

EXPOSURE DRAFT



Road Vehicle Standards (Model Reports— Compliance with Standards) Determination 2020

I, Michael McCormack, Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development, make the following determination.

Dated 2020

Michael McCormack [**DRAFT ONLY—NOT FOR SIGNATURE**]
Deputy Prime Minister and Minister for Infrastructure, Transport and Regional
Development

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Part 1—Introduction

Division 1—Preliminary

1 Name

This instrument is the *Road Vehicle Standards (Model Reports—Compliance with Standards) Determination 2020*.

2 Commencement

This instrument commences at the same time as section 89 of the *Road Vehicle Standards Rules 2019*.

3 Authority

This instrument is made under subsection 89(2) of the *Road Vehicle Standards Rules 2019*.

4 Definitions

Note 1: A number of expressions used in this instrument are defined in the Rules, including the following:

- (a) campervans and motorhomes criterion;
- (b) gross vehicle mass;
- (c) rarity criterion.

Note 2: A number of expressions used in this instrument are defined in the *Road Vehicle Standards Act 2018*, including the following:

- (a) approved road vehicle component;
- (b) RAV;
- (c) road vehicle;
- (d) 1958 Agreement.

In this instrument:

Act means the *Road Vehicle Standards Act 2018*.

applicable version of a standard means the version of the standard that applies to a vehicle, as ascertained in accordance with Division 2 of this Part.

Rules means the *Road Vehicle Standards Rules 2019*.

UN Regulation means a regulation made under the 1958 Agreement.

vehicle structure means the parts of a vehicle that are integral to the vehicle, including the following:

- (a) the vehicle chassis;
- (b) the vehicle frame;
- (c) the monocoque frame.

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Part 1 Introduction

Division 1 Preliminary

Section 5

5 Incorporation of documents

Where this instrument makes provision in relation to a matter by applying, adopting or incorporating, with or without modification, any matter contained in an instrument or other writing, that instrument or writing is incorporated as in force or existing from time to time unless otherwise specified.

Division 2—Applicability of national road vehicle standards

6 Which version of a national road vehicle standard applies?

- (1) The version of a national road vehicle standard that applies to a vehicle is the version ascertained by applying the relevant method statement in this Division.

Note: Sections 9 to 13 set out different method statements relevant to different categories of Model Report.

- (2) A reference to a national road vehicle standard in subsection (1) includes:
- (a) an applicable national road vehicle standard mentioned in sections 72 to 75 of the Rules; and
 - (b) a national road vehicle standard applied, adopted or incorporated by this instrument.

Note 1: Subsection 82(6) of the Act allows this instrument to make provision in relation to a matter by applying, adopting or incorporating the national road vehicle standards, with or without modification, as in force at a particular time or from time to time.

Note 2: A vehicle standard in force under section 7 of the *Motor Vehicle Standards Act 1989* immediately before the commencement of Schedule 3 to the *Road Vehicle Standards (Consequential and Transitional Provisions) Act 2018* continues in force as if it were a national road vehicle standard determined under section 12 of the Act. Those standards are also known as Australian Design Rules, or ADRs.

7 Definition of base vehicle

In this Division, **base vehicle** means a model or variant of road vehicle entered on the RAV via the type approval pathway that will be subject to second stage of manufacture in accordance with a Model Report.

8 What is the Standard Date?

- (1) Where:
- (a) a vehicle is to be modified or manufactured in accordance with a Model Report that applies to a model, or one or more variants, of a road vehicle mentioned in column 1 of the table; and
 - (b) the requirements in column 2 are met;
- then the **Standard Date** for the vehicle is the date set out in column 3.
- (2) In this section, the **date of original manufacture** for the vehicle is the date on which the vehicle was first made available to a consumer in any market in the world.

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Part 1 Introduction

Division 2 Applicability of national road vehicle standards

Section 9

Table 1: How to identify the Standard Date

Item	Column 1 If the Model Report applies to...	Column 2 and the following requirement are met...	Column 3 then the Standard Date is...
1	a road vehicle that is entered on the SEVs Register	the vehicle: (a) has a gross vehicle mass of 12 tonnes or less; and (b) was originally manufactured less than 25 years before the day on which it is to be modified in accordance with the Model Report	the date on which the vehicle was originally manufactured.
2	a road vehicle that is entered on the SEVs Register	the vehicle: (a) has a gross vehicle mass of 12 tonnes or less; and (b) was originally manufactured 25 years or more before the day on which it is to be modified in accordance with the Model Report	the date 25 years before the day on which the vehicle is to be modified in accordance with the Model Report.
3	a road vehicle that is entered on the SEVs Register	the vehicle has a gross vehicle mass of more than 12 tonnes	the date on which the vehicle is to be manufactured or modified in accordance with the Model Report
4	a used two-wheeled vehicle or used three-wheeled vehicle that is not entered on the SEVs Register		the date on which the vehicle is to be manufactured or modified in accordance with the Model Report
5	a road vehicle entered on the RAV via the type approval pathway that will be subject to a second stage of manufacture	the vehicle, after undergoing the second stage of manufacture, will remain in the same vehicle category as the base vehicle	the date on which the base vehicle was entered on the RAV
6	a road vehicle entered on the RAV via the type approval pathway that will be subject to a second stage of manufacture	the vehicle, after undergoing the second stage of manufacture, will fall within a different vehicle category to the base vehicle	the date on which the vehicle is to be manufactured or modified in accordance with the Model Report

9 Applicability—vehicles entered on the SEVs Register (GVM ≤ 12 tonnes)

- (1) This section applies to a vehicle that is modified or manufactured in accordance with a Model Report that applies to a model, or one or more variants, of a road vehicle that:
 - (a) is entered on the SEVs Register; and

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(b) has a gross vehicle mass of 12 tonnes or less.

- (2) To ascertain which version of a national road vehicle standard applies to the vehicle, apply the following method statement.

Method statement

Step 1. Identify the instrument setting out the latest version of the national road vehicle standard in force on the Standard Date.

If the Standard Date falls on or after the date on which the instrument commenced, then the version is in force on the Standard Date.

Note 1: The Standard Date is defined in items 1 and 2 of the table in section 8.

Note 2: The national road vehicle standards are legislative instruments. The instrument will usually identify the date on which it commenced (for example, the day after the instrument is registered). This may be earlier than the date from which the requirements set out in the instrument apply to 'new model vehicles' or 'all vehicles'.

Step 2. Work out whether the eligible build date range for vehicles of the model or variant of road vehicle, as entered on the SEVs Register, starts on or after the date from which that version of the standard applies to new model vehicles (or new model vehicles in the relevant vehicle category).

If it does, then that version of the national road vehicle standard applies to the vehicle.

If the build date range starts before that date, or if the version of the standard does not specify a date by which it applies to new model vehicles, go to step 3.

Note: The applicability provisions of a version of a national road vehicle standard will usually identify whether it applies to new model vehicles from a different date to that from which it applies to 'all vehicles'.

Step 3. Work out whether the Standard Date falls on or after the date from which that version of the standard applies to all vehicles (or vehicles in the relevant vehicle category).

If it does, then that version of the national road vehicle standard applies to the vehicle.

Note: A version of a national road vehicle standard might provide that it applies to 'all vehicles' from a specified date. Alternatively, it might contain provisions dealing with its application to 'vehicles' generally, or particular categories of vehicle.

If the Standard Date falls before that date, go to step 4.

Alternatively, if the version of the national road vehicle standard provides that a vehicle may either comply with that version or an earlier applicable version of the standard, then the version of the standard that applies to the vehicle is to be determined according to the terms of that provision.

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Part 1 Introduction

Division 2 Applicability of national road vehicle standards

Section 10

Step 4. Identify the instrument setting out the next-most recent version of the national road vehicle standard in force on the Standard Date.

Note: Previous versions of a national road vehicle standard generally remain in force when a new version of the standard is enacted.

Step 5. Work out whether the Standard Date falls on or after the date from which that version of the standard applies to all vehicles (or vehicles in the relevant vehicle category).

If it does, then that version of the standard applies to the vehicle.

10 Applicability—vehicles entered on the SEVs Register (GVM >12 tonnes)

- (1) This section applies to a vehicle that is modified or manufactured in accordance with a Model Report that applies to a model, or one or more variants, of a road vehicle that:
 - (a) is entered on the SEVs Register; and
 - (b) has a gross vehicle mass of more than 12 tonnes.
- (2) To ascertain which version of a national road vehicle standard applies to the vehicle, apply the following method statement.

Method statement

Step 1. Identify the instrument setting out the latest version of the national road vehicle standard in force on the Standard Date.

If the Standard Date falls on or after the date on which the instrument commenced, then the version is in force on the Standard Date.

Note 1: The Standard Date is the date on which the vehicle is to be manufactured or modified in accordance with the Model Report.

Note 2: The national road vehicle standards are legislative instruments. The instrument will usually identify the date on which it commenced (for example, the day after the instrument is registered). This may be earlier than the date from which the requirements set out in the instrument apply to 'new model vehicles' or 'all vehicles'.

Step 2. Work out whether the eligible build date range for vehicles of the model or variant of road vehicle, as entered on the SEVs Register, starts on or after the date from which that version of the standard applies to new model vehicles (or new model vehicles in the relevant vehicle category).

If it does, then that version of the national road vehicle standard applies to the vehicle.

If the build date range starts before that date, or if the version of the standard does not specify a date by which it applies to new model vehicles, go to step 3.

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Note: The applicability provisions of a version of a national road vehicle standard will usually identify whether it applies to new model vehicles from a different date to that from which it applies to 'all vehicles'.

Step 3. Work out whether the Standard Date falls on or after the date from which that version of the standard applies to all vehicles (or vehicles in the relevant vehicle category).

If it does, then that version of the national road vehicle standard applies to the vehicle.

Note: A version of a national road vehicle standard might provide that it applies to 'all vehicles' from a specified date. Alternatively, it might contain provisions dealing with its application to 'vehicles' generally, or particular categories of vehicle.

If the Standard Date falls before that date, go to step 4.

Alternatively, if the version of the national road vehicle standard provides that a vehicle may either comply with that version or an earlier applicable version of the standard, then the version of the standard that applies to the vehicle is to be determined according to the terms of that provision.

Step 4. Identify the instrument setting out the next-most recent version of the national road vehicle standard in force on the Standard Date.

Note: Previous versions of a national road vehicle standard generally remain in force when a new version of the standard is enacted.

Step 5. Work out whether the Standard Date falls on or after the date from which that version of the standard applies to all vehicles (or vehicles in the relevant vehicle category).

If it does, that version of the standard applies to the vehicle.

11 Applicability—two or three-wheeled vehicle not on SEVs Register

- (1) This section applies to a vehicle that is modified or manufactured in accordance with a Model Report that applies to a model, or one or more variants, of a used two-wheeled vehicle or used three-wheeled vehicle that is not entered on the SEVs Register.
- (2) To ascertain which version of a national road vehicle standard applies to the vehicle, apply the following method statement.

