

DRIVER HAND CONTROL EXEMPTION 2024

Road Transport (Vehicle Registration) Regulation 2017 – Cl.11E of Schedule 2

I, Manager Vehicle Standards, Transport for NSW (TfNSW), pursuant to Clause 11E of Schedule 2 to the *Road Transport (Vehicle Registration) Regulation 2017* (the **Regulation**), exempt the class of vehicle defined below, from the vehicle standards requirements specified in **Schedule 1**, subject to the conditions specified in **Schedule 2**.

DEFINITION: CLASS OF VEHICLE

The **Class of Vehicle** to which this Exemption applies is a motor vehicle that has:

- a Gross Vehicle Mass (GVM) of 4.5 tonnes or less; and
- is an MA, MB, MC or NA category vehicle under the Australian Design Rules (ADRs) ; and
- is used by a person with disability or a person trained in the use of the installed hand controls; and
- is equipped with driver hand controls which allow the service brake to be hand operated; and
- has been certified by a licensed certifier in respect of the driver hand control modification on or after 20 May 2021.

DURATION

This exemption remains in force until 31 January 2026 unless revoked earlier by TfNSW.

SCHEDULE 1 - REQUIREMENTS THAT ARE EXEMPT

Clause 22 of Schedule 2 to the *Road Transport (Vehicle Registration) Regulation 2017* - that the vehicle must comply (for the purposes of the applicable vehicle standards for registration) with **ADR.31/04 Brake systems for Passenger Cars**, Appendix A, Clauses 5.1.2.1 & 5.1.2.2 (or an earlier or later version of that Rule & its corresponding relevant clauses), relative to the operation of the service brake.

NOTE: *If that installation adversely affects continued compliance with ADRs 69/00 & 73/00 (which relate to a driver's knee airbag that may be fitted) an exemption from those ADRs will need to be requested from TfNSW.*

SCHEDULE 2 - CONDITIONS

This Exemption is granted subject to the following Conditions:

- 1) This Exemption applies only to a vehicle that has hand controls installed allowing the service brake to be hand operated.
- 2) This Exemption is valid only for vehicles for which the hand controls have been installed for operation by a person with supportive medical evidence identifying their special needs and/or disability.
- 3) The driver of any vehicle operating under the Exemption must carry a copy of the Exemption in the vehicle and produce it upon request to Transport for NSW or a NSW Police officer.

- 4) A VSCCS Compliance Certificate must be current for the modified vehicle, certifying that:
- a. the hand controls and their anchorages are securely attached to the vehicle and are suitable for the application loads generated during their use, and
 - b. the vehicle's brake and accelerator pedals can still be operated in the normal manner by a person servicing the vehicle or assessing it for registration purposes, and
 - c. A durable, wear resistant warning label is permanently affixed to the dash or instrument panel directly in front of the driver, so as to be clearly visible and legible to that person, and
 - d. The warning label clearly states (in black 5mm high letters on a yellow background) the following:

CAUTION

This vehicle's driving controls have been modified to suit the particular requirements of the driver. Use of these replacement controls by a person not specifically trained in their use may render the vehicle unsafe.

- e. modifications covered by this certificate do not affect the normal operation of any airbag or vehicle system (if so, a separate request for individual exemption should be made to TfNSW),
- AND – if certified on the date of this Exemption or subsequently, the Compliance Certificate must also certify that:
- f. the driver hand control complies with **AS 3954:2019 Motor Vehicle Driver Controls — Adaptive systems for people with disabilities** or a later version which may apply when it is installed.
- 5) A driver operating the vehicle is required to have undergone a driver assessment report issued by a recognised and trained Occupational Therapist (or a person holding the relevant tertiary qualifications in assessing and training a driver with disability) and may only operate those controls chosen by the Occupational Therapist (or that person) and deemed suitable for the driver.
- 6) This Exemption is valid only if the acknowledgment provided in **Item 1** is signed by the vehicle's **Registered Operator**.

ITEM 1

Installation & Use of Driver Hand Controls.

I understand and accept that:

- i) installing and using driver hand controls to operate a vehicle's service brake may have serious safety consequences to a person not trained in the use of those controls.
- ii) I accept full responsibility for ensuring that the driving controls are removed if a person not specifically trained in their use will operate this vehicle.

Signed: _____ Registered Operator Date: _____



Manager Vehicle Standards
Safety, Environment & Regulation
Transport for NSW

Issued: 15 February 2024

NOTE: A copy of this Exemption must be provided to an Authorised Examiner checking your vehicle for NSW registration purposes in accordance with the Rules for Authorised Inspection Stations.