

Submission 80 – RVS Legislation Consultation

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Member for Ku rrajong

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The Honourable Paul Fletcher MP
Minister for Urban Infrastructure and Cities
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Dear Mi

I write to you about the release of the Exposure Draft of the Road Vehicle Standards package for public consultation on 13 December 2017. I appreciate the opportunity to make a submission. The most significant issues that ACT vehicle inspectors and supporting staff have encountered with the operation and administration of the Motor Vehicle Standards Act 1989 (MVSA) over the past few years have been about the Specialist and Enthusiast Vehicles Scheme. These concerns have mostly been around the types of vehicles that have been able to be imported under those arrangements, including the interpretation of the eligibility criteria, and the apparent lack of action when concerns have been raised about specific vehicles, or vehicle types.

The package appears to address most of those concerns with the increased stringency and clarity of the types of vehicles that will be able to be imported, and the development of the compliance and enforcement strategy that has been included in the package. These steps are most welcome and should assist in the administration, monitoring and enforcement of the proposed arrangements.

The concern that the package presents is the proposal for more relaxed importation restrictions on left hand drive vehicles. I note that the information sheet about Specialist and Enthusiast Vehicles indicates that left hand drive vehicles imported under the rarity criteria will not require conversion to right hand drive but will be subject to State and Territory registration requirements. This appears to indicate that these vehicles will be able to be registered.

As you may be aware, the ACT prohibits the registration of left hand drive light vehicles unless the vehicle is over thirty years of age or is temporarily in Australia under a Commonwealth law or in accordance with an agreement with the Commonwealth. The provisions about Commonwealth law provides for the registration of vehicles imported under Status of Forces Agreements, and vehicles imported under the test and evaluation provisions of the MVSA. I understand that other jurisdictions have similar restrictions on the registration of left hand drive vehicles, noting that the age over which a left hand drive vehicle may be able to be registered may differ.

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The age restriction on registering left hand drive vehicles were developed over a considerable period of time and are intended to limit the road safety risk that these vehicles present, particularly in overtaking manoeuvres on opposed traffic two lane roads. The age restriction assists in mitigating against this risk as the age of the vehicles generally mean they are used less frequently than a newer vehicle, and often only for motoring club activities and events.

Allowing the importation, registration and use of newer left hand drive vehicles would most likely increase the safety risk posed by these vehicles through an increased road presence of left hand drive vehicles on the roads. Further, there will be potentially unfair inconsistencies between people wanting to register a left hand drive vehicle, in that some may be allowed to register and drive a left hand vehicle while other owners will be required to convert their left hand drive vehicle, at considerable expense, to right hand drive before they can register and use it.

The ACT would be prepared to participate in a national assessment of the possible road safety risks of allowing additional left hand drive vehicles to be registered and used. Until such time as an assessment is undertaken, the ACT will be unlikely to register left hand drive vehicles under thirty years of age imported under these proposed arrangements. Any such assessment would preferably assess the national impacts so that all jurisdictions can benefit from that assessment.

If you require any clarifications for further information, please contact Audrey Aquilina, Director, Road Safety and Transport Regulation on Audrey.aquilina@act.gov.au.

Yours sincerely

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Minister for Justice, Consumer Affairs and Road Safety

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