

Exemption permit process for approval and registration of non-complying special purpose vehicles

Purpose

This Vehicle Standards Information (VSI) No. 46 is intended to provide advice to owners and operators of non-complying special purpose vehicles (SPVs) of the procedure for obtaining operational approval and registration of these vehicles for use on New South Wales roads and road-related areas.

Application

This VSI No. 46 is applicable to SPVs that:

- Have a gross vehicle mass (GVM) or aggregate trailer mass (ATM) exceeding 4.5 tonnes
- Do not comply with regulatory requirements for vehicle construction in NSW and therefore require exemption/s from certain vehicle standards in order to be registered for use on the NSW road network.

Examples of SPV's are concrete pumps, mobile cranes and pole borers.

Note: Certain other vehicles, though not necessarily classified as SPVs, may require exemption/s under this process due to being non-compliant: examples are garbage trucks and street sweepers.

Introduction

NSW road transport legislation relating to heavy vehicle standards was replaced by the Heavy Vehicle National Law (HVNL) on 10 February 2014.

This VSI No. 46 explains the operational impact of the HVNL as it applies to the approval and registration of non-complying SPVs in NSW, and the roles and responsibilities of each of the parties involved in the process.

In order to minimise the impacts of the changes in the law for customers, the National Heavy Vehicle Regulator (NHVR) and Roads and Maritime Services have streamlined the process of seeking:

- (a) Exemption from vehicle standards from the NHVR, and
- (b) Registration and access conditions from Roads and Maritime.

ROLE OF THE NATIONAL HEAVY VEHICLE REGULATOR

The NHVR is responsible for exemption/s from vehicle standards for vehicles over 4.5 tonnes GVM. Under Section 69 of HVNL, applications for NHVR approval of oversize and overmass SPVs (ie permits for exemption from vehicle standards, and in-principle approvals for imported or new design vehicles) must be made via the NHVR website <https://www.nhvr.gov.au>.

It is the role of the NHVR to consider requests for vehicle standards exemptions and make the final decision to grant or refuse an exemption. The NHVR is responsible for deciding which vehicle, road, or travel conditions will be included in an exemption and is responsible for ensuring that the vehicle can be used safely.

ROLE OF ROADS AND MARITIME SERVICES

Roads and Maritime Services is the vehicle registration authority responsible for approving the registration of vehicles in NSW. Roads and Maritime will assess applications to:

- Ensure the vehicle will get access to the road network, before approving registration
- Check vehicle design limits are not exceeded.

Roads and Maritime will work closely with the customer and the NHVR to assist in the NHVR's vehicle standards exemption process, and subsequent registration of the vehicle.

REASONS FOR SEEKING EXEMPTION

The HVNL provides that the NHVR may only grant a person a vehicle standards exemption permit after an 'Exemption permit application' form has been satisfactorily completed and if one of the following applies:

- (a) The exemption enables the vehicle to operate in the intended way or for the purpose for which it was built.
- (b) The vehicle is experimental or a prototype.
- (c) The vehicle/s is in a category of heavy vehicles that were previously exempt, were registered or operating under an unregistered vehicle permit or exemption from registration.
- (d) The vehicle/s is in a category of vehicle mentioned in national regulations (exemption notice only).
- (e) The NHVR is satisfied that the use of heavy vehicles under the exemption will not pose a significant safety risk.

The NHVR may request any additional information that it requires to make a decision to grant a vehicle standards exemption permit. The types of additional information that might be requested can be diverse and varied depending on the extent of the non-compliance for which an exemption is being sought. It can include diagrams, tests of componentry or additional information from the manufacturer about the changes made and the effect this may have on the vehicle's specifications, overall performance and safety.

Exemption permit and registration process

Step 1. Complete the application form – owner or operator

The applicant completes the 'Exemption permit application' form available from the NHVR website: <https://www.nhvr.gov.au/files/nhvr0018-2-201412-exemption-permit-application.pdf>

Step 2. Present the vehicle for Roads and Maritime inspection – owner or operator

The applicant contacts Roads and Maritime Technical Enquires (1300 137 302) to book an inspection of the vehicle at a Roads and Maritime Heavy Vehicle Inspection Station (HVIS).

