



Australian Government

Department of Infrastructure, Transport,
Regional Development and Communications



➤ Guide to vehicle type approval opt-in arrangements

December 2021

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Director – Creative Services
Communication Branch
Department of Infrastructure, Transport, Regional Development and Communications
GPO Box 594
Canberra ACT 2601
Australia

Email: publishing@infrastructure.gov.au

Website: www.infrastructure.gov.au

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Updated December 2021 – Clarification for condition of approval for approval holders that are not the manufacturer, and updated information regarding timing of notifications after the opt-in has been processed.

Introduction

Regulating vehicle type approvals under the Road Vehicle Standards (RVS) legislation takes a different approach to the treatment of Identification Plate Approvals (IPAs) under the *Motor Vehicle Standards Act 1989* (MVSA).

Some approval holders under the MVSA can use opt-in arrangements to transition their existing approval to a road vehicle type approval under the RVS legislation – in force for 5 years – without providing evidence they meet the eligibility criteria.

The *Road Vehicle Standards Act 2018* (RVSA) replaced the MVSA on 1 July 2021. It is being administered by the Department of Infrastructure, Transport, Regional Development and Communications (the department).

The detail of how the new regulatory framework operates is contained in the [Road Vehicle Standards Rules 2019](#) (the Rules). The RVSA, the Rules and other related legislation are collectively referred to as the Road Vehicle Standards (RVS) legislation.

Road [vehicle type approval](#) regulation is key to the Australian Government's ability to ensure Australians are provided with safe, secure and environmentally-friendly road vehicles.

What are the transitional arrangements for road vehicle type approvals?

[Transitional arrangements](#) are provided for under the *Road Vehicle Standards (Consequential and Transitional Provisions) Act 2018*, including the 'opt-in' arrangements. The opt-in arrangements aim to ease the transition to the RVS legislation for certain eligible approval holders under the MVSA.



DID YOU KNOW? The opt-in period is only available for the first 6 months of the transitional period, from 1 July 2021 until, and including, 11:59 pm AEST 31 December 2021.

See also the diagram at [Figure 1 – Transitional dates and expectations for the opt-in process](#).

This guide explains the opt-in application form, what you must do before opting-in and what you should retain as part of your record keeping and obligations as an approval holder to support the declarations you make.

For more information about vehicle type approvals and, importantly, what is expected of you as an approval holder under RVS legislation, please refer to the [Guide to vehicle type approvals](#).

Overview of opt-in transitional arrangements

If you hold certain approvals under the MVSA, your existing approval will be able to become a road vehicle type approval, in force for 5 years, without providing evidence that you meet the eligibility criteria under the RVS legislation.

Eligibility for the opt-in arrangements requires a person to hold an in force and up to date approval – immediately before the RVS transitional period starts (1 July 2021), under the following:

- Section 10A(1) of the MVSA – standard road vehicles
- Section 10A(2) of the MVSA – minor or inconsequential non-standard road vehicles
- Section 14A of the MVSA – non-standard road vehicles
- Regulation 20 of the MVS Regulations – non-standard road vehicles.

You must submit an opt-in application – including providing certain acknowledgements and declarations about your obligations as a road vehicle type approval holder – and pay the opt-in application fee during the 6-month opt-in period.

When applying to opt-in, you can indicate the date you want the vehicle type approval to start (i.e. for the MVSA approval to become a road vehicle type approval under the RVS legislation) within that 6-month opt-in period.

Under opt-in arrangements, applications are not assessed against the eligibility criteria for the grant of the road vehicle type approval. However, the department may request further information confirming that you are complying with the conditions of your approval.

A person's eligibility to opt-in will however be assessed.

For example, that you are an eligible approval holder under the MVSA and your details match those of the applicant for the opt-in application.

We aim to keep any delay to assessing opt-in applications to a minimum. However it may take up to 10 business days in busy periods. If you choose to have your opt-in start on the day you submit, there may be delays before you can add vehicles to the [Register of Approved Vehicles](#) (RAV) while we complete this process.



You are encouraged to submit your application at least 30 days before your nominated start date. This will allow an assessor to validate your eligibility for opt-in and reduce the possibility of a period where you cannot fit a vehicle with an identification plate or add vehicles to the RAV.

You are not required to provide evidence meeting certain requirements of the RVS legislation, such as testing conducted by a testing facility approval holder. Exceptions to using existing evidence include where:

- the evidence is found to be false, misleading or omits relevant information – penalties of up to \$126,000 may apply where false or misleading information is given
- a variation to the new vehicle type approval is sought after opting-in – existing evidence used for the old MVSA approval will not be sufficient to the extent of the variation of the vehicle type approval.

