

**Vehicle Standard (Australian Design Rule 13/00
– Installation of Lighting and Light Signalling
Devices on other than L-Group Vehicles) 2005
Amendment 4**

Made under section 7 of the *Motor Vehicle Standards Act 1989*

Explanatory Statement

Issued by the authority of the Minister of Infrastructure and Transport

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1. LEGISLATIVE CONTEXT

Vehicle Standard (Australian Design Rule 13/00 – Installation of Lighting and Light Signalling Devices on other than L-Group Vehicles) 2005 Amendment 4 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) 13/00 was originally determined in *Determination of Motor Vehicle Standards - Order No 1 of 1989* along with ten subsequent determinations before it was remade in 2005 to meet the requirements of the *Legislative Instruments Act 2003*. It has since been amended in three subsequent determinations.

2. CONTENT AND EFFECT OF ADR 13/00 AND AMENDMENTS

2.1. Overview of the ADR

ADR 13/00 provides requirements for the layout and installation of vehicle lighting systems for four wheeled road vehicles and trailers. This includes requirements for the number and mode of installation of lamps for direction indicators, position, stop, reversing, parking and retroreflectors for all road vehicles (other than two and three wheeled motor vehicles) and main-beam/dipped-beam headlamps, fog, driving, hazard warning signals, daytime running and corning lamps for four wheeled motor vehicles.

Its technical content is based on internationally accepted United Nations Economic Commission for Europe (UNECE) standards. ADR 13 works in conjunction with several other ADRs including; ADR 46 Headlamps, ADR 51 Filament Lamps, ADR 77 Gas Discharge Headlamps and ADR 78 Gas Discharge Light Sources.

2.2. Effect of the ADR Amendment

This amendment allows certain concessions for heavy goods motor vehicles and trailers regarding required lamps and positioning of lamps. This amendment does not increase the stringency of the ADR.

3. BEST PRACTICE REGULATION

3.1. Business Cost Calculator

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

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 Strategic Vehicle Safety and Environment Group (SVSEG), Australian Motor Vehicle Certification Board (AMVCB), Technical Liaison Group (TLG), Transport and Infrastructure Senior Officials' Committee (TISOC) and the Standing Council on Transport and Infrastructure (SCOTI).

- SVSEG consists of senior 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).
- AMVCB consists of representatives of government regulatory authorities (Australian and state/territory) that deal with ADR certification and other general vehicle safety issues.
- TLG consists of technical representatives of government (Australian and state/territory), the manufacturing and operational arms of the industry and of representative organisations of consumers and road users (the same organisations as represented in SVSEG).
- TISOC consists of state and territory transport and/or infrastructure Chief Executive Officers (CEO) (or equivalents), the CEO of the National Transport Commission, New Zealand and the Australian Local Government Association.
- SCOTI consists of the Australian, state/territory and New Zealand Ministers with responsibility for transport and infrastructure issues.

Editorial changes and changes to correct errors are processed by the Department of Infrastructure and Transport. 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 Regulation Review as published in the *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 minor amendments were discussed within the TLG at its 35th and 37th meetings and the proposal to amend ADR 13 as outlined was agreed to by all members out of session.

As the amendments are minor in nature, and do not increase the stringency of the ADR, there is no need for further consultation through TISOC, SCOTI, or the public comment process.

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 Parliamentary Secretary for Infrastructure and Transport without reference to SCOTI and the proposal is not considered significant, the Office of Best Practice Regulation requirements have been met for this regulatory proposal (OBPR Reference No. ID 14083).

4. STATEMENT OF COMPATIBILITY WITH HUMAN RIGHTS

The following Statement is prepared in accordance with Part 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

4.1. Overview of the Legislative Instrument

This amendment makes provisions for the latest series of amendments of the alternative UNECE standard which is being adopted in Appendix A and allows certain concessions for heavy goods motor vehicles and trailers regarding required lamps and positioning of lamps.

4.2. Human Rights Implications

This amendment to ADR 13/00 does not engage any of the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

4.3 Conclusion

This amendment to ADR 13/00 is compatible with human rights as it does not raise any human rights issues.