



Heavy penalties for trucks and buses on the South Eastern Freeway down-track

What are the new laws?

When descending the South Eastern (SE) Freeway, truck and bus drivers must:

- ◆ Use a gear that is low enough to enable the vehicle to be driven safely without the use of the primary brake; and
- ◆ Not drive at a speed in excess of the relevant speed limit.

Note: Trucks and buses are limited to a maximum speed of 60km/h on the down-track of the South Eastern Freeway. This speed limit has been in effect since 2014.

The new low gear offence does not completely prohibit the use of the primary brake, if considered necessary in the circumstances. The law requires drivers to use a gear low enough to enable the vehicle to be driven safely without relying on the primary brake as the sole means to slow the speed of the vehicle on the descent.

From 12:01am on 6 December 2019, truck or bus drivers whose vehicles are not engaged in the correct low gear or exceed the relevant speed limit by 10km/h or more will receive an expiation fee of \$1,036 plus 6 demerit points for a first offence. An offence committed prior to midnight on 6 December 2019 continues to be subject to the penalties in force at the time of the offence and may include a period of disqualification. Subsequent offences and drivers convicted by the court will face even heavier penalties.

A body corporate levy applies to businesses that fail to nominate the driver responsible for a camera-detected speeding offence on the South Eastern Freeway down-track. Offences committed from 12:01am on 6 December 2019 will incur a body corporate levy of \$5,000 (offences committed prior to midnight on 6 December 2019 will incur a \$25,000 body corporate levy), where the offence is expiated. No levy is applicable to a business that successfully nominates the responsible driver.

Do the new laws apply to me?

Under the new laws, a 'truck' and 'bus' have the same definition as in the Australian Road Rules.

- ◆ A **truck** is defined as a motor vehicle with a Gross Vehicle Mass (GVM) over 4.5 tonnes regardless of the body type of the vehicle (excluding tractors, trams and buses). Note, the GVM is not the Tare Mass of the vehicle. The GVM is what is recorded and relied on for registration purposes.
- ◆ A **bus** refers to a motor vehicle that seats over 12 adults including the driver. The definition of a bus is based on the number of seats, regardless of the GVM of the vehicle or whether the seats are occupied or vacant.

If you are unsure whether your vehicle is classed as a truck or bus, you may check the registration certificate or vehicle compliance plate, use the EzyReg app or call Service SA on 13 10 84.

Vehicles that may be subject to the new laws based on GVM or seating capacity could include animal transport vehicles, school or tour buses, cranes, drilling rigs, sweepers, tip trucks, tow trucks, large utilities, emergency service vehicles, van and motor homes, chauffeur vehicles and taxi buses.

The new laws do not apply where the Gross Combination Mass (GCM) of a vehicle towing another vehicle such as a trailer, horse float or caravan exceeds 4.5 tonnes in total.

Where do the new laws apply?

The new laws apply to low gear and speed offences committed by all trucks and buses on the down-track of the South Eastern Freeway as indicated by the red line on the map below, ending at the intersection of Portrush, Cross and Glen Osmond Roads.

Advisory signs



Extra advisory signs have been installed in the lead up to the down-track to remind truck and bus drivers to descend safely and avoid heavy penalties.

These advisory signs, as well as speed limit and low gear signs that refer to “Trucks & Buses”, apply to drivers of all heavy vehicles and buses as outlined in this fact sheet.

Speed cameras

Speed cameras operate along the section of the South Eastern Freeway where the new legislation applies. These cameras are operational and drivers can be penalised for road safety offences at these sites.

For more information

Visit www.infrastructure.sa.gov.au/SEFreeway

Call Service SA on 13 10 84

For speed camera information and locations

Visit www.speedcameras.sa.gov.au

