



ROAD VEHICLE STANDARDS

# Guide to vehicle type approvals – Appendix 3

## Expectations for the conditions applied to a vehicle type approval

June 2023

Rules reference	Condition detail	Expectations
<b>Section 26 – condition about compliance with national road vehicle standards.</b>	<p>A vehicle type approval holder must ensure the vehicle complies with the applicable national road vehicle standards in force at the time it is entered on the Register of Approved Vehicles (RAV).</p> <p>The vehicle type approval holder must be able to produce evidence:</p> <ul style="list-style-type: none"><li>demonstrating the vehicle type covered by the approval complies with the national standards in force at the time the vehicle is entered on the RAV, and</li><li>could be considered for the purposes of subsection 19(2).</li></ul> <p>The vehicle type approval holder must not give instructions, for the purposes of paragraph 51(e), that results in a vehicle covered by the approval</p>	<p>A vehicle type approval holder who continues to enter their vehicles on the RAV, is expected to ensure the vehicles continue to comply with the applicable national road vehicle standards in force when they were entered on the RAV (or in the respects or the extent of non-compliance approved).</p> <p>This requires internal review procedures and processes that monitor developments and changes to Australian Design Rules (ADRs) or where non-compliance is able to be identified and addressed.</p> <p>This may also include responding appropriately when the department releases details of amended or new ADRs that may impact your vehicle type well before their applicability time. You may be required to produce evidence that the vehicle type continues to comply with the applicable ADRs.</p> <p>Vehicle type approval holders of vehicle types not required to comply with the national standards in certain respects or to a certain extent, are expected to have supporting documentation. They need to produce evidence demonstrating the respects of the non-compliance and to the extent specified in the vehicle type approval.</p>

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	<p>ceasing to comply with the applicable national road vehicle standard. Except to the extent (if any) that vehicles of that type are not required to comply with those standards in order to be entered on the RAV under the approval.</p>	<p>Approval holders issued a non-standard approval must also ensure that supporting information or documentation is available to show that the vehicle is suitable for use on a public road in Australia.</p>
<p><b>Section 27 – condition about a conformity of production.</b></p>	<p>A vehicle type approval holder must implement a conformity of production system that:</p> <ul style="list-style-type: none"> <li>• governs the manufacturing process detailed in the supporting information for the approval, and</li> <li>• ensures that, when a vehicle covered by the approval is entered on the RAV, it satisfies the applicable national road vehicle standards in force at that time, and in the respects, or to the extent, that the vehicle is required to comply with those standards.</li> </ul>	<p>If the vehicle type approval holder is the manufacturer, they must be able to provide evidence demonstrating their ability to manufacture the vehicle type exactly to the design so that it consistently complies with the applicable standards when it is entered on the RAV.</p> <p>A conformity of production system can be a single document or series of documents. It describes how you will control all stages of the design and manufacturing processes. It forms the supporting information for the vehicle type approval.</p> <p>Where the vehicle type approval holder is not the manufacturer, they are expected to be able to provide evidence of contractual or other arrangement with the manufacturer allowing them to access information demonstrating their ability to manufacture the vehicle type, that exactly meets the design.</p> <p>The vehicle type approval holder is also expected to be able to provide evidence of a contractual or other arrangement with the manufacturer, requiring the manufacturer to consistently produce the vehicle to the same requirements and comply with the applicable standards at the time it is entered on the RAV.</p> <p>At any point during the period the vehicle type approval is in force, the department may request to undertake compliance activities focusing on any aspect of the conformity of production system. For example, inspecting:</p> <ul style="list-style-type: none"> <li>• the design facility and information relevant to the vehicle design</li> <li>• instruction documentation used in the manufacturing processes.</li> </ul>
<p><b>Section 28 – condition about notifying the Secretary about errors in RAV entries.</b></p>	<p>An approval holder should notify the department as soon as practicable if they become aware of an error in the information entered on the RAV for a vehicle under their approval.</p>	<p>The approval holder must have review processes in place to identify any errors of information when entering details on the RAV. The approval holder is expected to have a procedure in place to notify the department as soon as possible after an error is identified.</p>

