

# EXPOSURE DRAFT



## Road Vehicle Standards (Limit of Acceptable Damage or Corrosion) Determination 2020

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I, Michael McCormack, Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development, make the following determination.

Dated 2020

Michael McCormack [**DRAFT ONLY—NOT FOR SIGNATURE**]  
Deputy Prime Minister and Minister for Infrastructure, Transport and Regional  
Development

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## 1 Name

This instrument is the *Road Vehicle Standards (Limit of Acceptable Damage or Corrosion) Determination 2020*.

## 2 Commencement

This instrument commences at the same time as section 107 of the *Road Vehicle Standards Rules 2019*.

## 3 Authority

This instrument is made under section 107 of the *Road Vehicle Standards Rules 2019*.

## 4 Purpose of this instrument

For the purposes of section 107 of the Rules, this instrument sets out the extent or types of damage or corrosion, or repair of damage or corrosion, that will not prevent the holder of an AVV approval from verifying a road vehicle, or modifications of a road vehicle, under the approval.

Note: The holder of a RAW approval must also have regard to the limit of acceptable damage or corrosion in certain circumstances – see subsection 65(3) of the Rules.

## 5 Definitions

Note 1: A number of expressions used in this instrument are defined in the Rules, including the following:

- (a) approved Model Report;
- (b) AVV approval;
- (c) RAW approval.

Note 2: A number of expressions used in this instrument are defined in the *Road Vehicle Standards Act 2018*.

In this instrument:

***body alignment test*** means a test to identify and assess distortion of a structural component of a vehicle, or distortion of the vehicle structure, and consists of:

- (a) measuring between specific points or locations on the vehicle frame or body; and
- (b) comparing the resulting measurements to those of an undamaged vehicle.

***flaking*** means corrosion of a metal surface of a vehicle that results in the separation of small and thin areas of the surface from the parent material.

Note: Flaking corrosion develops such that the flake primarily grows in area over time, spreading along the surface of the material.

***pitting*** means highly localised corrosion of a metal surface of a vehicle that results in the formation of cavities or small blind holes in the material.

Note: Pitting develops such that each pit primarily grows in depth over time.

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## Section 6

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**Rules** means the *Road Vehicle Standards Rules 2019*.

**structural component** of a vehicle means any component intended to carry a load or force in the operation of the vehicle (including a load or force imposed as a result of a crash), other than components only used to support trim and lamps.

Example: Door structures, hinges, latches, anchorages, airbag mounts and suspension mounts are examples of structural components.

**vehicle structure** means the parts of a vehicle that are integral to the vehicle, including the following:

- (a) the vehicle chassis;
- (b) the vehicle frame;
- (c) the monocoque frame.

### 6 Limit of acceptable damage or corrosion

- (1) Subject to subsection (2), the following do not prevent the holder of an AVV approval from verifying a road vehicle, or modifications of a road vehicle, under the approval:
  - (a) one or more dents less than 25 millimetres deep;
  - (b) distortion of a structural component of the vehicle, or distortion of the vehicle structure, where the difference in the length of corresponding diagonal lines, as ascertained through a body alignment test, is 5 millimetres or less;
  - (c) damage to or corrosion of a structural component of the vehicle, or of the vehicle structure, where:
    - (i) the damage or corrosion has been repaired by replacing damaged structural components with new components of the original specification; and
    - (ii) the repairs did not involve the cutting or welding of a structural component, or of the vehicle structure;
  - (d) variations in the size of gaps between adjacent panels, where:
    - (i) the variations are not the result of damage to the vehicle structure; and
    - (ii) if a body alignment test has not been conducted on the vehicle—a body alignment test would not be required under the *Road Vehicle Standards (Verification of Road Vehicles) Determination 2020* by reason of the variations; and
    - (iii) if a body alignment test has been conducted on the vehicle—the difference in the length of corresponding diagonal lines, as ascertained through the test, is 5 millimetres or less;
  - (e) corrosion that has not resulted in flaking or pitting;
  - (f) alterations that amount to damage to a structural component of the vehicle, where:
    - (i) the alterations did not involve bending, distorting, heating the metal of, or drilling or cutting holes in, the structural component; or
    - (ii) the alterations consisted of modifications carried out in accordance with an approved Model Report that applied to the vehicle.

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Example 1: Alterations have been made to a structural component of a vehicle. Those alterations amounted to damage to the vehicle. However, the alterations did not involve bending, distorting, heating the metal of, or drilling or cutting holes in, the component. This would not prevent the holder of an AVV approval from verifying the vehicle, even though the modifications were not carried out in accordance with an approved Model Report that applied to the vehicle.

Example 2: A vehicle has been subjected to alterations that involved drilling holes in a structural component. Those alterations amounted to damage to the vehicle. However, the alterations consisted of modifications carried out in accordance with an approved Model Report that applied to the vehicle. This would not prevent the holder of an AVV approval from verifying the vehicle.

- (2) Subsection (1) does not apply where the damage or corrosion has resulted in:
- (a) the splitting of a seam or joint between two panels; or
  - (b) the failure of a spot weld.

Example: A road vehicle has sustained damage that resulted in dents less than 25 millimetres deep, but also resulted in the failure of a spot weld. This level of damage would prevent the holder of an AVV approval from verifying the vehicle.

- (3) The paragraphs of subsection (1) do not limit one another.

Note: Even if one paragraph of subsection (1) provides that damage or corrosion, or repair of damage or corrosion, of a certain kind or a certain extent does not prevent the holder of the AVV approval from verifying a road vehicle or modifications to a road vehicle, the approval-holder may still be prevented from verifying the vehicle or modifications if the type or extent of the damage or corrosion, or repair of damage or corrosion, exceeds the limit in another paragraph.