Before opting-in



IMPORTANT: If your eligible MVSA approval is not up to date by the time your vehicle type approval comes into effect, the department may suspend your approval.

Variations and updates to an eligible MVSA approval

Eligible approval holders under the MVSA should ensure their approval is up to date before opting-in. Any applications necessary to vary approvals – granted under the MVSA (via Compliance Approval (CA) forms), or updates to evidence of compliance with Australian Design Rules (ADRs, via Summary of Evidence (SE) forms) for those approvals – should be completed in the Road Vehicle Certification System (RVCS) well before submitting an opt-in application.

This will ensure that CA and SE forms can be assessed, and any variations made to the eligible MVSA approval, before opt-in takes effect.

Generally, you should ensure your MVSA approval is up to date at least 30 days before the date your new vehicle type approval takes effect. To reduce administrative challenges, it should also be before submitting your opt-in form. This will also ensure that RVS legislation requirements for variations (for example, any need for testing by a testing facility approval holder) do not apply.

Maintaining accuracy of the Road Vehicle Descriptor

Eligible approval holders under the MVSA must also ensure their Road Vehicle Descriptor (RVD) is accurate, as it will be published on the department's website in accordance with the RVS legislation. It is important that any errors are addressed before opting-in.

If, after your MVSA approval has been taken to be granted as a vehicle type approval, your RVD needs to be updated or corrected, you will need to request to vary your vehicle type approval in [ROVER](#) (the department's IT system that manages all applications and approvals under the RVS) and manage the necessary changes.

See details under [Can I change details in a vehicle type approval?](#)

New Australian Design Rule (ADR) 61/03

A new standard – ADR 61/03 'Vehicle Marking' – will be introduced for all road vehicle type approvals under the RVS legislation, including opt-in approvals. It will require that vehicles covered by road vehicle type approvals have a Secure Vehicle Identification (SVI) marking affixed to them in accordance with the requirements in ADR 61/03 before they are entered on the [Register of Approved Vehicles](#) (RAV).

The SVI marking will record the manufacturer's name or trademark and the Vehicle Identification Number (VIN) as a security measure to deter vehicle rebirthing and to support state and territory registration authorities conducting vehicle checks. It will replace the previous requirement to affix an Identification Plate.

Other ADRs applying to the MVSA approval will be carried over and apply to the RVSA opted-in road vehicle type approval.

The location details of the SVI marking must be included with your opt-in application to ensure it is available to other regulators when the opted-in vehicle type approval and vehicle descriptor is published on the department's website.

The location of the SVI marking should be described in plain English, in line with current practice for Identification Plate location.

Compliance information about applicable national road vehicle standards – including ADR 61/03 – will not be required at the time of opting-in. However, under section 26 of the Rules, it is a condition of your vehicle type approval that all the required information ensuring the type of vehicle covered by your approval complies with ALL of the applicable national road vehicle standards in force at the time a vehicle is added to the RAV.



IMPORTANT: To reduce the burden on industry and the department, we will not collect information about compliance with ADR 61/03 before the vehicle type approval starts. The approval holder can add ADR 61/03 to their approval when they first need to vary their approval. The department will not take action against the approval holder unless we have information the vehicles added to the RAV are not complying with the applicable standards.

Regardless of whether your vehicle type approval identifies as substantially compliant in either minor and inconsequential respects, or to an extent that makes it suitable for use of a public road in Australia, vehicles covered by your approval must be fully compliant with ADR 61/03 at the time they are added to the RAV.

In certain circumstances – for example your MVSA approval includes non-compliance for ADR 61/02 for vehicles such as a chassis-cab – the non-compliance will be continued as accepted with ADR 61/03.

SVI marking can be affixed to a road vehicle at any time, regardless of whether a road vehicle type approval is in effect through opting-in. This will allow for an overlap of affixing the Identification Plate and SVI marking to suit the preferred point of changeover within your business operations, i.e. from an MVSA approval to an opt-in road vehicle type approval (the opt-in date of effect).

Ensuring no disruption to provision of road vehicles

Failing to keep your approval up to date and maintaining compliance with the applicable national road vehicle standards may lead to the department suspending your approval.

While your approval is suspended, you will not be able to add vehicles to the RAV and therefore be unable to provide road vehicles of the type covered in your approval to the Australian market.

It is also important to note that you will not be able to supply vehicles to the market under the MVSA (i.e. by fitting an Identification Plate) once the opted-in road vehicle type approval comes into effect.



NOTE: To ensure a smooth transition, we strongly recommend that your eligible MVSA approval is up to date, in force and any variation has been granted well before submitting your opt-in application.

Figure 1 – Transitional dates and expectations for the opt-in process



If the opt-in is not completed by 31 December 2021, or it is submitted late and found that after 1 January the application was in error, a new application for a vehicle type approval will be required.

