



Road Vehicle Standards Bill 2017 Authorised Vehicle Verifiers

The Road Vehicle Standards Bill 2017 is intended to replace the *Motor Vehicle Standards Act 1989* (MVSA) to implement the Australian Government's announced Reforms to the regulatory framework for the safety, environmental and anti-theft performance of all road vehicles being provided to the Australian market for the first time – both new and used. The reforms will deliver modernised legislation to increase community safety and remove unnecessary processes for businesses.

The Australian Government has released an Exposure Draft of the Road Vehicle Standards Bill for public information. The Bill will need to be debated and passed by both Houses of Parliament before it becomes law. This is expected to happen in 2018. More details are below.

Under the *Motor Vehicle Standards Act* (MVSA), when vehicles are first supplied to the Australian market via the Registered Automotive Workshop Scheme (RAWS), it is a requirement that each vehicle is inspected and signed off by a Vehicle Inspection Certificate (VIC) Signatory. The *Road Vehicle Standards Act* (RVSA) will replace the VIC requirement with detailed verification by an independent third party known as an Authorised Vehicle Verifier (AVV).

Authorised Vehicle Verifiers (AVVs)

The new legislation will facilitate the establishment of a network of approved corporations known as Authorised Vehicle Verifiers (AVVs) to verify that vehicles entering the Australian market via a RAW comply with relevant standards. AVVs will provide an independent vehicle inspection and verification service that is intended to provide vehicle owners, and the public more broadly, greater assurance of vehicle integrity and compliance. Some of the aspects of a vehicle that AVVs will be required to check include:

- any vehicle modifications undertaken by RAWs have been carried out in accordance with the relevant approved Model Report;
- the vehicle does not have any crash damage or corrosion; and
- the vehicle's odometer reading accurately reflects the vehicle's mileage.

AVVs can operate outside Australia. Companies interested in applying to be an AVV, may apply for approval approximately 3 months prior to the RVSA commencing.

Model Reports

To make it simpler for RAWs to meet technical and reporting requirements, and to improve compliance, the Australian Government will also introduce a process for pre-approval of compliance requirement documentation, referred to as Model Reports (MR). MRs will streamline the supply of necessary compliance documentation for RAWs. They will provide a means for shared design, test evidence and modification procedures to be examined and approved by the Department of Infrastructure and Regional Development (the Department), and will include a checklist of key specifications that will be used by AVVs to confirm compliance.

AVV approval criteria

Corporations seeking approval from the Australian Government to provide AVV services will need to submit an application to the Department for assessment. Applicants will be required to provide supporting documentation to demonstrate that they:

- are a corporation;
- have the technology, equipment and procedures to inspect road vehicles in accordance with legislative requirements;
- have appropriately skilled staff to conduct such inspections; and
- do not have a conflict of interest with a RAW.

Applicants may need to provide further information and/or allow an inspection of any technology and equipment used to inspect road vehicles under an AVV approval if requested.

AVV approval conditions

AVV approvals will be valid for two years and subject to certain conditions. Such conditions will include a requirement for AVVs to maintain records of all vehicles inspected for a period of seven years. This ensures that any conflicts of interest are appropriately addressed. AVVs can reapply for a further two year approval subject to the same conditions.

Vehicle verification process

Attachment A provides an overview of the AVV application, approval and verification processes.

Attachment B outlines the interactions between the AVV, RAW and MR processes.

Detailed requirements relating to the inspection of road vehicles will be contained in a legislative instrument (Determination) that will be made prior to the new legislation commencing. The Determination will include matters that relate to steps that must be taken to inspect a road vehicle, the technology and equipment to be used in such inspections, inspection procedures and administrative matters.

The steps involved in the verification process will likely include:

1. AVV is engaged by a RAW or vehicle owner (AVV charges verification fee);
2. AVV accesses the appropriate MR checklist produced for the vehicle from the Department's website;
3. RAW delivers vehicle to AVV or AVV travels to inspection site. RAW provides a vehicle sign-off document to the AVV prior to verification commencing;
4. the AVV must use suitably skilled personnel to verify the vehicle complies with:
 - a. the MR checklist;
 - b. conditions of the import approval; and
 - c. each vehicle requirements¹.
5. for vehicles that pass verification, the AVV enters the vehicle on the Register of Approved Vehicles (RAV);
6. for vehicles that fail, the AVV prepares a written report that must be provided to the RAW / owner and the Department; and
7. the AVV retains records of all verification activities.

Vehicle verification pass / fail

Vehicles passing verification will be entered on the RAV by the AVV. This process will likely involve AVVs:

1. collating relevant vehicle data (up to 15 fields), including the VIN in the specified format;
2. submitting the data to the National Exchange of Vehicle and Driver Information Services (NEVDIS) in the appropriate form for entry to the RAV. Records may be submitted concurrently for multiple vehicles; and
3. rectifying and re-submitting the data where a RAV record fails NEVDIS validation.

For a vehicle that fails verification, the AVV must provide a written report to the Department.

