be.

Cf MTR r122

41 PROCEDURE FOR WEIGHING, MEASURING ETC

(1) A person who drives or is in charge of a motor vehicle on a public street shall, when requested by a weighbridge officer so to do—

- (a) stop the vehicle; and
- (b) give correctly his or her full name and address; and
- (c) park the vehicle, together with its load (if any) on a portion of a public street or on an area selected by the weighbridge officer; and
- (d) keep the vehicle and its load (if any) stationary in order that its weight or measurement may be ascertained by the weighbridge officer; and
- (e) give such reasonable assistance as the weighbridge officer may require to enable the weight or measurement of the vehicle to be ascertained; and
- (f) produce and deliver to the weighbridge officer any delivery note, bill of lading or other document relating to any load carried on the motor vehicle; and
- (g) to the extent necessary for the vehicle or any part of the vehicle to comply with any weight, height or width restrictions specified in this Rule in respect of that vehicle or any part of that vehicle and that public street or that portion of the public street on which the vehicle is stopped, remove any part of any load carried on the vehicle.

(2) The owner of a motor vehicle is responsible for any damage or loss occasioned by or arising out of the removal from the vehicle of any load under Subsection (1)(g).

Cf MTR r123

42 EVIDENCE OF WEIGHT AND MEASUREMENT

In a prosecution of an offence against this Division, the following may be admitted as evidence of the weight or measurement of the load or of a portion of the load, as the case may be—

- (a) a delivery note, bill of lading or other document, that refers to any load or portion of any load on a motor vehicle; or
- (b) a marking on any load or on a portion of any load, that refers to the weight or measurement of the load, or a portion of the load.

Cf MTR r124

43 APPOINTMENT OF WEIGHBRIDGE OFFICER

- (1) The Authority may, in writing, appoint any person to be a weighbridge officer.
- (2) In this Division, unless the contrary intention appears, “weighbridge officer” includes—
 - (a) a Traffic Enforcement Officer; and
 - (b) any other person appointed by the Authority for the purpose.

Cf MTR r108, 109

44 APPLICATION FOR PERMIT TO EXCEED MAXIMUM WEIGHT AND DIMENSIONS

- (1) The owner or operator of a vehicle may apply to the Authority for a permit to exceed the weight and dimension limits set out in this Division, if the load to be carried is indivisible.
- (2) An application under Subsection (1) shall be in Form 40 of Schedule 1 and shall be accompanied by—
 - (a) a current certificate of registration in respect of each vehicle; and
 - (b) a certificate of roadworthiness for each vehicle issued within seven days before the making of the application; and
 - (c) the fee prescribed in item 42 in Schedule 1 of the Road Traffic (Fees and Charges) Regulation.

45 CONSIDERATION BEFORE GRANT OF PERMIT

- (1) Before deciding whether to grant or refuse an application for a permit to exceed the weight and dimension limits, the Authority shall consider—
 - (a) whether the load cannot reasonably be divided; and
 - (b) whether the vehicle or vehicles are roadworthy; and
 - (c) whether the vehicle is suitable for the type of operation proposed by the applicant or whether a more suitable vehicle could be used without the need for a permit; and
 - (d) the design limits of the public streets, including bridges, on the route applied for; and
 - (e) the safety of other road users; and
 - (f) any other matter relevant to the circumstances.

46 PERMIT TO EXCEED WEIGHT AND DIMENSIONS

- (1) Subject to Section 45, the Authority may issue a permit to exceed the weight and dimension limits set out in this Rule.
- (2) A permit under Subsection (1)—
 - (a) must be in accordance with Form 41 of Schedule 1; and
 - (b) may be granted for a single trip or more than 1 trip within a specified period; and
 - (c) must designate the public streets to be traversed; and
 - (d) must specify the weight and dimensions for the vehicle and load, which must come within the design limits of the public streets to be traversed; and
 - (e) may contain such other conditions and provisions and require such undertaking or security as the Authority thinks necessary for protecting a public street from damage and securing the payment to the State of any damage caused to a public street by reason of the use of the vehicle for which the exemption is granted.
- (3) A permit granted under Subsection (1) shall—
 - (a) at all times, be carried in the vehicle in respect of which it is granted; and
 - (b) be produced by the driver or person in charge of the motor vehicle, upon request, to a Traffic Enforcement Officer or a weighbridge officer.

(4) A person who operates a vehicle in accordance with a permit under Subsection (1) shall pay to the State the amount of any damage caused to a public street by reason of the use of that vehicle on that street.

(5) An amount due under Subsection (4) may be recovered by the State as a debt.

Cf MTR r110

DIVISION 4 - BRAKES AND LIGHTS

SUBDIVISION 1 - BRAKES

47 BRAKES ON MOTOR VEHICLES

- (1) A motor vehicle, other than a motor cycle, motor tricycle, trailer, forklift, tractor, or vehicle listed in Section 48B must be equipped with two independent brakes, one being a service brake and the other being a parking brake.
- (2) The service brake on a motor cycle, motor car, omnibus, passenger truck, and motor truck with a gross vehicle weight not exceeding 3,500 kg shall act on each wheel of the vehicle.
- (3) The parking brake must act on at least one complete axle.
- (4) Where dual wheels are fitted, the parking brake must act on at least one axle that has dual wheels.
- (5) Subject to Subsection (5), a person shall not operate a motor vehicle (including a motor vehicle to which a trailer is attached), whether that motor vehicle is laden or unladen, unless—
 - (a) upon a hard, dry, level roadway that is free of loose material; and
 - (b) without assistance from the compression of the engine; and
 - (c) from a speed of 30 km/h—
 - (i) the service brake is capable of bringing the vehicle to a standstill within a distance of seven metres; and
 - (ii) the parking brake is capable of bringing the vehicle to a standstill within a distance of 18 metres and of holding the vehicle at rest on a grade of 1 in 5.
- (6) In the case of a motor vehicle with a service brake designed to act on fewer than four wheels of the vehicle, the service brake shall, from a speed of 30 km/h, be capable of bringing the vehicle to a standstill within a distance of nine metres.
- (7) A service brake shall be able to be applied in a controlled and progressive manner.
- (8) A brake that simultaneously applies braking pressure on two wheels that have a common axle shall be so adjusted that the braking pressure is approximately the same on each wheel.
- (9) When a vehicle's brake is applied—
 - (a) the vehicle or its controls must not vibrate to the extent that control of the vehicle is adversely affected; and
 - (b) the braking effort on each braked wheel of the vehicle must provide stable and efficient braking without adverse effect on the directional control of the vehicle; and
 - (c) if the vehicle is equipped with an anti-lock braking system, the vehicle's wheels must not lock, other than when the speed of the vehicle falls below the anti-lock braking system activation parameters of the vehicle manufacturer.
- (10) Every part of a braking system (including any mechanism fitted thereto for the purpose of operating the system) shall, at all times be maintained in good and efficient working order and be properly adjusted.