Who can apply for a vehicle type approval using opt-in arrangements?

A person (being an individual or company) can apply for a vehicle type approval using the opt-in arrangements. This can include a company representative or an agent acting on your behalf. However, a representative must have the authority to do so. You must, of course, hold an eligible MVSA approval that is in force.

If an agent or company representative submits the application on your behalf, they must have the relevant documents, an authority to act, and the information needed to successfully complete the opt-in application form.

The named applicant, not the agent or representative, will be the vehicle type approval holder and will be responsible for meeting the conditions specified in the approval when it takes effect.

Penalties may be applied where false or misleading information is submitted or where the conditions of the vehicle type approval are not met.

What IT system do I need to access?

The IT system you need to access is [ROVER](#), which integrates all applications, activities and approvals under the RVS legislation.

Creating a user account in ROVER

Before submitting an application, you or your representative must first [create an account](#) in ROVER. This includes uploading certain identification documents.

Creating an account for agents or representatives also requires details about the company or individual they are applying on behalf of.

When your representative has an [authority to act](#) on your behalf, they must upload documentation (for example, a company letter) stating that the agent or company employee is authorised to act on behalf of you/the applicant. A guide to [creating an account in ROVER](#) is available on the department's website.



The verification of identity documents and an authority to act happens when registering in ROVER. While you can access, complete and save an application, you will be unable to submit an application until your user account details have been verified. You should ensure your identity and authority to act (if applicable) has been verified before the date you intend to submit any application in ROVER.

What information do I need to provide in the opt-in application?

Before your vehicle type approval can take effect, you need to complete the online opt-in application form and provide the following information:

- opt-in eligibility (approval MVSA sub-section) and the MVSA approval number
- road vehicle details, make and model
- contact details for publishing on the department's website
- optional, specified future date of effect, within the 6-month opt-in period
- details about Secure Vehicle Identification marking
- declarations.

Personal information

Collecting personal details such as name and contact information has been considered under the *Privacy Act 1988* and the department's [Privacy Policy](#) as reasonably necessary to administer the provisions of RVS legislation, to assess your application and make decisions. Contact information associated with a vehicle type approval is also required to maintain communication with applicants and approval holders.

Personal information, name and contact details, must be published on the department's website as required under section 223 of the Rules.

Further to this, disclosure of personal information to law enforcement agencies may be undertaken as required, including under subpoena or to support law enforcement activity.

Requests from other government agencies to disclose personal information will be considered in conjunction with the requirements of the department's Privacy Policy.

Please contact the department's Privacy Officer for more information.

Commercial information

You may need to upload additional information or documents as part of the application process, or when the department requests further information.

All information and documentation provided will be considered when managing your opt-in application and vehicle type approval.

The information and documentation will be treated as commercial-in-confidence at all times and any further disclosure will not be made without your consent unless it is required by law.

Only departmental staff with the appropriate authority will have the level of IT access required to manage your opt-in application.

Application fee

The Australian Government will continue to recover the costs of activities related to administering RVS legislation from industry participants, consistent with the Australian Government Charging Framework.

The fee we charge for an opt-in application for a vehicle type approval reflects the actual cost of processing applications. When an application is submitted, ROVER will prompt you to make a payment via its online payment system. The application's status will remain 'submitted-pending payment' until it is paid. If no payment is made after 30 days the application will lapse. Confirmed payment will direct the application for further processing and the status will be updated to 'in progress'.

The application fee for opt-in is \$20.

Please note, opt-in applications are not complete until the application fee has been paid. Applications will not be considered until your payment has been received. If a payment is not received before the end of the opt-in period, the application cannot be considered.

Payments can be made through the [ROVER](#) payment portal.

The department currently accepts payments via credit/debit card (Visa or MasterCard).

More [information about fees](#) is available on the department website.

Road vehicle type approval 'taken to be granted'

There is a difference between an approval being 'granted' and an approval being 'taken to be granted'. 'Taken to be granted' means **no assessment or decision** is being made by the department to grant an approval. Once the requirements are met, the required information is submitted with the opt-in application and the application fee is paid, the road vehicle type approval is automatically in force.

This is **not** dependent on the department assessing whether the applicant has met the eligibility criteria for the grant of a road vehicle type approval under section 19 of the Rules.

Letter of advice of approval status

Once the requirements for opt-in have been met, the department will confirm that your opt-in has been processed and advise the date the approval takes effect.

On the commencement date you will be sent a notification email from the ROVER system. This will include a copy of your MVSA approval (as was in force at the date of effect of opt-in) and a letter of advice. The scope of your MVSA approval at the time the opt-in application was submitted becomes the scope of the opt-in road vehicle type approval.

