



LIGHT AND HEAVY VEHICLE STANDARDS  
EXPLANATION OF AMENDMENTS  
June 2018



National Transport Commission

# Report outline

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<b>Title</b>	Light and Heavy Vehicle Standards: Explanation of Proposed Amendments June 2018.
<b>Type of report</b>	Explanation of proposed amendments to the <i>Australian Light Vehicle Standards Rules 2015</i> , and the <i>Heavy Vehicle (Vehicle Standards) National Regulation</i> .
<b>Purpose</b>	For public consultation.
<b>Abstract</b>	This report provides an explanation of the proposed amendments to the <i>Australian Light Vehicle Standards Rules 2015</i> and the <i>Heavy Vehicle (Vehicle Standards) National Regulation</i> . Both the light and heavy vehicle standards are being amended to improve consistency with the <i>Australian Design Rules</i> , and to clarify or improve the operation of current standards.
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# 1 Introduction

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The *Australian Light Vehicle Standards Rules 2015 (ALVSRs)* are model rules that are the basis for the in-service light vehicle standards in each jurisdiction. For jurisdictions that participate in the heavy vehicle national law scheme, in-service heavy vehicle standards are administered through the *Heavy Vehicle (Vehicle Standards) National Regulation (HV(VS)NR)* made under the *Heavy Vehicle National Law*. Jurisdictions that do not participate in the heavy vehicle national law scheme still use the HV(VS)NR as the basis for their heavy vehicle standards.

The ALVSRs and the HV(VS)NR are based on the *Australian Design Rules (ADRs)* which are developed and administered by the Commonwealth Department of Infrastructure, Regional Development and Cities. Both the light and heavy vehicle standards require a vehicle that is subject to an ADR when supplied to the market to continue to comply with that ADR for the life of the vehicle.

The ADRs have certain gaps in their application which are covered by the ALVSRs and the HV(VS)NR. In particular, the ADRs do not cover:

- Vehicles built before 1969.
- Combinations of vehicles.
- Every safety feature for vehicles built between 1969 and 1988.
- Ongoing maintenance requirements.

This document outlines the proposed amendments to the light and heavy vehicle standards. It is anticipated that this round of amendments will better align the ALVSRs, the HV(VS)NR and the ADRs. It is not anticipated that any of the proposed amendments will have a significant impact on vehicle operators, other road users or the general public.

The NTC acknowledges the assistance it has received from the Vehicle Standards Maintenance Advisory Group.

## 2 Explanation of the proposed amendments to the Australian Light Vehicle Standards Rules 2015

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### 2.1 Amendment of rule 3 – Definition of transport enforcement vehicle

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This proposed amendment will clarify that a transport enforcement vehicle may include a vehicle used by the National Heavy Vehicle Regulator (the NHVR) for enforcement purposes.

### 2.2 Amendment of rule 3 - Definition of street rod vehicle

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This proposed amendment is a technical amendment designed to 'tidy up' the formatting definition of street rod vehicle. In substance, the definition of street rod vehicle will remain the same.

### 2.3 Amendment of rule 20 – Compliance with requirement to have particular equipment

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Rule 20 of the ALVSRs currently provides that a vehicle is taken to have equipment mentioned in the ALVSRs, only if the equipment is *in working order*.

This proposed amendment seeks to clarify that equipment must not only be in working order, but also, if equipment must be connected so that it can perform its intended function, it must be connected (trailer systems, for example).

### 2.4 Amendment of rule 52 – Tyre tread

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Rule 52(2) of the ALVSRs provides that a tyre fitted to a vehicle must have a tread pattern of at least 1.5 millimetres deep in a band that runs continuously:

- (a) Across the tyre width that normally comes into contact with the road; and
- (b) Around the whole circumference of the tyre.

Currently, the rules do not define or distinguish *primary grooves* and *secondary grooves*. This has given rise to a concern that rule 52(2) may be applied in relation to *secondary grooves*, when the original intent was that this rule would only be applied in relation to primary grooves.

This proposed amendment seeks to bring the ALVSRs more into line with the ADRs, and confirm that the 1.5 millimetre rule applies to primary grooves only.

### 2.5 Omission of rule 57 – White or silver and on certain vehicles

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This proposed amendment seeks to bring the ALVSRs into line with the ADRs, which no longer require certain vehicles to have a white or silver band.

### 2.6 Amendment of rule 144A – Hydrogen-powered vehicles

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Rules 144A(1) and 144A(2) of the ALVSRs currently require certain hydrogen-powered vehicles built after 1 January 2019 to display certain labels on front and rear number plates. This amendment seeks to extend the application of this rule to hydrogen-powered vehicles built *or modified* after 1 January 2019.

This amendment further seeks to reduce the size of the label required to be displayed, from a pentagonal shape with sides 25 millimetres long, to a pentagonal shape with sides 20 millimetres long.

## **2.7 Amendment of rule 144B – Electric-powered vehicles**

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Rules 144B(1) and 144B(2) of the ALVSRs currently require certain electric-powered vehicles built after 1 January 2019 to display certain labels on front and rear number plates. This amendment seeks to extend the application of this rule to electric-powered vehicles built *or modified* after 1 January 2019.

This amendment further seeks to reduce the size of the label required to be displayed, from an equilateral triangle shape with sides 35 millimetres long, to an equilateral triangle shape with sides 30 millimetres long.

# 3 Explanation of proposed amendments to the Heavy Vehicle (Vehicle Standards) National Regulation

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## 3.1 Amendment of part 2 section 4 (Definitions) – insertion of definitions for approved camera recording device, approved engine brake noise measuring and recording device, engine brake, modulated RMS, and transport enforcement vehicle

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The insertion of definitions for *approved camera recording device*, *approved engine brake noise measuring and recording device*, *engine brake*, and *modulated RMS* is connected to amendments (discussed under 3.5 below) in relation to engine brake noise.