Cf MTR r125A

47A BRAKES ON HEAVY VEHICLES

- (1) A motor truck that has a gross vehicle weight exceeding 12,000 kg shall have a service brake, a parking brake and an emergency brake.
- (2) The service brake shall comply with Section 47 (3) to (9).
- (3) The service brake on a motor truck that has a gross vehicle weight exceeding 12,000 kg, manufactured on or after 1 January 2000, shall operate on each wheel of the vehicle.
- (4) An engine brake or a driveline retarder, if fitted in a vehicle, shall be designed and

constructed so that it does not cause the drive axle wheels of the vehicle to lock.

(5) The parking brake of a motor truck that has a gross vehicle weight exceeding 12,000 kg, manufactured on or after 1 January 2000, shall act on at least 40 percent of the wheels of the vehicle.

(6) The parking brake of a motor truck that has a gross vehicle weight exceeding 12,000 kg, whether or not the vehicle is operated as a combination vehicle, shall be able to be applied by the driver from the normal driving position using one control only.

(7) The parking brake of a motor truck that has a gross vehicle weight exceeding 12,000 kg, other than a semi-trailer, must, at any load condition up to the gross vehicle weight or gross combination weight, as applicable, be capable of—

- (a) stopping the vehicle within a distance of 18 metres from a speed of 30 km/h; and
- (b) holding the vehicle stationary on a slope of 18 percent whether facing uphill or downhill.

(8) The emergency brake of a motor truck that has a gross vehicle weight exceeding 12,000 kg shall—

- (a) act on at least one-third of the wheels; and
- (b) act as directly as practicable on those wheels without the interposition of any differential gearing; and
- (c) be capable of stopping the vehicle at any load condition up to the gross vehicle weight or gross combination weight, as applicable, within a distance of 18 metres from a speed of 30 km/h.

(9) The emergency brake of a motor truck that has a gross vehicle weight exceeding 12,000 kg, manufactured on or after 1 January 2000, that is combined with the service brake or with a parking brake that acts on the transmission must have dual circuits.

(10) A motor truck that has a gross vehicle weight exceeding 12,000 kg that utilizes compressed air to apply the brakes shall be equipped with compressors and receivers capable of providing—

- (a) before the low pressure warning operates, a maximum of five full applications; and
- (b) thereafter, at least two full applications.

(11) A compressor referred to in Subsection (10) shall, in not more than 1½ minutes starting the moment the pressure of the brake system falls after the maximum applications referred to in Subsection (10), be capable of raising the pressure in the system to the point at which the compressor unloads.

(12) A receiver referred to in Subsection (10) shall—

- (a) be fitted with a gauge that is readily visible to a driver in his or her normal driving position; and
- (b) be equipped with an audible low pressure warning device.

(13) Where a motor vehicle utilizes compressed air to apply the brakes, the brake system shall be so protected that the operation of auxiliaries cannot lower the pressure, in any line or receiver, below two thirds of its maximum operational setting.

(14) Where a motor truck that has a gross vehicle weight exceeding 12,000 kg—

- (a) utilizes compressed air to apply the brakes; and
- (b) is used to tow a trailer that is required to be equipped with brakes,

that motor vehicle shall be so equipped that if the trailer becomes disengaged from the motor vehicle the brakes of the motor vehicle remain fully operative.

(15) Where a motor vehicle utilizes compressed air or vacuum to apply the brakes, the hose or other flexible tubing forming part of the brake lines shall be of a make or kind designed for the purpose.

48 BRAKES ON TRAILERS

- (1) A trailer, the weight of which together with its load exceeds 2,000 kg shall be equipped with a service brake—
 - (a) able to be readily applied by the driver from his or her normal driving position; and
 - (b) that acts on each wheel of at least one axle of the trailer.
- (2) A trailer, the gross vehicle weight of which exceeds 10,000 kg, shall be equipped with a service brake that acts on each wheel of the trailer.
- (3) The trailer's service brake, in conjunction with the towing vehicle's service brake, shall be capable of stopping the combination of towing and towed vehicles within a distance of seven metres from a speed of 30km/h.
- (4) Subject to Subsection (9), a trailer, the weight of which together with its load exceeds 2,500 kg, shall be equipped with a parking brake that acts on at least one complete axle, in accordance with Section 47 (5)(c)(ii).
- (5) Subject to Subsection (9), a trailer, the gross vehicle weight of which exceeds 10,000 kg, shall be equipped with a parking brake—
 - (a) able to be readily applied by the driver from his or her normal driving position using one control only; and
 - (b) in the case of a trailer first registered anywhere on or after 1 January 2000, that acts on at least 40% of the wheels of the trailer.
- (6) Subject to Subsection (9), a trailer, the gross vehicle weight of which exceeds 10,000 kg, shall be equipped with an emergency brake that acts on at least one-third of the wheels.
- (7) The emergency brake referred to in Subsection (5) must operate immediately and automatically to stop and hold the trailer stationary if the trailer becomes disconnected from the towing vehicle.
- (8) The emergency brake of a semi-trailer shall, as far as is practicable, act on the wheels that remain in contact with the ground if the semi-trailer becomes disconnected from the towing vehicle during operation.
- (9) Subsections (4) to (6) do not apply to a trailer that—
 - (a) forms part of an articulated vehicle; and
 - (b) is not capable of being separately parked.
- (10) A trailer fitted with compressed air brakes shall be provided with separate air receivers and break-away hoses and valves designed to apply the trailer brakes automatically if the trailer becomes disengaged from the motor vehicle to which it was attached.