IMPORTANT: If the department identifies that opt-in requirements have not been met, the information is incorrect, or the required information has not been provided, for example, that you do not hold an eligible MVSA approval, you will be informed as soon as practicable after submitting the opt-in application. Please note that, in some circumstances, failing to provide accurate information may mean you have committed an offence by making a false or misleading declaration in the opt-in form, which may result in the department undertaking an enforcement response.

The conditions of your MVSA approval will continue. The conditions of the new road vehicle type approval, as set out under section 25 of the Rules, also apply to the approval and will be included in the letter of advice.

If a condition on your MVSA approval is inconsistent with a new condition on the road vehicle type approval under the Rules, the **new** condition applies.

For further information regarding the conditions of your approval and your obligations please refer to [Appendix 2 – Expectations for the conditions applied to a vehicle type approval](#).

Publishing road vehicle type approvals

Under section 223 of [the Rules](#), the details for each road vehicle type approval in force will be published on the department's website, including:

- the name and contact details of the vehicle type approval holder
- a copy of the current approval
- a copy of each previous version of the approval, if applicable
- the vehicle descriptor (if applicable to your vehicle type) covered by the approval.

Approval numbering

[ROVER](#) will generate an approval number, incorporating the 5 digit MVSA approval number, for example IPA 60000 will become VTA060000. This will give your business traceability from the MVSA IPA to the vehicle type approval number.

If you re-apply for approval of a vehicle type approval under the RVS legislation before the previous approval expires, and if granted, your vehicle type approval will retain the same approval number. In this instance the approval notice will indicate the date it comes into force and an updated expiry date.

Approval holders' responsibilities

A vehicle type approval holder under the RVS legislation has important responsibilities. These will appear as standard and specified conditions detailed in the letter of advice for your vehicle type approval.

Conditions relating to a vehicle type approval fall under section 25 of the Rules. These conditions ensure legislative requirements can be controlled.

It is an offence under the RVS legislation if these conditions are not met and penalties may apply.

See also the information provided under the heading: [Complying with your responsibilities](#).

Summary of responsibilities

Every vehicle type approval holder for every road vehicle type, including through the opt-in application process, has responsibilities to ensure the following requirements are met:

- the vehicle type complies with the applicable road vehicle standards in force at the time it is added to the RAV
- conformity of production systems are maintained
- requested information or inspections are responded to appropriately
- records of the original and any subsequent versions of supporting information will be kept and up to date for the period the type approval is in force and for 7 years after it expires or is revoked.

An approval holder must comply with all of the conditions within their approval as detailed in the letter of advice issued to you.

In addition to RVS legislation standard conditions, a vehicle type approval holder under the opt-in concession must continue to comply with conditions that were specified in the MVSA approval. If the new RVS conditions are inconsistent with the old MVSA conditions, the new conditions apply.

More details about the department's expectations for each of the standard conditions are in [Appendix 2](#) of this guide.

Can I change details in a vehicle type approval?

As a vehicle type approval holder, you may want, or be required to, change details of your approval including:

- updating administrative details, such as contact name and details
- adding or removing variant information
- adding ADRs to your approval before they become applicable
- seeking to have a specified condition varied, removed or added
- correcting information relating to other aspects of the approval.

As an approval holder, you can apply to vary your approval through the ROVER portal. Depending on the circumstances of the requested variation, there may be an associated fee. Variation fees apply where there is an increase to the scope of the approval, but they are not applicable when adding compliance information for an ADR or updating administrative details.

Requesting to vary a vehicle type approval that was opted-in will involve providing information addressing eligibility criteria. This includes demonstrating how your quality management system controls the design, componentry and manufacturing process and your conformity of production system that consistently produces the type of vehicle.

Any new information demonstrating compliance with national road vehicle standards – that was not applicable before the start date of your type approval – will need to be of a type specified in section 19(2) of the Rules. For example, any test results must be from a testing facility approved under RVS legislation.

Applying to suspend or revoke an approval

As an approval holder you may also seek to have your approval suspended or revoked. There is no associated fee for suspending or revoking an approval.

If a suspension is requested, the nominated starting date for the suspension must be included. The end of suspension date may be included in your application or added later. Note, at least 24 hours' notice is required to start or end a suspension.

You might request a suspension if you are making substantial changes to your business operations.

During the suspension period, the approval is not in force and the published list of vehicle type approvals will identify the relevant approval as 'suspended'.

A request to revoke an approval means the approval is ceased. The list of published vehicle type approvals on the department's website will indicate the approval is no longer in force.

A new application for a vehicle type approval would need to be submitted if operations start again after being revoked.

