**HEAVY VEHICLE NATIONAL LAW**

**NATIONAL HEAVY VEHICLE STANDARDS (PARTIALLY COMPLETED VEHICLES) EXEMPTION NOTICE 2023 (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).

1. Authorising Provision

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

1. Commencement

This notice commences on 20 June 2023.

1. Expiry

This notice expires 19 June 2028.

1. Definitions and Interpretations
2. Unless otherwise stated, words and expressions used in this notice have the same meanings as those defined in the HVNL.
3. In this notice—

**Eligible journey** means travel on a public road:

1. within a 100 km radius of the place where the journey began; and
2. by the most direct route between any of the following places:
   * 1. point of entry
     2. a manufacturing facility operated by, or for, the vehicle manufacturer
     3. a vehicle storage facility
     4. a component manufacturer in order to complete construction of the vehicle; or
3. for the purpose of road testing the vehicle.

**Goods**, for the purpose of this notice, does not include components carried on the vehicle that are intended to be fitted to the vehicle to complete its construction.

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

1. the vehicle identification number (VIN)
2. the RAV entry approval number applicable to the vehicle
3. a description of the vehicle, including the make and model.

**New vehicle,**has the meaning given by the Road Vehicle Standards Rules 2019 (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.

**Passenger**, for the purpose of this notice, does not include a person being carried in a vehicle who is carrying out diagnostics, validation or evaluation of the vehicle’s performance.

**RAV entry approval,** means an approval to enter the vehicle on the Register of Approved Vehicles (RAV) issued in accordance with the requirements of the Road Vehicle Standards Act 2018 (Cth).

1. A reference to a clause of an ADR is a reference to:
2. The version of the clause applying to the vehicle as a heavy vehicle standard; and
3. 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.
4. Title

This notice may be cited as the *National Heavy Vehicle Standards (Partially Completed Vehicles) Exemption Notice 2023 (No. 1).*

1. Application

This notice applies to an eligible vehicle that is on an eligible journey, as defined in this notice.

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

1. Exemption from Prescribed Vehicle Standards
2. 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 | ADR42/05 | Vertical position of the outlet as required by clause 24.4.2 |
| 9 | Wheel guards (mudguards) | ADR42/05 | Fitment to the rearmost wheels, as required by clause 17.2.3 |
| 10 | Vehicle plate | ADR61/03 | Fitment of ‘*secure vehicle identification marking*’ as required by clause 6.3  Fitment of a ‘*vehicle plate*’ in accordance with clause 7.1.1  Fitment of a ‘*vehicle plate*’ in accordance with clause 7.3.1 |
| 11 | Provision for number plates | ADR61/03 | Providing a mounting for front and/or rear number plates as required by clause 9.1.1 |
| 12 | Front underrun protection | ADR84/00 | Fitment of front underrun protection |

1. 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.
2. ****Conditions****
3. The vehicle must be manufactured or modified to comply with all applicable ADRs and the National Regulations other than those exempted by this notice.
4. For a vehicle covered by item 10 of Table 1, the driver must keep a copy of a Letter of Compliance that is issued within 12 months of the date of travel.
5. The vehicle must only be driven under the direction of the vehicle manufacturer.
6. The vehicle must only be used on a road on an eligible journey.
7. The vehicle must not carry any goods or passengers.
8. 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
9. Risk mitigations and conditions imposed by the manufacturer must be documented and carried in the vehicle when operating under this notice