Cf MTR r125A

48A BRAKES ON MOTOR CYCLES AND MOTOR TRICYCLES

- (1) A motor cycle, with or without a sidecar attached, shall be equipped with two service brakes, one acting on each wheel.
- (2) The service brakes on a motor cycle shall comply with Sections 47(3), (8) & (9).
- (3) A motor tricycle shall be equipped with one single braking system having two independent means of operation, operating on at least two wheels.
- (4) The brake on a motor tricycle shall comply Sections 47(3), (8) & (9).

48B BRAKES ON OTHER VEHICLES

- (1) A forklift shall have a service brake that is capable of stopping the forklift within a distance of—
- (a) 10 metres when fully laden, or 9 metres when unladen, from a speed of 30 km/h; or
 - (b) 6 metres when fully laden, or 4 metres when unladen, from a speed of 20 km/hr, if the forklift has a maximum speed of less than 30 km/h; or
 - (c) 6 metres when fully laden, or 4 metres when unladen, from the vehicle's maximum speed, if the forklift has a maximum speed of less than 20 km/h.
- (2) A forklift shall have a parking brake that is capable of holding the forklift at rest when—
- (a) fully laden on a slope of 1 in 10; or
 - (b) unladen on a slope of 1 in 6.
- (3) A tractor shall have a service brake provided by the manufacturer that is maintained at all times within a safe tolerance of its state when manufactured.
- (4) A tractor manufactured on or after 1 January 2000 that has a maximum speed of less than 40 km/h must have a service brake that:
- (a) acts on the wheels that are intended to provide traction; and
 - (b) is capable of stopping the tractor within a distance of 7 metres from a speed of 30 km/h; or
 - (c) has a braking efficiency equivalent to (b), if the tractor is not capable of exceeding a speed of 30km/h.
- (5) The following vehicles do not have to comply with Sections 47(1) and (3).
- (a) a vehicle propelled by steam power;
 - (b) a vehicle, including a crane and an excavator, fitted with self-laying tracks;
 - (c) a tractor or machine used solely for agricultural or road construction purposes and not capable of a speed exceeding 30 km/h, together with any trailer used only on a road while drawn by that tractor or machine.
- (6) Vehicles in Subsection (5) shall have a means by which the driver of the vehicle can control its movement and can stop and hold the vehicle stationary under normal conditions of use.

SUBDIVISION 2 - COMPULSORY LIGHTS

49 USE OF LIGHTS

- (1) A person shall not operate a motor vehicle unless—
- (a) that motor vehicle is equipped with the lamps and reflectors specified in this Subdivision; and
 - (b) those lamps and reflectors are maintained in a clean and serviceable condition; and
 - (c) between sunset and sunrise, the lamps specified in this Subdivision display lights in the manner specified.
- (2) A person shall not park or leave a motor vehicle on a public street between the hours of sunset and sunrise unless—
- (a) that motor vehicle displays—
 - (i) a red light from a rearward facing tail lamp; and
 - (ii) forward facing side lamp,on the side of the vehicle that is closer to the middle of the road; or
 - (b) that motor vehicle—
 - (i) is lighted from an artificial source, other than from the motor vehicle; and
 - (ii) is clearly visible at a distance of 100 metres.
- (3) repealed.

(4) A person who drives a motor vehicle on a public street between the hours of sunset and sunrise shall—

- (a) when the motor vehicle is within 200 metres—
 - (i) of another vehicle travelling in the opposite direction; or
 - (ii) of another vehicle travelling in the same direction and in front of the first mentioned motor vehicle; or
- (b) when approaching the brow of a hill or an intersection; or
- (c) when the traffic is under the control of a Traffic Enforcement Officer, dip, and keep in the dipped position, the lights from the head lamps.

(5) Except as provided by Section 55, a person shall not drive a motor vehicle that displays—

- (a) towards the front any light, or reflecting surface, that is red in colour; or
- (b) towards the rear any light that is not red or amber in colour.

(6) A person must not leave a motor vehicle parked with the vehicle's headlights lit.

Cf MTR r94

50 HEADLIGHTS

(1) Subject to Subsection (2), a motor vehicle, other than a trailer, must be equipped with, and have attached—

- (a) two headlights; or
- (b) a dual headlight system comprising four headlights in two sets, each set—
 - (i) comprising two headlights; and
 - (ii) located equidistant from the centre line of the motor vehicle and at equal height from the ground.

(2) A motor cycle and a motor tricycle must be equipped with, and have attached, at least one, but not more than two, headlights.

(3) Each headlight must—

- (a) be of approximately equal light output; and
- (b) when lit, display lights substantially white in colour; and
- (c) except in the case of a motor cycle, be placed on each side of the vehicle in such a way that each headlight directs a beam of light ahead of the vehicle; and
- (d) display a beam of light of sufficient power to enable substantial objects and the nature of the road surface to be clearly visible during the hours of darkness under normal driving and weather conditions to a driver of normal vision at a distance of at least 50 metres directly in front of the vehicle; and
- (e) be focused and adjusted so that under all conditions of use the centre of the main beam of light from each headlight does not rise above a horizontal plane when the vehicle is on a horizontal surface.
- (f) be focused and adjusted so that when the vehicle's front wheels are pointing in the straight-ahead position, the centre-line of the beam of light emitted from the headlight is projected either parallel to, or to the left of, the longitudinal centre-line of the vehicle.

(4) A main-beam headlight must be able to be dipped or extinguished from the driver's seating position.

(5) A motor vehicle must comply with—

- (a) the angle of dip specification in the approved vehicle standard that is applicable to that vehicle; or
- (b) the requirements in Subsections (6) and (7).

(6) The vertical inclination of the centre-line of the light beam of a symmetric dipped-beam headlamp must be between 3% and 3.5%.

(7) The vertical inclination of the cut-off of the light beam of an asymmetric dipped-beam headlamp must be within the limits—

- (a) where the height of the centre of the headlamp lens is less than or equal to 0.8m—between 1% and 1.5%;
- (b) where the height of the centre of the headlamp lens is between 0.8m and 1.2m—between 1% and 2%;
- (c) where the height of the centre of the headlamp lens is greater than 1.2m—between 2% and 2.5%;

(8) A warning device that is designed to indicate that the main-beam headlamp is in operation must, if fitted, be in good working order.