Automatic suspension of a vehicle type approval

An approval will be automatically suspended if certain circumstances exist regarding new or amended national road vehicle standards or Australian Design Rules (ADR). These circumstances are listed in section 202 of the Rules, and include:

- an ADR is amended, or
- a new ADR is made, and
- the amended or new ADR would affect the requirements applying to the vehicle type covered by the approval, and
- the Secretary has not approved a variation of the approval (on application by the approval holder), or decided that a variation to the vehicle type approval is not necessary.

You will be notified in advance of the applicable amended or new ADR at 12, 6 and 3 months before the start date of a new or amended ADR that may impact your vehicle type.

To maintain accuracy and currency of your approval, you will need to:

- ensure you have information demonstrating compliance with the amended or new ADR, and
- apply to vary the approval in response to the changed ADR.

You will be notified in writing of the suspension, including the suspension start date, and again when the Secretary approves the variation of the approval, or has considered it is not necessary to vary the approval on the basis that the vehicle type approval already complies with the new or amended ADR.

If automatic suspension occurs, the approval will be marked as 'suspended' on the publicly available list of vehicle type approvals on the department's website, until it is varied, expired or revoked.

Recalling a road vehicle

The RVS legislation sets out the framework for a voluntary or compulsory road vehicle recall due to:

- safety issues
- identified non-compliance with the national road vehicle standards
- non-compliance with any other standards as determined under RVS legislation is identified.

The recall provisions' prime objective is to ensure safety or non-compliance issues are resolved in a timely and effective manner. Circumstances for compulsory and voluntary recalls of a road vehicle, are covered in Table 1 below.

Table 1 – Voluntary and compulsory recall circumstances relating to road vehicles

Recall type	Action	Reasons for recall	Responsibility
Voluntary	Must notify the Minister within 2 days of taking recall action	<ul style="list-style-type: none"> • a road vehicle will or may cause injury to any person, or • a reasonably foreseeable use of a road vehicle may or will cause injury to a person, or <p>the road vehicle does not, or is likely that it does not meet the applicable national road vehicle standards.</p>	Supplier
Compulsory	Compulsory notice issued by the Minister	<ul style="list-style-type: none"> • a road vehicle will or may cause injury to any person, or • a reasonably foreseeable use of a road vehicle will or may cause injury to a person, or • the road vehicle does not, or likely does not meet applicable national road vehicle standards <p>AND either</p> <ul style="list-style-type: none"> • it appears that one or more suppliers of vehicles or components have not taken satisfactory action to prevent the vehicles or components from causing injury to a person, or • it appears suppliers have not taken action to rectify any non-compliance with the national road vehicle standards when it has been identified that the road vehicle does not, or it likely does not meet applicable national road vehicle standards. 	Minister



DID YOU KNOW? In a recall action, the supplier of a road vehicle is generally identified as:

- the vehicle type approval holder, or
- the original equipment manufacturer, or
- their Australian representative.

Consideration should be made about who is best placed in the supply chain to undertake recall action.

Electronic records and physical vehicle marking

Vehicle type approval holders are responsible for generating their own Vehicle Identification Number (VIN). It must accord with the international VIN structure – generally 17 characters in length, and allowing selected characters only.

Vehicle type approval holders who manage smaller volumes of vehicle types may source a range of VINs from their state or territory registering authority. These are provided by the National Exchange of Vehicle and Driver Information Service (NEVDIS).

To comply with the RVS legislation, road vehicles covered by your approval must have an entry on:

- the pre-existing VIN database held by NEVDIS and accessible by state and territory registering authorities, and
- the Register of Approved Vehicles (RAV).

More information about entering road vehicle details on to the [RAV](#) is available on the department's website.

Complying with your responsibilities

The department monitors and enforces compliance with the RVS legislation under the RVSA (applying penalties) and the Rules (obligations of an approval holder). The department encourages voluntary compliance and undertakes informed risk-based compliance activities to confirm compliance with the RVS legislation. These compliance activities may involve:

- asking you in writing for information to assess whether you are complying with the RVS legislation
- appointed inspectors physically entering premises to confirm whether you are complying with the RVS legislation (monitoring powers).

Appointed inspectors may also physically enter your premises to gather material that is evidence of a contravention of the RVS legislation (investigation powers).

What if I don't comply?

Under the RVS legislation, offences and civil penalty provisions cover when a person (individual or company):

- breaches a condition of their approval
- breaches an obligation to provide records after an approval ceases to be in force
- provides a false or misleading declaration
- provides false or misleading information.

If the department identifies non-compliance, our response will be proportionate to the risk being managed. Our response may include issuing infringement notices, applying for civil penalty orders or injunctions, or entering into enforceable undertakings.

Self-assessment check list – am I ready to apply?

