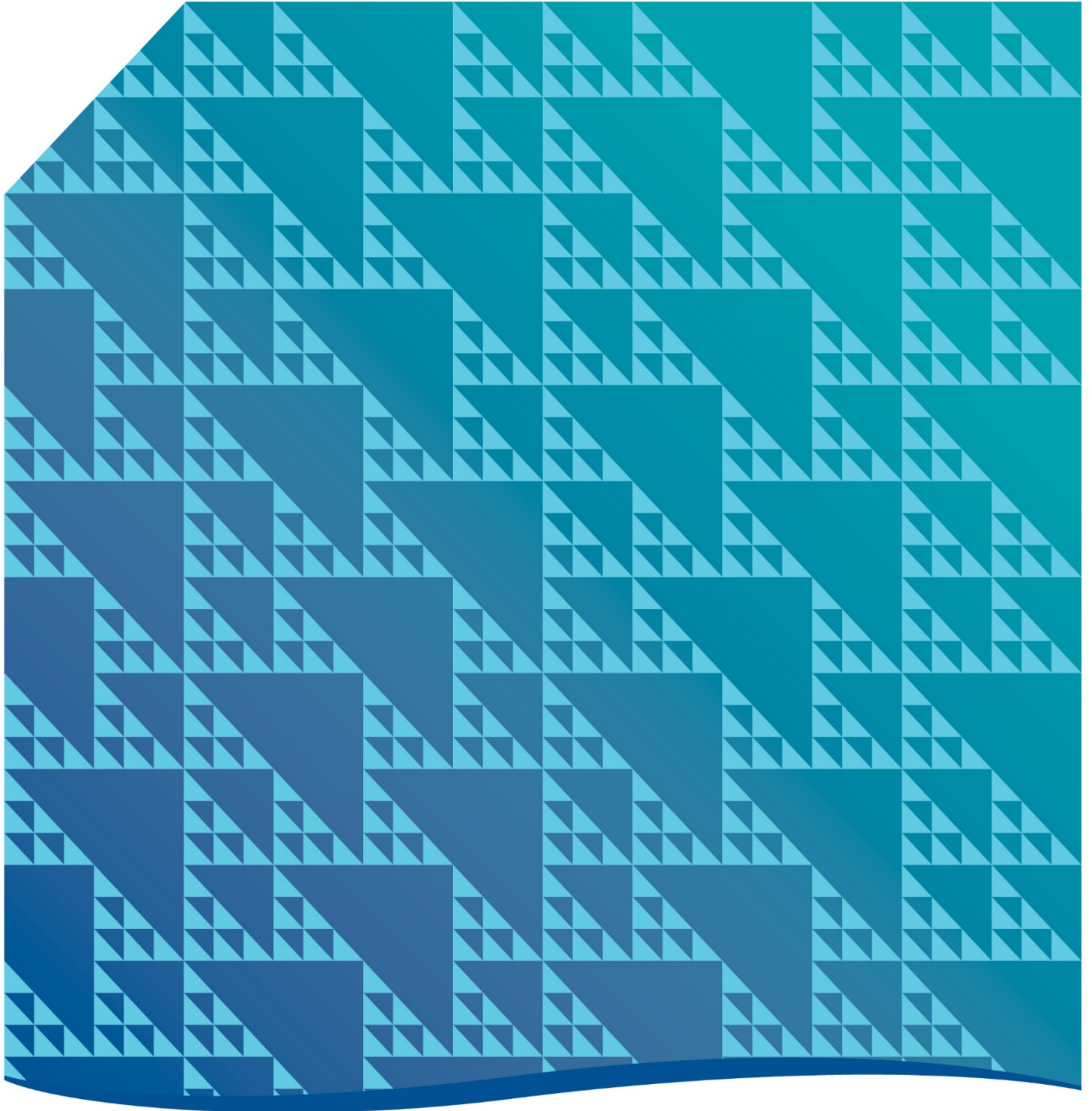


Legal requirements of an
Approved Vehicle Certifier (AVC)

Legal requirements



Contents

Background	1
Legal requirements of an Approved Vehicle Certifier	1
Certification reports.....	1
Conflict of interest.....	1
Using the AVC portal:.....	2
How do you know the vehicle complies?.....	2
Why must you be satisfied?	2
What if you get it wrong	2
What if I deliberately get it wrong?.....	3

Produced by
Registration and Licencing Services (AIS Compliance Unit)
Department of State Growth

GPO Box 536
Hobart Tasmania 7001

Ph: 1300 13 55 13
Email: avc@stategrowth.tas.gov.au
Website: www.transport.tas.gov.au

Background

This handbook has been produced by the Department of State Growth (the Department) to assist Approved Vehicle Certifiers (AVC) in understanding their legal responsibility as an AVC.

