

**NORTHERN TERRITORY OF AUSTRALIA**

**MOTOR VEHICLES REGULATIONS**

As in force at 15 November 2000

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# NORTHERN TERRITORY OF AUSTRALIA

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As in force at 15 November 2000

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## MOTOR VEHICLES REGULATIONS

### Regulations under the *Motor Vehicles Act*

#### 1 Short title

These Regulations may be cited as the *Motor Vehicles Regulations*.

#### 2 Repeal of regulation repealing former regulations

Regulations 1976, No. 14 are repealed.

#### 3 Commencement

These Regulations shall come into operation on the date of commencement of the *Motor Vehicles Ordinance 1972*.

#### 4 Forms

The forms set out in the Schedule are prescribed forms for the purposes of the *Motor Vehicles Act*.

#### 4A Definitions

For the purposes of these Regulations

***articulated motor omnibus*** means a motor omnibus consisting of 2 rigid sections connected so as to allow:

- (a) rotary movements about the vertical and horizontal axes; and
- (b) passenger movement,

between the 2 rigid sections.

***gross combination mass***, in relation to a vehicle, means the mass recorded by the Registrar, whether by reference to the particulars recorded or kept by an officer having duties in connection with the registration of vehicles in a State or in another Territory of the Commonwealth or otherwise, as the maximum laden mass which the vehicle, in combination with one or more trailers attached to it, should carry and tow.

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**gross vehicle mass**, in relation to a vehicle, means the mass recorded by the Registrar, whether by reference to the particulars recorded or kept by an officer having duties in connection with the registration of vehicles in a State or in another Territory of the Commonwealth or otherwise, as the maximum laden mass at which the vehicle should be operated.

**moped** means a motor cycle that:

- (a) complies with the Australian Design Rule relating to mopeds and that has affixed to it a certification plate identifying it as a moped; or
- (b) is approved by the Registrar for use as a moped.

**motor cycle** includes:

- (a) a motor cycle that has attached to it a side car supported by a third wheel; and
- (b) a motor vehicle that has 3 wheels and that is designed to be ridden in the same manner as a motor cycle.

**vehicle combination** means a motor vehicle with one or more trailers attached.

#### **4AA Classification of licences**

- (1) Subject to this regulation, a reference in a licence granted under section 9 or 10 of the Act to a classification by letter or letters is a reference to the type of motor vehicle specified in the column opposite the letter or letters in the table that the licensee is licensed to drive under the licence.

Table

Classification	Type of Vehicle
	<u>Part A – Motor Vehicles</u>
C	A motor vehicle that has a gross vehicle mass not greater than 4.5 t and that is constructed or equipped to seat not more than 12 adults (including the driver) other than: <ul style="list-style-type: none"><li>(a) a taxi;</li><li>(b) a private hire car;</li></ul>

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	(c) a tourist vehicle;
	(d) a motor omnibus; or
	(e) a special passenger vehicle
LR	A motor vehicle that has: <ul style="list-style-type: none"> <li>(a) a gross vehicle mass greater than 4.5 t but not greater than 8 t; or</li> <li>(b) is constructed or equipped to seat more than 12 adults (including the driver) and has a gross vehicle mass not greater than 8 t</li> </ul>
MR	A rigid motor vehicle that has: <ul style="list-style-type: none"> <li>(a) 2 axles; and</li> <li>(b) a gross vehicle mass greater than 8 t</li> </ul>
HR	A rigid motor vehicle or an articulated motor omnibus that has: <ul style="list-style-type: none"> <li>(a) 3 or more axles; and</li> <li>(b) a gross vehicle mass greater than 8 t</li> </ul>
HC	A motor vehicle that is: <ul style="list-style-type: none"> <li>(a) a prime mover to which is attached a single semi trailer that has a gross vehicle mass greater than 9 t plus any unladen converter dolly; or</li> <li>(b) a rigid motor vehicle to which is attached a trailer that has a gross vehicle mass greater than 9 t plus any unladen dolly trailer</li> </ul>
MC	Any motor vehicle or combination of motor vehicles

