

Questions answered during RVSA Industry Webinar #30 Thursday 28 March 2024	Score	Response
Regarding: Has the applicant, or in the case of a body corporate any member of the key management personnel, contravened or may have contravened, road vehicle legislation? 1)What is 'Road Vehicle Legislation'? Does it include MVSA and RVSA? Does it extend to overseas legislation?	2	<p>Road vehicle legislation' includes the <i>Road Vehicle Standards Act 2018</i> and any transitional provisions, the <i>Motor Vehicle Standards Act 1989</i>, Parts VI and XI of the <i>Competition and Consumer Act 2010</i> and a provision of Australian Consumer Law relating to the safety of consumer goods. It also includes any instrument made under these Acts.</p> <p>Please see Section 5 of the <i>Road Vehicle Standards Rules 2019</i> for this definition (<a href="http://www.legislation.gov.au/F2019L00198/latest/text">www.legislation.gov.au/F2019L00198/latest/text</a>).</p>
Regarding: Has the applicant (...) contravened or may have contravened, road vehicle legislation? 2)Most companies have had a recall at some point, but surely this doesn't automatically mean that they have contravened legislation, or does it?	2	<p>A recall would not be considered a contravention of road vehicle legislation where a supplier has complied with all requirements for recalls of road vehicles or approved road vehicle components. This includes the compulsory Takata airbag recall.</p> <p>Specific actions during a recall would be considered contraventions, including:</p> <ul style="list-style-type: none"> <li>(a) a failure or refusal to provide notice of a voluntary recall to the Minister where it is required, or</li> <li>(b) a failure or refusal to comply with the action required by a compulsory recall notice that is in force, or</li> <li>(c) supplying a vehicle or component to a consumer with a defect identified by an in-force compulsory recall notice.</li> </ul> <p>For more information on vehicle and component recall requirements, please read Part 3 of the <i>Road Vehicle Standards Act 2018</i> (<a href="http://www.legislation.gov.au/C2018A00163/latest/text">www.legislation.gov.au/C2018A00163/latest/text</a>).</p>
Regarding: Has the applicant (...) contravened or may have contravened, road vehicle legislation? 3) If there is a typographical error on RAV entries that need correction, have you 'contravened' legislation?	2	<p>A person may contravene the <i>Road Vehicle Standards Act 2018</i> if they enter information on the Register of Approved Vehicles (RAV) dishonestly or improperly. A legitimate typographical error, needing correction, would not be considered a contravention as the applicant had no knowledge that the information was incorrect at the time of entry.</p> <p>To rectify such an error you can submit a RAV Correction request through ROVER. For more information, read Sections 16 and 17 of the <i>Road Vehicle Standards Act 2018</i> (<a href="http://www.legislation.gov.au/C2018A00163/latest/text">www.legislation.gov.au/C2018A00163/latest/text</a>).</p>
Regarding: Has the applicant (...) contravened or may have contravened, road vehicle legislation? 4) Case in question, supplier still in the process of discussion with C&E, case not finalised, supplier told to withdraw and re-submit answering 'yes' even though the department hasn't made a ruling!	2	<p>Where a compliance concern is under investigation at the time of application, it may be appropriate to declare that the entity or a member of the management team 'may have' been responsible for a contravention of the legislation.</p> <p>The department does not compel applicants to provide a specific response to the prior contraventions question in the ROVER forms supporting each application type. However, the department has the right to request further information if it has questions regarding any element of an application, including the contraventions declaration that the applicant makes.</p> <p>Prospective applicants are reminded that they can provide supporting material that outlines the reason(s) for the declaration that they make in response to the prior contraventions question - this can be to inform the department's assessment of their application.</p> <p>If you are seeking more details on a specific case, please reach out to <a href="mailto:ROVERinfo@infrastructure.gov.au">ROVERinfo@infrastructure.gov.au</a></p>