(9) In this Section references to dipping the headlamps are references to the control of the headlamps attached to a motor vehicle so that—

- (a) the beams from all headlamps assume a dipped position; and
- (b) for a dual system of headlamps— one lamp in each set is extinguished and the other lamps assume a dipped position.

Cf MTR r95

51 FORWARD FACING POSITION LIGHTS

(1) Subject to Subsection (3), a motor vehicle other than a motor cycle or a trailer the width of which does not exceed 1.5 metres, must be fitted with two forward facing side lights one of which must be fitted on each side of the front of the vehicle.

(2) The distance to the vertical centre line of a forward facing light must not, when measured from the outer extremity of a motor vehicle, exceed 300mm.

(3) A side car attached to a motor cycle must be fitted with a forward facing side light at the front of the side car at a distance not exceeding 300mm from the extremity of the side car furthest from the motor cycle.

(4) When lit, a forward facing side light must—

- (a) display a beam of light white or amber in colour; and
- (b) not exceed 7 watts in capacity; and
- (c) in clear weather, during the hours of darkness, be visible from a distance of 200 metres.

(5) A forward facing side light must not be mounted higher than 1.5 metres from the ground.

cf MTR r96

52 SIDE MARKER LIGHTS

(1) A motor vehicle that exceeds 7.5 metres in length—

- (a) must be fitted on each side with one side marker light at a point approximately one-third along the vehicle measured from the rear; and
- (b) may be fitted on each side with more than one side marker light in addition to those in (a).

(2) The light emitted from a side marker lamp shall be—

- (a) substantially white or amber towards the front of the vehicle; and
- (b) substantially red or amber towards the rear of the vehicle; and
- (c) visible from a distance of 100 metres in daylight and from a distance of 200 metres during the hours of darkness.

cf MTR r97

53 REARWARD FACING POSITION LIGHTS (TAIL LIGHTS)

- (1) A motor vehicle that exceeds 1.5 m in width must be fitted with at least one pair, and not more than two pair, of tail lights.
- (2) A motor cycle, or other motor vehicle that is less than 1.5m in width, must be fitted with at least one tail light.
- (3) A tail light must display a red light which—
 - (a) must not exceed 7 watts in capacity; and
 - (b) must, in clear weather, during the hours of darkness, be visible from a distance of 200 metres.
- (4) A tail light fitted to motor cycle must be mounted—
 - (a) in the centre rear of the motor cycle; or
 - (b) on the right side at the rear
- (5) A tail light fitted to motor vehicle other than a motor cycle must—
 - (a) be mounted one each side of the centre line at the rear of the vehicle; and
 - (b) not be more than 300mm from the outer extremity of the vehicle.
- (6) A tail light must be mounted no higher than 1.5 metres from the ground.

cf MTR r98

54 STOP LIGHTS

- (1) A motor vehicle, other than a motor cycle, must be fitted with at least one pair of stop lights.
- (2) A motor cycle must be fitted with at least one stop light.
- (3) A stop light must—
 - (a) operate when a service brake is activated; and
 - (b) display diffused light that is substantially red; and
 - (c) in clear weather, during the hours of darkness, be visible from a distance of 100 metres to the rear of the vehicle.
- (4) Stop lights fitted to a motor vehicle other than a motor cycle must—
 - (a) be mounted one each side of the centre line at the rear of the vehicle; and
 - (b) not be more than 300mm from the outer extremity of the vehicle.
- (5) A stop light fitted to a motor cycle must be mounted—
 - (a) in the centre rear of the motor cycle; or
 - (b) on the right side at the rear.
- (6) A stop light must be mounted at a height not exceeding 1.5 metres from the ground, or at a height not exceeding 2.1 metres from the ground if the shape of the bodywork of the vehicle makes it impractical to comply with the 1.5 metre height restriction.
- (7) A motor vehicle, other than a motor cycle or a trailer, manufactured on or after 1 January 2000 must be fitted with at least one high-mounted stop light.
- (8) A high-mounted stop light must:
 - (a) be fitted in a central position at the rear of the vehicle so that no part of its illuminated area is lower than 150 mm below the bottom edge of the rear window of the vehicle; and
 - (b) operate when a service brake is activated.; and
 - (c) display diffused light that is substantially red.

cf MTR r99

55 REAR NUMBER PLATE LIGHT

- A motor vehicle must be fitted with a rear number plate light that—
- (a) illuminates the figures and letters of the rear number plate so that they are clearly visible from a distance of 20 metres; and

- (b) does not emit beams of light such that they are visible from the rear of the vehicle;
- (c) is white in colour.

cf MTR r100

56 REAR REFLECTORS

- (1) A motor vehicle, other than a motor cycle, must be equipped with at least two rear reflectors as nearly as practicable towards the rear corners of the vehicle.
- (2) A motor cycle must be equipped with at least one rear reflector mounted at the rear of the motor cycle.
- (3) A rear reflector must—
 - (a) reflect white light shining on it as substantially red; and
 - (b) be mounted at a height not exceeding 1.5 metres from the ground, or at a height not exceeding 2.1 metres from the ground if the shape of the bodywork of the vehicle makes it impractical to comply with the 1.5 metre height restriction.
- (4) A rear reflector fitted to a heavy goods vehicle must have an area of not less than 30cm².

cf MTR r101

57 DIRECTION INDICATOR LIGHTS

- (1) Subject to Subsections (4) and (8), a motor vehicle manufactured on or after 1 January 1990, other than a trailer, must be equipped with, and have attached at the front and rear of the vehicle, at least one pair of flashing direction indicator lamps.
- (2) A trailer must be equipped with, and have attached at the rear, at least one pair of flashing direction indicator lamps.
- (3) Flashing direction indicator lamps must—
 - (a) be capable of signalling the intention of a driver of the vehicle to turn to the right or to the left; and
 - (b) be mounted at a height not exceeding 1.5 metres from the ground, or at a height not exceeding 2.1 metres from the ground if the shape of the bodywork of the vehicle makes it impracticable to comply with the 1.5 metre limit; and
 - (c) be fitted in such a way that:
 - (i) the lamp to indicate a right turn is near the right of the vehicle; and
 - (ii) the lamp to indicate a left turn is near the left of the vehicle; and
 - (d) for a forward facing lamp - display a light that is substantially white or amber; and
 - (e) for a rearward facing lamp, display a light that is substantially red or amber; and
 - (f) when lit, display a light that is visible in normal daylight at a distance of not less than 100 metres and during the hours of darkness from a distance of 200 metres; and
 - (g) be so connected that a failure of any lamp is indicated to the driver by a device that is visible from the normal driving position; and
 - (h) begin to flash no later than one second after the controlling switch is operated and shall flash constantly at a fixed frequency in the range of 1 to 2 cycles per second.
- (4) A motor vehicle that exceeds 7.5 metres in length must be equipped with an additional flashing direction indicator lamp mounted on each side at or near the front of the vehicle.
- (5) A motor vehicle may be fitted with a switch that causes flashing direction indicator lamps to flash simultaneously to indicate that the vehicle—
 - (a) has been immobilised by a mishap; or
 - (b) is stationary at the site of a temporary hazard to traffic.

