



# Request for Political Party Pre-Election Commitment

Status:	Approved	Date:	28 November 2018
Campaign:	<a href="http://www.timetoalign.org.au">www.timetoalign.org.au</a>	Facebook:	<a href="https://www.facebook.com/4WDAustraliaAssociation">4WD Australia Association</a>
Web:	<a href="http://www.4wda.org.au">www.4wda.org.au</a>	Page:	1 of 4

## **“Time To Align”: Pre-Election Commitment for National Alignment of Vehicle Modification Legislation - Federal Action Plan**

**Introduction:** Under the current federal / local government demarcation of legislation, all new motor vehicles which are sold to the Australian market, must meet the federal government Australian Design Rules (ADR) compliance standards which are managed by the Department of Infrastructure, Regional Development and Cities, while the management and administration of in-service vehicles and associated modifications, remains the responsibility of each local government registration authority.

**Issue:** Each state government transport department has separate legislation and certification / compliance standards which are applied to their own in-service vehicle fleet, however, no two states have the exact same legislation and certification standards, while some are vastly different to others. While each state and territory government’s registration authorities have representatives, which make up the membership of the Australian Motor Vehicle Certification Board (AMVCB), it took this group over 10 years to draft the National Code of Practice for Light Vehicle Construction and Modification (NCOP – AKA Vehicle Standards Bulletin 14), and each state still has not implemented the standards and achieved true harmonisation across local jurisdictions, or some implemented the NCOP with additional changes.

Currently, no state government registration authority recognises vehicle modification certifications which have been issued in another state, meaning the transfer of vehicle registration between states, requires the vehicle owner to potentially spend thousands of dollars undertaking the exact same engineering testing and certification process, which has already been undertaken in their original state. Further, if modifications being transferred don’t meet the new state’s standards, then they will be denied, and they need to be removed from the vehicle.

Due to local registration standards, every auto-mechanical engineer, automotive workshop and aftermarket product seller across Australia, has no assurance their products will be accepted across the entire Australian marketplace. Further, large national companies have significant fleet management issues due to the indifferent state legislation, registration and movement of vehicles across interstate boundaries.



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Disparate vehicle standards are disruptive to the Australian general population, motoring industry, motoring communities and generates an unnecessary level of bureaucracy, with many people losing faith in the necessity of state and territory governments.

In order to resolve the disharmony across state jurisdictions and truly provide motorists with a single authoritative vehicle modification standard, is to adopt NSW's Vehicle Safety Compliance Certification Scheme (VSCCS) and associated processes as the basis for a national modification framework, rather than aligning with the NCOP and all its variations imposed by individual states.

**Our recommended strategy:** to achieve a nationally aligned Vehicle Modification Framework is to:

- Initially amend the federal "Road Vehicle Standards Act 2018" (replaces the Motor Vehicle Standards Act 1989) to allow mutual and national recognition of all individual state engineering, approved certifiers and certification schemes, to be recognised and accepted by all state registration authorities, so any single state's modification and certification remains valid, for the life of the vehicle, across all state jurisdictions. Establishing "Mutual Recognition" early will provide a temporary solution until a complete framework can be fully implemented;
- Establish a National Vehicle Modification and Certification Program for in-service registered passenger vehicles (post ADRs and Second Stage Manufacture – SSM), to be implemented federally and in parallel with ADRs;
- Establish a national working group involving the federal government, automotive industry, motoring communities, as equal co-chairs / lead appointments, to guide and manage the ongoing development of the National Vehicle Modification framework;
- Allow the main working group terms of reference, to establish sub-working groups in order to interact, review and develop specialist sections / components of smaller sub-sections of the national vehicle modification framework;



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- Establish a national approval and certification scheme for all automotive engineers, approved persons, vehicle inspectors, and technical workshops who are able to provide certification and approval processes for vehicles across all states and territories;
- All individual state and territory modification certifications to be accepted by all national registration authorities;
- Allow engineers, approved persons and vehicle inspectors to evaluate and undertake vehicle modifications based on their specialist skills, applying safe / sound engineering and test procedures, without the requirement for individual state review and approval of engineering diagrams and associated red tape;
- Establish a national database of modified vehicles, engineers, approved certifiers for all Australian's to access to review services provided;
- Provide all state police service agencies and registration authorities with access to the national database for enforcement, investigation and review of modified vehicles
- Provide flexibility for modifications in remote / regional areas:
  - Less restrictive for NT / isolated / regional state areas, based on lower risk traffic; and
  - Special approvals granted by law enforcement officers or other authoritative figures located in regional communities, for remote vehicles which spend the majority of time in low population areas.
- Allowance of Second Stage Manufacture – SSM modifications to be certified on current in-service registered vehicles;
- Allow vehicles and certification approvals to be transferred interstate between registration authorities when owners relocate or sell vehicles across state boundaries;



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- Initial acceptance of NSW's VSCCS scheme to be adopted as the baseline for national vehicle modification framework, with individual state allowances being reviewed and added during development;
- Current in-service modifications of vehicles across all states to be accepted as pre-approved, no requirement for retrospective modifications and approvals. New modifications to existing vehicles will need to meet the national framework; and
- Central / Interactive web portal which allows motorists to enter vehicle makes and models, and allows them to review different modification options in order to assess suitability for self-certification.

**We are seeking:** your political party's acknowledgement of the many issues associated with disparate legislation across states, and a commitment for the upcoming federal election in 2019 to:

- Amend the federal Road "Vehicle Standards Act 2018" (replaces the Motor Vehicle Standards Act 1989) to allow "Mutual Recognition" of all individual state engineering, approved certifiers and certification schemes, to be recognised and accepted by all state registration authorities;
- Establish a National Vehicle Modification and Certification Program for in-service registered passenger vehicles as recommended, to be implemented federally and in parallel with ADRs; and
- Ensure industry and community engagement is a key basis for the Vehicle Modification Framework.

===== REQUEST FOR COMMITMENT ENDS =====