

Guideline for the Queensland rally vehicle registration scheme

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Part 1 - Introduction

1. Purpose of the guideline

This safe movement guideline (**Guideline**) provides guidance in relation to the requirements for operators of Rally Vehicles to access the Queensland road network under the Queensland rally vehicle registration scheme.

2. How this guideline should be used

This Guideline is divided into four parts:

- Part 1: Introduction – provides a brief introduction of the Guideline and the definitions of words and terms used throughout the Guideline.
- Part 2: Conditions of use – outlines the conditions that an operator of a Rally Vehicle can access the Queensland road network under the Queensland rally vehicle registration scheme.
- Part 3: Authority to Operate – outlines a process for applying for and renewing an Authority to Operate under the Queensland rally vehicle registration scheme.
- Part 4: Exemptions – provides a list of vehicle standards that an operator of a Rally Vehicle may be exempt from if the operator participates in the Queensland rally vehicle registration scheme by holding an Authority to Operate and complying with the conditions of use as set out in Part 2 -.

3. Guideline authority

This Guideline is issued under section 53 of the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2021* (Qld), in accordance with section 22 of the *Statutory Instruments Act 1992* (Qld).

4. Definitions

Unless otherwise stated, words and expressions used in the Guideline have the same meanings as those defined in the *Transport Operations (Road Use Management) Act 1995* (Qld) and the *Transport Operations (Road Use Management – Vehicle Standards and Safety) Regulation 2021* (Qld).

Accredited Course Checker means a person appointed by an Administrator to carry out the Course checking.

Act means the *Transport Operations (Road Use Management) Act 1995* (Qld).

ADRs means the Australian Design Rules which are the standards that all vehicles must comply with when first supplied to the market and for the tenure of their in-service life.

Administrator means an administrator of this guideline, being any of the following administrators:

- a) Confederation of Australian Motor Sport Ltd ACN 069 045 665 trading as Motor Sport Australia; or
- b) Australian Auto-Sport Alliance Pty Ltd ACN 117 743 423 trading as Australian Auto-Sport Alliance Pty Ltd,

as applicable.

Administrator Regulations mean the regulations as detailed in the manual and technical regulations of an Administrator, as applicable.

Applicant means the person applying for an Authority to Operate under an Application.

Application means an application for an Authority to Operate or an application for the renewal of an Authority to Operate.

Approved Person has the same meaning as defined in schedule 7 of the *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2015* (Qld).

Authority to Operate means an Authority to Operate issued by an Administrator.

Closed Roads means public roads closed by legal processes.

Course checking means a check of the intended route or course prior to the Rally Competition to compare it with the route instructions to be issued to crews, to point out any errors or ambiguities to the Clerk of the Course of the Rally Competition for rectification, and to ensure that the route is fair, passable, safe and in accord with the applicable Administrator Regulations and best practices.

Current Authority to Operate means a current Authority to Operate which has not expired or been cancelled or suspended.

Inspection means an inspection of a vehicle by an Inspector to check the vehicle meets the Inspection Standards.

Inspection Form means an inspection form, approved by the relevant Administrator and issued by an Inspector for a Rally Vehicle that meets the Inspection Standards after an Inspection.

Inspection Standards means the vehicle:

- a) is in safe operating condition; and
- b) is a Rally Vehicle; and
- c) meets the relevant Administrator Regulations including any directions issued by the relevant Administrator; and
- d) otherwise meets the requirements of and complies with all relevant laws and policies of the Queensland Government (including its departments).

Inspector means a person appointed by an Administrator to carry out an Inspection.

Limited Use Number Plate mean a number plate assigned to a vehicle being operated subject to conditions for use imposed by a guideline or permit.

Permit means a safe movement permit granted by the State under section 54 of the VSS Regulation, whether it was issued before or after the commencement of the Guideline.

Plate means an identification plate or a compliance date (but not a Limited Use Number Plate) as the terms are defined in the Road Vehicle Standards Rules.

Prescribed Period means a period of twelve (12) months.

Proof of Origin means the proof of origin of a Rally Vehicle including:

- a) for a Rally Vehicle that has been imported for racing or rally use: a copy of the Vehicle Import Approval, or evidence of entry on the Register of Approved Vehicles, for the Rally Vehicle; or
- b) for a Rally Vehicle constructed from a body shell provided by the original vehicle manufacturer: a receipt for the body shell from the original vehicle manufacturer; or
- c) for a Rally Vehicle that is a vehicle first supplied to market as a complying vehicle under the Road Vehicle Standards Act or taken to have complied with the Road Vehicle Standards Act: the necessary and appropriate evidence of the same.

