

Changes to heavy vehicle safety standards

(Effective from 6 February 2016)

Purpose

This guide provides advice to the heavy vehicle industry about changes made to heavy vehicle safety standards that take effect from 6 February 2016.

Introduction

The National Heavy Vehicle Regulator (NHVR) works with the National Transport Commission (NTC) to periodically review and amend the *Heavy Vehicle National Law* (HVNL) and regulations to ensure consistent application across borders and support operational changes.

Following a recent review, changes have been made to heavy vehicle safety standards requirements in the HVNL and the *Heavy Vehicle (Vehicle Standards) National Regulation* (the Regulation). The changes being made are relatively minor, and deal mainly with aligning new and in-service vehicle safety standards.

The following is a summary of the changes.

Modifications

The changes made to the HVNL will complete the transition of heavy vehicle modification authority to the NHVR from jurisdictions, improving the single NHVR heavy vehicle modification scheme.

1. A definition of 'modification' is included in the HVNL (Section 84) and is defined as:
 - (a) the addition of a component to, or the removal of a component from, the vehicle; or
 - (b) a change to the vehicle from the manufacturer's specification for the vehicle;but does not include a modification to the vehicle that has been approved under the *Motor Vehicle Standards Act 1989* (Cwth), for example through Second-Stage-of-Manufacture.
2. The HVNL has now formalised the NHVRs ability to class some modifications to a heavy vehicle as minor and not require that they be formally approved. Minor modifications are simple changes made to a vehicle like installing a radio or other accessories that do not affect the safety of a vehicle can be done without approval, providing the vehicle continues to comply with the heavy vehicle safety standards. More information about minor modifications can be found at www.nhvr.gov.au/hvmodifications
3. A new provision has been added to the HVNL that prohibits tampering with a modification plate that has been affixed to a vehicle. This means that, unless the NHVR has given written approval, it is illegal to alter, damage, remove or otherwise interfere with a modification plate.

Technical vehicle safety standards changes

A number of changes have been made to the technical requirements of the vehicle safety standards, set out in the Regulation, including:

- **Changes to how width is measured [Section 8]**

To align with a recent change to the Australian Design Rules (ADRs), the Regulation has been amended to exclude webbing assembly-type devices, such as curtain devices, when measuring the width of a vehicle, provided they do not make the vehicle wider than 2.55m.

- **Projection of rear vision mirrors [Schedule 2 Section 12]**

To align with the requirements of the ADRs, changes have been made to allow a rear vision mirror fitted to a heavy vehicle to protrude up to 230mm beyond the widest part of the vehicle, if it can fold so that it is not more than 150mm beyond the widest part of the vehicle.

- **Requirements for glazing used in windows (other than windscreens) [Schedule 2 Section 20]**

The Regulation has been amended to include the requirement for the glazing used in the window of a heavy vehicle to have a minimum luminous transmittance of 70%. This requirement was omitted in error when the Regulation was first drafted, and only applies to the glazing used. No change has been made to the minimum luminous transmittance requirements when a coating is applied (tinting) to a window.

- **Heavy vehicle exhaust positioning [Schedule 2 Section 99]**

So that the Regulation aligns with the requirements of the ADRs, changes have been made to limit exhaust outlet position requirements to apply only to heavy goods carrying vehicles (heavy vehicles with a gross vehicle mass more than 12t) and buses.

- **Heavy vehicle exhaust noise testing [Schedule 2 Section 102]**

With the increasing use of exhaust systems that have adjustable silencing devices, a new requirement has been included about how vehicles fitted with these devices must be noise tested. If a vehicle is fitted with an adjustable silencing device that can be adjusted by the operator, it will need to be designed so the device is tested in the worst case configuration.

A device is tested in its worst case configuration if it is tested in a way that produces the loudest noise. For example, if a butterfly valve is used as a silencing device, it must be able to be tested fully opened.

For full details of the changes view the [Heavy Vehicle National Law Amendment Act 2015 \(PDF, 536KB\)](#), along with the [Heavy Vehicle National Law Amendment Bill 2015 – explanatory notes \(PDF, 132 KB\)](#).

Additionally, **Section 9 - Mirrors**, **Section 10 - Windscreens and Windows**, **Section 11 – Engine, Driveline and Exhaust** and **Section 16 - Vehicle Dimensions** of the National Heavy Vehicle Inspection Manual (NHVIM) have been updated to reflect these changes and can be downloaded from www.nhvr.gov.au/nhvim

Complying with the national heavy vehicle safety standards

While it is not anticipated that these changes will have a significant impact on in-service heavy vehicles, operators should ensure that their vehicles comply with the amended requirements. Driving, parking, or permitting another person to drive or park a defective heavy vehicle on a road is an offence.

A defective heavy vehicle is a vehicle that:

- does not comply with the heavy vehicle safety standards, or
- has a part that does not perform its intended function; or
- has deteriorated to an extent that it cannot be reasonably relied on to perform its intended function.

Penalties can include an on-the-spot fine and/or being issued with a defect notice. For more information see the *Heavy vehicle defects—Compliance and enforcement bulletin* at www.nhvr.gov.au/ce-bulletins

About the NHVR

The National Heavy Vehicle Regulator (NHVR) is Australia's dedicated independent regulator for heavy vehicles over 4.5 tonnes Gross Vehicle Mass.

The NHVR was created to administer one set of rules for heavy vehicles under the Heavy Vehicle National Law, improve safety and productivity, minimise the compliance burden on the heavy vehicle transport industry and reduce duplication and inconsistencies across state and territory borders.

The NHVR has a dedicated Vehicle Safety Standards team to help with modification applications and advise on any technical aspects.

For more information:

Email: vehiclestandards@nhvr.gov.au

Visit: www.nhvr.gov.au/hvmodifications

Subscribe: www.nhvr.gov.au/subscribe

Fax: 07 3309 8777

Post: PO Box 492, Fortitude Valley QLD 4006

Phone: 1300 MYNHVR* (1300 696 487)

*Standard 1300 call charges apply. Please check with your phone provider

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