Before you register in ROVER

- ✓ Are you an agent or representative of the applicant? If yes, do you have an electronic copy of your authorisation to act on behalf of the applicant?
- ✓ Do you have the relevant proof of identify documents required by the [ROVER registration](#) process?

Before you start the application to opt-in for a vehicle type approval

- ✓ Have you identified the eligible MVSA IPA and the number? It **MUST** be granted under one of the following:
 - section 10A(1) of the *Motor Vehicle Standards Act 1989*
 - section 10A(2) of the *Motor Vehicle Standards Act 1989*
 - section 14A of the *Motor Vehicle Standards Act 1989*
 - section 20 of the *Motor Vehicle Standards Regulations 1989*.
- ✓ Is your eligible MVSA IPA in force and up to date? Please note, the opt-in application must be submitted by, or on behalf of, the eligible MVSA approval holder, so please ensure your details are the same as the eligible MVSA approval holder's.
- ✓ Do you have the plain English location details for your Secure Vehicle Identification (SVI) marking?
- ✓ Have you identified who will be the primary contact for the approval and have their details?
- ✓ Have you identified the contact details you wish to have published with the approval on the department's website?
- ✓ Do you have the road vehicle type details, make and model?
- ✓ Do you know the date you want the vehicle type approval to take effect? If a future date is not required, your approval will take effect on the day the opt-in application is submitted fully and accurately and the application fee is paid.
- ✓ Do you have processes and procedures in place to ensure you will be able to comply with all of the conditions the approval will be subject to, including keeping all records up to date for the period the approval is in force, and for 7 years after the approval expires?

References and links

This section provides useful links and information relating to RVS legislation:

- [The Road Vehicle Standards Act 2018 \(RVSA\) as amended by the RVSLAA](#)
- [The Road Vehicle Standards \(Consequential and Transitional Provisions\) Act 2018 as amended by the RVSLAA](#)
- [The Road Vehicle Standards Legislation Amendment Act 2019 \(RVSLAA\)](#)
- [The Road Vehicle Standards Charges \(Imposition – General\) Act 2018](#)
- [The Road Vehicle Standards Charges \(Imposition – Customs\) Act 2018](#)
- [The Road Vehicle Standards Charges \(Imposition – Excise\) Act 2018](#)
- [Road Vehicle Standards Rules 2019](#)
- [Australian Government Charging Framework](#)
- [Privacy Policy](#) – Department of Infrastructure, Transport, Regional Development and Communications.

Further information

For further information, please visit the [department's website](#) or submit an [online enquiry](#).

Glossary

Acronym or term	Detail	Meaning
AAT	Administrative Appeals Tribunal	Conducts independent merits review of a wide range of administrative decisions made by the Australian Government.
MVSA	<i>Motor Vehicle Standards Act 1989</i>	An Act to provide for national motor vehicle standards, and for related purposes.
RAV	Register of Approved Vehicles	A publicly accessible online database of vehicles that comply with national road vehicle standards or are otherwise permitted for use on public roads under a concessional scheme. Generally, vehicles must be entered on the RAV with a type approval or concessional RAV entry approval before they are provided to the Australian market.
ROVER	Road Vehicle Regulator	The IT operating system for implementing the RVSA.
RVSA	<i>Road Vehicle Standards Act 2018</i>	An Act to provide for the regulation of road vehicles and road vehicle components, to set national road vehicle standards, and for other purposes.
RVCS	Road Vehicle Certification System	The departmental database for managing approvals for road vehicles and registrations for road vehicle components (under the Motor Vehicle Standards Act).
VCC	Vehicle category code	The vehicle category code defined under the Vehicle Standard (Australian Design Rule – Definitions and Vehicle Categories) 2005.

Appendices

Appendix 1 – Specific requirements included in an application for opt-in

Feature of the application	What information do you need to provide or have in place?
Vehicle information	<p>Specify the:</p> <ul style="list-style-type: none"> • Make – the marque or name that the range of vehicle type is popularly known or the trading name or business name of the manufacturing company, and • Model – the particular name or code number by which the road vehicle is identified.
Do you want to specify a future date when the approval will come into effect?	<p>You may want to specify a date the vehicle type approval is to come into effect (and the eligible MVSA approval will cease).</p> <p>The date selected cannot be before or after the 6-month opt-in period.</p> <p>If payment of the opt-in application fee is made after the specified date of effect, then the date of receipt of payment becomes the date of effect of your approval.</p>
Details about the Secure Vehicle Identification (SVI)	Describe, in plain English, the location of the SVI marking for road vehicles to be covered by the approval.
Declaration	Indicate by ticking a declaration box that you agree to these acknowledgements, and by checking the declaration box, you acknowledge that you have signed the declaration.
That you acknowledge a road vehicle type approval will be taken to be granted from the date of effect when this form is completed fully and accurately, and the applicable application fee is paid.	This acknowledgement ensures you are clear about the effect of opting-in.
That you acknowledge the conditions applying to a road vehicle type approval as set out in sections 26 to 30 of the Rules will apply from the date of effect, and a breach of any of these conditions is an offence.	<p>This acknowledgement is required under the transitional legislation.</p> <p>Offence/civil penalty provisions under the RVS legislation apply against a breach of a condition within a vehicle type approval.</p>
That you acknowledge the conditions of the eligible MVSA approval continue to apply from the date of effect, and that if a condition of the MVSA approval is inconsistent with a new	This is a provision of the transitional legislation you must be aware of when opting-in and making a declaration about satisfying conditions of the road vehicle type approval.