Question for further following up post meeting: Regarding the contravention question, can the department provide clear guidance on this question and investigate whether it is necessary to keep this question within every application?	1	<p>The contravention question appears in each ROVER application type and is derived directly from the RVS legislation. It is required to be answered truthfully by selecting either 'yes', 'no' or 'not sure'.</p> <p>The question is considered to be in the simplest form and a response from the relevant applicant is not considered onerous.</p> <p>In the event that an applicant identifies that they have or may have contravened RVS legislation question, department assessors may exercise their discretion to seek further information from the applicant due to this disclosed conduct.</p>

<p>Why are authority to act applications taking so long to process. Recent applications have taken 2-3weeks which prevents us from starting work. Also, ROVER does not notify you when it has been processed!</p>	2	<p>While the Level 1 team aims to action all requests within 5 business days, the average processing time for authority to act requests is within 48 hours.</p> <p>You can also provide someone else an authority to act on your behalf in ROVER by creating a token, which takes effect immediately. Please see <i>ROVER video: How to provide someone an authority to act</i> for step-by-step instructions (<a href="http://www.infrastructure.gov.au/department/media/publications/rover-video-how-provide-someone-authority-act">www.infrastructure.gov.au/department/media/publications/rover-video-how-provide-someone-authority-act</a>).</p>
<p>VTA application timing continues to be a major issue. The department keeps quoting an average of around 20 days, but this is because of huge inconsistencies that mean an application will either be approved within 5 days or take around 40!</p>	3	<p>Vehicle type approval applications continue to be assessed well within the legislated timeframe of 60 days.</p> <p>Individual application assessment times can vary due to a number of factors. These can include: the complexity of the application, the complexity of the vehicle type and consideration of any minor and inconsequential respects to non-compliance.</p>
<p>Regarding NVES, I have not seen anywhere in the discussion or 'next steps' how the department are planning on obtaining CO2 figures for vehicles over 3.5t. What is happening in this space, as any additional regulation requires consultation and implementation timing.</p>	2	<p>We will invite the New Vehicle Efficiency Standard team to a future Webinar to provide information on the implementation of the legislation.</p>
<p>Is it possible to have the List of approved Testing Facilities on the Rover Infrastructure website also show basic location? It is time consuming to go to the website to find they are in another state for example.</p>	1	<p>We are aware it can be difficult to find location information for approved testing facilities in ROVER and we are considering how to improve this functionality.</p> <p>Please note that under the RVS legislation, testing facilities may request the department to only publish approval holder name and contact details, or to not publish their approval at all.</p>
<p>Is it possible to flag within ROVER user portal a priority list of approvals for that user/organisation which will be prioritised above their other applications, not all approvals are as critical and with long lead times and inconsistent times it is costing industry and users substantially.</p>	1	<p>In the interest of fairness to all applicants, our standard practice is to process applications in the order they are received.</p> <p>An applicant may request to re-prioritise their application by completing the enquiry form on our website. This process ensures that requests are directed to the appropriate assessor, which usually occurs within a day of receiving your re-prioritisation request (<a href="http://www.infrastructure.gov.au/infrastructure-transport-vehicles/vehicles/rvs/contact-us">www.infrastructure.gov.au/infrastructure-transport-vehicles/vehicles/rvs/contact-us</a>).</p> <p>Please see <i>Guidance note - Requesting priority assessment of an RVS application</i> for more information about this process (<a href="http://www.infrastructure.gov.au/department/media/publications/guidance-note-requesting-priority-assessment-rvs-application">www.infrastructure.gov.au/department/media/publications/guidance-note-requesting-priority-assessment-rvs-application</a>).</p>
