

**NORTHERN TERRITORY OF AUSTRALIA**

**MOTOR VEHICLES REGULATIONS**

As in force at 11 December 2001

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# NORTHERN TERRITORY OF AUSTRALIA

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As in force at 11 December 2001

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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Regulations 1976, No. 14 are repealed.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*.

#### 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.

***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

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- (b) a motor vehicle that has 3 wheels and that is designed to be ridden in the same manner as a motor cycle.

**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><li>(c) a tourist vehicle;</li><li>(d) a motor omnibus;</li><li>(e) a special passenger vehicle; or</li><li>(f) a minibus</li></ul>
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>

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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
	<u>Part B – Motor Cycles</u>
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).

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- (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) HR;
  - (e) HC;
  - (f) 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
  - (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.

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(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.

## **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

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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.

## **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



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- (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
  - (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

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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**

- (1) Subject to subregulation (2), 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.
- (2) An officer having duties in connection with the registration or licensing of vehicles in a State or another Territory of the Commonwealth may be furnished, free of charge, with information relating to registration or licences.

**16 Vehicles to which Temporary Budget Improvement Levy does not apply**

For the purposes of section 12(1)(f) of the Act, the following classes of vehicles are prescribed:

- (a) a commercial passenger vehicle within the meaning of the *Commercial Passenger (Road) Transport Act*;
- (b) a motor home, being a motor vehicle that incorporates features designed to enable persons to sleep and cook in the vehicle, that is used as a principal place of residence.

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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

**Amendments of Motor Vehicles Regulations (SL No. 54, 2000)**

Notified 15 November 2000  
 Commenced 15 November 2000

**Amendment of Motor Vehicles Regulations (SL No. 47, 2001)**

Notified 6 December 2001  
 Commenced 6 December 2001

**Statute Law Revision Act (No. 2) 2001 (Act No. 62, 2001)**

Assent date 11 December 2001  
 Commenced 11 December 2001 (s 2(1) and (4), s 2 *Corporations Reform (Consequential Amendments NT) Act 2001* (Act No. 17, 2001), s 2 *Corporations Act 2001* (Cth Act No. 50, 2001) and Cth Gaz S285, 13 July 2001)

**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  
 rep Act No. 62, 2001, s 17  
 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;  
 No. 54, 2000, 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  
 amd No. 54, 2000, 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

## ENDNOTES

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- 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  
amd No. 54, 2000, r 4
- r 16 ins No. 47, 2001
- 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; No. 54, 2000, r 5  
rep Act No. 62, 2001, s 17