

LEGISLATION UPDATE

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DEFINITION OF "TRANSPORT" WITHIN THE COAL MINES (UNDERGROUND) REGULATION 1999

Clause 52 of the Coal Mines (Underground) Regulation 1999 provides the following definition of "transport":

transport means:

- (a) a locomotive, or
- (b) a rubber tyred or caterpillar tracked vehicle (including a shuttle car) propelled by electrical or mechanical means and used for the purpose of transporting persons, materials, coal or stone, whether by carrying, towing or otherwise.

Under clause 61 (1) (b) of the Regulation, braking systems for these locomotive and rubber tyred / caterpillar tracked transport vehicles (free-steered vehicles) used in underground mines must be approved.

In order to provide some clarity as to what classes of free-steered vehicles satisfy the definition of "transport", the Department has produced the following list of vehicles that are required to have approved types of braking systems.

- shuttle car - electric (trailing cable)
- hauler - electric (battery)
- load-haul-dump vehicle
- shearer carrier
- chock carrier
- personnel transport
- grader/dozer
- skid steered loader

There are a range of other free steered vehicles that are used in mines such as breakerfeeders, mobile boot ends, drill rigs that are not used for transporting people, materials, coal or stone and thus do not come under the definition of transport and as a consequence are not required to have their braking systems approved.

The above list covers existing known vehicle types and may be amended from time to time to cover new technology as it evolves.

It should also be noted that under the Coal Mines (Transport) Regulation 1984, approval was required for vehicles as a whole, including the vehicles braking system. While this requirement has not been continued under the 1999 Regulation, approvals given under the 1984 Regulation, remain in force for the braking system under the new Regulation.

**FURTHER INFORMATION CAN BE OBTAINED FROM MR LEO ROBERTS - (02) 9901 8550
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