

# **Vehicle Standard (Australian Design Rule 50/00 – Front Fog Lamps) 2006 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 50/00 – Front Fog Lamps) 2006* 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 50/00 – Front Fog Lamps) 2006 (ADR 50/00) was originally determined in 2006.

## **2. CONTENT AND EFFECT OF ADR 50/00 AND THE AMENDMENT**

### **2.1. Overview of the ADR**

ADR 50/00 specifies the photometric requirements for front fog lamps. Its technical content is based on United Nations Economic Commission for Europe (UNECE) Regulation No. 19.

### **2.2. Effect of the ADR Amendment**

ADR 50/00 currently lists UNECE R 19/02 as an alternative standard. This regulation was updated to the 19/03 series in July 2008 allowing for the F3 class front fog lamp. The F3 class provides increased photometric performance, but in a more controlled form. The F3 class lamp also allows for adaptive beam patterns, where performance is varied according to visibility conditions.

This amendment involves the following changes:

- allowing UNECE R 19/03 as an alternative standard;
- updating the technical content of the ADR to allow for the latest version of UNECE R 19 to be fully reflected within the text;
- removing a redundant clause for the repeal of standards; and
- updating references to include the latest clause numbering.

These changes do not increase the stringency of the ADR, as an alternative standard clause will continue to provide the option of complying with UNECE R 19/01 and UNECE R 19/02. The main effect of this amendment will be to provide industry with an alternative to the currently permitted B class front fog lamp.

## **3. BEST PRACTICE REGULATION**

### **3.1. Business Cost Calculator**

There is no expected increase in cost to manufacturers, as the proposed amendments do not increase the stringency of the ADR.

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### 3.2. 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.

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*.

### 3.3. Specific Consultation Arrangements for this Vehicle Standard

The proposed amendment was provided out of session to TLG members on 28 January 2010. No objections were subsequently raised.

As the amendment is minor in nature, and does not raise the stringency of the ADR, there is no need for further consultation through TACE, the ATC, or the public comment process.

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#### 3.4. Regulation Impact Statement

As the proposed amendment does not increase the stringency of the ADR, a Regulation Impact Statement is not required.

Since the decision is made by the Minister for Infrastructure, Transport, Regional Development and Local Government without reference to the ATC and the proposal is not considered significant, the Office of Best Practice Regulation requirements have been met for this regulatory proposal (OBPR Reference No. 11203).