

MOTOR VEHICLE STANDARDS ACT 1989

**Vehicle Standard (Australian Design Rule 81/02 —
Fuel Consumption Labelling for Light Vehicles) 2008
Amendment 3**

EXPLANATORY STATEMENT

**Issued by the authority of the Minister for Infrastructure
and Transport**

September 2010

1. Legislative Context for ADR 81/02

Vehicle Standard (Australian Design Rule 81/02 – Fuel Consumption Labelling for Light Vehicles) 2008 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".

2. Content and Effect of ADR 81/02 Amendment 3

Australian Design Rule (ADR) 81/02 prescribes the fuel consumption labelling requirements for light vehicles. Schedule 1 of Amendment 3 amends ADR81/02 to enable vehicle manufacturers to use a new energy consumption label to report the energy consumption (Wh/km) and range (km) for electric vehicles and externally chargeable (plug-in) hybrid electric vehicles. Amendment 3 also enables vehicle manufacturers who have to submit data obtained in accordance with the latest version of United Nations Economic Commission for Europe Regulation 101 which is adopted in ADR81/02.

3. Consultation Arrangements

3.1 General 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 Australian 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.

New standards, or significant changes that increase the stringency of existing standards, are subject to consideration by Ministers of the Australian Transport Council (ATC), with the Minister for Infrastructure and Transport having ultimate responsibility to determine the new or amended standards under the Act. 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.

In November 2005, ATC agreed to streamlined arrangements for processing ADRs which removed the need for a formal ATC vote where the ADR proposals are non-controversial and harmonised with international regulations.

3.2 Specific Arrangements for this ADR

The amendments outlined in section 2 of this explanatory statement represent minor changes which do not change the intent or stringency of the ADR.

The Office of Best Practice Regulation has confirmed that a Regulation Impact Statement is not required (OBPR ref no. 11493).

A discussion paper was released for comment by the Department of Infrastructure, Transport, Regional Development and Local Government in July 2009. Submissions were received from several organisations including peak industry associations, fleet managers, vehicle manufactures and environment groups. Further consultations, including more detailed discussions about the format of the label were held in 2009-10 with the Federal Chamber of Automotive Industries and with Commonwealth, state and territory transport and environment agencies.