



Motor Vehicle Standards Act change proposals

The Federal Government has proposed to amend the Motor Vehicle Standards Act (MVSA), which defines the Federal Government's powers to regulate new vehicle supply to the Australian market. The Government proposes to make some important changes, with new legislation yet to be introduced into Parliament. This article provides my assessment of the proposed changes as they affect heavy vehicles.

IMPORTS

The Federal Government proposes to control vehicle importation. It will allow personal importation of "new" passenger cars from right-hand steer countries without the owner having to live overseas for 12 months. Personal importation of commercial motor vehicles will not be allowed but personal importation of light and heavy trailers will be allowed. Currently, second-hand vehicles manufactured before 1989 can be imported without restriction. The age requirement will be changed to be a rolling 25 years prior to the import application date.

REGISTER OF APPROVED VEHICLES (RAV)

The Federal Government proposes to establish a public database of all vehicles that have been approved for registration.

The database will list the VIN, make, model and date of entry to the register. The RAV will be online and will be publically searchable.

The RAV will replace the requirement to fit a compliance plate. Note that the design rules require the manufacturer of a new heavy vehicle to affix a manufacturer's identification plate. Hopefully this will continue to be required because vehicle ratings (GVM, ATM, B-double status) need to be reported on the vehicle for reference during operation.

REGISTERED AUTOMOTIVE WORKSHOP SCHEME (RAWS)

Commercial motor vehicles will no longer be allowed into Australia under the RAWS scheme. This change will be implemented by altering the acceptance criteria for the entry list (called the SEVS List). RAWS can import any vehicle model on the SEVS List assuming they have accreditation for it.

THIRD PARTY INSPECTORS – RECOGNISED ORGANISATIONS (RO)

The Federal Government will accredit 'Recognised Organisations' to conduct vehicle-standard inspections and assess technical files for some classes of imported vehicles. Vehicles imported under the RAWS scheme and as personal imports will need to be inspected and approved by a Registered Organisation. Apparently the State and Territory road

agencies will be prepared to accept a certificate issued by an RO and register the vehicle. Presumably most ROs will also be accredited vehicle engineers.

Heavy trailers can be imported without restriction. Heavy trailers will be required to meet certain Australian vehicle standards. It can be anticipated that imported heavy trailers will need to be approved by an RO.

PRE-REGISTRATION MODIFICATIONS

Many heavy motor vehicles are modified before first registration. The existing ADR approval procedures allow manufacturers to obtain an approval for a cab-chassis vehicle for which later modification is needed. The modifications include body installations, wheelbase changes and mechanical coupling installations. The modifications fall into two categories, which are 'major' modifications – for which a Second Stage of Manufacture Approval is required – and 'minor' modifications that are considered the responsibility of the state and territory road agencies.

In summary, a modified heavy vehicle requires either a Second Stage of Manufacture compliance plate or a national Heavy Vehicle Modification Plate or a special approval from the NHVR. No changes to these guidelines are apparently proposed. The problem is that accredited dealers and professional-

