***Date***

To:- ***Your MP for NSW and the Opposition Counterpart***

**Issue with Registration of New Individually Constructed Vehicles in NSW**

Dear Honourable Members

This letter is to bring your attention to the situation in NSW with regard to registering **Individually Constructed Vehicles** (ICVs).

ICVs are motoring enthusiasts’ vehicles. ICVs include replicas of classic cars such as Cobras and Clubman’s, etc. ICVs are supplied in an incomplete kit car form, and many cost are over $100,000 to build. The Kit Car industry supports suppliers and contributes to the estimated [$8.6b\* Motor Sport economy](https://motorsport.org.au/media/news/detail/2021/11/15/australian-motorsport---an-economic-powerhouse). There are several ICV kit car manufacturers in Australia including NSW. ICVs provide employment for kit car manufacturers and suppliers, as well as valuable manufacturing training and skill development. To register an ICV, the vehicle is required to meet suitable Australian Design Rules (ADRs). There is a **National Code of Practice** for this in [Vehicle Standards Bulletin (VSB14)](https://www.infrastructure.gov.au/infrastructure-transport-vehicles/vehicles/vehicle-design-regulation/rvs/bulletins/ncop). VSB14 covers key safety issues such as ICV strength and structure, seat mountings and seat belts, occupant protection, lighting, brakes, tyres etc. VSB14 was developed by **the *Australian Motor Vehicle Certification Board Working Party***including State Registration Authority representatives. NSW RTA had 3 representatives listed as contributors. In all States and Territories ICVs are subject to detailed certification by independent Certifying Engineers to ensure compliance to the key requirements detailed in VSB14.

There should be consistent, fair, and reasonable requirements for ICVs across Australia with easy transfer of ICV registration across States and Territories borders to ensure free trade within Australia. This was one of the aims of VSB14.

The current issues for ICVs in NSW are as follows:

* ICV builders, manufacturers, and Certifying Engineers are inhibited by the extremely onerous TfNSW ICV registration requirements, and
* The existing **National Code of Practice** for ICVs VSB14 is not being used in NSW. In its place is TfNSW’s **Vehicle Safety Compliance Certification Scheme** [VSCCS Bulletin 2]. Bulletin 2 references requirements that are predominantly used for new, fully constructed and imported vehicles. Note *Low Volume Vehicles with rarity criteria (similar to ICVs) can be type approved under Federal rules for registration anywhere in Australia (including NSW) with rules less stringent than VSCCS Bulletin No. 2.*

VSB14 is the **National Code of Practice** for ICVs, however TfNSW has deemed VSB14 as “deficient” and instead specified its requirements in a gazetted document, VSCCS Bulletin No. 2 (VSCCS B2). This document references the current Australian Design Rules (ADRs) for full volume Passenger Cars without due regard as to the accessibility or cost of testing in NSW (or Australia). Australia no longer makes cars in full volume therefore full volume manufacturers test all their vehicles overseas.

These same ADRs in VSCCS B2 apply to the 400,000 plus imported manufacturers’ cars registered each year in Australia under Federal type approval procedures. ICVs account for approximately 0.08% of new vehicles registered each year. VSCCS B2 is very restrictive for ICVs or any new vehicle built in Australia. ICVs that would pass VSB14 requirements cannot meet all of the VSCCS B2 requirements and therefore cannot be registered in NSW. without modification and retesting at the buyer’s expense. Different ICV rules are in effect a restraint on trade across state borders.

This appears to be an ideological approach by TfNSW as there are numerous examples of completed ICVs, registrable in other States, that currently cannot be registered in NSW. Further, any ICV registered in another State must be re-engineered to attempt registration in NSW if owned by a NSW resident. This has negative effects on the local motor industry, Certifying Engineers, ICV enthusiasts, and trade between States and Territories. TfNSW needs to provide fairer and more reasonable requirements for ICVs. A straightforward solution would be adoption of the **National Code of Practice** (VSB14) and recognition of Certification by other jurisdiction’s recognised Certifying Engineers. This ensures consistency with other all jurisdictions across Australia.

Your assistance in addressing this matter would be greatly appreciated.

Yours Sincerely

***Sign***

***Full Name***

***Address***

***Email***

***Phone Number***