Rally Competition means a rally event that is sanctioned by an Administrator where competitors compete in a Rally Vehicle over a predetermined racecourse comprising of multiple special stages of competitive sections which are connected by transport

sections (run either entirely or partly on roads open to normal traffic) designed to take the Rally Vehicle between each competitive section in a non-competitive manner.

Rally Licence means a current rally licence issued by an Administrator to an operator of a Rally Vehicle.

Rally Vehicle means a vehicle that:

- a) is built or modified exclusively for use in Rally Competitions and related activities; and
- b) complies with the Regulations of the relevant Administrator, but in doing so may not comply with the VSS Regulation; and
- c) is one of the following:
 - i) a vehicle imported as a racing or rally vehicle; or
 - ii) a vehicle constructed from a body shell provided by the original vehicle manufacturer; or
 - iii) a vehicle fitted with a Plate; or
 - iv) a vehicle not covered by (i) – (iii) but which is eligible for road registration; but does not include:
 - (1) a vehicle that is recorded in the Register, or in a register kept under a corresponding law, as a Statutory Write-off;
 - (2) A vehicle that is recorded in the Register, or in a register kept under a corresponding law, as a Repairable Write-off, unless there is a Written-off Vehicle Inspection Report for the vehicle; or

Register, as a noun, has the meaning given by the Registration Regulation.

Register of Approved Vehicles means the publicly available online register of vehicles that have met the requirements prescribed under the Road Vehicles Standards Act and have been approved to be provided to the Australian market as a road vehicle.

Registration Regulation means the *Transport Operations (Road Use Management-Vehicle Registration) Regulation 2021* (Qld).

Repairable Write-off has the meaning given to it by the Registration Regulation.

Road Vehicle Standards Act means the *Road Vehicle Standards Act 2018* (Cth).

Road Vehicle Standards Rules means the *Road Vehicle Standards Rules 2019* (Cth).

Scrutineering Record means a record showing that a Rally Vehicle has been scrutineered against the applicable requirements for the Rally Vehicle.

Statutory Write-off has the meaning given to it by the Registration Regulation.

State means the State of Queensland represented by the Department of Transport and Main Roads.

VSS Regulation means the *Transport Operations (Road Use Management-Vehicle Standards and Safety) Regulation 2021*(Qld).

Written-off Vehicle Inspection Report has the meaning given to it by the Registration Regulation.

Part 2 - Conditions of use

1. General requirements

- 1.1 Under this scheme, an operator of a Rally Vehicle must not operate a Rally Vehicle on a road unless:
 - 1.1.1 the Rally Vehicle is registered; and
 - 1.1.2 the operator holds a Current Authority to Operate that is issued by an approved Administrator.
- 1.2 An operator may only operate a Rally Vehicle on a road for the following purposes:
 - 1.2.1 to road test the Rally Vehicle within a 15-kilometre radius from the place where the Rally Vehicle is garaged;
 - 1.2.2 to travel in order to have the Rally Vehicle repaired, provided that the operator can show reasonable evidence that the travel is to or from a repairer;
 - 1.2.3 to transport the Rally Vehicle to and from a Rally competition sanctioned by an approved Administrator;
 - 1.2.4 On closed roads and in liaison on open roads between closed stages in a Rally Competition sanctioned by an approved Administrator;
 - 1.2.5 for publicity or display associated with the relevant Rally Competition at the venue or on the event route of the relevant Rally Competition;
 - 1.2.6 for Course Checking for the relevant Rally Competition.
- 1.3 When operating a Rally Vehicle on a road, the operator must exercise extreme caution, taking into consideration all traffic requirements and conditions.
- 1.4 When operating a Rally Vehicle on a road, the operator must carry a copy of the following documents, either in paper or digital form, with them:
 - the Current Authority to Operate issued for the Rally Vehicle; and
 - a Rally Licence or if the Rally Vehicle is used for Course Checking, one person in the vehicle must be an Accredited Course Checker and carry with them their Course Checker's accreditation.
- 1.5 The operator of a Rally Vehicle must present the documents listed in paragraph 1.4 of this Part 2 - to a police officer or a transport inspector if requested.

2. Other conditions

- 2.1 Disposal
 - 2.1.1 The vehicle registration and an Authority to Operate for a Rally Vehicle cannot be transferred.
- 2.2 Number plates
 - 2.2.1 A Rally Vehicle that is registered must have a Limited Use Number Plate affixed.

