National Transport Commission (Road Transport Legislation — Vehicle Standards) Amendment Regulations 2007 (No. 1)'

Select Legislative Instrument 2007 No. 14

I, PHILIP MICHAEL JEFFERY, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the National Transport Commission Act 2003.

Dated 15 February 2007

P. M. JEFFERY
Governor-General

By His Excellency’s Command

MARK VAILE
Minister for Transport and Regional Services
1  **Name of Regulations**

These Regulations are the *National Transport Commission (Road Transport Legislation — Vehicle Standards) Amendment Regulations 2007 (No. 1)*.

2  **Commencement**

These Regulations commence on the day after they are registered.

3  **Model legislation — vehicle standards**

For section 7 of the *National Transport Commission Act 2003* (the NTC Act), Schedule 1 sets out model legislation, in the form of amending Regulations, about vehicle standards.

*Note 1* The model legislation set out in Schedule 1 does not have the force of law (see paragraph 7 (2) (a) of the NTC Act).

*Note 2* These Regulations must be made in accordance with the Agreement (see subparagraph 3 (b) (ii) of the NTC Act).

*Note 3* These Regulations are not subject to disallowance — see the *Legislative Instruments Act 2003*, subsection 44 (2) (table, item 44) and the *Legislative Instruments Regulations 2004*, regulation 8 and Schedule 2 item 7.

*Note 4* These Regulations are not subject to sunsetting — see the *Legislative Instruments Act 2003*, subsection 54 (2) (table, item 51) and the *Legislative Instruments Regulations 2004*, regulation 9 and Schedule 3 item 4.

*Note 5* The model legislation set out in Schedule 1 was approved by the Australian Transport Council on 23 August 2006.
4 Amendment of National Transport Commission (Road Transport Legislation — Vehicle Standards) Regulations 2006

Schedule 1 amends the text set out in Schedule 2 to the National Transport Commission (Road Transport Legislation — Vehicle Standards) Regulations 2006 as if a reference in Schedule 1 to a provision of the Australian Vehicle Standards Rules 1999 were a reference to the corresponding provision in the text set out in Schedule 2 to those Regulations.

Schedule 1 Amendments
(regulation 3)

[1] Part 3, note

*omit*

Vehicles that are modified must continue to comply with the Vehicle Standards.

*insert*

Vehicles that are modified must continue to comply with the Vehicle Standards. For guidance on vehicle modifications see Vehicle Standards Bulletin No. 6 - Heavy Vehicle Modifications and Vehicle Standards Bulletin No. 14 - Light Vehicle Modifications.


[2] Part 3, note

*omit*

● subrule 41 (4) (electrical wiring, connections and installations)

*insert*

● subrule 41 (4) (electrical wiring, components, connections and installations)
[3] Part 3, note, at the foot

*insert*

- Subrule 169 (b) (attachment of couplings and drawbar eyes on road trains).

Subrule 34 (6) (horns, alarms etc) of the Vehicles Standards modifies the effect of the corresponding ADR requirement.

[4] Subrule 23 (1)

*substitute*

(1) For this rule, a *personally imported vehicle* is a vehicle built after 1968 that is imported into Australia under regulation 13 of the *Motor Vehicle Standards Regulations 1989* by a person who owned and used the vehicle for a continuous period of at least:

(a) for a vehicle owned by the applicant before 9 May 2000 — 3 months; or

(b) in any other case — 12 months;

before it was imported into Australia.

[5] Subrule 27 (6)

*omit*

built or used mainly

*insert*

built mainly

[6] Subrule 34 (2)

*omit*

bell,
[7] After subrule 34 (5)
insert
(6) The provision of the relevant ADR that corresponds to subrule (2) applies to a vehicle as if that provision did not contain a reference to a bell.

[8] Rule 41, heading
substitute

41 Electrical wiring, components, connections and installations

[9] After subrule 41 (1)
insert
(1A) The electrical components of a vehicle must be securely mounted.

[10] After Rule 42
insert

42A Requirement for windscreen to be fitted
A motor vehicle (but not including a motor bike, a motor trike or a moped) must be fitted with a windscreen if it is manufactured or designed to have a windscreen.

[11] Subrule 118 (2)
substitute
(2) A vehicle may be fitted with a light or reflector not mentioned in the Vehicle Standards only if another law of this jurisdiction allows that light or reflector to be fitted.
[12] **Subrule 118 (3)**

*omit*

display:

*substitute*

be fitted with:

[13] **Subrule 119 (1), definition of rear marking plate**

*omit*


*insert*

complying with Vehicle Standards Bulletin VSB 12.

[14] **Subrule 119 (3)**

*omit*

before the date stated in the ADR.

*insert*

before the date stated in the VSB.

[15] **Subrule 148 (1)**

*omit*

with a GVM over 4.5 tonnes

[16] **Rule 155, note**

*omit*

Federal Office of Road Safety.

*insert*

Department of Transport and Regional Services.
[17] Rule 169
omit
A drawer-type coupling,
insert
(1) A drawer-type coupling,

[18] Paragraph 169 (b)
substitute
(b) the pivot point of the coupling is not over 300 millimetres forward of the rear of the trailer to which it is attached unless another rule of this jurisdiction allows a greater distance; and

[19] Rule 169
insert
(2) The requirements of paragraph (1) (b) apply to a vehicle instead of the corresponding requirements in the relevant ADR.

[20] Dictionary, after the definition of vehicle
insert
VSB is the abbreviation for Vehicle Standards Bulletin.

Note The Vehicle Standard Bulletins provide information on the design, manufacture, sale, modification, maintenance, import and repair of road vehicles. The term ‘road vehicles’ includes both motor vehicles and trailers. The Bulletins are available from the Department of Transport and Regional Services.

Note
1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the Legislative Instruments Act 2003. See www.frli.gov.au.