

Vehicle Standard (Australian Design Rule 59/00 – Standards For Omnibus Rollover Strength) 2007

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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CONTENTS

1.	LEGISLATIVE CONTEXT.....	3
2.	CONTENT AND EFFECT OF ADR 59/00 - STANDARDS FOR OMNIBUS ROLLOVER STRENGTH.....	3
3.	CONSULTATION ARRANGEMENTS	3

1. LEGISLATIVE CONTEXT

Vehicle Standard (Australian Design Rule 59/00 — Standards For Omnibus Rollover Strength) 2007 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".

Australian Design Rule (ADR) 59/00 was originally determined in *Determination of Motor Vehicle Standards - Order No. 1 of 1989*.

2. CONTENT AND EFFECT OF ADR 59/00 - STANDARDS FOR OMNIBUS ROLLOVER STRENGTH

2.1. Overview of the ADR

The function of this vehicle standard is to specify the strength of an omnibus superstructure to withstand forces encountered in rollover crashes.

2.2 Changes to the ADR

The following changes have been made to the ADR:

- The UNECE R66/01 standard has been included as an alternative standard in addition to UNECE R66/00.
- UNECE R 66/01 has been included in the document at Appendix A.
- The technical text of the original ADR 59, based on UNECE R66/00, has been re-formatted and moved to Appendix B.
- ADR 59/00 repeals and replaces Vehicle Standard (Australian Design Rule 59/00 – Standards For Omnibus Rollover Strength) 2006.

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).

- 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 Regulation Review as published in *A Guide to Regulation*.

3.2. Specific Consultation Arrangements for this Vehicle Standard

A working group was established from TLG members to consider proposals under the review of this vehicle standard. A final Regulatory Impact Statement (RIS) and draft ADR being released for public comment between August and October 2006. The RIS was subsequently cleared by the Office of Regulation Review under the reference number 7810.

At the June 2005 ATC meeting, transport Ministers endorsed a recommendation that broadly supported, non-contentious, United Nations Economic Commission for Europe (UNECE) harmonised proposals could proceed directly to determination following public consultation. The RIS established that this ADR falls in to such a category and so the consultation is considered to have been completed.

The RIS is attached.
