

Vehicle Standard (Australian Design Rule 10/02 – Steering Column) 2008 Amendment 1

Made under section 7 of the Motor Vehicle Standards Act 1989

Explanatory Statement

Issued by the authority of the Minister for Infrastructure, Transport, Regional
Development and Local Government

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1. LEGISLATIVE CONTEXT

Vehicle Standard (Australian Design Rule 10/02 — Steering Column) 2008 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".

2. CONTENT AND EFFECT OF ADR 10/02 - STEERING COLUMN AMENDMENT 1

2.1. Overview of the ADR

ADR 10 provides requirements for vehicle steering columns to reduce occupant injury in a crash due to the driver impacting on the steering column, or the steering column impacting on the driver.

2.2. Changes to the ADR

ADR 10/02 replaces ADR 10/01 and was determined on 26 June 2008. New models have had to comply with ADR 10/02 from 1 January 2010 and all new vehicles of existing models will have to comply from 1 June 2010. ADR 10/02 does not differ greatly from ADR 10/01 and the main reason for adopting the new ADR 10/02 was that it is in keeping with the program of harmonisation with the international regulations adopted by the United Nations Economic Commission for Europe, rather than providing for safety gains. Whatever safety gains there were, were very largely realised through the first applicability date.

The Federal Chamber of Automotive Industries have requested the second applicability date for new vehicles of existing models to be removed from the standard on the basis that the light vehicle industry turned over its model range in response to market forces which meant that most models have a short life span. Therefore, the lack of an applicability date for new vehicles of existing model would have little effect on the application of new or amended ADRs to the light vehicle fleet.

The Vehicle Safety Standards database shows that only seven existing models would be allowed to continue to comply with the older standard and these are produced in small numbers of no more than 25 production units per year. If industry was forced to comply with ADR 10/02, there would be additional costs to re-certify for no net gain in safety.

This proposed amendment is being made to remove the mandatory 1 June 2010 application date for all new vehicles of existing models. This means that existing models may continue to comply with the earlier ADR 10/01.

The argument for having no end date for existing vehicle models is that the change to the standard is based on harmonisation with an international standard and this only has an effect on a very small number of existing low volume models. Therefore, the transition could be managed by the natural change-over to new models in the future.

2.3. Documents Incorporated by Reference

This section lists documents referenced in the vehicle standard and how they can be obtained. The parentheses after the document title indicate where it is referenced.

- Australian Design Rules are available from the Department of Infrastructure, Transport, Regional Development and Local Government or can be downloaded from http://www.infrastructure.gov.au/roads/motor/design/adr_online.aspx.
 - Vehicle Standard (Australian Design Rule – Definitions and Vehicle Categories)
 - ADRs 69/... and 73/...
- UNECE Regulations are available from their website, <http://www.unece.org/trans/main/wp29/wp29regs.html>.
 - Regulation No 12

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/Standing Committee on Transport (TACE/SCOT), 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/SCOT 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.

The Department of Infrastructure, Transport, Regional Development and Local Government processes editorial changes and changes to correct errors without reference to other agencies. This approach is only used where the amendments do not vary the intent of the vehicle standard.

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 *Best Practice Regulation Handbook* and the Council of Australian

Governments *Principles and Guidelines for National Standard Setting and Regulatory Action for Ministerial Councils and Standard-Setting Bodies.*

3.2. Specific Consultation Arrangements for this Vehicle Standard

The amendment proposal was reviewed and unanimously endorsed by the Technical Liaison Group. This amendment is considered minor as it does not vary the intent of the vehicle standard and so a Regulation Impact Statement was not required (OBPR Reference No. 11263).