(6) The driver of a motor vehicle must disengage a flashing direction indicator lamp signal if the signal is likely to mislead a pedestrian, a Police Officer directing traffic, a person authorised by the Authority, or the driver of another vehicle.

(7) A person who operates a motor vehicle shall ensure that any flashing direction indicator lamp signalling device installed in the vehicle is maintained in good and effective working condition.

(8) Subsections (1) and (2) of this Section do not apply to a motor tractor or mobile machine the construction, loading or intended loading of which does not prevent a satisfactory arm signal being seen by the driver of a vehicle travelling behind the motor tractor or mobile machine, as the case may be.

cf MTR r102

SUBDIVISION 3 - OPTIONAL LIGHTS

58 AUXILIARY HEADLIGHTS

(1) A motor vehicle, other than a trailer, may, in addition to the headlights required under this Rule, be equipped with one or more auxiliary headlights that shall be mounted in a permanently dipped position.

(2) Where a motor vehicle is equipped with one only auxiliary headlight, that auxiliary head light shall be so connected electrically that when lit the side lights or dipped headlights are simultaneously lit.

(3) Where a motor vehicle is equipped with an auxiliary headlight that auxiliary headlight shall be mounted below the horizontal centre line of the compulsory headlight.

(4) Where a motor vehicle is equipped with two or more auxiliary headlights, those headlights—

(a) shall be mounted at an equal distance from the centre line of the vehicle; and

(b) shall be mounted at an equal height from the ground; and

(c) shall be so mounted that the centre of each auxiliary headlight is no higher than the centre of the compulsory headlights fitted to the vehicle.

(5) An auxiliary headlight shall, when lit, display light that is white or amber in colour.

cf MTR r103

59 ROTATING OR FLASHING LIGHTS

(1) The Authority may, in respect of a particular motor vehicle or a class of motor vehicles, grant approval for that motor vehicle, or class of motor vehicles, as the case may be, to be equipped with one or more lights capable of displaying a rotating or flashing light.

(2) Subject to Subsection (3), a light referred to in Subsection (1) shall not be used unless the motor vehicle—

(a) is stationary and in a hazardous position; or

(b) is moving at a speed not exceeding 10 km/h in hazardous conditions.

(3) In the case of an ambulance, fire fighting vehicle or police vehicle, a light referred to in Subsection (1) may be used when the vehicle is being driven for urgent purposes arising from an accident, a fire or other emergency.

(4) A light referred to in Subsection (1) shall be of such colour as the Authority may approve.

cf MTR r104

60 INTERIOR LIGHTS

A motor vehicle may be equipped with one or more lights, not exceeding 6 watts in capacity, to illuminate the interior of the vehicle.

cf MTR r105

61 REVERSING LIGHTS

A motor vehicle may be equipped with not more than two lights that—

- (a) display towards the rear of the vehicle beams of light that are white, or amber, in colour; and
- (b) are so connected that they operate only when the reverse gear is engaged.

cf MTR r106

62 AUXILIARY STOP LIGHT

A motor vehicle may, in addition to the stop lights referred to in Section 53, be equipped with not more than two auxiliary stop lights situated within the rear window of the motor vehicle and which shall, when lit, display a red light.

cf MTR r106A

63 ILLUMINATED VEHICLE MOUNTED SIGNS

An illuminated sign fitted to a motor vehicle must—

- (a) only emit a light that is diffuse; and
- (b) not dazzle, confuse, or distract other road users when operated; and
- (c) not display a variable or moving message unless the sign is—
 - (i) a destination sign on an omnibus; or
 - (ii) a variable message sign on a vehicle that is operated by a Traffic Enforcement Officer.

64 OTHER OPTIONAL LIGHTING EQUIPMENT

A person must not affix, or cause or permit to be affixed, to a motor vehicle, a light other than those prescribed in Sections 50 to 62 unless the light—

- (a) is in a fixed position on the vehicle; and
- (b) is so positioned that no part of the light source is located within 250mm of a light required by this Rule; and
- (c) only emits light that is diffuse; and
- (d) does not emit light that flashes or otherwise varies in intensity or colour; and
- (e) does not revolve, rotate or otherwise move; and
- (f) does not dazzle, confuse or distract other drivers or other road users; and
- (g) does not cause confusion as to the orientation of the vehicle.

DIVISION 5 - INSPECTION AND TESTING OF MOTOR VEHICLES

SUBDIVISION 1 - VEHICLES TO BE INSPECTED AND CERTIFIED ON IMPORT

64A AGE OF VEHICLES AT TIME OF IMPORT

The age of a motor vehicle at the time of import into Papua New Guinea must not be more than—

- (a) for vehicles with a gross vehicle weight not exceeding 3,500 kg— 5 years; and
- (b) for other vehicles— 15 years,

from the date of first registration in any country.

64B VEHICLES TO BE CHECKED FOR COMPLIANCE AT TIME OF IMPORT

(1) All motor vehicles must be certified as complying with this Rule on import into Papua New Guinea.

(2) A used motor vehicle imported from Japan, New Zealand, Singapore, or the United Kingdom must be inspected by an inspecting agent approved by the Authority prior to export from that country.

(3) The inspection referred to in Subsection (2) must include verification of the odometer reading.

(4) A used motor vehicle from a country other than those in Subsection (2) shall be subject to inspection and certification by the Authority upon arrival in Papua New Guinea.