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Part B – Motor Cycles

Rm	Moped
Re	A motor cycle with an engine capacity not greater than 260 mL
R	Any motor cycle

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- (2) In addition to licensing the licensee to drive a motor vehicle of the class referred to in subregulation (1), the licensee is licensed to drive a motor vehicle of a class that is a lower class according to the hierarchy specified in subregulation (4).
- (3) A licensee may drive a motor vehicle of a higher class according to the hierarchy specified in subregulation (4) than that specified in his or her licence but only if:
- (a) a person licensed to drive the motor vehicle is occupying the nearest practicable seat to the licensee;
  - (b) a notice in accordance with regulation 9 is displayed conspicuously on, and so as to be clearly visible from, the rear of the motor vehicle; and
  - (c) in the case of a motor omnibus, the motor omnibus is not used to convey passengers for reward.
- (4) The hierarchy, from the lowest to the highest, is as follows:
- (a) C;
  - (b) LR;
  - (c) MR;
  - (d) HC;
  - (e) MC.
- (5) A licence granted under section 10(2) or (3) of the Act is to have endorsed on it the letter "h", in brackets, after the classification of the motor vehicle that the licensee is licensed to drive under the licence.
- (6) If:
- (a) a person is the holder of a licence that is provisional by virtue of section 10A of the Act; and

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- (b) the motor vehicle used in the test conducted under section 10(7) of the Act to determine the person's capacity to drive a motor vehicle was fitted with automatic transmission,
- the Registrar may endorse the licence with the letter "A".
- (7) A licensee whose licence is endorsed with the letter "A" is licensed to drive only a motor vehicle fitted with automatic transmission.
- (8) A licensee whose licence is endorsed with the letter "A" may drive a motor vehicle that is not fitted with automatic transmission if a person licensed to drive the motor vehicle is occupying the seat next to the licensee.
- (9) If:
- (a) a licence is granted to a person to drive a motor vehicle with a gross vehicle mass greater than 4.5 t; and
- (b) the motor vehicle used in the test conducted under section 10(7) of the Act to determine the person's capacity to drive a motor vehicle of that mass was fitted with synchromesh transmission,
- the Registrar may endorse the licence with the letter "B".
- (10) A licensee whose licence is endorsed with the letter "B" is licensed to drive only a motor vehicle with a gross vehicle mass greater than 4.5 t that is fitted with synchromesh transmission.
- (11) A licensee whose licence is endorsed with the letter "B" may drive a motor vehicle with a gross vehicle mass greater than 4.5 t that is not fitted with synchromesh transmission if a person licensed to drive the motor vehicle is occupying the seat next to the licensee.
- (12) Subject to the *Motor Vehicles (Standards) Regulations*, a licence endorsed with the letter "C" or the letters "LR" permits the licensee to draw with a motor vehicle that the licensee is licensed to drive under the licence a trailer or semi trailer with a gross vehicle mass not greater than 9 t.
- (13) In Part A of the table in subregulation (1) a reference to a motor vehicle includes a moped but does not include any other motor cycle.

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**5 Prescribed period of permit licence**

For the purpose of section 9(1) of the Act, the prescribed period is:

- (a) 3 months in respect of a permit licence permitting a person to learn to drive a motor cycle; and
- (b) 12 months in respect of a permit licence permitting a person to learn to drive a motor vehicle other than a motor cycle.

**6 Prescribed time for examination**

For the purposes of section 25E(1)(b) of the Act, the Registrar may require a person approved under section 25B(2) of the Act to undergo:

- (a) a test or examination referred to in section 25E(1)(c) of the Act at any time after the expiration of 5 years after the person is approved under section 25B(2) of the Act and thereafter at any time after the expiration of 5 years after a previous examination or test referred to in section 25E(1)(c) of the Act; or
- (b) a medical examination referred to in section 25E(1)(d) of the Act at any time after the expiration of 12 months after the person is approved under section 25B(2) of the Act and thereafter at any time after the expiration of 12 months after a previous medical examination referred to in section 25E(1)(d) of the Act.

