

YOUR GUIDE TO HEAVY VEHICLE DEFECTS AND COMPLIANCE

MEANING OF DEFECTIVE HEAVY VEHICLE

A vehicle that:

- a. does not comply with the heavy vehicle standards;
- b. has a part that does not perform its intended function; or
- c. has deteriorated to an extent that it cannot be reasonably relied on to perform its intended function.

The registered operator of a vehicle falling within one of these categories can be issued a defect notice by HVNL authorised officers (AO). This defect notice will contain information including:

- the vehicle's identification;
- driver and/or operator details;
- date/time notice was issued;
- details of the AO and the type of inspection conducted;
- the faults identified;
- the nature and period of time to have the faults repaired; and
- any other conditions of road usage the AO considers appropriate.

The timeframe available to have your heavy vehicle repaired will vary depending on the context specific safety risk the vehicle poses. If repairing the vehicle is not possible, it will need to be carried or towed.

TYPES OF DEFECT NOTICES

	Self-clearing defect notice	Minor defect notice	Major defect notice
Characteristics	No safety risk posed.	Safety risk not imminent or serious.	Imminent safety risk.
Vehicle usage once defect notice has been issued	The vehicle may continue to be used on the road up to the due day indicated in the notice. However, repairs must be carried out within this time period.	The vehicle may continue to be used on the road up to the due day indicated in the notice. However, road usage must be in accordance with any stated conditions.	Can only be used on a road subject to the stated conditions in the defect notice.

COMPLIANCE AND RESPONSIBILITIES

Failure to comply with a defect notice, including noncompliance with any of the stated conditions is an offence under the HVNL, which may result in further action.

If a defect notice is not cleared, a registration authority may initiate action. For example, the authority may suspend or cancel the vehicle's registration.

Responsibilities to note:

- It is an offence under the HVNL to use or permit usage of a defective heavy vehicle on a road in contravention of a defect notice.
- The vehicle owner must be notified of the defect notice as soon as practicable but not more than 14 days from when the notice was issued.
- Vehicle operators must ensure that the stated faults are repaired within the period specified and that all conditions stated in the defect notice are met.
- Regular vehicle servicing and maintenance will help you meet legal obligations under the HVNL.