SUBDIVISION 2 - VEHICLES TO BE INSPECTED AND TESTED IN-SERVICE

65 VEHICLES TO BE TESTED FOR ROADWORTHINESS

(1) The owner of a motor vehicle must present the vehicle every 6 months at an authorised inspection station to have the vehicle inspected and tested in accordance with Section 69.

(2) A person must not operate a motor vehicle on a public street unless the vehicle displays a current safety sticker issued in accordance with Section 70.

(3) It is a defence to a charge under Subsection (2) if the person charged proves to the satisfaction of the court that the motor vehicle was being operated solely for the purpose of obtaining a certificate of roadworthiness and a safety sticker.

Cf MTR r25B (10) & (11)

66 INSPECTION AND TESTING OF CERTAIN VEHICLES

(1) If a Traffic Enforcement Officer or other person authorized by the Authority has reasonable cause to suspect that a vehicle—

- (a) has been involved in an accident; or
- (b) has been driven on a road recklessly or at a speed or in a manner that is dangerous to the public; or
- (c) has been stolen or taken without the consent of the owner,

and that vehicle is on any land or premises, he or she may enter the land or premises and search for the vehicle and examine the vehicle if found.

(2) If a Traffic Enforcement Officer or other person authorized by the Authority has reasonable cause to suspect that a motor vehicle does not comply with any requirement of this Rule, he or she may—

- (a) require the owner or the person in charge of the vehicle to produce it to him or her or to a person named by him or her for the purpose of being tested; and
- (b) for that purpose remove the vehicle to the nearest convenient place where it can be tested; and

- (c) detain the vehicle for such time as is necessary for testing it.
- (3) When required under Subsection (2)(a) to produce a motor vehicle, the owner or person in charge of the vehicle must produce the vehicle and the key or other device necessary for starting the engine.

Cf MTR r125X

67 DEFECT NOTICES AND LABELS

(1) If a Traffic Enforcement Officer, or other person authorized by the Authority, finds on examining a motor vehicle that—

- (a) it is not suitable for safe use; or
- (b) it does not, or its parts and equipment do not, comply with a provision of this Rule,

he or she may issue to the owner or person in charge of the vehicle a defect notice in Form 27.

(2) Where a person issues a defect notice under Subsection (1), he or she shall affix a defect-label in Form 27A to the windscreen or other convenient part of the vehicle in question.

(3) A person must not act contrary to the directions contained in Part A of a defect notice issued under Subsection (1).

(4) A person, other than a Traffic Enforcement Officer or other person authorized by the Authority, must not remove, alter or deface a defect notice issued under Subsection (1).

Cf MTR r125Y

SUBDIVISION 3 - AUTHORISED INSPECTION STATIONS

68 APPOINTMENT OF AUTHORISED INSPECTION STATIONS

(1) The owner of a motor vehicle distributorship, a motor vehicle repair shop or other premises may apply to the Authority for the premises to be appointed an authorized inspection station.

(2) The application must be—

- (a) in accordance with the Form 10 of Schedule 1; and
- (b) accompanied by—
 - (i) a description of the facilities and equipment to be used for inspection and testing motor vehicles of different classes;
 - (ii) a list of people competent to issue a certificate of roadworthiness and evidence of their motor mechanic qualifications; and
 - (iii) the fee prescribed in item 43 of Schedule 1 of the Road Traffic (Fees and Charges) Regulation.

(3) The Authority may, by notice in writing addressed to the applicant, appoint premises as an authorized inspection station and approve testing officers, only if it is satisfied that the premises, owners and operators of the premises, the testing officers, and the facilities and equipment comply with the standards, criteria and conditions issued by the Authority from time to time.

Cf MTR r25A

68A ANNUAL OPERATING LICENCE

(1) The owner or operator of an authorised inspection station must not—

- (a) inspect or test motor vehicles; or
- (b) cause or permit another person to inspect or test motor vehicles,

unless the owner or operator holds an annual operating licence to inspect and test motor vehicles.

(2) The owner or operator of an authorised inspection station may apply to the Authority for an annual operating licence accompanied by the fee as prescribed in Schedule 1 of the Road Traffic (Fees and Charges) Regulation.

69 IN-SERVICE INSPECTION AND TESTING

(1) The authorised inspection station must, on payment of the appropriate fee, inspect and test a motor vehicle presented at the station for inspection and testing.

(2) The inspection and testing of a motor vehicle under this Rule must be conducted by a testing officer approved by the Authority, in accordance with the standards, criteria, conditions and procedures issued by the Authority from time to time.

(3) The fee for inspection and testing must not exceed the fee prescribed in item 44 of Schedule 1 of the Road Traffic (Fees and Charges) Regulation for that vehicle.

Cf MTR r25B(2) & (3)

70 ISSUE OF CERTIFICATE OF ROADWORTHINESS AND SAFETY STICKER

(1) The testing officer may, only if satisfied that a motor vehicle complies with the requirements of Divisions 2, 3 and 4 of this Rule, and on payment of the fee for inspection and testing, issue to the person presenting the vehicle—

(a) a certificate of roadworthiness in accordance with Form 10A of Schedule 1 signed by the testing officer; and

(b) a safety sticker in accordance with Form 10B of Schedule 1.

(2) A certificate of roadworthiness and safety sticker issued under this Section are current for a period of six months.

(3) A person to whom a safety sticker is issued under this Section must immediately securely affix the sticker to the windscreen, or other conspicuous place on the motor vehicle, such that the sticker will remain fixed in that position for the currency of the certificate of roadworthiness.

Cf MTR r25B(2) & (6)

71 REFUSAL TO ISSUE CERTIFICATE OF ROADWORTHINESS AND SAFETY STICKER

(1) If, after inspecting and testing a motor vehicle, a testing officer refuses to issue a certificate of roadworthiness in respect to the vehicle, an aggrieved person may apply to the Authority to review the decision.

(2) If the review is allowed, the Authority may—

(a) arrange for an examination and testing of the vehicle; and

(b) arrange to conduct the inspection and testing using equipment and facilities approved by the Authority, at a time to be agreed; and

(c) grant or refuse a certificate of roadworthiness; and

(d) if a certificate of roadworthiness is granted, authorize the issue of a safety sticker.