Feature of the application	What information do you need to provide or have in place?
<p>condition of the road vehicle type approval under the Rules, then the new condition applies to the extent of the inconsistency.</p> <p>You declare that, once the road vehicle type approval is taken to be granted, and while the approval is in force, you will comply with all conditions of the road vehicle type approval.</p>	<p>This is a declaration required by the transitional legislation and to clarify your ongoing obligations as a road vehicle type approval holder regarding compliance with conditions of approval.</p> <p>See also what complying with the conditions of your approval means under Appendix 2: Expectation of the conditions of approval.</p> <p>See also the obligations of a vehicle type approval holder under the heading Approval holder responsibilities.</p> <p>See also the department's monitoring and enforcement responses under the heading Complying with your responsibilities.</p>

Appendix 2 – Expectations for the conditions applied to a vehicle type approval

These conditions apply to all vehicle type approvals, in addition to the conditions applicable to the eligible MVSA approval before you opted-in. To the extent that the new conditions under RVS legislation are inconsistent with the old MVSA conditions, the new conditions apply.

The following table summarises and provides an explanation of the department's expectations for each of the standard conditions applying to all vehicle type approvals.

Rules reference	Condition detail	Expectations
Section 26 – condition about compliance with national road vehicle standards	<p>The approval holder must ensure vehicles covered by the approval, at the time they are entered on the RAV, comply with the applicable national road vehicle standards in force at the time.</p> <p>For standard – fully compliant vehicles – the approval holder must be able to produce evidence:</p> <ul style="list-style-type: none"> demonstrating that vehicles covered by the approval comply with the national standards in force at the time they are entered on the RAV, and that the Secretary could take into account for the purposes of subsection 19(2) of the Rules. <p>For minor and inconsequential and non-standard vehicles – the approval holder must:</p> <ul style="list-style-type: none"> comply with the applicable national road vehicle standards as in force at the time, except in the respects, or to the extent, mentioned in the approval, and demonstrate that the road vehicles covered by the approval comply with those standards to the extent mentioned in the approval, and the Secretary could take into account for the purposes of subsection 19(2) of the Rules. 	<p>It is expected that a vehicle type approval holder will ensure the road vehicle continues to comply with the applicable standards at the point in time it is entered on to the RAV.</p> <p>This will require relevant internal review procedures and processes monitoring developments and changes to ADRs or where non-compliance can be identified and addressed.</p> <p>This may include responding appropriately to messages sent by the department alerting approval holders well in advance about amended or new ADRs.</p> <p>You may be required to produce information or supporting documentation that the road vehicle continues to comply with the applicable ADRs.</p> <p>Where the vehicle does not fully comply with the national road vehicle standards in certain respects or to a certain extent as mentioned in the approval, vehicle type approval holders are expected to have up to date supporting documentation about the respects of the non-compliance, and the extent of the non-compliance as specified in the approval.</p>
Section 27 – condition about a conformity of production system	<p>The holder of the vehicle type approval must implement a conformity of production system that:</p>	<p>Where the vehicle type approval holder is the manufacturer, the vehicle type approval holder is expected to be able to provide evidence demonstrating their ability to manufacture the</p>