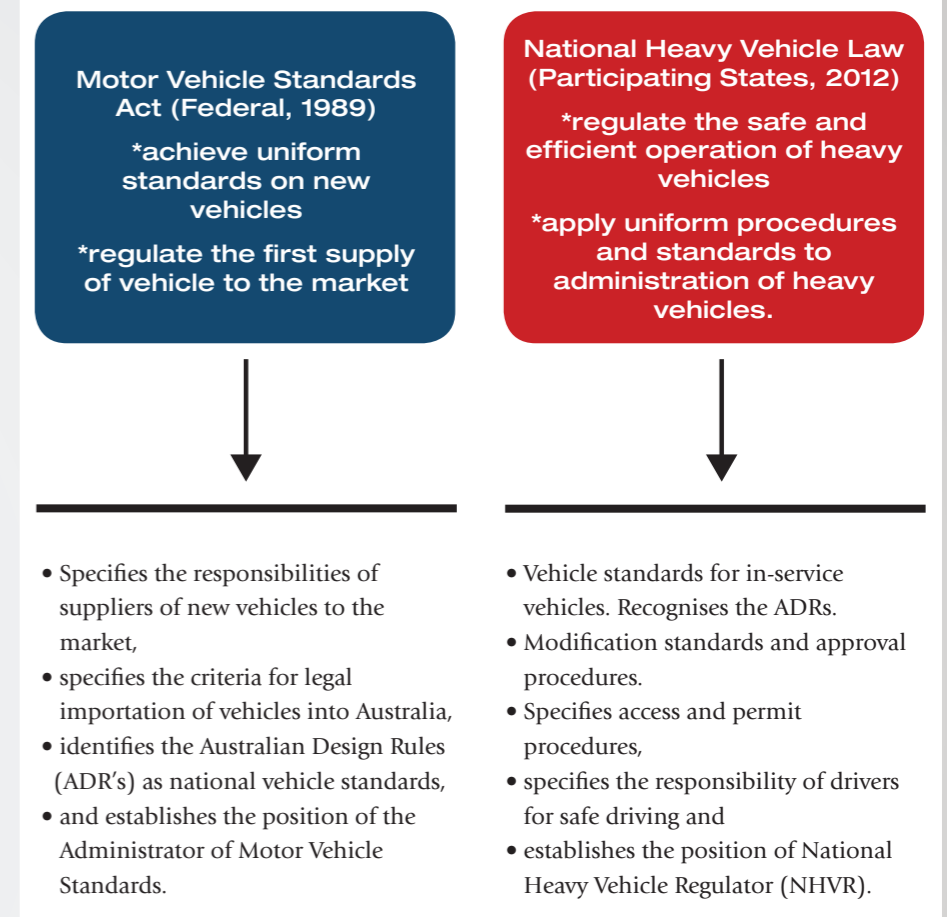
modifier companies cannot get status to approve modifications. New processes are needed so accredited modifiers can approve some modifications they make. For example, leading coupling suppliers such as Jost Australia, SAF-Holland and Bartlett Transport Equipment have no status to approve installations done by their employees. They must engage an accredited engineer to sign off the installation, which adds cost and delay for no safety benefit. ARTSA has a proposal that would solve this problem but we are unable to get the NHVR or the Federal authority to accept it.

SECOND STAGE OF MANUFACTURE

Some significant heavy vehicle modifications must be certified under a Second Stage of Manufacture (SSM) approval. For example, motorhomes, fire trucks and ambulances that are built on a chassis-cab truck must get a SSM compliance plate approval. Ironically, the Second Stage of Manufacture (SSM) approval does not require any evidence of compliance with the NHVR Modification Code (VSB6) or any other modification standards except where the modification is relevant to an Australian Design Rule. The ADRs were never written to cover heavy vehicle modifications. If a modified in-service truck were to be presented to a state road agency, an approval by a state-accredited Approved Vehicle Examiner (AVE) would be required. In that case the AVE (engineer) is required to assess compliance with both the NHVR Code and the ADRs. No change to this situation is proposed.

PERSONAL IMPORTS OF NEW SPECIAL PURPOSE TRUCKS

Personal importation of in-service vehicles is currently allowed if the owner has lived and owned the vehicle overseas for 12 months. This is not a practical proposition for most heavy vehicle imports. A new heavy vehicle that is eligible to



receive a compliance plate in Australia can currently be imported with a body installed overseas. The procedure requires the importer to obtain a Second Stage of Manufacture approval. This import path effectively allows the personal importation of a modified heavy vehicle. The rub is that a compliance plate approval must be obtained. The current administrative procedures are akin to using a sledgehammer to crack a nut. Personal imports of new modified trucks should be taken away from the SSM system and dealt with by a Registered Organisation.

OVERVIEW

The current arrangements for the approval of modifications to new heavy vehicles are inefficient and largely ineffective. The foreshadowed changes to the MVSA do

not address the current problems arising for new vehicles. Changes to modification arrangements for in-service vehicles are also needed. The diagram shows the two Acts that specify the powers of governments to regulate heavy vehicles in Australia. The National Law is actually a collection of state and territory Acts that are consistent, but there are subtle differences between jurisdictions. Each of these Acts have associated regulations that specify the details and standards that are to be applied. Industry associations such as ARTSA could help the Federal authority, the NTC and the NHVR to develop workable and efficient procedures for the approval of heavy vehicle modifications.

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