



17 October 2014

Department of Infrastructure and Regional Development
Mr Mike Mrdak ^{17/10}
Secretary
GPO Box 594
CANBERRA ACT 2601

Level 15 / 628 Bourke Street
Melbourne VIC 3000

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Dear Mr Mrdak,

Re: 2014 Review of the Motor Vehicle Standards Act 1989

Thank you for the opportunity to make a submission to the review of the Motor Vehicle Standards Act 1989.

The Options Discussion Paper explores the potential for the Australian Vehicle Standards Rules (AVSRs) to be used as an alternative to the national standards. The NTC does not support the use of the AVSRs for this purpose, and believes this would re-introduce challenges for governments, industry and consumers. The Australian Design Rules (ADRs), established under the Commonwealth's *Motor Vehicle Standards Act 1989*, provide uniform national standards for road vehicles in Australia, harmonised with international motor vehicle standards.

The ADRs cover all vehicles before their first use in Australia, whether they are manufactured in Australia or imported as new or second hand vehicles. The standards cover vehicle safety, anti-theft and emissions.

The AVSRs, on the other hand, are designed to set standards for in-service motor vehicles, such that they remain at a standard comparable to that set by the relevant ADRs.

The AVSRs are maintained by the NTC and are adopted, in whole or in part, by states and territories. The AVSRs are not necessarily implemented consistently by each jurisdiction.

Further, in their current form, the AVSRs do not specify all the requirements set out in the ADRs.

The NTC suggests that using the AVSRs as an alternative to the national standards would place the governance of all vehicle standards in state and territory based legislation. This would introduce inconsistent and incomplete vehicle requirements, which may lead to:

- significant regulatory burden and costs for importers and consumers

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- disrupted and fickle supply chains, reducing market competition
- duplication of efforts to implement standards across jurisdictions.

The NTC recognises there may be a case to modernise some aspects of the *Motor Vehicle Standards Act 1989*, but believes the original rationale to establish the Act remains.

If you require further detail on this matter, I invite your officers to contact Mr Paul Davies, Project Director (Maintenance), on (03) 9236 5046 or via pdavies@ntc.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Paul Retter', with a stylized, cursive script.

Paul Retter AM
Chief Executive and Commissioner