<p>Application creation improvement is a great change, although the biggest issue is the inconsistent approval times</p>	2	<p>Application assessments continue to be assessed within legislated timeframes.</p> <p>If you have an application where this is not the case, please provide this information to <a href="mailto:ROVERinfo@infrastructure.gov.au">ROVERinfo@infrastructure.gov.au</a></p>
<p>With the new ROVER platform, is it possible now to obtain a greater offline version of the application? Full .pdf export or similar.</p>	2	<p>We know this is important to industry and are currently working on a way to support this function.</p>
<p>For a potential VTA applicaiton we are hoping to do. We have some old test reports and previous exemptions that we would like to get a determination on from the ROVER team before we submit, as they will determine a large amount of re work we have to do. Is there an email or contact for this?</p>	3	<p>The <i>Guide to vehicle type approvals</i> provides information on test results conducted under a <i>Motor Vehicle Standards Act 1989</i> approval (<a href="http://www.infrastructure.gov.au/department/media/publications/guide-vehicle-type-approvals">www.infrastructure.gov.au/department/media/publications/guide-vehicle-type-approvals</a>).</p> <p>If you are still unsure about whether you can use your old test reports and/or exemptions, you can submit an enquiry by using the 'contact us' form on our website (<a href="http://www.infrastructure.gov.au/infrastructure-transport-vehicles/vehicles/rvs/contact-us">www.infrastructure.gov.au/infrastructure-transport-vehicles/vehicles/rvs/contact-us</a>).</p>
<p>will the way XML Submission forms are created change due to the update of the rover portal will it require new information or the same VTA numbers weights etc</p>	4	<p>There will be no change to the submission process for entries onto the Register of Approved Vehicles when the new ROVER portal is deployed in June.</p>

<p>Are we able to get an avenue/contact in which to verify previous exemptions before submitting them for a new VTA application? The same as well for Test reports?</p>	<p>2</p>	<p>We will provide support to industry wherever possible, however, we cannot bind a future decision maker by providing a determination before the application has been assessed.</p> <p>Concerning test reports, the RVS Rules don't provide scope for the department to consider testing other than by an approved RVS testing facility, except in certain circumstances as outlined on page 31 of the <i>Guide to vehicle type approvals</i>. The department may also consider a UN approval, which would be supported by testing as required by the United Nations 1958 Agreement.</p> <p>If you have a question, you can submit an enquiry by using the 'contact us' form on our website (<a href="http://www.infrastructure.gov.au/infrastructure-transport-vehicles/vehicles/rvs/contact-us">www.infrastructure.gov.au/infrastructure-transport-vehicles/vehicles/rvs/contact-us</a>).</p>
<p>Are we able to get a determination from the ROVER team as to whether or not we have enough information or 'pre requisites' to obtain the ability to become a registered test facility for the ADR's we have applied to test for, in future? Save a lot of back and forth / time waisting. More info needed..</p>	<p>5</p>	<p>We are unable to pre-empt a future decision maker by providing a determination before the application has been assessed.</p> <p>You are likely to be granted an approval if you meet the criteria for a testing facility and apply within the approved form. The <i>Guide to testing facilities</i> outlines the information you are required to include in your application to enable the department to make a decision (<a href="http://www.infrastructure.gov.au/department/media/publications/guide-testing-facilities">www.infrastructure.gov.au/department/media/publications/guide-testing-facilities</a>).</p>
<p>importer with opted in VTA is importing a new variant and placing it on the RAV before the VTA was updated and the new variant was added and approved. Justification: vehicle is of same type, although new components are used on the new variant. Can you confirm this is correct. Definition: Variant?</p>	<p>2</p>	<p>The variant would not be covered by an existing vehicle type approval if the variant information does not match the Road Vehicle Descriptor.</p> <p>Entering vehicles on to the Register of Approved Vehicles dishonestly or improperly is a contravention of road vehicle legislation as outlined in sections 16 and 17 of the <i>Road Vehicle Standards Act 2018</i> (<a href="http://www.legislation.gov.au/C2018A00163/latest/text">www.legislation.gov.au/C2018A00163/latest/text</a>).</p>
