



HEAVY VEHICLE NATIONAL LAW

National Heavy Vehicle Standards (Partially Completed Vehicles) Exemption Notice 2018 (No. 1)

1. Purpose

The purpose of this notice is to exempt partially completed and newly manufactured heavy vehicles that are used on roads prior to first registration for particular purposes from complying with certain specifications of the *Heavy Vehicle (Vehicle Standards) National Regulation* (the National Regulation).

2. Authorising Provision

This notice is made under section 61 of the *Heavy Vehicle National Law* (HVNL) as in force in each participating jurisdiction.

3. Commencement

This notice commences on the date of publication.

4. Expiry

This notice expires on five years after publication.

5. Definitions and interpretation

(1) Unless otherwise stated, words and expressions used in this notice have the same meanings as those defined in the HVNL.

(2) In this notice—

Eligible journey means travel on a public road:

- (a) within a 100 km radius of the place where the journey began
- (b) by the most direct route between any of the following places:
 - (i) point of entry
 - (ii) a manufacturing facility operated by, or for, the vehicle manufacturer
 - (iii) a vehicle storage facility
 - (iv) a component manufacturer in order to complete construction of the vehicle; or
- (c) for the purpose of road testing the vehicle.

Eligible vehicle means a heavy vehicle that:

- (a) is a new vehicle; and
- (b) is a partially completed vehicle; and
- (c) for which the vehicle manufacturer holds an identification plate approval.

Letter of Compliance means a letter issued by an appropriate representative of the vehicle manufacturer on the manufacturer's letterhead that includes:

- (a) the vehicle identification number (VIN)
- (b) the Identification Plate Approval (IPA) number applicable to the vehicle
- (c) a description of the vehicle, including the make and model.

New vehicle has the meaning given by the *Motor Vehicle Standards Act 1989 (Cth)*.

Partially completed vehicle has the meaning given by the *Vehicle Standard (Australian Design Rule—Definitions and Vehicle Categories) 2005 (Cth)*, as amended from time to time.

Relevant jurisdiction means a jurisdiction in which the Heavy Vehicle National Law applies.

(3) A reference to a clause of an ADR is a reference to:

- (a) The version of the clause applying to the vehicle as a heavy vehicle standard; and
- (b) If the clause is omitted and remade (with or without modification) or renumbered and a version of the clause as remade or renumbered applies to the heavy vehicle as a vehicle standard the version of the clause as remade or renumbered applying to the heavy vehicle as a vehicle standard.

6. Title

This notice may be cited as the *National Heavy Vehicle Standards (Partially Completed Vehicles) Exemption Notice 2018 (No. 1)*.

7. Application

This notice applies to an eligible vehicle that is on an eligible journey to a location where work will be undertaken to complete its construction.

Note: this Notice does not apply to movements for the purposes of obtaining registration or any other purpose.

8. Exemption from Prescribed Vehicle Standards

- (1) Subject to subsection (2), an eligible vehicle is exempt from complying with Schedule 1 Section 2(1) of the National Regulation insofar as it requires compliance with an Australian Design Rule (ADR) for a component mentioned in Column 2 of Table 1, set out in the component ADR listed in Column 3 and to the extent listed in Column 4.

Table 1: Exemptions for Specific Components from Specific ADR Requirements

| Column 1 | Column 2 | Column 3 | Column 4 |
|-------------|--------------------------------|---------------|--|
| Item number | Component | Component ADR | Requirement exempted |
| 1 | Reversing lamp | ADR13/00 | Position in accordance with clause 6.4.4 of Appendix A |
| 2 | Rear direction-indicator lamps | ADR13/00 | Position in accordance with clause 6.5.4 of Appendix A |
| 3 | Stop lamps | ADR13/00 | Position in accordance with clause 6.7.4 of Appendix A |
| 4 | Rear registration plate lamp | ADR13/00 | Position in accordance with clause 6.8.4 of Appendix A |
| 5 | Rear position lamps | ADR13/00 | Position in accordance with clause 6.10.4 of Appendix A |
| 6 | Rear retro-reflectors | ADR13/00 | Position in accordance with clause 6.14.4 of Appendix A |
| 7 | Side retro-reflectors | ADR13/00 | Fitment as required by clause 6.17 of Appendix A |
| 8 | Exhaust outlet | ADR42/04 | Vertical position of the outlet as required by clause 10.3.2 |
| 9 | Wheel guards (mudguards) | ADR42/04 | Fitment to the rearmost wheels, as required by clause 14.2.1 |
| 10 | Compliance plate | ADR61/02 | Fitment as required by clause 6 |
| 11 | Vehicle plate | ADR61/02 | Fitment as required by clause 8 |
| 12 | Provision for number plates | ADR61/02 | Providing a mounting for front and/or rear number plates as required by clause 9.1.1 |
| 13 | Front underrun protection | ADR84/00 | Fitment of front underrun protection |

- (2) An eligible vehicle that is being moved for the purpose of road testing is not exempt from the heavy vehicle standard listed in item 8 of Table 1.

9. Conditions

- (1) The vehicle must be manufactured or modified to comply with all applicable ADRs and the National Regulations other than those exempted by this notice.
- (2) For a vehicle covered by items 10 or 11 of Table 1 the driver must keep a copy of a Letter of Compliance that is issued within three months of the date of travel.
- (3) The vehicle must only be driven under the direction of the vehicle manufacturer.
- (4) The vehicle must only be used on a road on an eligible journey

- (5) The vehicle must not carry any goods or passengers.
- (6) The manufacturer must, so far as is reasonably practicable, eliminate safety risks and, to the extent it is not reasonably practicable to eliminate safety risks, minimise the safety risks.

Dated 14 June 2018

Geoff Casey
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National Heavy Vehicle Regulator