Method statement

Step 1. Identify the instrument setting out the latest version of the national road vehicle standard in force on the Standard Date.

If the Standard Date falls on or after the date on which the instrument commenced, then the version is in force on the Standard Date.

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Part 1 Introduction

Division 2 Applicability of national road vehicle standards

Section 11

Note 1: The Standard Date is the date on which the vehicle is to be manufactured or modified in accordance with the Model Report.

Note 2: The national road vehicle standards are legislative instruments. The instrument will usually identify the date on which it commenced (for example, the day after the instrument is registered). This may be earlier than the date from which the requirements set out in the instrument apply to 'new model vehicles' or 'all vehicles'.

Step 2. Work out whether the Model Report was approved on or after the date on which that version of the standard applies to new model vehicles (or new model vehicles in the relevant vehicle category).

If it was, then that version of the standard applies to the vehicle.

If the Model Report was approved before that date, or if the version of the standard does not specify a date by which it applies to new model vehicles, go to step 3.

Note: The applicability provisions of a version of a national road vehicle standard will usually identify whether it applies to new model vehicles from a different date to that from which it applies to 'all vehicles'.

Step 3. Work out whether the Standard Date falls on or after the date from which that version of the standard applies to all vehicles (or vehicles in the relevant vehicle category).

If it does, then that version of the national road vehicle standard applies to the vehicle.

Note: A version of a national road vehicle standard might provide that it applies to 'all vehicles' from a specified date. Alternatively, it might contain provisions dealing with its application to 'vehicles' generally, or particular categories of vehicle.

If the Standard Date falls before that date, go to step 4.

Alternatively, if the version of the national road vehicle standard provides that a vehicle may either comply with that version or an earlier applicable version of the standard, then the version of the standard that applies to the vehicle is to be determined according to the terms of that provision.

Step 4. Identify the instrument setting out the next-most recent version of the national road vehicle standard in force on the Standard Date.

Note: Previous versions of a national road vehicle standard generally remain in force when a new version of the standard is enacted.

Step 5. Work out whether the Standard Date falls on or after the date from which that version of the standard applies to all vehicles (or vehicles in the relevant vehicle category).

If it does, that version of the standard applies to the vehicle.

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12 Applicability—vehicle on RAV subject to second stage of manufacture (no change of vehicle category)

- (1) This section applies to a vehicle that:
 - (a) is modified or manufactured in accordance with a Model Report that applies to a model, or one or more variants, of a road vehicle entered on the RAV via the type approval pathway that will be subject to second stage of manufacture; and
 - (b) after undergoing the second stage of manufacture, will remain in the same vehicle category as the base vehicle.
- (2) To ascertain which version of a national road vehicle standard applies to the vehicle, apply the following method statement.

Method statement

Step 1. Identify the instrument setting out the latest version of the national road vehicle standard in force on the Standard Date.

If the Standard Date falls on or after the date on which the instrument commenced, then the version is in force on the Standard Date.

Note 1: The Standard Date is the date on which the base vehicle was entered on the RAV.

Note 2: The national road vehicle standards are legislative instruments. The instrument will usually identify the date on which it commenced (for example, the day after the instrument is registered). This may be earlier than the date from which the requirements set out in the instrument apply to ‘new model vehicles’ or ‘all vehicles’.

Step 2. Work out whether the Standard Date falls on or after the date from which that version of the standard applies to all vehicles (or vehicles in the relevant vehicle category).

If it does, then that version of the national road vehicle standard applies to the vehicle.

Note: A version of a national road vehicle standard might provide that it applies to ‘all vehicles’ from a specified date. Alternatively, it might contain provisions dealing with its application to ‘vehicles’ generally, or particular categories of vehicle.

If the Standard Date falls before that date, go to step 4.

Alternatively, if the version of the national road vehicle standard provides that a vehicle may either comply with that version or an earlier applicable version of the standard, then the version of the standard that applies to the vehicle is to be determined according to the terms of that provision.

Step 4. Identify the instrument setting out the next-most recent version of the national road vehicle standard in force on the Standard Date.

Note: Previous versions of a national road vehicle standard generally remain in force when a new version of the standard is enacted.

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Section 13

Step 5. Work out whether the Standard Date falls on or after the date from which that version of the standard applies to all vehicles (or vehicles in the relevant vehicle category).

If it does, that version of the standard applies to the vehicle.

13 Applicability—vehicle on RAV subject to second stage of manufacture (change of vehicle category)

- (1) This section applies to a vehicle that:
 - (a) is modified or manufactured in accordance with a Model Report that applies to a model, or one or more variants, of a road vehicle entered on the RAV via the type approval pathway that will be subject to second stage of manufacture; and
 - (b) after undergoing the second stage of manufacture, will fall within a different vehicle category to the base vehicle.
- (2) To ascertain which version of a national road vehicle standard applies to the vehicle, apply the following method statement.

Method statement

Step 1. Identify the instrument setting out the latest version of the national road vehicle standard in force on the Standard Date.

If the Standard Date falls on or after the date on which the instrument commenced, then the version is in force on the Standard Date.

Note 1: The Standard Date is the date on which the vehicle is to be manufactured or modified in accordance with the Model Report.

Note 2: The national road vehicle standards are legislative instruments. The instrument will usually identify the date on which it commenced (for example, the day after the instrument is registered). This may be earlier than the date from which the requirements set out in the instrument apply to 'new model vehicles' or 'all vehicles'.

Step 2. Work out whether the Model Report was approved on or after the date on which that version of the standard applies to new model vehicles (or new model vehicles in the relevant vehicle category).

If it was, then that version of the standard applies to the vehicle.

If the Model Report was approved before that date, or if the version of the standard does not specify a date by which it applies to new model vehicles, go to step 3.

Note: The applicability provisions of a version of a national road vehicle standard will usually identify whether it applies to new model vehicles from a different date to that from which it applies to 'all vehicles'.

Step 3. Work out whether the Standard Date falls on or after the date from which that version of the standard applies to all vehicles (or vehicles in the relevant vehicle category).

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If it does, then that version of the national road vehicle standard applies to the vehicle.

Note: A version of a national road vehicle standard might provide that it applies to ‘all vehicles’ from a specified date. Alternatively, it might contain provisions dealing with its application to ‘vehicles’ generally, or particular categories of vehicle.

If the Standard Date falls before that date, go to step 4.

Alternatively, if the version of the national road vehicle standard provides that a vehicle may either comply with that version or an earlier applicable version of the standard, then the version of the standard that applies to the vehicle is to be determined according to the terms of that provision.

Step 4. Identify the instrument setting out the next-most recent version of the national road vehicle standard in force on the Standard Date.

Note: Previous versions of a national road vehicle standard generally remain in force when a new version of the standard is enacted.

Step 5. Work out whether the Standard Date falls on or after the date from which that version of the standard applies to all vehicles (or vehicles in the relevant vehicle category).

If it does, that version of the standard applies to the vehicle.

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Part 2 Prescription of standards

Division 1 Simplified outline

Section 13

Part 2—Prescription of standards

Division 1—Simplified outline

14 Simplified outline of this Part

Under sections 72, 73 and 75 of the Rules, the Secretary may only approve certain types of Model Report if satisfied that a road vehicle of a relevant model or variant would, if manufactured or modified in accordance with the Model Report, comply or substantially comply with the applicable standards determined by the Minister under subsection 89(2). This Part sets standards for that purpose.

First, the Part gives effect to the concessional standards set out in Schedule 1. That Schedule, which applies to vehicles manufactured or modified in accordance with a Model Report of any kind, picks up and modifies particular national road vehicle standards. It does so in various ways, including by disapplying certain standards or parts thereof, or by setting out alternative standards that relevant vehicles can meet in lieu of complying with a national road vehicle standard.

Next, it sets out a range of standards relevant to Model Reports that apply to models or variants entered on the SEVs Register. In some cases, it sets additional standards – for instance, section 18 gives effect to the special accessibility requirements for mobility vehicles in Schedule 2. In other cases, it sets concessional or alternative standards. For example, section 21 disapplies elements of the national road vehicle standards that may require rare vehicles to undergo destructive testing.

Finally, the Part gives effect to the additional standards set out in Schedule 5. These standards apply to vehicles manufactured or modified in accordance with a Model Report of any kind. Among other things, they have the effect of permitting or requiring such vehicles to comply with later versions of particular national road vehicle standards.

The standards prescribed in this Part are not the only relevant standards. For certain Model Reports to be approved, it is also necessary to demonstrate that a vehicle modified or manufactured in accordance with the Model Report would comply or substantially comply with the applicable national road vehicle standards as in force at the time the Model Report is approved (see sections 72 to 75 of the Rules). Certain national road vehicle standards may effectively be displaced by the standards set out in this instrument, but, otherwise, continue to apply.

Division 2—Prescription of standards

15 Purpose of this Part

- (1) For the purposes of paragraph 89(2)(a) of the Rules, this Part sets out standards that apply to road vehicles manufactured or modified in accordance with a Model Report.

Note: The standards set by this Part are not the only relevant standards in all cases – see sections 72, 73 and 75 of the Rules.

- (2) For the purposes of paragraph 89(2)(b) of the Rules, subsections 16(3) and (4) set out matters relating to the material that the Secretary may consider when deciding an application for approval of a Model Report.

16 Concessional standards and testing concessions applicable to all relevant vehicles

- (1) Subsection (2) applies to a road vehicle that is manufactured or modified in accordance with a Model Report.

Concessions to requirement to comply with standards

- (2) To the extent that a national road vehicle standard mentioned in column 1 of the table in Schedule 1 deals with a particular matter in relation to a road vehicle, the standard, in relation to that matter and that vehicle, is that the vehicle complies with the applicable version of the national road vehicle standard, subject to the qualifications and modifications set out in column 2.

Concessions to testing requirements

- (3) An applicant for approval of a Model Report may rely on a testing concession mentioned in column 2 of the table in Schedule 1 when providing supporting material to demonstrate that a road vehicle modified or manufactured in accordance with the Model Report would comply with a standard mentioned in column 1.

Note: The testing concessions mentioned in subsection (3) are distinguished in the table from the concessions mentioned in subsection (2) by the heading 'testing concessions'.

- (4) In deciding whether to approve the Model Report, the Secretary must have regard to those concessions.

Note: Division 2 of Part 1 deals with how to work out which version of a national road vehicle standard is the applicable version.

17 Standards—performance criterion

- (1) The standard in subsection (2) applies to a road vehicle that is manufactured or modified in accordance with a Model Report that applies to a model, or one or more variants, of a road vehicle entered on the SEVs Register on the basis of the eligibility criterion in section 130 of the Rules (performance criterion).
- (2) The vehicle, once manufactured or modified in accordance with the Model Report, must:

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Part 2 Prescription of standards

Division 2 Prescription of standards

Section 18

- (a) remain of the same variant description as it was before the manufacture or modification took place; and
- (b) be of the same variant description listed in the relevant entry on the SEVs Register.

