

## Queensland 4WD Vehicle Modification Laws

**The Australian Automotive Aftermarket Association (AAAA), the nation's peak body representing the 4WD modification industry.**

**AAAA Policy Position** - 19 October 2018

### **Background:**

The following information is provided regarding the AAAA Policy position on the Queensland Code of Practice on Light Vehicle Modifications – LS9 and LS10.

### **Lower lifts (up to 75 mm):**

An uncertified 75mm combined lift (50mm suspension and 25mm tyre) for vehicles equipped with Electronic Stability Control (ESC) is a modest lift that many 4WD owners undertake to ensure that their vehicle is better suited to carry increased weight, tow a boat or caravan and travel to regional and remote areas safely and reliably.

As any 4WD suspension specialist or automotive engineer will attest, a 50mm + 25mm lift is very conservative. Many 4WD owners that undertake a suspension lift of up to 50mm will most likely also change the tyres because most vehicles are sold with urban tyres and if these cars are intended to be driven in rural conditions, larger diameter 'all terrain' tyres will be required. In many circumstances a 75mm combined lift increases the performance and safety of the vehicle and testament to this is the fact that most emergency vehicles have ESC along with 75mm lift modifications.

The NSW Government recently revised their lift laws and maintained that a 75mm lift will continue to be allowed without certification for vehicles with ESC. Victoria also has the same law. We welcome the decision by the Queensland Government to adopt this position into QLD Law for ESC Vehicles.

### **Higher Lifts (75 mm to 150 mm):**

While we certainly welcome the decision by the QLD Government to increase the maximum overall lift allowable from 125 mm to 150 mm (with engineering sign off/certification), we are of the view that two outstanding matters require an open and transparent conversation with industry:

1. **Variable Lift Combinations versus Fixed Combinations:** Our position is that the lift combination should be appropriate to the specific vehicle make and model and factor in the intended end use of the vehicle. The combination of tyre, suspension and body lift should be designed to ensure that the vehicle maintains ADR compliance and is safe and fit for purpose.

We believe that a 'one size fits all' approach using fixed combination parameters that apply regardless of the vehicle model and circumstances is not appropriate and may negatively impact on vehicle safety outcomes. The certifying engineer is in a position to exercise their expert experience and judgement in this matter: the engineer is able to request additional test evidence and to assess the original vehicle configuration and interrogate the issues relating to the end use of the vehicle. Our view is that the certifying engineer is the qualified individual that should sign off on the vehicle and lift combination as appropriate, compliant, fit for purpose and safe.

We note that the current proposal is for TMR is to sign off on any variable lift combinations centrally. We are concerned about this option as an approval process: we do not expect that this process would occur within a reasonable timeframe and we are unsure what criteria TMR would use to make their decision. Surely the engineer working at the coalface is in a better position to assess what is safe and appropriate than a desk based assessment made by a TMR officer?

2. **Test Protocols:** We have previously raised concerns about the accessibility of testing facilities, the cost of these tests and finally, the level of testing required. We do note that TMR at the recent industry forum announced that a number of businesses had approached the government indicating their willingness to invest in the equipment required to offer ESC testing facilities in QLD - however our concerns are not restricted to the number and accessibility of service providers.

A full ESC 'sine with dwell' test takes a week to complete, requires the vehicle to be partially disassembled and requires an investment of approximately \$15,000 per vehicle which is clearly cost prohibitive. We also believe that this type of testing is completely inappropriate for the validation of individual vehicles and constitutes regulatory over-reach.

The AAAA, together with representatives from the suspension industry would like to participate in an open, transparent and mutually respectful conversation about the level of testing and evidence that is appropriate to validate the ongoing compliance and safety of vehicles lifted over 75mm. We don't currently have confidence that higher lifts on ESC vehicles will be able to undertaken in a timely and cost effective manner under the proposed scheme as it stands. The test protocol must be predictable, accessible and appropriate.

## **Concluding Remarks:**

The first priority of our industry is vehicle compliance and safety. If vehicle modification rules are clear and based on common sense, they will operate effectively for the industry, consumers and the government. If the rules are not clear, testing is not accessible, or represents over-reach, then it follows that modifications will be conducted outside of the mainstream professional providers, most of whom are our members. We are an industry that complies with relevant laws and regulations – we do not encourage modifiers or consumers to modify

vehicles to a standard that is outside of the law. If standards are not appropriate, modifications will happen outside of our membership base and outside of our ability to encourage professional standards. AAAA members are part of the solution and not part of the problem.

We request that ongoing discussions with TMR are based on mutual respect and that our industry is recognised as a constructive and integral part of the road safety equation. Industry forums and our ongoing dialogue should respect the TMR role as the regulator and also respect our role as designers of professionally engineered and tested products. We comply with the law, we encourage our customers to comply with the law – but we also expect to be consulted on these regulations in a manner that respects our intent and our expertise.

**Australian Automotive Aftermarket Association (AAAA)**  
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