When attending the HVIS for inspection the applicant must present the vehicle with the following documentation:

- Roads and Maritime 'Application for Registration' (Form 1009) with relevant sections completed, available from: <http://www.rms.nsw.gov.au/documents/about/forms/45070093-registration.pdf>
- Completed NHVR 'Exemption permit application' form
- Public weighbridge ticket showing split axle weights, and vehicle's VIN/chassis number

The Roads and Maritime inspector will:

- Perform an identity and safety check
- Verify details on the 'Exemption permit application' form and assess the vehicle's dimensions
- Return the original documents to the customer (required for registration application process when approval is granted)
- Forward copies of the following forms to Roads and Maritime Vehicle Standards and Investigations section, who will adjudicate on the vehicle's suitability for registration:
 - NHVR 'Exemption permit application'
 - Weighbridge ticket
 - Heavy Vehicle Inspection Report
 - Compliance certificate for body/modifications (if applicable).

Step 3. Determine the vehicle's suitability for registration – Roads and Maritime

The Vehicle Standards and Investigations section will adjudicate on the vehicle's suitability for registration in NSW and ensure that all necessary information is being provided to the NHVR to assist them when considering an exemption from vehicle standards.

Note:

- 1) Roads and Maritime Vehicle Standards and Investigations section will forward the application to the NHVR on behalf of the customer.
- 2) Roads and Maritime will also determine road network access and send access advice to NHVR.

Step 4. Approval for exemption permit – NHVR

The NHVR will review the 'Exemption permit application' and if it is acceptable issue an exemption permit to the applicant. NHVR will also send a copy of the permit to Roads and Maritime Vehicle Standards and Investigations section.

Step 5. Approval for registration – Roads and Maritime

The Vehicle Standards and Investigation section will review the exemption permit and inspection information and, if all is acceptable, issue the applicant a 'Certificate of approved operations'.

Step 6. Register vehicle – owner or operator

Upon receipt of the 'Certificate of approved operations' the applicant should attend a motor registry or Service NSW centre and present the following completed documents to register the vehicle:

- NHVR Exemption permit
- Roads and Maritime 'Certificate of approved operations'
- Heavy Vehicle Inspection Report
- Weighbridge ticket
- Roads and Maritime 'Application for Registration' form

- Proof of Identity
- A representative's authority, if the vehicle is being registered in the name of an organisation
- Proof of Registration Entitlement
- Compulsory Third Party insurance certificate

Note: Before an SPV can be used, the operator must ensure all conditions listed on the permit and certificate of approved operations are complied with; this may involve fitting specific equipment such as warning lights, signs or markings.

Importing or building an SPV

Before importing a SPV or building a new design SPV, the vehicle owner or operator will first need to obtain an in-principle approval from the NHVR, and Roads and Maritime approval for registration. The purpose of this approval is to provide some assurance that the proposed vehicle to be imported or manufactured can be registered and/or used on NSW roads.

Generally, when importing a SPV, the [Commonwealth] Department of Infrastructure and Regional Development will require an in-principle approval from a registering authority as a pre-requisite to issuing a Vehicle Import Approval.

When manufacturing a new SPV, manufacturers need to obtain an in-principle approval prior to the start of construction so that the subsequent exemption permit application is not unduly delayed and/or unnecessary expenses incurred due to unforeseen NHVR and/or Roads and Maritime requirements for the operator.

Step 1. Complete the application form – owner or operator

Download the '(Special Purpose Vehicle) In-principle support application' from the NHVR website: <https://www.nhvr.gov.au/files/201501-2-0073-spv-in-principle-support-application.pdf>.

Complete the application form and email to the NHVR – see page 4 for contact details.

When the NHVR receives the application it will review the documentation and may request further information. The NHVR will liaise with Roads and Maritime about any access and registration requirements related to the application. The NHVR will liaise with the applicant if further information is required.

Step 2. 'Statement of Requirements' and 'In-principle approval' – NHVR

The NHVR will issue the applicant with a 'Statement of Requirements' (SoR) which outlines the conditions required for the vehicle (and is the in-principle approval). It is the responsibility of the applicant to ensure that the vehicle meets the conditions of the SoR when it is manufactured or prior to importation.