18 Standards—mobility criterion

The standards in Schedule 2 apply to a road vehicle that is manufactured or modified in accordance with a Model Report that applies to a model, or one or more variants, of a road vehicle entered on the SEVs Register on the basis of the eligibility criterion in section 132 of the Rules (mobility criterion).

19 Standards—left-hand drive conversions

The standards in Schedule 3 apply to a road vehicle that is manufactured or modified in accordance with a Model Report that provides for a model, or one or more variants, of a road vehicle to be converted from left-hand drive to right-hand drive.

Note: Certain national road vehicle standards have the effect of requiring a vehicle to be right-hand drive. As such, certain Model Reports may provide for left-hand drive vehicles to be converted to right-hand drive in order to comply with those standards. However, this instrument has the effect of lifting those requirements in certain cases – see, for example, paragraph 21(3)(a).

20 Standards—campervans and motorhomes

The standards in Schedule 4 apply to a road vehicle that is manufactured or modified in accordance with a Model Report that applies to a model, or one or more variants, of a campervan or motorhome.

21 Standards—rare vehicles

- (1) The standards set out in this section apply to a road vehicle that is manufactured or modified in accordance with a Model Report that applies to a model, or one or more variants, of road vehicle that:
 - (a) is entered on the SEVs Register on the basis of the eligibility criterion in section 135 of the Rules (rarity criterion); and
 - (b) has a gross vehicle mass of 12 tonnes or less.
- (2) The standards are that the vehicle, once manufactured or modified in accordance with the Model Report:
 - (a) must be oriented for use on the left-hand side of the road; and
 - (b) must:
 - (i) remain of the same variant description as it was before the manufacture or modification took place; and
 - (ii) be of the same variant description listed in the relevant entry on the SEVs Register.

Example: For the purposes of paragraph 21(2)(a)—the vehicle’s headlamps must be appropriately aimed for use on the left-hand side of the road, and collision-avoidance features must not make the car veer to the right (potentially into oncoming traffic).

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Prescription of standards **Part 2**
Prescription of standards **Division 2**

Section 22

- (3) The standards in subsection (2) apply to the exclusion of the following:
- (a) an applicable national road vehicle standard, to the extent it requires the vehicle to be right-hand drive;
 - (b) a relevant version of one or more of the following national road vehicle standards, to the extent it requires destructive testing to demonstrate that the vehicle complies with the standard:
 - (i) ADR 10—Steering Column;
 - (ii) ADR 29—Side Door Strength;
 - (iii) ADR 69—Full Frontal Impact Occupant Protection;
 - (iv) ADR 72—Dynamic Side Impact Occupant Protection;
 - (v) ADR 73—Offset Frontal Impact Occupant Protection;
 - (vi) ADR 85—Pole Side Impact Performance;
 - (c) an applicable national road vehicle standard, to the extent it imposes requirements concerning advanced braking systems, including:
 - (i) Electronic Stability Control; and
 - (ii) Anti-lock Brakes; and
 - (iii) Advanced Automatic Braking; and
 - (iv) Brake Assist Systems.
- (4) A reference to an applicable national road vehicle standard in subsection (3) includes a reference to such a standard to the extent it is applied, adopted or incorporated by this instrument.

22 Additional standards—all vehicles

The standards in Schedule 5 apply to a road vehicle that is manufactured or modified in accordance with a Model Report.

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Part 3 Demonstrating compliance

Division 1 Introduction

Section 23

Part 3—Demonstrating compliance

Division 1—Introduction

23 Simplified outline of this Part

This Part sets out matters relating to the material that the Secretary may consider when deciding an application for approval of a Model Report. It deals with the kinds of evidence that the Secretary may have regard to in determining whether a road vehicle manufactured or modified in accordance with a Model Report would comply, or substantially comply, with certain standards.

It also sets out special requirements in relation to Model Reports that provide for vehicles to be converted from left-hand drive to right-hand drive. In such cases, the Secretary must have regard to a conversion design provided by the applicant. That design must meet certain requirements, which, among other things, are designed to demonstrate that the performance characteristics of the converted vehicle will be consistent with those of the original vehicle.

24 Purpose of this Part

This Part sets out matters relating to the material that the Secretary may consider when deciding an application for approval of a Model Report for the purposes of paragraph 89(2)(b) of the Rules.

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Division 2—Demonstrating compliance: types of material

25 Relevant standards

In this Part, *relevant standard* means:

- (a) an applicable standard set out in this instrument; or
- (b) an applicable national road vehicle standard.

Note: Paragraph (a) includes a national road vehicle standard to the extent it is applied, adopted or incorporated by this instrument.

26 Limitation on the supporting material that the Secretary may consider

- (1) In deciding whether a road vehicle manufactured or modified in accordance with a Model Report would comply, or substantially comply, with a relevant standard, the Secretary may only have regard to:
 - (a) material of a kind specified in this Division; and
 - (b) other material that the Secretary considers relevant.
- (2) It is sufficient that a testing facility mentioned in this Part holds a testing facility approval at the time the application is made for approval of the Model Report, even if it did not at the time the testing was conducted.

27 Supporting material—all Model Reports

- (1) This section applies where the Secretary is deciding whether a road vehicle manufactured or modified in accordance with a Model Report of any kind would comply, or substantially comply, with a relevant standard.

Results of testing by approved testing facility

- (2) The Secretary may have regard to the results of testing conducted under a testing facility approval.

Approvals under the 1958 Agreement

- (3) The Secretary may have regard to an approval or other document:
 - (a) issued by the government of a foreign country that is a contracting party to the 1958 Agreement, or by a person who is a competent authority of such a government for the purposes of that agreement; and
 - (b) that indicates that the vehicle, or a component or system of the vehicle, complies with requirements applying under that agreement that are equivalent to a relevant standard as in force at the time the Secretary decides the application.

Design documentation

- (4) The Secretary may have regard to design documentation, including engineering drawings, where:
 - (a) the documentation demonstrates the extent to which a design complies with the design requirements set out in a relevant standard; and

EXPOSURE DRAFT

Part 3 Demonstrating compliance

Division 2 Demonstrating compliance: types of material

Section 28

- (b) the holder of a testing facility approval has verified that the design complies with those requirements.

Component type approval

- (5) In respect of road vehicle components used in the vehicle—the Secretary may have regard to whether the road vehicle components are approved road vehicle components.

Note: The components might already be present in the vehicle, or might be added in the course of modification or manufacture.

Declaration made by the applicant

- (6) The Secretary may have regard to any declaration made by the applicant for approval of the Model Report.

Material specified in the relevant standard

- (7) The Secretary may have regard to any matter or thing specified in a relevant standard to be acceptable as evidence of compliance with that standard, or an element of that standard.

Additional supporting material

- (8) The Secretary may have regard to:
 - (a) any information about whether material mentioned in this Part demonstrates the extent to which the vehicle would comply with a relevant standard; and
 - (b) any information relevant to assessing the accuracy of material mentioned in this Part.

28 Supporting material—vehicles on the SEVs Register manufactured for overseas supply

- (1) This section applies where the Secretary is deciding whether a road vehicle would comply, or substantially comply, with a relevant standard if manufactured or modified in accordance with a Model Report that applies to a model, or one or more variants, of a road vehicle that:
 - (a) is entered on the SEVs Register; and
 - (b) was manufactured for supply to a market outside Australia.

Compliance with overseas standards

- (2) The Secretary may have regard to material demonstrating:
 - (a) the extent to which the vehicle would comply with a standard applicable in the relevant market outside Australia (an *overseas standard*); and
 - (b) that the requirements that apply under the overseas standard are equivalent to those of a relevant standard; and
 - (c) the extent to which the pre-modification vehicle specifications set out in the Model Report are the same as the original manufacturer's specifications for the vehicle.

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29 Supporting material—all vehicles on the SEVs Register

- (1) This section applies where the Secretary is deciding whether a road vehicle would comply, or substantially comply, with a relevant standard if manufactured or modified in accordance with a Model Report that applies to a model, or one or more variants, of a road vehicle that is entered on the SEVs Register.

Vehicle or component marked with UN E-mark

- (2) Where an applicable national road vehicle standard (including such a standard applied, adopted or incorporated under this instrument) is harmonised with a UN regulation—the Secretary may have regard to material that demonstrates that the vehicle, or a component of the vehicle, is marked with a UN E-mark signifying compliance or substantial compliance with the regulation.

Vehicle or component marked with EU e-mark

- (3) The Secretary may have regard to material that demonstrates that:
 - (a) the vehicle or componentry is marked with an EU e-mark signifying compliance with a vehicle standard set by the European Union or European Commission (an **EU standard**); and
 - (b) the requirements that apply under the EU standard are equivalent to those of the relevant standard.

30 Supporting material—vehicles on the SEVs Register, and vehicles on the RAV subject to second stage of manufacture

- (1) This section applies where the Secretary is deciding whether a road vehicle would comply, or substantially comply, with a relevant standard if manufactured or modified in accordance with a Model Report that applies to a model, or one or more variants, of a road vehicle that:
 - (a) is entered on the SEVs Register; or
 - (b) is entered on the RAV via the type approval pathway and will be subject to second stage of manufacture.

Vehicle, or component or system thereof, identical with type-approved vehicle, or component or system thereof

- (2) The Secretary may have regard to material that demonstrates that the vehicle, or a component or system of the vehicle, is identical, for the purposes of a relevant standard, to a vehicle, or component or system of a vehicle, that is covered by:
 - (a) a road vehicle type approval granted on the basis that the type of vehicle complied with the applicable national road vehicle standards; or
 - (b) a road vehicle type approval granted on the basis that the type of vehicle substantially complied with the applicable national road vehicle standards, and the non-compliance was only in minor and inconsequential respects; or
 - (c) an approval given under subsection 10A(1) or (2) of the *Motor Vehicle Standards Act 1989*.

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Part 3 Demonstrating compliance

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Section 31

- (3) The material mentioned in subsection (2) must demonstrate that the type-approved vehicle was required to comply with the same standards as the model or variant to which the Model Report applies, based on:
 - (a) the date from which the standards applied to the model or variant; and
 - (b) the vehicle category.

Technical analysis

- (4) Where no other kind of material that the Secretary may consider under sections 27 to 30 in respect of the vehicle is available, the Secretary may have regard to technical analysis that demonstrates the extent to which the vehicle would comply with a relevant standard.

31 Supporting material—conversion design

- (1) This section applies where the Secretary is deciding whether a road vehicle would comply, or substantially comply, with a relevant standard if manufactured or modified in accordance with a Model Report that provides for a model, or one or more variants, of a road vehicle to be converted from left-hand drive to right-hand drive.
- (2) The Secretary must have regard to a conversion design that meets the requirements of section 32.

Note: The Secretary cannot be satisfied of the matter in subsection (1) if the applicant for approval of the Model Report does not provide a conversion design that meets the relevant requirements.