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<p><b>Section 29 – condition about providing information etc, to the Secretary or an inspector.</b></p>	<p>If the vehicle type approval holder receives a written request from the department, within the specified time they must provide:</p> <ul style="list-style-type: none"> <li>• or arrange for an inspector to access, the original and any subsequent versions of the supporting information for the approval</li> <li>• any information the inspector reasonably requires to assess whether the approval holder is complying with the Road Vehicle Standards (RVS) legislation</li> <li>• any other information or documents specified in the request about the vehicle the approval applies to</li> <li>• written answers to questions, specified in the request, about the vehicle to the approval applies to, and</li> <li>• to assess whether the vehicle the approval applies to, would comply with the applicable national road vehicle standards, to the extent that those standards relate to that road vehicle, allow or arrange for an inspection of: <ul style="list-style-type: none"> <li>– premises where the components of the vehicle type are designed or manufactured, or</li> <li>– premises where the vehicles are designed or manufactured, or</li> <li>– things, including documents and componentry associated with the design or manufacturing process.</li> </ul> </li> </ul>	<p>The approval holder is expected to comply with the written request within a reasonable time as specified in the request.</p> <p>The department aims to work with the approval holder to determine the time it may take to fulfil the request, including:</p> <ul style="list-style-type: none"> <li>• the amount of information requested</li> <li>• the urgency of the request</li> <li>• the complexity of the request</li> <li>• whether information is already available, and</li> <li>• whether fulfilling the request requires a degree of consideration, research, collaboration or liaison.</li> </ul> <p>The approval holder is required to provide any information the department reasonably requires to assess whether they are complying with RVS legislation in relation to an approved vehicle.</p> <p>The information requested is not limited to written material in English. It may also include videos or photographs, or other formats.</p> <p>The approval holder may also be required to allow or arrange for an inspection of the premises where the vehicle is designed or manufactured. This involves things, including documents associated with the vehicle, QMS documents or IT systems.</p> <p>If components have been provided to the vehicle type approval holder to use in manufacturing a vehicle, an inspection may also be required at third party premises.</p> <p>Access to third party premises, documents or things does not allow the department to directly enter premises without the consent of the approval holder or the third party.</p> <p>The vehicle type approval holder is expected to facilitate and make necessary arrangements with the third party, or at least provide relevant contact details when requested by the department. If the third party does not allow access, the approval holder may be in breach of this condition.</p> <p>A request may occur at any time during the period the approval is in force. The approval holder must meet the requirements of the written request. This ensures the integrity of the evidence associated with the approved vehicle, and the eligibility criteria provided by the approval holder maintain the effectiveness of the vehicle type approval process.</p>

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<b>Section 30 – condition about keeping up-to-date records of supporting information.</b>	<p>An approval holder is required to keep a record of the original and any subsequent versions of the approval’s supporting information while the approval is in force, and for 7 years after it expires or is revoked.</p> <p>They must also ensure the approval’s supporting information is kept up to date while the approval is in force.</p>	<p>The approval holder is expected to have a records system that captures all information about design, componentry, manufacture and change processes. It should also maintain updated and version controlled material as required under the approval.</p> <p>This includes capturing and having available the:</p> <ul style="list-style-type: none"> <li>• original and subsequent versions of supporting information for the approval for the period the approval is in force and for a period of 7 years after the approval expires or is revoked</li> <li>• supporting information is kept up to date, with processes to maintain visibility of ADR changes or non-compliance detections and remedial action.</li> </ul> <p>When requested in writing by the department, such records are expected to be made available, in their most up to date form and in English.</p>
<b>Specified condition under subsection 25(a) – notifying of recall action being taken outside of Australia.</b>	<p>An approval holder must advise the department, as soon as practicable, if recall action is being taken outside of Australia for a vehicle that is, or may be, an approved vehicle the approval holder provides for use in trade or commerce.</p>	<p>The approval holder must remain vigilant of recall action being undertaken in a jurisdiction outside of Australia for and approved vehicle, that is also supplied to the Australian market.</p> <p>Advice must be provided to the department and voluntary recall action undertaken in a timely and effective manner.</p>
<b>Specified condition under subsection 25(a) – advising when voluntary recall action may be required.</b>	<p>The approval holder must advise the department when they have identified a systemic safety or non-compliance issue.</p>	<p>The approval holder must maintain processes and practices allowing systemic safety or non-compliance issues related to the vehicle to be identified.</p> <p>Advice must be provided to the department. Consideration of voluntary recall action may be required to rectify the risk in a timely and effective manner.</p>
<b>Specified condition under subsection 25(a) – RVD embargo date, if applicable.</b>	<p>A vehicle covered by an approval must not be entered on to the RAV before the Road Vehicle Descriptor (RVD) has been published on ROVER.</p>	<p>The approval holder must have processes in place to ensure they do not enter road vehicles covered by their approval on to the RAV until they have confirmed the RVD has been published with the approval in force on ROVER.</p>

**Note:** Other additional specified conditions may be provided under subsection 25(a) in certain circumstances, including where the vehicle type approval covers a chassis cab, motorhome or pre-release evaluation vehicle.