(3) If a testing officer refuses to issue a certificate of roadworthiness and safety sticker after an initial inspection and testing at an authorised testing station, no further fee or charge is payable for any subsequent inspections or tests of that vehicle, at that station, for the purpose of the issue of a certificate of roadworthiness and safety sticker, during a period of 30 days from the date of the initial inspection and testing.

Cf MTR r25B(5)

72 DUTIES OF OWNERS AND OPERATORS OF AUTHORISED INSPECTION STATIONS

The owner and operator of an authorised inspection station must—

- (a) maintain the station, equipment and facilities to the standard issued by the Authority from time to time; and
- (b) display, at all times and in a prominent position at or near the station, a sign bearing only the words "Authorised Inspection Station" in legible letters not less than 50 mm in height, in the English language and such other language or languages as may be directed by the Authority; and
- (c) provide and ensure at all reasonable times, during ordinary working hours, courteous and efficient service for persons presenting vehicles for inspection and testing for roadworthiness; and
- (d) ensure the close supervision of all testing officers; and
- (e) advise the Authority of any change or proposed change of name, location or ownership of the authorized inspection station or the approved testing officers; and
- (f) maintain such records and furnish such returns and information as to inspections and tests conducted by the approved testing officers as are reasonably required by the Authority; and
- (g) be of such character as approved by the Authority from time to time.

Cf MTR r25C(1)

73 INSPECTION OF AUTHORISED INSPECTION STATIONS

(1) A person authorised by the Authority for the purpose may, at all reasonable times—

- (a) enter and inspect an authorized inspection station and the equipment and facilities in the station; or
- (b) inspect and take copies from or extracts of any records maintained in accordance with Section 72(1)(f); or
- (c) require any person to give any information or to produce any document in his or her possession or under his or her control relating to the conducting of inspections and tests for roadworthiness.

(2) A person must not—

- (a) hinder or obstruct a person authorised by the Authority for the purpose in the exercise or performance of his or her powers or functions under this Section; or
- (b) refuse or fail to comply with a requirement under Subsection (1), or knowingly give false or misleading information in answer to such a requirement.

Cf MTR r25D

74 REVOCATION OF APPOINTMENT AS AUTHORISED INSPECTION STATION

The Authority may, after 14 days written notice to the owner or operator of an authorised inspection station, revoke its appointment, or the approval of a testing officer, under Section 68 where—

- (a) following investigation by the Authority, the authorised inspection station is found to have issued a certificate of roadworthiness or safety sticker to a motor vehicle that was not roadworthy in accordance with this Rule; or
- (b) the authorised inspection station is found to be in breach of maintenance and service standards as issued by the Authority; or
- (c) the authorised inspection station is found to be in breach of this Rule.

Cf MTR r25E

75 VEHICLE INSPECTION OFFENCES

A person must not—

- (a) purport to own or operate an authorised inspection station in circumstances where the premises are not currently authorised under Section 68; or
- (b) purport to issue a certificate of roadworthiness or a safety sticker in circumstances where the premises are not currently authorised under Section 68; or
- (c) issue a certificate of roadworthiness or a safety sticker when not an approved testing officer; or
- (d) represent, or cause or permit a person to represent to another person, that any repair or adjustments to a vehicle shown to be necessary or desirable by an inspection or test for roadworthiness are required to be made at that authorised inspection station.
- (e) issue a certificate of roadworthiness in respect of a vehicle without first inspecting and testing that vehicle in accordance with this Rule.

Cf MTR r25C(1) & r25F

DIVISION 6 - MISCELLANEOUS OFFENCES

75A INTERFERENCE WITH CHASSIS, ENGINE AND VEHICLE IDENTIFICATION NUMBERS

(1) A person must not remove, erase, alter, deface, obscure, destroy or obliterate a chassis number or engine number or VIN.

(2) A person must not sell or offer for sale a motor vehicle formerly affixed with a chassis number, or motor vehicle engine formerly affixed with an engine number, that does not have an engine or chassis number or on which the number has been removed, erased, altered, defaced, obscured, destroyed or obliterated.

76 INTERFERENCE WITH WEIGHING DEVICE

A person must not, without reasonable excuse, tamper or interfere with any part of a weighbridge or weighing machine.

Cf MTR r125

77 OFFENCES AGAINST RULE GENERALLY

A person must not operate a motor vehicle that does not meet the requirements of this Rule and which is not otherwise exempt.

Cf MTR r125MA & r125Z

SCHEDULE 1 – FORMS

[Rule Sec. 44(2), Form 40]

APPLICATION FOR PERMIT TO EXCEED WEIGHT AND DIMENSION LIMITS

I, _____ of _____
 carrying on business as _____
 apply for a permit to exceed the maximum weight and/or dimension limits set out in the Road Traffic Rules – Vehicle Standards and Compliance.

Goods transport licence no: _____

Vehicle details-

Towing vehicle reg. no: _____

Tare weight (to nearest 100kg): _____ Gross Vehicle Weight (GVW)* (t): _____

Type: _____ Make: _____ Year of manufacture: _____

Motive power: _____ Manufacturer's power rating (kw): _____

Engine number: _____ Chassis number: _____

Trailer or semi-trailer reg. no: _____ Type: _____

Tare weight (t): _____ Gross Vehicle Weight (GVW)* (t): _____

Vehicle combination axle configuration and weight:

Axle no.	1	2	3	4	5	6	7
Axle type**							
Tyre size							
Axle weight (t)							
Spacing (m)							

** In accordance with section 37(1) of the Vehicle Standards and Compliance Rule.*

*** see back of form.*

Description of load and why it is indivisible:

Width of vehicle /load: _____ Length of vehicle / load: _____ Height of load: _____

Route:

(describe the start point, the exact route to be used by name of street / road /highway, junctions, and the finish point):

Number of trips:

(if more than 1 trip, explain the reason)

Period permit required: from _____ to _____ .

I attach-

1. A copy of the certificate of registration for each vehicle.
2. A copy of the certificate of roadworthiness for each vehicle.

I enclose K being the fee prescribed in the Road Traffic (Fees and Charges) Regulation.

(Signature of Applicant)

Date: _____

[back of form]

Axle type –

S = single standard-tyred axle

SL = single large-tyred axle

T = dual tyred axle

(4) = four-tyred oscillating axle

(8) = eight-tyred oscillating axle

PERMIT TO EXCEED WEIGHT AND DIMENSION LIMITS

Permit no: valid for trips between the dates of to only for the vehicle, load and route described below.