32 Requirements that apply to the conversion design

Design must include analysis of vehicle structure

- (1) The conversion design must set out an analysis of the integrity of the converted vehicle structure.
- (2) Without limiting subsection (1), the analysis must address the following matters:
 - (a) whether the loads expected to be carried by the vehicle structure, including fatigue loads, peak loads and loads resulting from a crash, are within $\pm 10\%$ of those expected to be carried by the structure of the original vehicle;
 - (b) the shape of the structure, including its symmetry;
 - (c) the material properties of the structure;
 - (d) how the structure deforms under crash loads in a particular way, in areas where the original vehicle was designed to deform under crash loads;
 - (e) the most appropriate method for modifying structures of that type, taking into account:
 - (i) the properties of the structure; and
 - (ii) the equipment required to perform the modification; and
 - (iii) the types of checks that are needed to confirm that the modification has been successfully performed.

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Section 32

Design must be certified by Chartered Professional Engineer

- (3) The conversion design must include a certificate, issued by a Chartered Professional Engineer recognised by Engineers Australia, stating that the design meets the requirements in Schedule 3 relating to the modification of the following safety systems:
- (a) the steering system;
 - (b) the braking system;
 - (c) the occupant protection system;
 - (d) the electrical and electronic systems;
 - (e) the seats, seatbelts and seatbelt anchorages;
 - (f) the dashboard and vehicle controls.

Original manufacturer's support required for certain modifications

- (4) Where the conversion design requires the electronic hardware and software (including Controller Area Network bus) systems of the vehicle to be modified, it must include a certificate or other document demonstrating that the original manufacturer of the vehicle or relevant components supports the modifications.

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Schedule 1 Concessional standards and testing concessions applicable to all relevant vehicles

Schedule 1—Concessional standards and testing concessions applicable to all relevant vehicles

(section 16)

Standards applicable to all relevant vehicles		
Item	Column 1—ADR	Column 2—Alternative standards
1	01/00—Reversing Lamps	The luminous intensity of the vehicle's lamps may deviate unfavourably by up to 20% from the values specified in the ADR.
2	(a) 05/00—Anchorages for Seatbelts and Child Restraints; or (b) 05/01—Anchorages for Seatbelts and Child Restraints; or (c) 05/02—Anchorages for Seatbelts.	Where: (a) the vehicle was originally supplied to the Japanese, USA or Canadian market; and (b) the vehicle has seatbelt assemblies fitted to 3 rear seating positions; the vehicle may continue to be fitted with such assemblies even in circumstances where clause 5.7.2 of the ADR requires the vehicle to have only 2 seating positions.
3	(a) 05/03—Anchorages for Seatbelts; or (b) 05/04—Anchorages for Seatbelts.	Where: (a) the vehicle was originally supplied to the Japanese, USA or Canadian market; and (b) the vehicle has seatbelt assemblies fitted to 3 rear seating positions; the vehicle may continue to be fitted with such assemblies even in circumstances where clause 10.2 of the ADR requires the vehicle to have only 2 seating positions.
4	06/00—Direction Indicators	The luminous intensity of the vehicle's lamps may deviate unfavourably by up to 20% from the values specified in the ADR.
5	07/00—Hydraulic Brake Hoses	The vehicle is not required to comply with the ADR if it complies with ADR 42/04—General Safety Requirements, or a later version of that standard.
6	08/00—Safety Glazing Material	The vehicle is not required to comply with the ADR if it meets the following standards: (a) the vehicle has indelible marking on all glazing to identify: (i) the type of glass; and (ii) which of the standards set out in cl 8.4.1 of the ADR the glass conforms to; (b) where the windscreen is not marked as complying with Australian Standard AS 2080: (i) the windscreen has markings indicating any zone of modified heat treatment located in front of the driver's seating position; and (ii) there is not less than 75% optical transmission through the primary vision area, measured at least

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Concessional standards and testing concessions applicable to all relevant vehicles **Schedule 1**

Standards applicable to all relevant vehicles		
Item	Column 1—ADR	Column 2—Alternative standards
		at the 4 corners and centre of the windscreen or primary vision area;
		(c) where the vehicle is a campervan or motorhome: (i) the glazing in compartments that include designated seating positions complies with the ADR; and (ii) the glazing in other compartments is safety glass.
7	08/01—Safety Glazing Material	The vehicle is not required to comply with the ADR if it meets the following standards: (a) the vehicle has indelible marking on all glazing to identify: (i) the type of glass; and (ii) which of the standards set out in cl 8 of the ADR the glass conforms to; (b) where the windscreen is not marked as complying with Australian Standard AS 2080: (i) the vehicle has markings confirming that the glass is laminated; and (ii) there is not less than 70% optical transmission through the primary vision area, measured at least at the four corners and centre of the windscreen or primary vision area; (c) where the vehicle is a campervan or motorhome: (i) the glazing in compartments that include designated seating positions complies with the ADR; and (ii) the glazing in other compartments is safety glass.
8	(a) 10/00—Steering Column; or (b) 10/01—Steering Column; or (c) 10/02—Steering Column.	The vehicle is not required to comply with the ADR if: (a) the vehicle complies with ADR 69/00—Full Frontal Impact Occupant Protection, and is fitted with a driver’s airbag; or (b) the vehicle complies with ADR 73/00—Offset Frontal Impact Occupant Protection, and is fitted with a driver’s airbag and a front outboard passenger’s airbag.
9	12/00—Glare Reduction in Field of View	The vehicle is not required to comply with the ADR.
10	13/00—Installation of Lighting and Light Signalling Devices on other than L-group Vehicles	The vehicle is not required to comply with the ADR in the following respects: (a) the minimum distance between lamps or light signalling devices under the respective positioning requirements may be reduced from 600 millimetres to 400 millimetres for MA category vehicles; (b) the minimum distance for the height of front indicator lamps under the positioning requirements may be reduced from 350 millimetres to 300 millimetres for MA category vehicles; (c) the maximum distance of the front fog lamp from the outer edge of the vehicle specified in clause 6.3.4.1 of Appendix A may be increased to 440 mm;

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Schedule 1 Concessional standards and testing concessions applicable to all relevant vehicles

Standards applicable to all relevant vehicles		
Item	Column 1—ADR	Column 2—Alternative standards
		<p>(d) the maximum distance for the low beam headlamps from the outer edges of the vehicle specified in clause 6.2.4.1 of Appendix A may be increased to 500 mm;</p> <p>(e) a vehicle need not be fitted with headlamp cleaners in accordance with clause 6.2.9 of Appendix A of the ADR, unless the vehicle is fitted with filament headlamps.</p> <p>Testing concessions</p> <p>For clause 5.14.5 of Appendix A of the ADR, one test within the specified temperature range is acceptable.</p>
11	<p>(a) 15/00—Demisting of Windscreen; or</p> <p>(b) 15/01—Demisting of Windscreen.</p>	The vehicle is not required to comply with the ADR if it complies with ADR 42/04—General Safety Requirements, or a later version of that standard.
12	<p>(a) 16/00—Windscreen Wipers and Washers; or</p> <p>(b) 16/01—Windscreen Wipers and Washers.</p>	The vehicle is not required to comply with the ADR if it complies with ADR 42/04—General Safety Requirements, or a later version of that standard.
13	17/00—Fuel System	The vehicle is not required to comply with the ADR.
14	20/00—Safety Rims	The vehicle is not required to comply with the ADR.
15	22/00—Head Restraints	The vehicle is not required to comply with the ADR if it complies with ADR 3/03—Seats and Seat Anchorages, or a later version of that standard.
16	<p>(a) 24/00—Tyre and Rim Selection; or</p> <p>(b) 24/01—Tyre and Rim Selection; or</p> <p>(c) 24/02—Tyre and Rim Selection.</p>	The vehicle is not required to comply with the ADR if it complies with ADR 42/04—General Safety Requirements, or a later version of that standard.
17	<p>(a) 25/00—Anti-Theft Lock; or</p> <p>(b) 25/01—Anti-Theft Lock.</p>	<p>The vehicle is not required to comply with the remaining requirements of the ADR if it complies with:</p> <p>(a) clause 25.1 (functions of lock positions); and</p> <p>(b) clause 25.2 (design of lock), excluding the requirement that the probability of the key operating the lock of another vehicle in the same model range shall be not greater than one in one thousand.</p>
18	25/02—Anti-Theft Lock	<p>The vehicle is not required to comply with the remaining requirements of the ADR if it complies with the following clauses of Appendix A:</p> <p>(a) clause 5.1;</p> <p>(b) clause 5.3;</p> <p>(c) clause 5.9;</p> <p>(d) clause 5.11.</p>

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Concessional standards and testing concessions applicable to all relevant vehicles **Schedule 1**

Standards applicable to all relevant vehicles		
Item	Column 1—ADR	Column 2—Alternative standards
19	(a) 28/00—External Noise of Motor Vehicles; or (b) 28/01—External Noise of Motor Vehicles.	Testing concessions Where the vehicle is fitted with an engine governor, and, in consequence, cannot achieve the required stationary noise engine speed of $\frac{3}{4}$ Engine Speed Maximum Power, the stationary noise may instead be measured at the maximum governed speed. However, this item only applies if the applicant for approval of the Model Report provides material of a kind mentioned in subsection 27(2), (3) or (4).
20	29/00—Side Door Strength	The vehicle is not required to comply with the ADR if: (a) ADR 72/00—Dynamic Side Impact Occupant applies to the vehicle; and (b) the vehicle complies with the requirements of ADR 72/00.
21	30/00—Smoke Emission Control for Diesel Vehicles	The vehicle is not required to comply with the ADR if the vehicle complies with the requirements of: (a) ADR 79/03—Emission Control for Light Vehicles, or a later version of that standard; or (b) ADR 80/03—Emission Control for Heavy Vehicles, or a later version of that standard. Testing concessions Commercially available diesel fuel may be used for testing under the ADR instead of the test fuel specified in the ADR, provided that each test report is accompanied by a certificate of fuel analysis to show that: (a) the fuel meets the following standards: (i) the sulphur content of the fuel is within, or exceeds, the limits specified for one of the three test fuels listed in Appendix 1, 2, or 3 of the ADR; (ii) the density of the fuel is within, or exceeds, the limits specified for the chosen fuel listed in Appendix 1 or 3 of the ADR; (iii) the cetane index of the fuel is within, or below, the limits set out for the chosen fuel specification from Appendix 1, 2, or 3 of the ADR; or (b) the specification of the fuel meets the requirements of the <i>Fuel Quality Standards (Automotive Diesel) Determination 2019</i> .
22	30/01—Smoke Emission Control for Diesel Vehicles	The vehicle is not required to comply with the ADR if the vehicle complies with the requirements of: (a) ADR 79/03—Emission Control for Light Vehicles, or a later version of that standard; or (b) ADR 80/03—Emission Control for Heavy Vehicles, or a later version of that standard. Testing concessions Commercially available diesel fuel may be used for testing under the ADR instead of the test fuel specified in the ADR,

