

# **Vehicle Standard (Australian Design Rule – Definitions and Vehicle Categories) 2005 Amendment 3**

Made under section 7 of the Motor Vehicle Standards Act 1989

## **Explanatory Statement**

Issued by the authority of the Minister for Transport and  
Regional Service

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## 1. LEGISLATIVE CONTEXT

*Vehicle Standard (Australian Design Rule — Definitions and Vehicle Categories) 2005 Amendment 3* is made under the *Motor Vehicle Standards Act 1989* (the Act). The Act enables the Australian Government to establish nationally uniform standards for road vehicles when they are first supplied to the market in Australia. The Act applies to such vehicles whether they are manufactured in Australia or are imported as new or second hand vehicles.

The making of the vehicle standards necessary for the Act's effective operation is provided for in section 7 which empowers the Minister to "determine vehicle standards for road vehicles or vehicle components".

*Vehicle Standard (Australian Design Rule - Definitions and Vehicle Categories) 2005 Amendment 3* is being made to replace *Vehicle Standard (Australian Design Rule - Definitions and Vehicle Categories) 2005 Amendment 2*, which was registered on 18 July 2007.

## 2. CONTENT AND EFFECT OF VEHICLE STANDARD (AUSTRALIAN DESIGN RULE - DEFINITIONS AND VEHICLE CATEGORIES) 2005 AMENDMENT 3

### 2.1. Overview of the Amendment

This amendment adds a new definition of Twinned Wheels, to clarify the application of technical requirements for vehicles that are of a similar width to motorcycles.

### 2.2 Effect of the Amendment

By adopting a new definition that allows an arrangement of two wheels on the same axle to be treated as one wheel, provided they are spaced no further apart than 460 mm, the amendment has the effect of allowing vehicles complying with this dimensional limit to be classified as motorcycles. Therefore, such vehicles would be subject to all the technical prescriptions applicable to motorcycles rather than motorised tricycles or four wheeled vehicles.

## 3. CONSULTATION ARRANGEMENTS

### 3.1. General Consultation Arrangements

It has been longstanding practice to consult widely on proposed new or amended vehicle standards. For many years there has been active collaboration between the Federal and the State/Territory Governments, as well as consultation with industry and consumer groups. Much of the consultation takes place within institutional arrangements established for this purpose. The analysis and documentation prepared in a particular case, and the bodies consulted, depend on the degree of impact the new or amended standard is expected to have on industry or road users.

Depending on the nature of the proposed changes, consultation could involve the Technical Liaison Group (TLG), Transport Agencies Chief Executives (TACE), and the Australian Transport Council (ATC).

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- TLG consists of representatives of government (Australian and State/Territory), the manufacturing and operational arms of the industry (including organisations such as the Federal Chamber of Automotive Industries and the Australian Trucking Association) and of representative organisations of consumers and road users (particularly through the Australian Automobile Association).
- TACE consists of the chief executives of Australian and State/Territory departments of transport and road vehicle administrations.
- ATC consists of the Australian, State/Territory and New Zealand ministers with responsibility for transport issues.

Editorial changes and changes to correct errors are processed by the Department of Transport and Regional Services. This approach is only used where the amendments do not vary the intent of the vehicle standard.

New standards, or significant changes that increase the stringency of existing standards, are subject to a vote by ATC Ministers. Unless disapproved by a majority of ATC Ministers, the Minister for Local Government, Territories and Roads, can then determine the new or amended standards, under the authority of the Minister for Transport and Regional Services. Proposals that are regarded as significant need to be supported by a Regulation Impact Statement meeting the requirements of the Office of Best Practice Regulation as published in the *Best Practice Regulation Handbook*.

### 3.2. Specific Consultation Arrangements for this Amendment

Specific consultation arrangements for this amendment are detailed in the Regulation Impact Statement for New Definition for Twinned Wheels for Inclusion in Vehicle Standard (Australian Design Rule — Definitions and Vehicle Categories) 2005.

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