NOTE: DO NOT IMPORT OR MANUFACTURE A VEHICLE UNTIL A FAVOURABLE 'IN-PRINCIPLE APPROVAL' IS RECEIVED FROM THE NHVR.

Steps 3 – 6

Same as Steps 3 – 6 of Exemption permit and registration process on pages 2 and 3.

Special purpose vehicle, new crane certification

The NHVR has integrated the NSW Special Purpose Vehicle Crane Certification Program into the process for registration of new rigid mobile cranes.

Operators can have the weight and dimensions of their newly purchased rigid crane/s certified by the crane manufacturer. Manufacturers of cranes can nominate a representative of their company to assess and complete Roads and Maritime form No. 1649 [NSW Mobile Crane Application](#).

This procedure for declaring the dimensions and mass of a new crane has been incorporated into the NHVR exemptions process.

The 'Mobile Crane Application' will be used by the NHVR to assess vehicle standards exemptions, and by Roads and Maritime to issue a 'Certificate of Approved Operations' for the purposes of registration in NSW.

The NHVR will communicate directly with applicants and advise them of the outcome of their application for both the vehicle standards exemption and NSW registration.

Operators may register the vehicle once they have secured the vehicle standards exemption and the 'Certificate of approved operations'.

The procedures for measurement of [weight](#) (PDF, 76Kb) and [dimension](#) (PDF, 240Kb) apply.

SPVs operating under a Notice

Certain SPVs exceeding statutory dimension and/or mass limits may be allowed to operate under an applicable gazette notice such as the 'Class 1 Special Purpose Vehicles Notice 2014' or the 'Class 1 Special Purpose Vehicle Stand and Operate Notice 2013'. Details of these and other Notices are available from the NHVR website at:

<https://www.nhvr.gov.au/law-policies/notices-and-permit-based-schemes/transitional-notices>

A list of Notices that are legally required to be carried by drivers of heavy vehicles operating under a Notice is available at:

<https://nhvr.gov.au/files/20150218-0171-notices-that-must-be-carried.pdf>

Checklist – owner or operator

The following checklist can be used to ensure the necessary steps have been taken to apply for an exemption permit and register the vehicle.

- 'Exemption permit application' form completed
- Vehicle inspection booked (through Roads and Maritime Technical Enquiries)
- Weighbridge ticket obtained from a public weighbridge
- Roads and Maritime 'Application for Registration' form completed (relevant sections only)
- Vehicle presented for inspection at the HVIS with the following documents:
 - Exemption permit application
 - Weighbridge ticket
 - Application for Registration
- Inspection completed; originals of above documents retained by owner/operator
Note: Following the inspection, the application will be assessed by Roads and Maritime and NHVR. If the NHVR approves the exemption/s, Roads and Maritime will issue a 'Certificate of approved operations'.
- Attend a motor registry or Service NSW centre to register the vehicle. You will need all of the documents listed in Step 6 on pages 3 and 4.

FURTHER INFORMATION

Roads and Maritime Services

www.rms.nsw.gov.au | T 13 22 13 (for details of your nearest motor registry or Service NSW centre)

- Form No. 1009 'Application for Registration' available from:
<http://www.rms.nsw.gov.au/publicationsstatisticsforms/downloads/45070093.pdf>

Roads and Maritime Technical Enquiries

PO Box 1120, Parramatta NSW 2124

E technical.enquiries@rms.nsw.gov.au | T 1300 137 302 | F (02) 8849 2754

- Bookings for heavy vehicle inspections
- Vehicle construction and registration requirements in NSW

Department of Infrastructure and Regional Development

GPO Box 594 Canberra ACT 2601

www.infrastructure.gov.au | T 1800 815 272 | F 02 6274 6013

- Applications for Vehicle Import Approvals

National Heavy Vehicle Regulator

PO Box 492, Fortitude Valley QLD 4006

www.nhvr.gov.au | E vehiclestandards@nhvr.gov.au | T 1300 696 487 | F (07) 3309 8777

- 'Exemption permit application' form
- Vehicle standards matters related to vehicles exceeding 4.5 tonnes GVM