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Schedule 1 Concessional standards and testing concessions applicable to all relevant vehicles

Standards applicable to all relevant vehicles		
Item	Column 1—ADR	Column 2—Alternative standards
		provided that each test report is accompanied by a certificate of fuel analysis to show that: (a) the fuel meets the following standards: (i) the sulphur content of the fuel is within, or exceeds, the limits specified for the reference fuels listed in Annex 6 of the ADR; (ii) the density of the fuel is within, or exceeds, the limits specified for the reference fuel listed in Annex 6 of the ADR; (iii) the cetane index of the fuel is within, or below, the limits set out for the reference fuel specified in Annex 6 of the ADR; or (b) the specification of the fuel meets the requirements of the <i>Fuel Quality Standards (Automotive Diesel) Determination 2019</i> .
23	(a) 34/02—Child Restraint Anchorages and Child Restraint Anchor Fittings; or (b) 34/03—Child Restraint Anchorages and Child Restraint Anchor Fittings.	Where the vehicle is fitted with lower isofix anchorages for two seating positions and associated top tether anchorages, the vehicle is not required to have an additional centre top tether anchorage.
24	36/00—Exhaust Emission Control for Heavy Duty Vehicles	Testing concessions The vehicle does not need to be tested in accordance with the requirements of the ADR where it is equipped with an exhaust catalytic converter as original equipment.
25	(a) 37/00—Emission Control for Light Vehicles; or (b) 37/01—Emission Control for Light Vehicles.	Testing concessions The concessions are that: (a) the vehicle does not need to be tested in accordance with the ADR where it passes the IM 240 test (exhaust emissions) specified in section LT3 of Vehicle Standards Bulletin 14: <i>National Code of Practice for Light Vehicle Construction and Modification</i> ; and (b) where the vehicle is tested for compliance with the ADR: (i) any distance the vehicle accumulates before the testing need not be in accordance with the requirements of the ADR; and (ii) separate tests are not required for vehicles with different types of transmission; and (iii) commercial premium unleaded petrol may be used as a standard test fuel where the testing facility holds a fuel analysis certificate confirming that the specification of the fuel complies with the requirements of the <i>Fuel Quality Standards (Petrol) Determination 2019</i> ; and

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Concessional standards and testing concessions applicable to all relevant vehicles **Schedule 1**

Standards applicable to all relevant vehicles		
Item	Column 1—ADR	Column 2—Alternative standards
		(iv) the emission limits for compliance are those set out in Table 3.1 of the ADR.
26	39/00—External Noise of Motor Cycles	The vehicle is not required to comply with the ADR if it complies with ADR 83/00—External Noise, or a later version of that standard.
27	41/00—Mandatory Operation on Unleaded Petrol	The vehicle is not required to comply with the ADR.
28	42/03—General Safety Requirements	<p>Testing concessions</p> <p>The vehicle will be taken to comply with clause 16 of the ADR if the brake tubing and brake hoses mentioned in that clause:</p> <p>(a) are marked as compliant with SAE J1401 Jan 81: <i>Road Vehicle – Hydraulic Brake Hose Assemblies for use with Non-Petroleum-Base Hydraulic Fluids</i>; or</p> <p>(b) are marked as compliant with Federal Motor Vehicle Safety Standard (FMVSS) No. 106-74-38 – Brake Hoses – FR31302, 1973; or</p> <p>(c) displays the relevant DOT markings required by the standard mentioned in paragraph (b).</p>
29	42/04—General Safety Requirements	<p>Testing concessions</p> <p>The vehicle will be taken to comply with clause 15 of the ADR if the brake tubing and brake hoses mentioned in that clause:</p> <p>(a) are marked as compliant with SAE J1401 Jan 81: <i>Road Vehicle – Hydraulic Brake Hose Assemblies for use with Non-Petroleum-Base Hydraulic Fluids</i>; or</p> <p>(b) are marked as compliant with FMVSS No. 106-74-38 – Brake Hoses – FR31302, 1973; or</p> <p>(c) displays the relevant DOT markings required by the standard mentioned in paragraph (b).</p>
30	<p>(a) 44/00—Specific Purpose Vehicle Requirements; or</p> <p>(b) 44/01—Specific Purpose Vehicle Requirements; or</p> <p>(c) 44/02—Specific Purpose Vehicle Requirements.</p>	<p>Where the vehicle is a campervan or motorhome:</p> <p>(a) the vehicle is not required to comply with the ADR to the extent it requires the vehicle’s liquefied petroleum gas installations to comply with the requirements of the <i>Code Governing the Installation in Caravans of Liquefied Petroleum Gas Equipment and Appliances</i>, provided that those installations comply with AS/NZS 5601.1: 2013; and</p> <p>(b) the vehicle is not required to comply with the requirements of the ADR relating to liquefied petroleum gas systems where the design of the vehicle’s gas system complies with the requirements that apply to campervans or motorhomes in a State or Territory; and</p> <p>(c) where the ADR requires a vehicle to be fitted with one or more fire extinguishers, the fire extinguishers may be</p>

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Schedule 1 Concessional standards and testing concessions applicable to all relevant vehicles

Standards applicable to all relevant vehicles		
Item	Column 1—ADR	Column 2—Alternative standards
		<p>fitted in accordance with Australian Standard 2444-2001 instead of AS 2444-1985; and</p> <p>(d) the vehicle is not required to comply with the mains electrical requirements of the ADR where the design of the mains wiring complies with the electrical requirements for a vehicle of that kind in a State or Territory.</p> <p>Testing concessions</p> <p>Where the vehicle is a campervan or motorhome:</p> <p>(a) where a licensed gas fitter has issued a certificate that the design of the vehicle's gas system complies with the State or Territory requirements mentioned in paragraph (b) above, the certificate is sufficient evidence that the vehicle complies with those requirements; and</p> <p>(b) where a licensed electrician has issued a certificate that the design of the vehicle's mains wiring complies with the State or Territory requirements mentioned in paragraph (d) above, the certificate is sufficient evidence that the vehicle complies with those requirements.</p>
31	45/00—Lighting and Light-Signalling Devices not Covered by ECE	<p>The following:</p> <p>(a) the vehicle's cornering lamps are not required to comply with the ADR where they comply with:</p> <p>(i) the technical requirements of SAE J852b February 1965: Cornering Lamps; or</p> <p>(ii) ADR 87/00—Cornering Lamps;</p> <p>(b) the vehicle's side marker lamps are not required to comply with the ADR where they comply with ADR 74/00—Side Marker Lamps;</p> <p>(c) the luminous intensity of the vehicle's lamps may deviate unfavourably by up to 20% from the values specified in the ADR.</p>
32	46/00—Headlamps	<p>The following:</p> <p>(a) the vehicle is not required to comply with the ADR if its lamps are marked as complying with:</p> <p>(i) SAE J579c; or</p> <p>(ii) JIS D5500-1984; or</p> <p>(iii) a later version of either standard;</p> <p>(b) where paragraph (a) does not apply—the luminous intensity of the vehicle's headlamps may deviate unfavourably by up to 20% from the values specified in the ADR.</p>
33	47/00—Retroreflectors	<p>The luminous intensity of the vehicle's reflectors may deviate unfavourably by up to 20% from the values specified in the ADR.</p>
34	48/00—Devices for Illumination of Rear Registration Plates	<p>The luminous intensity of the vehicle's lamps may deviate unfavourably by up to 20% from the values specified in the ADR.</p>

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Concessional standards and testing concessions applicable to all relevant vehicles **Schedule 1**

Standards applicable to all relevant vehicles		
Item	Column 1—ADR	Column 2—Alternative standards
35	49/00—Front and Rear Position (Side) Lamps, Stop Lamps and End Outline Marker Lamps	The luminous intensity of the vehicle's lamps may deviate unfavourably by up to 20% from the values specified in the ADR.
36	50/00—Front Fog Lamps	The luminous intensity of the vehicle's lamps may deviate unfavourably by up to 20% from the values specified in the ADR.
37	51/00—Filament Lamps	Testing concessions The vehicle will be taken to comply with the ADR where there is evidence that all filament globes fitted to the vehicle are of a category or type set out in: (a) the ADR; or (b) an alternative standard listed in clause 7 of the ADR.
38	52/00—Rear Fog Lamps	The luminous intensity of the vehicle's lamps may deviate unfavourably by up to 20% from the values specified in the ADR.
39	53/00—Front and Rear Position Lamps, Stop Lamps, Direction Indicators and Rear Registration Plate Lamps for L-Group Vehicles	The luminous intensity of the vehicle's lamps may deviate unfavourably by up to 20% from the values specified in the ADR.
40	54/00—Headlamps for Mopeds	The luminous intensity of the vehicle's lamps may deviate unfavourably by up to 20% from the values specified in the ADR.
41	55/00—Headlamps for Motor Cycles	The following: (a) where the vehicle is fitted with Asymmetric Grade C1 headlamps—the vehicle is not required to comply with the ADR if the lamps are marked as complying with a later version of an alternative standard listed in clause 7 of the ADR; (b) where paragraph (a) does not apply—the luminous intensity of the vehicle's lamps may deviate unfavourably by up to 20% from the values specified in the ADR.
42	56/00—Moped Noise	The vehicle is not required to comply with the ADR if it complies with ADR 83/00—External Noise, or a later version of that standard.
43	58/00—Requirements for Omnibuses Designed for Hire and Reward	The vehicle is not required to comply with clause 58.6.2.2 of the ADR.
44	60/00—Centre High Mounted Stop Lamp	The luminous intensity of the vehicle's lamps may deviate unfavourably by up to 20% from the values specified in the ADR.

EXPOSURE DRAFT

Schedule 1 Concessional standards and testing concessions applicable to all relevant vehicles

Standards applicable to all relevant vehicles		
Item	Column 1—ADR	Column 2—Alternative standards
45	64/00—Heavy Goods Vehicles Designed for Use in Road Trains and B-Doubles	The vehicle is not required to be tested in accordance with clause 64.5.2.1 of the ADR if it complies with the following clauses of the ADR: (a) clause 64.4 (electrical requirements); (b) clause 64.5.1 (energy generating device); (c) clause 64.5.2 (fitting of an anti-lock system on all axle groups as original equipment).
46	69/00—Full Frontal Impact Occupant Protection	The vehicle is not required to comply with the ADR if: (a) the vehicle complies with ADR 73/00—Offset Frontal Impact Occupant Protection; and (b) the vehicle is fitted with Driver and Front Passenger frontal airbags as original equipment.
47	71/00—Temporary Use Spare Tyres	The vehicle is not required to comply with the ADR.
48	73/00—Offset Frontal Impact Occupant Protection	The vehicle is not required to comply with the ADR if it: (a) complies with clause 6 of Appendix A to the ADR; and (b) complies with ADR 69/00—Full Frontal Impact Occupant Protection; and (c) is fitted with dual airbags as original equipment.
49	74/00—Side Marker Lamps	The luminous intensity of the vehicle’s lamps may deviate unfavourably by up to 20% from the values specified in the ADR.
50	76/00—Daytime Running Lamps	The luminous intensity of the vehicle’s lamps may deviate unfavourably by up to 20% from the values specified in the ADR.
51	77/00—Gas Discharge Headlamps	The luminous intensity of the vehicle’s lamps may deviate unfavourably by up to 20% from the values specified in the ADR.
52	(a) 79/00—Emission Control for Light Vehicles; or (b) 79/01—Emission Control for Light Vehicles; or (c) 79/02—Emission Control for Light Vehicles; or (d) 79/03—Emission Control for Light Vehicles; or (e) 79/04—Emission Control for Light Vehicles.	Where the vehicle runs on unleaded petrol, it is not necessary to comply with any requirement in the ADR to restrict the size of the filler inlet. Testing concessions Where the vehicle runs on unleaded petrol, the vehicle need not be tested in accordance with the requirements of the ADR relating to the fuel used for testing if: (a) the testing is conducted using test fuel that complies with the requirements for test fuel of the US EPA (CFR 40, Part 86, paragraph 113-04); and (b) details of the fuel specification are included in the test report.

