



New South Wales

Road Transport (Vehicle Registration) Amendment (Vehicle Standards) Regulation 2013

under the

Road Transport Act 2013

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport Act 2013*.

DUNCAN GAY, MLC
Minister for Roads and Ports

Explanatory note

The objects of this Regulation are:

- (a) to provide that, if modifications to a vehicle are carried out in a manner that complies with certain specifications accepted by Roads and Maritime Services or published by the Commonwealth Department of Infrastructure and Transport, those modifications, or the vehicle, as the case may be, will be taken to comply with the applicable vehicle standards and a compliance certificate may be issued in relation to the vehicle, and
- (b) to provide for Roads and Maritime Services to publish guidelines as to how to ensure that a vehicle complies with the applicable vehicle standards.

This Regulation is made under the *Road Transport Act 2013*, including sections 23 (the general regulation and rule-making power) and 24 and Schedule 1.

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1 Name of Regulation

This Regulation is the *Road Transport (Vehicle Registration) Amendment (Vehicle Standards) Regulation 2013*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Road Transport (Vehicle Registration) Regulation 2007

[1] Clause 55A Modifications to registered vehicles

Insert at the end of the clause:

- (2) A light vehicle, or a modification to a light vehicle, that complies with the Authority standard compliance specifications or those provisions of *Vehicle Standards Bulletin 14* that relate to the way in which the relevant modification is to be undertaken is taken to comply with the applicable vehicle standards for the registered light vehicle.
- (3) However, if there is any inconsistency between the applicable vehicle standards and those specifications or provisions, or if those specifications or provisions are silent on a matter dealt with by the applicable vehicle standards, the light vehicle or modification must comply with the applicable vehicle standards.

[2] Clause 55B

Insert after clause 55A:

55B Construction of or modification to registered vehicles

The Authority may publish guidance material on how a person may demonstrate that a vehicle complies with the applicable vehicle standards.

[3] Clause 76AD Compliance certificate may be issued

Insert after clause 76AD (2):

- (2A) For the purposes of subclause (2) (b), a light vehicle, or a modification to a light vehicle, that complies with the Authority standard compliance specifications or those provisions of *Vehicle Standards Bulletin 14* that relate to the way in which the relevant modification is to be undertaken is to be taken to comply with the applicable vehicle standards for the vehicle.
- (2B) However, if there is any inconsistency between the applicable vehicle standards and the specifications or provisions referred to, or if those specifications or provisions are silent on a matter dealt with by the applicable vehicle standards, the light vehicle or modification must comply with the applicable vehicle standards for the purposes of subclause (2) (b).

[4] Dictionary

Insert in alphabetical order:

Authority standard compliance specifications means any specifications that the Authority, by order published in the Gazette, has declared to be specifications the compliance with which will be taken to be compliance with the applicable vehicle standards for the purposes of clause 55A or 76AD.

Vehicle Standards Bulletin 14 means the *National Code of Practice for Light Vehicle Construction and Modification* published in 2011 by the Commonwealth Department of Infrastructure and Transport (or any Department that succeeds that Department), as amended from time to time.