The insertion of a definition for *transport enforcement vehicle* replaces the definition of *road enforcement vehicle*. The intention of this amendment is to bring the HV(VS)NR into line with definitions in the Heavy Vehicle (Mass, Dimension and Loading) National Regulation, and the ALVSRs, which refer to transport enforcement vehicles.

## 3.2 Amendment of part 2 section 11 – Compliance with requirement to have particular equipment

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Section 11 of the HV(VS)NR currently provides that a vehicle is taken to have equipment mentioned in the HV(VS)NR, only if the equipment is in working order.

This proposed amendment seeks to clarify that equipment must not only be in working order, but also, where equipment must be connected to perform its intended function, it must be connected (trailer systems, for example).

## 3.3 Amendment of schedule 2, section 28 – Tyre tread

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Schedule 2 section 28 of the HV(VS)NR provides that a tyre fitted to a heavy motor vehicle must have a tread pattern of at least 1.5 millimetres deep in a band that runs continuously:

- (a) Across at least 75% of the tyre width that normally comes into contact with the road; and
- (b) Around the whole circumference of the tyre.

Currently, the HV(VS)NR does not define or distinguish *primary grooves* and *secondary grooves*. This has given rise to a concern that some compliance officers may apply the 1.5 millimetre requirement in relation to *secondary grooves*, when the original intent was that this requirement would only be applied in relation to primary grooves.

The proposed amendment seeks to make the HV(VS)NR consistent with the ADRs, and confirm that the 1.5 millimetre requirement applies to primary grooves only.

## 3.4 Omission of schedule 2, section 30 – White or silver band on particular vehicles

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This amendment seeks to bring the HV(VS)NR into line with the ADRs, which no longer require certain vehicles to have a white or silver band.

### **3.5 Insertion of new schedule 2, part 8, division 3, subdivision 4 – Engine brake noise**

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This amendment seeks to implement the National In-service Standard for Engine Brake Noise (<https://www.legislation.gov.au/Details/F2009L04050>) (the National Engine Brake Noise Standard). The National Engine Brake Noise Standard was unanimously approved by transport ministers in 2007, but for a range of reasons, was not implemented by states and territories at that time.

In May 2013 the NTC carried out a review of the National Engine Brake Noise Standard ([https://www.ntc.gov.au/Media/Reports/\(675BC46E-8885-6E29-64B7-986E894BA1E1\).pdf](https://www.ntc.gov.au/Media/Reports/(675BC46E-8885-6E29-64B7-986E894BA1E1).pdf)) to understand why jurisdictions had not yet implemented the standard. This review revealed that a range of technological and operational matters, including the accuracy of engine brake recording technology, had prevented jurisdictions from fully implementing the Standard.

Almost five years on, in 2018 the NTC sought advice from the Vehicle Standards Maintenance Advisory Group about whether the issues identified in the 2013 Review had been resolved, and whether the National Engine Brake Noise Standard should now be considered for implementation. The Advisory Group agreed that issues arising in the 2013 Review had been resolved and that there was no reason why the National Standard should not be included in the 2018 HV(VS)NR amendment package.

### **3.6 Amendment of schedule 2, section 106A – Limit for modulated RMS**

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This amendment seeks to implement clause 153A(2) of the National Engine Brake Noise Standard, imposing a limit of 8 modulated RMS on engine brake noise emissions.

### **3.7 Amendment of schedule 2, section 106B – Engine brake devices not complying with 106A**

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This amendment seeks to implement clause 5(14A) of the National Engine Brake Noise Standard, by creating an offence for an operator of a vehicle in the event that their engine brake device does not comply with section 106A of the HV(VS)NR.

### **3.8 Amendment of schedule 2, section 106C – Evidence of engine brake noise in particular document**

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This amendment seeks to implement clause 6x of the National Engine Brake Noise Standard by making certain evidence of noise emissions, admissible in court proceedings.

### **3.9 Amendment of schedule 2, clause 106D – Certificate of evidence of engine brake noise**

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This amendment reflects the contents of clause 6y of the National Standard by making certificates of evidence of engine brake noise, provided by the National Heavy Vehicle Regulator, admissible in court proceedings.

### **3.10 Insertion of clause 108A in schedule 2 - Hydrogen-powered vehicles**

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The HV(VS)NR does not currently provide for hydrogen-powered vehicles but will soon (following amendments approved by the Transport Infrastructure Council in December 2017) contain provisions requiring hydrogen-powered vehicles built after 1 January 2019 to display certain labels on front and rear number plates. This current amendment seeks to extend the application of this rule to hydrogen-powered vehicles built *or modified* after 1 January 2019.

This amendment further seeks to reduce the size of the label required to be displayed, from a pentagonal shape with sides 25 millimetres long, to a pentagonal shape with sides 20 millimetres long.

### 3.11 Insertion of clause 108B in schedule 2 - Electric-powered vehicles

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The HV(VS)NR does not currently provide for electric-powered vehicles but will soon (following amendments approved by the Transport Infrastructure Council in December 2017) contain provisions requiring electric-powered vehicles built after 1 January 2019 to display certain labels on front and rear number plates. This further amendment seeks to extend the application of this rule to electric-powered vehicles built *or modified* after 1 January 2019.

This amendment further seeks to reduce the size of the label required to be displayed, from an equilateral triangle shape with sides 35 millimetres long, to an equilateral triangle shape with sides 30 millimetres long.