EXPOSURE DRAFT

Concessional standards and testing concessions applicable to all relevant vehicles **Schedule 1**

Standards applicable to all relevant vehicles		
Item	Column 1—ADR	Column 2—Alternative standards
53	80/01—Emission Control for Heavy Vehicles	<p>The vehicle is not required to comply with the ADR if:</p> <ul style="list-style-type: none">(a) where the vehicle operates on diesel fuel—the vehicle complies with Directive 1999/96/EC of the European Parliament and of the Council of 13 December 1999 amending Council Directive 88/77/EEC, as per the limit values in row B1 of Table 1 and row B1 of Table 2; or(b) where the vehicle operates on liquefied petroleum gas or natural gas—the vehicle complies with Directive 1999/96/EC of the European Parliament and of the Council of 13 December 1999 amending Council Directive 88/77/EEC, as per the limit values in row B1 of Table 2; or(c) the vehicle complies with an EEC whole of vehicle type approval directive that demonstrates that the vehicle complies with a Directive mentioned in paragraph (a) or (b) (as applicable).
54	<ul style="list-style-type: none">(a) 81/00—Fuel Consumption Labelling for Light Vehicles; or(b) 81/01—Fuel Consumption Labelling for Light Vehicles; or(c) 81/02—Fuel Consumption Labelling for Light Vehicles.	<p>The vehicle is not required to comply with the ADR.</p>
55	82/00—Engine Immobilisers	<p>The vehicle is not required to comply with the ADR if it complies with:</p> <ul style="list-style-type: none">(a) European Council Directive 74/61/EEC of 17 December 1973; or(b) the following:<ul style="list-style-type: none">(i) AS/NZS 4601:1999 – Vehicle Immobilizers;(ii) clause 32.1.2 of Appendix A to the ADR; or(c) Canadian National Standard CAN/ULC S338-98—Automobile Theft Deterrent Equipment and Systems: Electronic Immobilization.
56	83/00—External Noise	<p>Testing concessions</p> <p>Where the vehicle is fitted with an engine governor, and, in consequence, cannot achieve the required stationary noise engine speed of $\frac{3}{4}$ Engine Speed Maximum Power, the stationary noise may instead be measured at the maximum governed speed. However, this item only applies if the applicant for approval of the Model Report provides material of a kind mentioned in subsection 27(2), (3) or (4).</p>

EXPOSURE DRAFT

Schedule 1 Concessional standards and testing concessions applicable to all relevant vehicles

Standards applicable to all relevant vehicles		
Item	Column 1—ADR	Column 2—Alternative standards
57	86/00—Parking Lamps	The luminous intensity of the vehicle's lamps may deviate unfavourably by up to 20% from the values specified in the ADR.
58	87/00—Cornering Lamps	The luminous intensity of the vehicle's lamps may deviate unfavourably by up to 20% from the values specified in the ADR.
59	94/00—Audible Warning	The vehicle is not required to comply with the ADR if it complies with ADR 42/04—General Safety Requirements, or an earlier version of that standard.

Schedule 2—Standards—mobility criterion

(section 18)

1 Purpose of this Schedule

This Schedule sets out standards that apply to a road vehicle that is manufactured or modified in accordance with a Model Report that applies to a model, or one or more variants, of road vehicle entered on the SEVs Register on the basis of the eligibility criterion in section 132 of the Rules (mobility criterion).

Note: These standards apply in addition to the other applicable standards in this instrument (including the standards in Schedule 1) and the Rules (see section 72).

2 Additional requirements—Australian Standards

- (1) A vehicle with forward-facing portable wheelchair car seats must comply with AS/NZS 3696.19:2009 (R2016)—*Wheelchairs - Part 19: Wheeled mobility devices for use as seats in motor vehicles* (ISO 7176-19:2008, MOD).
- (2) A vehicle with a built-in hoist or built-in wheelchair ramp must comply with the following standards:
 - (a) AS/NZS 3856.1:1998 (R2016)—*Hoists and ramps for people with disabilities – Vehicle-mounted – Product requirements*; and
 - (b) AS/NZS 3856.2:1998 (R2016)—*Hoists and ramps for people with disabilities – Vehicle-mounted – Installation requirements*.
- (3) Where a vehicle is fitted with mechanical and electromechanical systems for primary or secondary driving controls that allow the vehicle to be driven by a person with a physical disability, the vehicle must comply with AS 3954:2019—*Motor vehicle driver controls – Adaptive systems for people with disabilities*.
- (4) A vehicle with wheelchair tie-down and occupant-restraint systems that use belt-type occupants restraints must comply with AS/NZS 10542.1:2015—*Technical systems and aids for people with disability – Wheelchair tiedown and occupant-restraint systems, Part 1: Requirements and test methods for all systems* (ISO 10542-1:2012, MOD).

Note: In 2020, the standards referred to in this clause were available on the SAI Global website at <https://infostore.saiglobal.com>.

3 Additional requirements—warning labels

- (1) This clause applies where a vehicle is fitted with:
 - (a) a lift up and out seat; or
 - (b) a swivel-out seat.
- (2) The vehicle must be supplied with instructions, printed in English, that deal with the following matters:
 - (a) the safe operation of the seat;
 - (b) the routine inspection and maintenance of the seat;
 - (c) recommended settings for any adjustable parts of the seat, including seat travel, height and angle when used as a mobility aid;

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Schedule 2 Standards—mobility criterion

- (d) the maximum recommended user weight in kilograms;
 - (e) other limitations on the use of the seat (if any).
- (3) The seat must be clearly and permanently marked with the following information:
- (a) instructions for the safe operation of the seat, located near the relevant controls;
 - (b) the safe working load, specified in kilograms.
- (4) The markings mentioned in subclause (3) must be:
- (a) in English; and
 - (b) in a position where they can easily be read by the user.
- (5) A ***lift up and out seat*** is a seat designed to lift a person from an accessible position outside the vehicle into a standard seating position inside the vehicle.
- (6) A ***swivel-out seat*** is a seat designed to assist entry to and exit from the vehicle by rotating within the vehicle to face the door opening.

Schedule 3—Left-hand drive conversions

(section 19)

1 Purpose of this Schedule

This Schedule sets out standards that apply to a road vehicle that is manufactured or modified in accordance with a Model Report that provides for a model, or one or more variants, of a road vehicle to be converted from left-hand drive to right-hand drive.

2 Maximum variance in performance following conversion

- (1) Subject to the requirements of this Schedule, the safety systems of the converted vehicle must not vary from their pre-conversion performance by more than 10%.
- (2) **Safety systems** means the following systems of a vehicle:
 - (a) the steering system;
 - (b) the braking system;
 - (c) the occupant protection system;
 - (d) the electrical and electronic systems;
 - (e) the seats, seatbelts and seatbelt anchorages;
 - (f) the dashboard and vehicle controls.
- (3) **Performance** means the value of the parameter that is used, or could reasonably be expected to be used, to rate or characterise a system, including:
 - (a) size; or
 - (b) capacity; or
 - (c) strength; or
 - (d) energy absorption; or
 - (e) durability; or
 - (f) range of motion.

3 Permissible modifications to vehicle structure

- (1) The vehicle structure must not have been modified where there was a viable alternative means of converting the vehicle to right-hand drive.
- (2) The vehicle structure, following modifications of a kind permitted under subclause (1), must retain a level of integrity equivalent to that of the vehicle structure of the original vehicle.

4 Standards concerning components of the converted vehicle

Replacement of original components

- (1) The original components of the vehicle must not have been replaced in the course of the conversion, except:
 - (a) where necessary to convert the vehicle to right-hand drive; or

EXPOSURE DRAFT

Schedule 3 Left-hand drive conversions

- (b) where the effect of a determination made under section 88 of the Rules is to require the component to be replaced.

Note: The effect of a determination made under section 88 of the Rules may be to require deteriorated components to be replaced.

- (2) Without limiting subclause (1), it is permissible for an original component to have been replaced where it was unsuitable for use in the converted vehicle.

Equivalent components to be used where possible

- (3) Where:
 - (a) an original component required replacement; and
 - (b) an equivalent component from a right-hand drive variant of the model of vehicle was available and suitable for use in the converted vehicle;the original component must have been replaced with the equivalent component.

Other compatible components to be used as an alternative

- (4) Where:
 - (a) an original component required replacement; and
 - (b) a component mentioned in paragraph (3)(b) was not available or suitable for use in the converted vehicle;the original component must have been replaced with a compatible component designed for another model of vehicle.

Requirements for substitute components

- (5) Where a component was added or replaced in the course of the conversion, the additional or substitute component must:
 - (a) be compatible with the mounting arrangements for the component; and
 - (b) be capable of withstanding the loads that the component is likely to bear; and
 - (c) support the interface of the component with other systems in the converted vehicle.
- (6) Where a load-bearing component of the vehicle was modified or replaced in the course of the conversion, the modified or replacement component must be equivalent to the original component in the following respects:
 - (a) the factor of safety in respect of peak or shock loads;
 - (b) the fatigue life, where the component is susceptible to high cycle fluctuating loads.
- (7) The *factor of safety* is the load that the manufacturer designed the component to bear in excess of the expected normal load on the component.

5 Standards concerning steering systems of the converted vehicle

- (1) The following aspects of the steering system of the converted vehicle must remain consistent with those of the original vehicle:
 - (a) the steering effort, when:

-
- (i) assisted; and
 - (ii) unassisted, following the failure of a steering assistance system; and
 - (b) the electronic stability control; and
 - (c) other systems augmenting or correcting control of the vehicle's dynamics.
- (2) The aspects of the steering system mentioned in subclause (1) must remain consistent with those of the original vehicle in respect of at least the following (as applicable):
- (a) sensor-related effects, including steering torque, steering position and steering speed sensors; and
 - (b) steering kinematics-related effects, including design changes to moving components.
- (3) Following the conversion:
- (a) the steering and suspension components of the vehicle must move freely throughout the full range of suspension travel; and
 - (b) the steering must move freely while the axle is at its full wheel articulation on the opposing side of the vehicle.