This instruction must be read by all AVCs before attempting the Knowledge Quiz; it can also be used as a reference during the “Quiz”.

A copy of this document can be accessed or printed off the Departments website www.transport.tas.gov.au

Legal requirements of an Approved Vehicle Certifier

An AVC once approved, will be nominated on the web site listed above as an active AVC with a specific range of VSB modification codes (or specific modification approved by the Registrar of Motor Vehicles (RMV)) that can be personally certified. In addition you will be issued:-

- An AVC Certificate. This can be displayed at the nominated Key Location
- AVC identification card. This card must be produced when requested to do so by a modification certification applicant or for audit purposes

AVCs are authorised to personally certify modifications aligned to their qualifications and experience. The Modification Matrix contained in the Vehicle Modification Certification Manual (VMCM) (Attachment A, B and C) which nominates specific modifications and codes that each category of AVC can personally certify. The Departments website also includes a list of all AVCs and their range of certification.

Modifications that are outside of the range of an AVC may be submitted and certified subject to obtaining the required Design Approval or other required information from a suitably qualified and experienced person (third party) operating a commercial business. Qualifications and experience must meet that of a nominated AVC the modification matrix list for the modification code.

Certification reports

When signing the document you are declaring that;

“I...(full name)...Certify that this vehicle has been inspected in line with the principles of the Vehicle Modification Certification Manual and certify this vehicle complies with all relevant vehicle standards applying to it on (date)”.

Conflict of interest

An AVC must not Certify Modifications to vehicles that they or the Contractor own or has a vested or financial interest in. This vested or financial interest restrictions do not apply to:-

- Approved Certifiers that are performing Modification Certifications on behalf of a Contractor holding a current Motor Vehicle traders license, or
- A new or used heavy vehicle modified by a commercial business solely for the purpose of resale or initial supply to the market.

But the exemption above does not apply to vehicles modified for the purpose of forming or maintaining a fleet of vehicles used, or to be used, for the purposes of the Contractors prescribed business or the AVC personal interests.

Using the AVC portal:

Each AVC is issued with their own unique user name and password, this has been emailed to each user. AVC's must keep their username and password secure. Certification submissions conducted under the log in details of a particular AVC will be taken to have been conducted by that AVC.

Action may be taken against any AVCAIS and/or AVC who allows another person to log into their portal and/or use the interface in any way to conduct any part of a vehicle certification.

AVC's are never to use this portal just to find out information about a particular vehicle. This is not the purpose of the portal and once a vehicle identifier is typed in, a submission is opened against that vehicle.

How do you know the vehicle complies?

Because everything that is required to make that decision is contained in either the;

- Vehicle Modification Certification Manual (VMCM)
- Any relevant Vehicle Standards applying to it
- Vehicle Standards Bulletin (VSB) minimum requirements and guidelines, unless an adaptive control or by approval from the National Heavy Vehicle Regulator (NHVR)
- For a Street Rod, the Street Rod Manual (available on the Commonwealth Department of Infrastructure and Regional Development website) Supplement information is also contained in the VMCM
- Australian Design Rule (ADR) requirements
- For adaptive control modifications for people with disabilities, the Australian Standard – Adaptive Controls for people with disabilities. For those of and electro mechanical type as approved by Vehicle Registration and Standards

Why must you be satisfied?

Because the AVC is performing a certification service on behalf of their client and altering the registration records on behalf of the RMV as a result of the AVC deeming the modifications to be compliant with relevant vehicle standards. The AVC is therefore responsible for the compliance of the vehicle in its modified form.

It is an offence for a person to use or permit a registered vehicle to be used on a public street unless the modification complies with relevant vehicle standards or is a modification acceptable to the RMV.

What if you get it wrong

Then a potentially unsafe motor vehicle will legally be able to be used on the roads.

If it is determined that you have not exercised your authority in good faith, your AVC status may be either;

Suspended;

OR

Cancelled.

Special Note: - If the vehicle is involved in a crash resulting in damage to a person and /or property, you may be held liable for a civil claim for compensation if the crash was caused or contributed to, by a vehicle modification that ought not to have been certified at the time of inspection.

What if I deliberately get it wrong?

If you have any further questions regarding your legal requirements as an AVC please call the AIS Compliance Unit on Ph 6166 3271.



Department of State Growth

G.P.O Box 536

Hobart TAS 7001 Australia

Phone: 6166 3270

Fax: 6233 5262

Email: avc@stategrowth.tas.gov.au

Web: www.transport.tas.gov.au