<p>Can you please add the "reason for variation" field to the start of an application in the revised ROVER platform, as this can help assessors triage applications based on the submitted changes.</p>	<p>2</p>	<p>This suggestion will be added to our considerations for ROVER system enhancement post the portal rebuild.</p>
<p>Is it possible to change the type approval commencement date after submission?</p>	<p>0</p>	<p>Yes, you can change the commencement date for a submitted application by withdrawing, amending and resubmitting your application if the application has not been approved.</p> <p>For any other scenarios you would need to contact us at <a href="mailto:ROVERinfo@infrastructure.gov.au">ROVERinfo@infrastructure.gov.au</a> to confirm if the approval commencement can be altered.</p>
<p>Feedback - Display ADRs like previous format (RVSA website), the new website means downloading document every time rather than viewing on website due to poor visibility, giant step backwards in visibility</p>	<p>2</p>	<p>Australian Design Rules, consistent with all Australian Government legislation, are published on the Federal Register of Legislation (<a href="http://www.legislation.gov.au">www.legislation.gov.au</a>). This site is managed by the Office of Parliamentary Counsel.</p> <p>Feedback on the website can be provided at <a href="https://www.legislation.gov.au/help-and-resources/using-the-legislation-register/feedback">https://www.legislation.gov.au/help-and-resources/using-the-legislation-register/feedback</a></p>
<p>Will an OPT-IN VTA have an avenue to renew approval at the end of the 5 year period or will a new VTA application be required?</p>	<p>4</p>	<p>We are aware some approvals will be expiring in 2025 and approval holders would prefer to keep their existing approval numbers.</p> <p>Approval renewals will be considered as part of our upcoming review of the Road Vehicle Standards legislation, which will commence later this year.</p>
<p>Currently anyone that has approval to act for a companies rover account can view applications in there entirety, including test evidence/ calculations with valuable IP. Is it possible for the new system to improve security and limit this accessibility to just the submitter?</p>	<p>0</p>	<p>When granting someone an authority to act on your behalf, you can choose the level of access this person will have. By selecting limited access, you can grant access to only specific applications.</p> <p>Please see the <i>ROVER guide: Multi-level authority to act</i> for more information (<a href="http://www.infrastructure.gov.au/department/media/publications/rover-guide-multi-level-authority-act">www.infrastructure.gov.au/department/media/publications/rover-guide-multi-level-authority-act</a>).</p>

<p>I have access to a ROVER applicant which has no other user with Standard Access (previous users expired/removed). I cannot grant access any new user because I 'do not have the appropriate features for this action'. Would I need to contact the dept. for this issue, or is this a known issue?</p>	<p>0</p>	<p>If you are experiencing an issue with an authority to act, please contact us at <a href="mailto:ROVERinfo@infrastructure.gov.au">ROVERinfo@infrastructure.gov.au</a> for assistance.</p> <p>When creating an authority to act request, you need to select what roles you will require to be approved. If you do not have administrator access, you will not be able to provide standard access to someone else. The applicant can send you a token with updated access, or you will need to follow the authority to act process in ROVER to renew your access.</p> <p>Please see the following resources for more information:  <i>Authority to Act in ROVER</i> (<a href="https://www.infrastructure.gov.au/infrastructure-transport-vehicles/vehicles/rvs/rover-resources/authority-act">https://www.infrastructure.gov.au/infrastructure-transport-vehicles/vehicles/rvs/rover-resources/authority-act</a>)  <i>Giving someone authority to act on your behalf</i> (<a href="https://www.infrastructure.gov.au/department/media/news/giving-someone-authority-act-your-behalf">https://www.infrastructure.gov.au/department/media/news/giving-someone-authority-act-your-behalf</a>)  <i>ROVER guide: Multi-level authority to act</i> (<a href="https://www.infrastructure.gov.au/department/media/publications/rover-guide-multi-level-authority-act">https://www.infrastructure.gov.au/department/media/publications/rover-guide-multi-level-authority-act</a>)</p>
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