6 Converted vehicle must achieve comparable performance upon lane-change testing

- (1) A converted vehicle with a gross vehicle mass of 4.5 tonnes or less must, upon executing the lane change manoeuvre test set out in section LT of *Vehicle Standards Bulletin 14 - National Code of Practice for Light Vehicle Construction and Modification (NCOP)*:
- (a) achieve the same speed test result as the original vehicle; and
 - (b) in all other respects—achieve a result within a tolerance of ± 10 per cent of that of the original vehicle.

Note: In 2020, the Vehicle Standards Bulletin was available on the Department of Infrastructure, Transport, Regional Development and Communications website at <http://infrastructure.gov.au>.

- (2) A converted vehicle with a gross vehicle mass of more than 4.5 tonnes must, upon executing the single lane change test specified in *ISO 14791: 2000 Road vehicles — Heavy commercial vehicle combinations and articulated buses — Lateral stability test methods*:
- (a) achieve the same speed test result as the original vehicle; and
 - (b) in all other respects—achieve a result within a tolerance of ± 10 per cent of that of the original vehicle.

Note: In 2020, ISO 14791 was available on the International Organisation for Standardization website at <http://iso.org>.

7 Standards concerning handling characteristics of converted vehicle

The following handling characteristics of the converted vehicle must be equivalent to those of the original vehicle, subject to the specified tolerances:

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Schedule 3 Left-hand drive conversions

- (a) the turning circle of the converted vehicle, in both clockwise and anticlockwise directions, must be within ± 100 millimetres of that of the original vehicle;
- (b) the suspension travel of the converted vehicle must be within ± 10 millimetres of that of the original vehicle;
- (c) for passenger vehicles, the peak lateral acceleration in both clockwise and anticlockwise directions, as measured in accordance with *ISO 4138:2012(en) Passenger cars — Steady-state circular driving behaviour — Open-loop test methods*, must be within ± 5 per cent of that of the original vehicle;
- (d) for vehicles other than passenger vehicles, the results achieved by the converted vehicle upon executing a single sine-wave lateral acceleration input, as specified in Part 10 (sinusoidal input) of *ISO 14793: 2011 – Road Vehicles – Heavy Commercial Vehicles and Buses – Lateral transient response test methods*, must fall within a tolerance of ± 5 per cent of the results achieved by the original vehicle.

Note: In 2020, the ISO standards were available on the International Organisation for Standardization website at <http://iso.org>.

8 Standards concerning Lane Keep Assist Systems of converted vehicle

- (1) Where the converted vehicle is fitted, by the original manufacturer, with a Lane Keep Assist System with a function that allows the system to operate where the vehicle is travelling on the left-hand side of the road, the system must be suitable for operation on Australian roads.
- (2) Where the converted vehicle is fitted with a Lane Keep Assist System that does not have the function mentioned in subclause (1), the system must meet the requirements of *ISO 11270:2014(en) Intelligent transport systems — Lane keeping assistance systems (LKAS) — Performance requirements and test procedures*.

Note: In 2020, the ISO Standard was available on the International Organisation for Standardization website at <http://iso.org>.

9 Standards concerning braking systems of converted vehicle

- (1) The converted vehicle's braking system controls must have been relocated for a right-hand drive configuration.
- (2) The relocation of the braking system must not have resulted in significant changes to the braking and stability performance of any of the following:
 - (a) the peak deceleration (m/s^2);
 - (b) the pedal load (N);
 - (c) the brake fade-resistance under high ambient temperatures (including the temperature within the engine bay).
- (3) Where the converted vehicle is fitted (as original equipment) with an Autonomous Emergency Braking system, the system must have been equipped, by the original manufacturer, with a function that allows it to be configured to operate where the vehicle is travelling on the left-hand side of the road.

10 Standards concerning occupant protection systems

- (1) All occupant protection systems of the vehicle fitted by the original manufacturer must continue to function normally following the conversion.
- (2) A converted vehicle with a gross vehicle mass of 4.5 tonnes or less must, upon undergoing the beaming and torsion test specified in section LT1 of Vehicle Standards Bulletin 14: *National Code of Practice for Light Vehicle Construction and Modification*, achieve results that do not materially differ from those achieved by the original vehicle.

Note: In 2020, the Vehicle Standards Bulletin was available on the Department of Infrastructure, Transport, Regional Development and Communications website at <http://infrastructure.gov.au>.

- (3) Where the test mentioned in subclause (2) identifies that the converted vehicle's structure is asymmetrical between the left-hand and right-hand frontal crush zones, the vehicle must be suitable for use on Australian roads.
- (4) Without limiting subclause (3), a converted vehicle is suitable for use on Australian roads where:
 - (a) the vehicle is modified so as to ensure that the front crush structure of the original vehicle is mirrored on the converted vehicle; or
 - (b) the vehicle complies with the applicable version of the following national road vehicle standards:
 - (i) ADR 10—Steering Column;
 - (ii) ADR 69—Full Frontal Impact Occupant Protection;
 - (iii) ADR 72—Dynamic Side Impact Occupant Protection;
 - (iv) ADR 73—Offset Frontal Impact Occupant Protection;
 - (v) ADR 85—Pole Side Impact Performance.
- (5) Where a passenger airbag is fitted by the original manufacturer, the airbag must not, following conversion, expose the occupants to a greater risk of injury in a crash than would have existed prior to the conversion.
- (6) For the purposes of paragraph 89(2)(b) of the Rules, the Secretary may only be satisfied that a converted vehicle complies with the requirement in subclause (6) where:
 - (a) the airbag is deployed to demonstrate that modifications made to the airbag mounting and brackets, dash pad and panels, and airbag exit points, will not cause injury; and
 - (b) the airbag is triggered by a simulated crash pulse via the sensors and writing to confirm that the sensors and writing are functioning correctly.

11 Standards concerning electrical and electronic systems

- (1) Where the converted vehicle is fitted with sensors or devices that trigger safety systems, the sensors must be oriented for a right-hand drive configuration.
- (2) Where the electronic and electrical systems of the vehicle have been modified, those modifications must comply with the relevant requirements of Automotive Electronics Council standards AEC-Q100 and AEC-Q200.

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Schedule 3 Left-hand drive conversions

Note: In 2020, the AEC standards were available on the Automotive Electronics Council website at <http://www.aecouncil.com>.

12 Standards concerning dashboard and vehicle controls

The converted vehicle's driver malfunction indicator lamps or on-board diagnostic systems must indicate that there are no faults or malfunctions in the vehicle.

13 Standards concerning destructive testing

- (1) The converted vehicle is not required to comply with the following national road vehicle standards to the extent that they require destructive testing to demonstrate compliance:
 - (a) ADR 10—Steering Column;
 - (b) ADR 69—Full Frontal Impact Occupant Protection;
 - (c) ADR 72—Dynamic Side Impact Occupant Protection;
 - (d) ADR 73—Offset Frontal Impact Occupant Protection;
 - (e) ADR 85—Pole Side Impact Performance.
- (2) Subclause (1) does not apply to the extent that destructive testing is necessary to demonstrate compliance with paragraph 10(4)(a) of this Schedule.

14 Converted vehicle must have warning label

- (1) This clause applies where the effect of this instrument is that a converted vehicle is not required to comply with one or more requirements of an applicable national road vehicle standard, and:
 - (a) the vehicle has not been tested to determine whether it complies with those requirements; or
 - (b) the vehicle:
 - (i) has been tested to determine whether it complies with those requirements; and
 - (ii) does not comply with the requirements.

Example: The effect of Schedule 1 of this instrument is that, in some cases, a vehicle will not be required to comply with certain requirements of an applicable national road vehicle standard (whether altogether, or only where the vehicle meets alternative requirements).

- (2) The converted vehicle must be marked with a warning label that:
 - (a) is permanent and durable; and
 - (b) is at least 100 millimetres in width and 30 millimetres in height; and
 - (c) has lettering at least 4 millimetres high; and
 - (d) is printed in red text on a white background; and
 - (e) is mounted in a prominent position within the vehicle that will be visible to the front seat occupants at all times; and
 - (f) contains the following text, as relevant to the vehicle:

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Left-hand drive conversions **Schedule 3**

This vehicle has been converted from left-hand to right-hand drive and has not been shown to comply with the following standards:

Australian Design Rule 10/... Steering Column

Australian Design Rule 69/... Full Frontal Impact Occupant Protection

Australian Design Rule 72/... Dynamic Side Impact Occupant Protection

Australian Design Rule 73/... Offset Frontal Impact Protection

Australian Design Rule 85/... Pole Side Impact Performance.

It may not provide the level of occupant protection required by these standards.

Note: Text can be deleted from the label as relevant, including where a national road vehicle standard mentioned above does not apply to the vehicle.

- (3) The information mentioned in subclause (2) must also be included in the handbook supplied with the vehicle.
- (4) The handbook must identify the location of the warning label in the vehicle.

EXPOSURE DRAFT

Schedule 4 Campervans and motorhomes

Schedule 4—Campervans and motorhomes

(section 20)

1 Purpose of this Schedule

This Schedule sets out standards that apply to a road vehicle that is manufactured or modified in accordance with a Model Report that applies to a model, or one or more variants, of a campervan or motorhome.

Note: Other parts of this instrument also set out requirements relevant to campervans and motorhomes. For instance, items 6 and 7 of Schedule 1 set out specific requirements relating to safety glazing material.

2 Definitions

(1) In this Schedule:

designated seating position means a seating position designed to be occupied when the vehicle is being used in transport (as identified by the applicant for approval of the relevant Model Report), and includes a seat capable of being converted into a sleeping berth when the vehicle is not being used in transport.

original vehicle means a road vehicle that is to be manufactured or modified in accordance with a Model Report that applies to a model, or one or more variants, of a campervan or motorhome.

permanent bed means a bed that is permanently affixed inside a vehicle.

Note: Subclause (2) defines when a bed is permanently affixed inside a vehicle.

sleeping berth includes:

- (a) a permanent bed; and
- (b) an item of furniture or other fixture in a vehicle that can be converted into a bed.

unladen mass of a vehicle means the mass of the unoccupied vehicle:

- (a) in running order; and
- (b) with all fluid reservoirs (including fuel and water tanks) filled to nominal capacity; and
- (c) fitted with all standard equipment; and
- (d) otherwise unladen.

vehicle means a road vehicle that has been manufactured or modified in accordance with a Model Report that applies to a model, or one or more variants, of a campervan or motorhome.

(2) A bed is permanently affixed inside a vehicle if its base structure is bolted, riveted, screwed or welded to the floor or sidewall of the vehicle.