**7 Prescribed conditions**

Where a licence granted under section 9 or 10 of the Act is endorsed with the condition indicated by the letter "L" it is a condition of that licence that the licensee shall not drive a motor vehicle of a class specified in the licence unless the licensee is wearing corrective lenses.

**8 Prescribed period of licence**

For the purposes of section 103(1A) of the Act, the prescribed period is 5 years.

**9 Notice to be displayed**

A notice referred to in regulation 4AA(3)(b) shall be not less than 530 mm x 300 mm in size with the words "DRIVER UNDER INSTRUCTION" in black capital letters not less than 75 mm in height on a yellow background.



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**9A Fitness to hold licence**

The Registrar shall not:

- (a) grant a licence to drive a commercial passenger vehicle as defined in the *Commercial Passenger (Road) Transport Act* unless the Registrar is satisfied that the applicant is:
  - (i) a fit and proper person; and
  - (ii) is medically fit to drive the vehicle specified in the application; or
- (b) renew a licence to drive a commercial passenger vehicle as defined in the *Commercial Passenger (Road) Transport Act* unless the Registrar is satisfied that the holder of the licence:
  - (i) is a fit and proper person; and
  - (ii) is medically fit to drive the vehicle specified in the licence currently held by the person.

**10 Issue and type of registration labels**

On the registration or renewal of registration of a motor vehicle or trailer, the Registrar shall issue to the person in whose name the vehicle is registered a registration label of an approved colour, type and design.

**11 Affixing of registration labels**

- (1) A registration label shall, during the currency of the registration, be firmly affixed to or attached on the motor vehicle or trailer in respect of which the label is issued, in the position and in the manner specified in subregulation (2) (unless otherwise approved) and so as to be clearly visible to a person facing the label at a distance of 6 m from the vehicle or trailer.
- (2) For the purposes of subregulation (1), the position and manner for affixing or attaching a registration label, in respect of:
  - (a) a motor vehicle (other than a motor cycle) having a windscreen is:
    - (i) the inside or back of the windscreen adjacent to the left-hand side of the windscreen; or
    - (ii) the inner side of a pivoted or hinged ventilation window (if any) or a fixed window on the left-hand side of the motor vehicle; and

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- (b) a motor vehicle other than a motor vehicle to which paragraph (a) applies, or a trailer, is:
- (i) the number plate affixed to the rear of the motor vehicle or trailer, in such manner that the characters on that number plate are not obscured; or
  - (ii) a place on the motor vehicle or trailer as directed by the Registrar.
- (3) In this regulation, **windscreen** means the main front windscreen but does not include any wind deflector or other subsidiary windscreen.

**12 Registration label destroyed, damaged, &c.**

Where a registration label is lost, destroyed, damaged, or in any way defaced before the expiry of the registration, the Registrar may, on application and payment of the fee specified in the *Motor Vehicles (Fees and Charges) Regulations*, and on being satisfied that the label has been lost or destroyed, issue a duplicate of the label, and the duplicate shall be deemed to be the registration label for the purposes of these Regulations.

**13 Registration label to be destroyed on expiry**

A person in whose name a motor vehicle or trailer was registered shall, not later than 3 days after the date of expiry of the registration of the motor vehicle or trailer, cause the registration label to be destroyed.

**14 Only current registration label to be displayed**

A person shall not drive or park a motor vehicle on which is affixed a registration label other than the current registration label issued in relation to that motor vehicle.

**14A Offences**

A person who contravenes or fails to comply with any of the provisions of regulation 11, 12, 13 or 14 commits an offence.

Penalty: \$100.

**15 Fees for inspection of record of registrations and licences**

A person may, on payment of the fee specified in the *Motor Vehicles (Fees and Charges) Regulations*, be furnished with the information or particulars relating to registration and licences to which the fee relates.

