

# **Vehicle Standard (Australian Design Rule 50/00 – Front Fog Lamps) 2006 Amendment 2**

Made under section 7 of the Motor Vehicle Standards Act 1989

## **Explanatory Statement**

Issued by the authority of the Assistant Minister for Infrastructure and Regional  
Development

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## **1. LEGISLATIVE CONTEXT**

Vehicle Standard (Australian Design Rule 50/00 – Front Fog Lamps) 2006 Amendment 2 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 used 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 and was subsequently amended in 2010.

## **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 (UN) Regulation No. 19 (R 19).

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

ADR 50/00 currently lists UN R 19/03 as an alternative standard. This amendment updates the technical content of the ADR to that of UN R 19/04 and will allow for UN R 19/04 as an alternative standard. The update will allow industry to increase the reference testing voltage from 12V to 13.2V. The result is no significant increase in actual light intensity of the front fog lamp.

These changes do not increase the stringency of the ADR, as an alternative standard clause will continue to provide the option of complying with earlier versions of UN R 19.

## **3. BEST PRACTICE REGULATION**

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

It is estimated that this amendment will provide savings of \$1.46 million a year.

### **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 Government 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 Transport and Infrastructure Council.

- SVSEG consists of senior representatives of government agencies (Australian and state/territory), the National Transport Commission and the National Heavy Vehicle Regulator, 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 technical representatives of government regulatory authorities (Australian and state/territory) that deal with ADR and other general vehicle issues, and the National Transport Commission and the National Heavy Vehicle Regulator.
- TLG consists of technical representatives of government agencies (Australian and state/territory), the National Transport Commission and the National Heavy Vehicle Regulator, 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.
- The Transport and Infrastructure Council 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 Regional Development. 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 (OBPR) 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 proposal was provided to AMVCB and TLG members in March 2014 and to SVSEG members in May 2014. No objections were subsequently raised.

As the amendment is minor in nature, and does not increase the stringency of the ADR, there is no need for further consultation through TISOC, the Transport and Infrastructure Council, or the public comment process.

### 3.4. Regulation Impact Statement

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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 Assistant Minister for Infrastructure and Regional Development without reference to the Transport and Infrastructure Council and the proposal is not considered significant, the Office of Best Practice Regulation requirements have been met for this regulatory proposal (OBPR Reference No. 17130).

#### **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 allows for ADR 50/00 to adopt the UN R 19/04 as a further alternative standard for front fog lamps.

##### **4.2. Human Rights Implications**

This amendment to ADR 50/00 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 50/00 is compatible with human rights as it does not raise any human rights issues.