

Submission 41 – RVS Legislation Consultation



Submission to the Department of Infrastructure and Regional Development re Exposure Draft of the Road Vehicles Standards Rules 2017

The Management Committee of the Australian Street Rod Federation (ASRF) would like to make a submission to the Exposure Draft of the Road Vehicles Standards Rules 2017 as seen at https://infrastructure.gov.au/vehicles/mv_standards_act/files/RVS_Rules_2017.pdf

The ASRF are a peak body group representing over 10,000 car enthusiasts with a specific interest in Modified vehicles over 25 years old.

For the uninitiated a Street Rod or Hot Rod is a vehicle made before 1949 with subsequent improvements for better drive ability, safety and comfort, usually by way of more modern engines, transmissions, suspension, steering and brakes. We also represent owners of original and "Customised" vehicles 1949 to 1966 and those with vehicles over 25 years old of Australian and overseas origin.

The ASRF wish to provide specific comments on and request further review of the following areas of the RVS Draft Rules

1/ Division 3 subdivision B, Section 36 (Page 19) Eligibility criteria—older vehicles which currently says

*(2) For the purposes of paragraph (1)(b), the **relevant build date** for a road vehicle is the date that the Minister is satisfied is: (a) the date that assembly of the vehicle was first completed; or (b) if the Minister is satisfied that significant modifications were made to the vehicle after assembly of the vehicle was first completed—the date that the last of the significant modifications were completed.*

We are concerned that the term “significant modification” is currently undefined in the draft Rules or the Act and believe that the term requires explicit definition and guidelines to be developed so that enthusiasts can make an informed decision about a vehicle purchase, as the financial consequences of having import refused and needing to resell a vehicle on the other

side of the planet can be huge. We are keen to support the Department of Infrastructure in the development of a formal definition and our initial thoughts are that it is analogous with the boundary conditions between Modified Production and Individually constructed vehicle, and therefore could potentially be linked to the VSB 14 and/or NSRG documents published by your department

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2/ Part 5 Division 3 Section 139 Eligibility Criteria-Non Road Use (page 59)

We welcome the inclusion of a category for significantly modified vehicles in the non road use regulation as many of our members purchase rare and desirable vehicles overseas as projects for rebuilding to comply with Australian Registration requirements. Obtaining Import Approval for these is currently problematic as current regulations do not provide an avenue for such vehicles

We are however keen to understand what mechanisms may exist for such vehicles to be subsequently permitted road usage following completion of a rebuild and certification to the satisfaction of an engineering signatory in accordance with the relevant state processes. We note that Section 146 (2) (c) and (e) gives the minister the power to require modifications to be performed and to specify usage conditions. We are therefore hopeful that an application process and guidelines can be developed to permit road usage following compliance with state registration requirements and/or the design guidelines within VSB14 and/or NSRG.

/ Part 5 Division 4 Section 147 Reimportation Import Approval

Regulation 147-contains a grandfather clause to permit the re-importation of vehicles with a RAV listing and/or a Motor Vehicle Standards Act 1989 approval, but it is silent on the reimportation of a vehicle supplied to market in Australia as a result of Australian Manufacture, secondary manufacture or pre-1989 importation. We are concerned that in its current form this could effectively prohibit an owner taking his vintage, veteran or collectable Australian pre-1989 vehicle for a car show or use as private transport overseas as he may not be able to then reimport it. We therefore suggest an additional sub clause be added to regulation 147 to permit the re-importation of vehicles with documented Australian history, possibly as 147 (1)

(a) (iii) "is outside Australia and has documented Australian registration history".

Thank you for the opportunity to review the exposure draft(s) and the very informative public consultation sessions. We look forward to further discussions re the above nuances of import regulation.

Yours Faithfully, co-authored for Australian Street Rod Federation by

Peter Koning
ASRF National Technical Advisory Committee Coordinator

Alan Cooper
ASRF Divisional Director, Australian Capital Territory

Mark Saunders
ASRF Technical Advisory Committee, Australian Capital Territory