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**Schedule**

FORM N

section 128A(6) and (8)

NORTHERN TERRITORY OF AUSTRALIA

*Motor Vehicles Act*

DEFECT NOTICE

No. ....

Date ....., 19 ..... Police Station

To .....  
(name of registered owner or person in charge of vehicle)

of .....  
(full address of registered owner or person in charge of vehicle)

Take notice that vehicle registered No. .... of which you are the registered owner or person in charge upon examination at ..... a.m./p.m. on the ..... day of ....., 19...., at ..... was found:

- \*(a) not to comply with the Fourth Schedule of the *Motor Vehicles Act*;
- \*(b) to be or likely to be a source of danger or annoyance to the public;
- \*(c) to be or likely to be a source of danger to public streets,

in respect of the matter or matters set out in the Particulars of Repairs Required, and I hereby direct that the vehicle shall not, except as provided in this notice, be moved or be driven on a public street after the issue of this notice until:

- (d) the specified repairs have been made; and
- (e) the vehicle has been produced for examination to a member of the Police Force or an inspector at ..... or ..... Police Station; and
- (f) that member or inspector has certified on the reverse side of this defect notice that the repairs have been made.

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EXCEPTIONS:

If the vehicle is registered:

1. \*(a) it may be driven on public streets to a convenient place for the purpose of having repairs made as required by this notice; or

\*(b) it may not be driven on public streets, but shall be towed to a convenient place for the purpose of having repairs made as required by this notice.

2. After the repairs have been made it may be driven on public streets by the nearest practicable route to ..... or ..... Police Station for examination by a member of the Police Force or an inspector.

\* Delete if inapplicable.

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PARTICULARS OF REPAIRS REQUIRED

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Part of equipment of vehicle	Nature of repairs
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Lights, head/rear/clearance .. . . . . .

Reflectors/rear plate light .. . . . . .

Warning instrument .. . . . . .

Signalling devices/mirror . . . . .

Windscreen wipers/horn . . . . .

Exhaust and silencers .. . . . . .

Footbrake/handbrake . . . . .

Steering/tyres . . . . .

Miscellaneous ..... . . . .

..... . . . .

..... . . . .

..... . . . .

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As this examination may have been carried out in circumstances which would not permit a detailed inspection of the vehicle, defects other than those listed may be present. It will be in your own interest to check the general condition of your vehicle prior to producing the vehicle for inspection to ensure that it complies with the requirements of the Motor Vehicles Act and Regulations, and that the condition of the vehicle is such that it can be safely driven on public streets.

Signature .....  
(member of Police Force/  
inspector)

\* Rank ..... No. ....

\* Delete if inapplicable

Back of Form N

CERTIFICATE

Date ....., 19.....

I certify that the vehicle mentioned on the face of this notice has received the necessary attention.

Signature .....  
(member of Police Force/  
inspector)

\* Rank ..... No. .... Police Station .....

\* Delete if inapplicable

WARNING:

Attention is drawn to section 128A(10) of the *Motor Vehicles Act*:

"A driver shall not, where a defect notice has been issued in respect of a motor vehicle, drive that vehicle or cause or permit that vehicle to be driven or moved on a public street contrary to the terms of the defect notice."

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**ENDNOTES**
**1****KEY**

Key to abbreviations

<b>amd = amended</b>	<b>od = order</b>
<b>app = appendix</b>	<b>om = omitted</b>
<b>bl = by-law</b>	<b>pt = Part</b>
<b>ch = Chapter</b>	<b>r = regulation/rule</b>
<b>cl = clause</b>	<b>rem = remainder</b>
<b>div = Division</b>	<b>renum = renumbered</b>
<b>exp = expires/expired</b>	<b>rep = repealed</b>
<b>f = forms</b>	<b>s = section</b>
<b>Gaz = Gazette</b>	<b>sch = Schedule</b>
<b>hdg = heading</b>	<b>sdiv = Subdivision</b>
<b>ins = inserted</b>	<b>SL = Subordinate Legislation</b>
<b>lt = long title</b>	<b>sub = substituted</b>
<b>nc = not commenced</b>	

