



Australian Government

Department of Infrastructure,  
Transport, Regional Development,  
Communications and the Arts



# Automated vehicle safety reforms consultation

April 2024

The Department of Infrastructure, Transport, Regional Development, Communication and the Arts (DITRDCA) and the National Transport Commission (NTC) are consulting on a new regulatory framework that will support the safe use of automated vehicles on Australian roads.

The proposed framework is being developed to establish appropriate, safety-focused regulatory arrangements for the safe use of automated vehicles on Australian roads. This framework has been developed over several years, with significant previous work by the NTC together with the state and territory and Australian governments, and several periods of public consultation since 2016.

In this consultation we are seeking feedback on some specific aspects of the framework. We have published a package that includes a central paper which outlines the proposed end-to-end regulatory framework for automated vehicles in Australia and introduces the key areas we are seeking feedback on. This is supported by a number of detailed papers that explain key concepts, expand on previous policy work, or explore new areas of policy. The package is intended to explain the proposed regulatory framework and the work that has been done so far, and invite your feedback on the framework through a series of specific consultation questions.

## Automated vehicles

Automated vehicles are vehicles that have an automated driving system. An automated driving system is a combination of hardware and software that is capable of driving without needing a human to be in control or supervising. An automated driving system is also only able to operate within the operating conditions it is designed for.

Automated vehicles for general use on public roads are not yet available in Australia. There have been some small-scale trials on public roads and some early automated vehicles are being used on private land in Australia, such as mine sites and agricultural land. In other countries automated vehicles are being used in larger-scale public trials and there has been some limited commercial deployment.

Based on available projections<sup>1</sup>, we are preparing for the possibility of small numbers of automated vehicles entering the Australian market from 2026.

-----

<sup>1</sup> BITRE, 2021. [Forecasting uptake of driver assistance technologies in Australia](#); Austroads, 2021 [Future vehicles forecasts update 2031](#)

## New laws for automated vehicles

We need new laws for automated vehicles to ensure safety on public roads. Our existing laws apply to human drivers. Without new laws we will not have the right tools to manage the safety of automated vehicles. We also want to make the new laws as consistent as they can be, across Australia, so it is easier for automated vehicles to operate here.

A key part of the new regulatory framework will be a new Commonwealth law. This new Automated Vehicle Safety Law will place the responsibility for the safety of an automated driving system on a corporation and not the human driver. This corporation will need to have the right skills, capacity and capabilities to look after the automated driving system over its operational lifetime. The corporation will be known as the Automated Driving System Entity. Ensuring that an entity is responsible for the safe operation of each automated driving system is important for the safety of all people who use public roads, not just the people who may use automated vehicles.

The new Automated Vehicle Safety Law will be supported by complementary changes to state and territory legislation and to existing Commonwealth legislation such as the *Road Vehicle Standards Act 2018*. Together these laws will form the end-to-end regulatory framework. This includes:

- making sure an automated vehicle is safe when it is first supplied in Australia, including that it meets any relevant technical standards for an automated driving system
- ensuring that there is a corporation (the Automated Driving System Entity) with the right skills and capabilities to take responsibility for the safety of the automated driving system for its on-road life
- keeping the automated driving system safe when it is operating on the road by placing clear safety duties and other obligations on the Automated Driving System Entity
- ensuring that people that use and interact with an automated vehicle understand what their roles and responsibilities are.

These laws will create the regulatory arrangements to enable safe operation of automated vehicles on our roads and should help Australia to gain the potential benefits of automated vehicles.

## What is new in this consultation?

This consultation builds on previous work. It looks at how some of what has been agreed previously will fit into the Commonwealth legislative environment, some changes to state and territory laws, and some areas of policy that expand on previous work, including;

- how to ensure the safety of remote operation of vehicles with an automated driving system
- whether additional measures are needed to manage the influence of repairers, maintainers and modifiers on the safety of an automated driving system
- ways to promote consumer understanding of automated vehicle capabilities
- obligations for users of vehicles with an automated driving system under state and territory laws
- whether measures are needed to control the risk of deployment of automated vehicles before the regulatory framework is in place.

## Next steps

Following consultation, we will analyse the information we receive and use this to inform the design of the regulatory framework, including the new Automated Vehicle Safety Law and changes to state and territory laws.

## Have your say

Consultation closes on 11 June 2024.

You can submit your input through the NTC website at [www.ntc.gov.au](http://www.ntc.gov.au) by selecting the 'Have Your Say' option on the homepage.