



New Vehicle Efficiency Standard (Exempt Vehicles) Determination 2024

I, CATHERINE KING, Minister for Infrastructure, Transport, Regional Development and Local Government, make the following determination.

Dated [date] [month] 2024.

C. King

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CATHERINE KING

Minister for Infrastructure, Transport, Regional Development and Local Government

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Part 1—Preliminary

1 Name

This instrument is the *New Vehicle Efficiency Standard (Exempt Vehicles) Determination 2024*

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	At the same time as the <i>New Vehicle Efficiency Standard Act 2024</i> commences. However, the provisions do not commence at all if that Act does not commence.	1 January 2025

Note: This table relates only to the provisions of this instrument as originally made. It will initially not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under paragraph 29(1)(c) of the *New Vehicle Efficiency Standard Act 2024*.

4 Interpretation

Note 1: A number of expressions used or mentioned in this instrument are defined in section 10 of the Act, including the following:

- (a) emissions number
- (b) RAV
- (c) road vehicle
- (d) type 1 vehicle
- (e) type 2 vehicle
- (f) vehicle category
- (g) road vehicle type approval

Note for consultation : The Act defines **road vehicle** as having the same meaning as in the *Road Vehicles Standards Act 2018*. Section 6 of the RVSA Act explains a road vehicle means any of the following:

- a motor vehicle designed solely or principally for use in transport on public roads;
- a trailer or other vehicle (including equipment or machinery equipped with wheels) designed to be towed on a public road by a motor vehicle
- vehicles determined to be a road vehicle though an instrument under that Act

(1) The road vehicle definition also includes any partly completed or unassembled vehicle and certain vehicles that become road vehicles because they have been entered on the RAV under a vehicle type approval. In this instrument:

Act means the *New Vehicle Efficiency Standard Act 2024* and any rules made thereunder.

ADR on Carbon Dioxide Emissions has the meaning set out in subsections (2) and (3).

NVES Integration Date means 31 December of the year in which an ADR on Carbon Dioxide Emissions is first applicable to a vehicle.

Specific definition—meaning of ADR on Carbon Dioxide Emissions

(2) **ADR on Carbon Dioxide Emissions** means a national road vehicle standard determined under Section 12 of the *Road Vehicle Standards Act 2018* which:

- (a) provides for testing a vehicle's carbon dioxide emissions; and
- (b) is the source of that vehicle's emissions number to be entered onto the RAV.

(3) Without limiting subsection (2), an ADR on Carbon Dioxide Emissions includes the *Vehicle Standard (Australian Design Rule 81/02 – Fuel Consumption Labelling for Light Vehicles) 2008*.

Note: *Vehicle Standard (Australian Design Rule 81/02 – Fuel Consumption Labelling for Light Vehicles) 2008* (ADR 81/02) requires all M and N category vehicles with a gross vehicle mass not exceeding 3.5 to display a fuel efficiency label that includes their

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carbon dioxide emissions. The Appendices of ADR 81/02 set out the testing protocol to calculate the grams of carbon dioxide that must be reported on the fuel efficiency label.

Note for consultation: Under an amended *Road Vehicle Standards (Information on the Register of Approved Vehicles) Determination 2021* this will be the number that needs to be entered on the RAV to determine a particular vehicle's emissions number under the Act.

At the date at which this determination is made, a national road vehicle standard for carbon dioxide emissions testing does not apply to all vehicles captured by the Act. Over the life of this determination it is proposed that a new or amended national road vehicle standard for carbon dioxide emissions testing will be developed for most of these vehicles, which is likely to result in them progressively being required to report their carbon dioxide emissions to comply with the national road vehicle standards, and thus be brought under the application of the NVES.

5 Repeal

This instrument is repealed on 31 December 2029.

Part 2—Exempt Vehicles

6 Exempt Vehicles

(1) The following classes of road vehicles have exempt vehicle status for the purposes of the Act:

Transitional – vehicles for which there is no standard for carbon dioxide emissions

(a) Any vehicle to which an ADR on Carbon Dioxide Emissions does not apply, until the first of the following date, whichever is earlier:

- i. The NVES Integration Date for that vehicle; or
- ii. The date of repeal of this instrument.