This permit is granted to-

..... of
 (Name) (Address)

to operate the vehicle described below, with the load specified, on the route described below in accordance with the permit conditions.

Description of vehicle and load-

Towing unit reg. no:

Trailer reg. no: Type:

Type of load:

Width of vehicle /load: Length of vehicle / load: Height of load:

Description of route-

(describe exact route to be used)

Permit conditions-

1. The gross weight of the vehicle with the load must not exceed tonnes.
2. The total weight on any set of axles must not exceed the sum of the weight for those axles shown in the following table.

Axle no.	1	2	3	4	5	6	7
Axle type							
Axle weight (t)							
Spacing (m)							

3. This permit is void and of no effect if any of its conditions are breached or if the permit is altered or defaced without approval of the Road Traffic Authority.
4. This permit must be carried on the vehicle and must be surrendered for inspection or on the demand of any Traffic Enforcement Officer or any other person authorised by the Road Traffic Authority.
5. Other conditions-
 - *(a) Maximum speed outside towns:
 - *(b) Maximum speed on bridges:
 - *(c) Pilot vehicles:
 - *(d) Warning signs:
 - *Strike out whichever is inapplicable

Authorised Issuing Officer-

..... (name) (designation)
 (signature) Issue date:

Axle type –

- S = single standard-tyred axle (4) = four-tyred oscillating axle
- SL = single large-tyred axle (8) = eight-tyred oscillating axle
- T = dual tyred axle

APPLICATION FOR PREMISES TO BE APPOINTED AN AUTHORISED INSPECTION STATION

I, _____ of _____
being a manufacturer/dealer/repairer of motor vehicles/cycles* carrying on business as

apply for my premises situated at _____
to be appointed as an Authorised Inspection Station,
and I nominate the following persons employed by me as being competent to inspect and test motor vehicles and issue certificates of roadworthiness in accordance with the Road Traffic Act, the Regulations, the Rules and the procedures issued by the Road Traffic Authority-

Name	Qualifications (copy of certificates attached)
------	--

My premises has the following facilities / equipment for inspecting and testing motor vehicles for roadworthiness-

I enclose K _____ being the fee prescribed in the Road Traffic (Fees and Charges) Regulation .

Date:

(Signature of Applicant)

(Signature of Witness.)

Address:

**Strike out whichever is inapplicable.*

CERTIFICATE OF ROADWORTHINESS.

Certificate no: Reg. no:
Make: Type:
Engine no: Chassis no:
Speedo Reading:
Name of Owner:
Address:.....
Issue date:
Expiry date: Inspection Station no.:.....

I hereby certify that the motor vehicle described above complies with the Road Traffic Rules –
Vehicles Standards and Compliance.

.....
Name of Testing officer
.....
Signature of Testing Officer

SAFETY STICKER

(Front of Form)

SAFETY STICKER
SEIFTI STIKA

(Back of Form)

INSPECTION STATION NO.
Regd. No.
Make
Engine No.
Chassis No.
Expiry Date .../...../....

DEFECT NOTICE

PART A

To the owner and any person having charge of vehicle bearing registration no. ("the vehicle") –

THE VEHICLE IS DEFECTIVE

You are directed that –

(a) you must not -

(i) Drive the vehicle or allow it to be driven on a public street; or

(ii) Stand it or allow it to be stood on a public street;

after –

*the issue of this notice;

*the following time am/pm,

until –

(iii) the defects set out in Part B of this notice have been remedied; and

(iv) the vehicle has been inspected at the place specified in Part C of this notice by a person authorized to inspect vehicles by the Road Traffic Authority and that person has found the defects to have been remedied to his or her satisfaction,

unless the vehicle is being driven by the most convenient route –

(v) to the nearest practicable place for the purpose of having the defects remedied; or

(vi) to the place specified in Part C of this notice so that the vehicle can be inspected to check that the defects have been remedied; and

(b) you must not remove, alter or deface or allow to be removed, altered or defaced the defect label which has been suffixed to the vehicle.

WARNING.

If you act contrary to the directions contained in this Part of this notice you will be guilty of an offence and liable to a fine not exceeding K7,500.00.

*Strike out whichever is inapplicable.

PART B

DEFECTS.

The vehicle has the following defects-

PART C

INSPECTION.

When the defects set out in Part B of this notice have been remedied, the vehicle should be taken to the following place for inspection and testing: -

.....
(name and signature of person issuing notice)

Designation:

Date:

_____ [Rule Sec. 67(2), Form 27A]

DEFECT LABEL

Date: _____ Time: _____ am/pm.

Repairs required:

WARNING

It is an offence to remove, alter or deface this label –
PENALTY: A fine not exceeding K7,500.00.

SCHEDULE 2 –WEIGHT LIMITATIONS.

[Rule Sec.36(h) and (i)]

Column 1.	Column 2.
Axle spacing	Maximum Permissible Weight
3.5m or more but less than 4.0m	20 tonnes
4.0m or more but less than 4.5m	21 tonnes
4.5m or more but less than 5.0m	22 tonnes
5.0m or more but less than 5.5m	23 tonnes
5.5m or more but less than 6.0m	24 tonnes
6.0m or more but less than 6.5m	25 tonnes
6.5m or more but less than 7.0m	26 tonnes
7.0m or more but less than 7.5m	27 tonnes
7.5m or more but less than 8.0m	28 tonnes
8.0m or more but less than 8.5m	29 tonnes
8.5m or more but less than 9.0m	30 tonnes
9.0m or more but less than 9.5m	31 tonnes
9.5m or more but less than 10.0m	32 tonnes
10.0m or more but less than 10.5m	33 tonnes
10.5m or more but less than 11.0m	34 tonnes
11.0m or more but less than 11.5m	35 tonnes
11.5m or more but less than 12.0m	36 tonnes
12.0m or more but less than 12.5m	37 tonnes
12.5m or more but less than 13.0m	38 tonnes
13.0m or more but less than 13.5m	39 tonnes
13.5m or more but less than 14.0m	40 tonnes
14.0m or more but less than 14.5m	41 tonnes
14.5m or greater	42 tonnes.