Rules reference	Condition detail	Expectations
	<ul style="list-style-type: none"> governs the manufacturing process detailed in the supporting information for the approval, and ensures that, at the time a road vehicle covered by the approval is entered on the RAV, the vehicle satisfies the applicable national road vehicle standards in force at that time, and in the respects, or to the extent, that the road vehicle is required to comply with those standards. 	<p>road vehicle type, that exactly meets the design, and will consistently produce the vehicle to the same requirements and comply with the applicable national road vehicle standards at the time it is entered on the RAV.</p> <p>A conformity of production system can be a single document or series of documents and involves control over all stages of the design and manufacturing processes that becomes the supporting information for the road vehicle type approval.</p> <p>Where the vehicle type approval holder is not the manufacturer, it is expected the vehicle type approval holder will be able to provide evidence that it has a contractual or other arrangement directly with the manufacturer under which the vehicle type approval holder is able to access information demonstrating the manufacturer's ability to manufacture the road vehicle type, that exactly meets the design. It is expected that the vehicle type approval holder will also be able to provide evidence of a contractual or other arrangement directly with the manufacturer, under which the manufacturer is required to produce the vehicle to the same requirements and in a consistent manner to comply with the applicable standards at the time it is entered on the RAV.</p> <p>At any point during the period the opted-in road vehicle type approval is in force, the department may request to undertake compliance activities focusing on any aspect of the conformity of production system, such as inspecting:</p> <ul style="list-style-type: none"> the design facility and information relevant to the design of the road vehicle instruction documentation used in the manufacturing processes the accounts section and purchasing processes to ensure the same grade of steel will be used for each road vehicle.
Section 28 – condition about notifying the Secretary about errors in RAV entries	<p>If the approval holder becomes aware of an error in information entered on the RAV for a road vehicle under their approval, they must notify the Secretary of the error as soon as practicable after becoming aware of the error.</p>	<p>The approval holder must ensure they have procedures in place to ensure that entering details on the RAV is supported by review processes to identify any errors of information.</p> <p>Errors may include anything from data entry mistakes to fraudulent entries. This condition ensures the currency and accuracy of the information on the RAV.</p>

Rules reference	Condition detail	Expectations
		<p>When an error has been identified the approval holder is expected to have a procedure in place to notify the department as soon as possible after the error is identified.</p>
<p>Section 29 – condition about providing information etc. to the Secretary or an inspector</p>	<p>The vehicle type approval holder, when requested in writing by the Secretary or an inspector, and within such reasonable time as is specified in the request must:</p> <ul style="list-style-type: none"> • provide, or arrange for the Secretary or an inspector to access, the original and any subsequent versions of the supporting information for the approval, and • provide any information that the Secretary or inspector reasonably requires for the purposes of assessing whether the holder of the approval is complying with the RVS legislation, and • provide any other information or documents specified in the request about the road vehicle to which the approval applies, and • provide written answers to questions, specified in the request, about the road vehicle to which the approval applies, and • for the purposes of assessing whether the road vehicle to which the approval applies would comply with the applicable national road vehicle standards, to the extent that those standards relate to that road vehicle — allow or arrange for the Secretary or an inspector to inspect: <ul style="list-style-type: none"> ○ premises where the road vehicle components of those vehicles are designed or manufactured, or ○ premises where those vehicles are designed or manufactured, or 	<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 the amount of information requested, the urgency of the request, the complexity of the request, whether information is already available and whether fulfilling the request requires a degree of consideration, research, collaboration, liaison or testing.</p> <p>The approval holder is required to provide any information the department reasonably requires for the purposes of assessing whether the approval holder is complying with RVS legislation in relation to an approved road vehicle.</p> <p>The information requested is not limited to being provided as written material. It may also be made available in video or photographic format, or by other means.</p> <p>When the department requests such records, they are expected to be made available and in English.</p> <p>The approval holder may also be required to allow or arrange for the Secretary or an inspector to inspect premises where the road vehicle is designed or manufactured. This includes things, including supporting documents associated with the vehicle, QMS documents or IT systems.</p> <p>Inspection may also be required at third party premises, where components have been provided to the vehicle type approval holder, to use in the manufacture of a road vehicle.</p> <p>Access to third party premises, documents or things does not allow the department to directly enter premises of third parties 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 Secretary or an inspector. If the third party does not allow access, the approval holder may be in breach of this condition.</p> <p>As a request may occur at any time during the period the approval is in force, the approval holder</p>

Rules reference	Condition detail	Expectations
	<ul style="list-style-type: none"> things, including documents and componentry associated with the design or manufacturing process. 	must meet the requirements of the written request. This ensures the integrity of the information associated with the approved road vehicle and the eligibility criteria provided by the approval holder maintaining effectiveness of the road vehicle type approval process.
Section 30 – condition about keeping up to date records of supporting information	<p>An approval holder will be required to:</p> <ul style="list-style-type: none"> keep a record of the original and any subsequent versions of the supporting information for the approval while the approval is in force, and for the period of 7 years after it expires or is revoked, and ensure that the supporting information for the approval is kept up to date while the approval is in force. 	<p>The approval holder is expected to have a records system in place suitable for capturing all information regarding design, componentry, manufacture, change processes, maintaining updated and version controlled material as required under the approval, and including the capture and availability of:</p> <ul style="list-style-type: none"> the 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 the supporting information, which is kept up to date, supported by processes to maintain visibility of ADR changes or non-compliance detections and remedial action. <p>When the department requests these records in writing, they are expected to be made available, in their most up to date form and in English.</p>