3 Standards applicable to campervans or motorhomes

The standards are that:

-
- (a) all vehicles to which this Schedule applies must meet the requirements that are expressed to apply to a ‘vehicle’; and
 - (b) a vehicle with a gross vehicle mass of more than 3.5 tonnes must meet the requirements that apply to a motorhome; and
 - (c) a vehicle with a gross vehicle mass of 3.5 tonnes or less must meet:
 - (i) the requirements that apply to a campervan; or
 - (ii) the requirements that apply to a motorhome; or
 - (iii) a combination of both.

Note: The requirements applicable to motorhomes are generally higher than those applicable to campervans. A Model Report may be designed so as to ensure that a campervan that is modified or manufactured in accordance with it will comply with the more stringent standards in some respects, and the baseline standards in others.

4 Maximum weight of vehicle

- (1) The mass of the vehicle, as calculated in accordance with subclause (2), must not exceed the gross vehicle mass of the original vehicle (as specified by the original manufacturer).
- (2) The mass of the vehicle is the sum of the following:
 - (a) the unladen mass of the vehicle;
 - (b) 68 kg for each designated seating position;
 - (c) 60 kg for each of the first two sleeping berths;
 - (d) 20 kg for each further sleeping berth.

Example: The unladen mass of a vehicle is 3 tonnes. The vehicle has four designated seating positions (272 kg) and four sleeping berths (160 kg). The mass of the vehicle, for the purposes of this clause, is 3,432 kg.

5 Access to living or sleeping space

- (1) The vehicle must be fitted with at least one door, located at the left-hand side or rear, that:
 - (a) provides direct access into the living or sleeping space; and
 - (b) meets the requirements of subclause (2).
- (2) The requirements are that the door:
 - (a) is a sliding door; or
 - (b) both:
 - (i) opens outwards; and
 - (ii) for a side-mounted door—is hinged at the front edge.
- (3) It must be possible to pass an access gauge of the dimensions shown in figure 1 through the door aperture under the following conditions:
 - (a) the access gauge must remain perpendicular, subject to a tolerance of ± 5 degrees where this would simulate the likely movements of a person using the entrance;
 - (b) the access gauge may not be tilted to clear obstructions;

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Schedule 4 Campervans and motorhomes

- (c) if there is a passageway between the door and the living or sleeping space, the bottom edge of the access gauge must remain in contact with the lower edge of the door aperture and the floor of the vehicle; and
- (d) the access gauge must not come into contact with any other part of the door frame or vehicle.

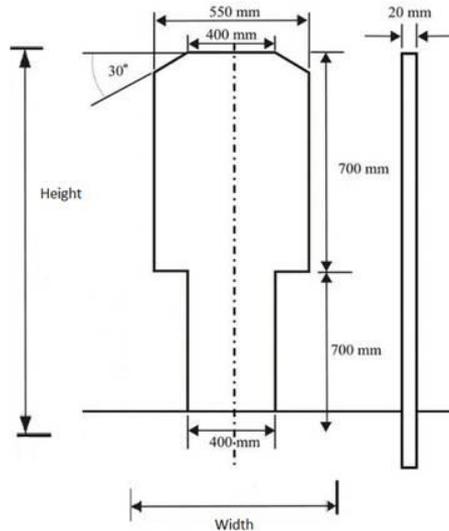


Figure 1

6 Seating requirements

- (1) The vehicle must be fitted with a durable and permanent label or plaque, in a location readily visible to passengers, setting out the following:

THIS VEHICLE IS DESIGNED FOR THE CARRIAGE OF (number) PERSONS

[Insert a seating plan showing all provided seats, with an "X" shown on all seating positions that are NOT designated seating positions]

WARNING: THE SEATING POSITION(S) SHOWN BY "X" ON THIS LABEL MUST NOT BE OCCUPIED WHILE THE VEHICLE IS IN MOTION

- (2) The lettering on the label or plaque must be at least 6 mm high.
- (3) A copy of the label or plaque must be included with the owner's manual supplied with the vehicle.

7 Living space requirements

Requirements applicable to campervans and motorhomes

- (1) The vehicle must have a space in which one or more occupants can live while the vehicle is not being used in transport.
- (2) The living space:

- (a) must be integral to the vehicle; and
- (b) must be large enough to accommodate the table and seating mentioned in subclause (4).

Extension of living space

- (3) Despite paragraph (2)(a):
 - (a) the living space may include an extendable roof; and
 - (b) for a campervan—part of the living space may be outside of the vehicle, provided that the space is protected from the elements by an awning or other shelter provided with the vehicle.

Dining table and seating

- (4) The vehicle must include:
 - (a) a dining table; and
 - (b) sufficient seating at the dining table for at least as many people as there are sleeping berths in the vehicle.
- (5) The dining table and seating:
 - (a) must have a permanent mounting in the living space; and
 - (b) may be demountable for storage during transport or conversion into one or more sleeping berths.
- (6) A table or chair will have a permanent mounting only if its base structure is bolted, riveted, screwed or welded in place.

8 Sleeping accommodation requirements

Requirements applicable to campervans and motorhomes

- (1) The number of sleeping berths in the vehicle must not exceed the number of designated seating positions.

Note: 'Sleeping berth' includes an item of furniture or other fixture in a vehicle that can be converted into a bed (see subclause 2(1)).

Requirements applicable to campervans

- (2) Each sleeping berth in a campervan must be suitable for use by an adult.

Requirements applicable to motorhomes

- (3) A motorhome must be fitted with at least one permanent double bed, or two permanent single beds.

Note: 'Permanent bed' is defined in subclause 2(1).

EXPOSURE DRAFT

Schedule 4 Campervans and motorhomes

9 Cooking facilities

Requirements applicable to campervans and motorhomes

- (1) The vehicle must be fitted with permanent cooking facilities suitable for preparing meals for at least as many people as there are sleeping berths in the vehicle.
- (2) **Permanent cooking facilities** are cooking facilities that are bolted, riveted, screwed or welded to the floor or sidewall of the vehicle.

Requirements applicable to motorhomes

- (3) For a motorhome:
 - (a) the vehicle must be fitted with a sink and tap suitable for washing utensils; and
 - (b) the sink must be permanently plumbed to a freshwater tank or external fitting; and
 - (c) the drain must be plumbed to a wastewater tank.

Example: For paragraph (3)(b), an external fitting may be a hose to a town water source.

10 Utilities requirements (motorhomes)

A motorhome must:

- (a) be fitted with an independent power supply capable of powering the vehicle's onboard facilities when the vehicle is not connected to an external AC power supply; and
- (b) have one or more of the following:
 - (i) the ability to connect to an external AC power supply while stationary, via an inbuilt rectifier or adapter, in order to power the vehicle's onboard facilities;
 - (ii) a power supply that is principally designed to operate without being connected to the grid.

Example: Solar panels and storage batteries are an example of a power supply mentioned in subparagraph (b)(ii).

11 Storage requirements

Requirements applicable to motorhomes

- (1) A motorhome must have a minimum volumetric storage capacity of:
 - (a) 1.4 m³ for the first two sleeping berths; and
 - (b) 0.4 m³ for each additional sleeping berth.
- (2) The volumetric storage capacity of any refrigerator in the motorhome may be treated as storage capacity for the purposes of subclause (1).

Requirements applicable to campervans

- (3) A campervan must have a minimum volumetric storage capacity of:
-

- (a) 0.7 m³ for the first two sleeping berths; and
- (b) 0.2 m³ for each additional sleeping berth.

Requirements applicable to campervans and motorhomes

- (4) The vehicle's storage facilities must:
 - (a) be mounted independently of other items, unless the storage is incorporated below seats, sleeping berths or cooking facilities; and
 - (b) be bolted, riveted, screwed or welded to the floor or sidewall of the vehicle; and
 - (c) include features that prevent the doors of the storage facilities from opening unintentionally while the vehicle is in motion.

12 Water storage requirements

Requirements applicable to motorhomes

- (1) A motorhome must have one or more storage tanks for potable water fixed to the vehicle, with a total combined capacity of at least 100 litres.

Requirements applicable to campervans

- (2) A campervan must have one or more water storage tanks for potable water with a total combined capacity of at least 50 litres.
- (3) The water storage tanks may be fixed or removable, but must have a permanent location in or on the vehicle when they are in place.

13 Hygiene and refrigeration facilities (motorhomes)

A motorhome must be fitted with:

- (a) a toilet and shower; and
- (b) a refrigeration facility that is bolted, riveted, screwed or welded to the floor or sidewall of the vehicle.

EXPOSURE DRAFT

Schedule 5 Additional standards: all vehicles

Schedule 5—Additional standards: all vehicles

(section 22)

Additional standards—all vehicles		
Item	Column 1—ADR	Column 2—Additional standards
1	(a) 03/00—Seat Anchorages; or (b) 03/01—Seat Anchorages; or (c) 03/02—Seats and Seat Anchorages; or (d) 03/03—Seats and Seat Anchorages; or (e) 03/04—Seats and Seat Anchorages.	A vehicle: (a) is not required to comply with the ADR if it complies with a later version of the ADR; and (b) where the vehicle complies with a later version of the ADR—must comply with the applicable version of ADR 34—Child Restraint Anchorages and Child Restraint Anchor Fittings.
2	(a) 05/00—Anchorages for Seat Belts and Child Restraints; or (b) 05/01—Anchorages for Seat Belts and Child Restraints; or (c) 05/02—Anchorages for Seatbelts.	A vehicle: (a) is not required to comply with the ADR if it complies with: (i) ADR 5/03—Anchorages for Seatbelts; or (ii) ADR 5/04—Anchorages for Seatbelts; or (iii) ADR 5/05—Anchorages for Seatbelts; or (iv) ADR 5/06—Anchorages for Seatbelts; and (b) where the vehicle complies with a version of the ADR mentioned in paragraph (a)—must comply with ADR 34/01—Child Restraint Anchorages and Child Restraint Anchor Fittings, or a later version of that standard.
3	42/05—General safety requirements	Where a vehicle complies with the ADR, it must also comply with: (a) the following: (i) ADR 90/00—Steering System; (ii) ADR 91/00—Rear Underrun Impact Protection; (iii) ADR 92/00—External Projections; (iv) ADR 93/00—Forward Field of View; (v) ADR 94/00—Audible Warning; (vi) ADR 95/00—Installation of Tyres; and (b) ADR 23/03—Passenger Car Tyres, where ADR 95/00 would otherwise require the vehicle to comply with another version of ADR 23; and (c) ADR 96/00—Commercial Vehicle Tyres, where ADR 95/00 would otherwise require the vehicle to comply with another version of ADR 96.
4	(a) 61/00—Vehicle Marking; or	Where the ADR applies to the vehicle, the vehicle must instead comply with the requirements of ADR 61/03—Vehicle Marking.

EXPOSURE DRAFT

Additional standards—all vehicles		
Item	Column 1—ADR	Column 2—Additional standards
	(b) 61/01—Vehicle Marking; or	
	(c) 61/02—Vehicle Marking.	

EXPOSURE DRAFT