

Speed limiter requirements

The *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2010* (the VSS Regulation) in section 5 requires vehicles to comply with part 11 section 140 — *Speed Limiting* or Australian Design Rule (ADR) 65 — *Maximum Road Speed Limiting for Heavy Goods Vehicles and Heavy Omnibuses* before a vehicle may be driven or parked on a road.

ADR 65/00 specifies the devices or systems used to limit the maximum road speed of heavy vehicles.

Heavy vehicles required to be fitted with a speed limiter can have the speed limiter set to no higher than a maximum speed of 100 km/h.

Which vehicles are required to be speed limited?

ADR 65/00 requires the following vehicles be fitted with a speed limiting device:

- heavy omnibus over 5 tonne, up to 14.5 tonne GVM and built on or after 1 July 1991
- heavy omnibus over 14.5 tonne GVM and built on or after 1 Jan 1991
- heavy goods vehicle over 12 tonne GVM, up to 300HP and built on or after 1 July 1991
- heavy goods vehicle over 12 tonne GVM, over 300HP and built on or after 1 Jan 1991

Section 140 of the VSS Regulation requires the following vehicles comply with ADR 65/00:

- buses with a GVM over 14.5 tonne built after 1987
- prime movers with a GVM over 15 tonne built after 1987

What is the maximum speed for road trains?

Section 140 of the VSS Regulation refers drivers driving a road train to the *Transport Operations (Road Use Management—Road Rules) Regulation 2009* section 24A for the speed limits for road trains.

That regulation sets the maximum speed limit for a driver driving a road train on a road to 90km/h.

Are any vehicles exempt from the requirements?

The VSS Regulation section 141 exempts the following heavy vehicles from the ADR 65/00 requirements:

- emergency or police vehicles
- buses fitted with hand grips or similar equipment for standing passengers to hold; or
- 2 axle prime movers if they were built after 1987 but before July 1991; and

its owner is a person who uses it for agriculture, horticulture, or other primary production activities, other than forestry, fishing and mining.

What penalties may apply?

You may receive a monetary fine and the loss of driver licence demerit points if charged with an offence.

Offences may include those for:

- an operator who permits or influences someone else to drive or park a heavy vehicle on a road when
 - that vehicle is not fitted with a compliant speed limiting device; or
 - the speed limiting device installed is not compliant with ADR 65
- a driver who drives a heavy vehicle without a compliant speed limiting device.

Reasonable Steps and Chain of Responsibility

Reasonable steps are the actions parties in the supply chain can take to prevent a breach of road transport law. Persons must be able to show they took all reasonable steps to prevent the breach and that they did not know or could not reasonably have been expected to know that a breach had occurred.

Further information

More information is available through the fact sheets on the Department of Transport and Main Roads' website www.tmr.qld.gov.au/Business-industry/Heavy-vehicles/Compliance-and-enforcement.

The National Transport Commission (NTC) also has information and guidelines in the safety and compliance section on their website at www.ntc.gov.au.