**2****LIST OF LEGISLATION*****Motor Vehicles Regulations (SL No. 11, 1977)***

Notified	29 July 1977
Commenced	12 August 1977 (r 3, s 3 <i>Motor Vehicles Ordinance 1972 (Act No. 76, 1972)</i> and <i>Gaz No. 32, 12 August 1977, p 1241</i> )

***Amendments of the Motor Vehicle Regulations (SL No. 17, 1980)***

Notified	9 May 1980
Commenced	9 May 1980

***Amendments of the Motor Vehicles Regulations (SL No. 31, 1981)***

Notified	20 November 1981
Commenced	1 December 1981 (r 1)

***Amendments of the Motor Vehicles Regulations (SL No. 37, 1984)***

Notified	15 June 1984
Commenced	29 June 1984 (r 1)

***Amendments of the Motor Vehicles Regulations (SL No. 8, 1986)***

Notified	7 April 1986
Commenced	r 4: 6 May 1986; rem: 7 April 1986 (r 1, s 2 <i>Motor Vehicles Amendment Act 1985 (Act No. 38, 1985)</i> and <i>Gaz G16, 23 April 1986, p 11</i> )

***Amendments of the Motor Vehicles Regulations (SL No. 48, 1986)***

Notified	28 November 1986
Commenced	1 December 1986 (r 1)

***Amendments of Motor Vehicles Regulations (SL No. 27, 1990)***

Notified	1 August 1990
Commenced	1 August 1990

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***Amendments of Motor Vehicles Regulations (SL No. 61, 1992)***

Notified 11 November 1992  
 Commenced 11 November 1992

***Amendments of Motor Vehicles Regulations (SL No. 22, 1997)***

Notified 1 July 1997  
 Commenced 1 July 1997

**3 SAVINGS AND TRANSITIONAL PROVISIONS**

r 4 *Amendments of the Motor Vehicles Regulations (SL No. 37, 1984)*  
 r 6 *Amendments of Motor Vehicles Regulations (SL No. 22, 1997)*

**4 LIST OF AMENDMENTS**

r 4 amd No. 27, 1990, r 1  
 r 4A ins No. 37, 1984, r 2  
 amd No. 8, 1986, r 2; No. 48, 1986, r 2; No. 27, 1990, r 2; No. 22, 1997, r 2  
 r 4AA ins No. 8, 1986, r 3  
 amd No. 48, 1986, r 3; No. 27, 1990, r 3; No. 61, 1992, r 3  
 sub No. 22, 1997, r 3  
 rr 4AB – 4AC ins No. 8, 1986, r 3  
 rep No. 27, 1990, r 4  
 r 4AD ins No. 8, 1986, r 3  
 amd No. 48, 1986, r 4  
 rep No. 27, 1990, r 4  
 r 5 sub No. 27, 1990, r 4  
 amd No. 61, 1992, r 4  
 rr 6 – 7 ins No. 27, 1990, r 4  
 r 8 ins No. 27, 1990, r 4  
 amd No. 61, 1992, r 6  
 sub No. 22, 1997, r 4  
 r 9 ins No. 27, 1990, r 4  
 amd No. 22, 1997, r 5  
 r 9A ins No. 61, 1992, r 5  
 rr 10 – 13 ins No. 27, 1990, r 4  
 r 14 ins No. 27, 1990, r 4  
 sub No. 61, 1992, r 7  
 r 14A ins No. 61, 1992, r 8  
 r 15 ins No. 27, 1990, r 4  
 sch amd No. 17, 1980, r 1; No. 31, 1981, r 2; No. 37, 1984, r 3; No. 8, 1986, r 4;  
 No. 48, 1986, r 5; No. 27, 1990, r 5