¹ Each vehicle requirements include accessing the underbody of the vehicle to inspect for matters such as corrosion and structural damage. Facilities used must provide for safe access to the underbody.

Anticipated volumes, types of vehicles and transitional arrangements

The average number of vehicles that entered Australia via RAWs per annum over the 10-year period from 2006 to 2015 is over 8,800. It is anticipated that a similar number of vehicles will enter Australia via RAWs under the new legislative framework, including the following:

- Specialist and Enthusiast Vehicles (SEVs);
- used motorcycles; and
- some second stage manufactured vehicles.

The RVSA will not include any number limits for RAWs for any of these vehicle types.

To facilitate a smooth transition to the new legislative framework, it is anticipated that prospective AVVs will be able to submit applications up to three months prior to the commencement of the RVSA.

Compliance & enforcement

Compliance with, and enforcement of, RVSA obligations will be supported by enhanced monitoring and investigation powers, and new enforcement tools including infringement notices, civil penalties and enforceable undertakings under the *Regulatory Powers (Standard Provisions) Act 2014*.

Information technology

As a result of the introduction of the RVSA, updates to the Information Technology (IT) system will be progressed over the next 1-2 years. New program elements such as AVVs will be accommodated in existing systems.

Other relevant information sheets

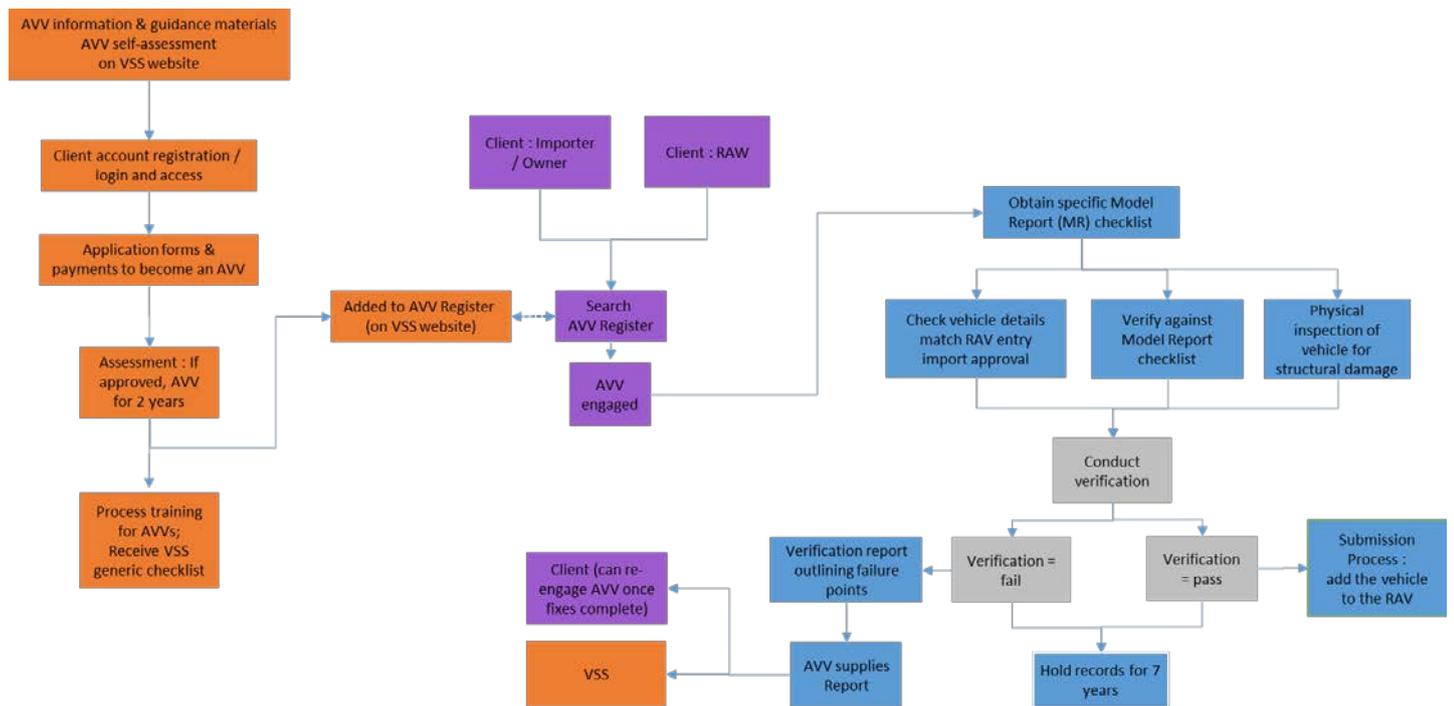
More information on:

- SEVs can be found at information sheet 1
- RAWs can be found at information sheet 2
- MRs can be found at information sheet 3
- RAV can be found at information sheet 10

For further information

Please visit our website https://infrastructure.gov.au/vehicles/mv_standards_act/

Attachment A: Overview of the AVV process



Key:



Attachment B: Interactions of AVV, RAW and Model Report Processes