Part 3 - Authority to Operate

1. Applying for an Authority to Operate

- 1.1 An Applicant who wishes to obtain an Authority to Operate must make an Application to an Administrator.
- 1.2 Prior to making an Application, the Applicant must arrange for an Inspector to carry out an Inspection of the vehicle.
- 1.3 If the Inspector is satisfied that that the vehicle meets the Inspection Standards, the Inspector will issue the Applicant with a completed Inspection Form.
- 1.4 When making a new Application, an Applicant must:
 - (a) comply with any application process as required by the Administrator; and
 - (b) provide the following with the new Application;
 - (i) Proof of origin;
 - (ii) A copy of the Applicant's Driver Licence;
 - (iii) A copy of the Vehicle Logbook/Passport for the Rally Vehicle; and
 - (iv) An Inspection Form completed not more than 28 days before the Application is made.

2. Renewing an Authority to Operate

- 2.1 An Applicant who wishes to renew an Authority to Operate, must make an Application to the Administrator.
- 2.2 When making a renewal Application, the Applicant must:
 - (a) comply with any renewal application process as required by the Administrator; and
 - (b) provide the following with the renewal Application:
 - (i) If the Rally Vehicle has been modified since the last Inspection Form for the Rally Vehicle was completed – a new Inspection Form that is completed after the Rally Vehicle was modified but no more than 28 days before the Application is made; and
 - (ii) A copy of the Scrutineering Record for the Rally Vehicle.

3. Deciding an Application

- 3.1 Upon receiving an Application from an Applicant, the Administrator must determine whether to:
 - 3.1.1 grant or renew an Authority to Operate; or
 - 3.1.2 to refuse the Application,in accordance with paragraphs 3.1 to 3.8 of Part 3 -.
- 3.2 The Administrator may grant or renew an Authority to Operate if:
 - (a) the Applicant complies with any Application process as required by the Administrator;

- (b) the Applicant provides all the documents required under paragraph 1.4(b) or 2.2(b) of Part 3 -, as applicable (including where the Applicant provides all the documents as a result of a request made under paragraph 3.4 of Part 3 -); and
- (c) the Administrator is reasonably satisfied that the vehicle the subject of the Application is a Rally Vehicle; and
- (d) the State has not objected to the Application; and
- (e) there are no circumstances as provided in the Guideline (including those set out in paragraph 3.3 of Part 3 -) that would require the Administrator to refuse the Application.

3.3 The Administrator must refuse an Application if:

- (a) the Administrator reasonably believes that the vehicle is not a Rally Vehicle; or
- (b) the Applicant fails to provide the information or documents requested under paragraph 3.4 of Part 3 -; or
- (c) The Administrator reasonably believes that the information or documents provided by the Applicant is false or misleading; or
- (d) Administrator reasonably believes that the Rally Vehicle has been used in a way that is inconsistent with the Guideline during the Prescribed Period leading up to the date of the Application; or
- (e) the Applicant has previously had an Authority to Operate or Permit cancelled or suspended, and any exclusion period stated in the cancellation or suspension has not elapsed.

3.4 If:

- (a) the Applicant does not provide all of the information and/or documents required under paragraph 1.4 or paragraph 2.2 of Part 3 -, as applicable; or
- (b) the Administrator reasonably believes that the information and/or documents provided by the Applicant for an Application is incomplete or incorrect,

the Administrator may request further information from the Applicant to be provided within twenty-eight (28) days of the request.

3.5 The Administrator must decide an Application within twenty eight (28) days of receiving the Application or within twenty eight (28) days of receiving further information requested under paragraph 3.4 of Part 3 -.

3.6 If the Administrator decides to grant an Application, it must issue an Authority to Operate to the Applicant within fourteen (14) days of the decision being made.

3.7 If the Administrator decides to refuse an Application, it must advise the Applicant of that decision within fourteen (14) days of the decision being made.

3.8 The Administrator must not issue an Authority to Operate for a period lasting more than the Prescribed Period.

4. Cancelling or suspending an Authority to Operate or registration

- 4.1 The Administrator must cancel or suspend an Authority to Operate if requested by the State.
- 4.2 If the State requires the Administrator to suspend an Authority to Operate, the Administrator must suspend the Authority to Operate for the duration required by the State.
- 4.3 The Administrator may cancel or suspend an Authority to Operate if it reasonably believes that:
 - 4.3.1 the vehicle to which the Authority to Operate relates is no longer a Rally Vehicle; or
 - 4.3.2 the vehicle to which the Authority to Operate relates no longer complies with the applicable Administrator Regulations; or
 - 4.3.3 documents and/or information provided in relation to the Application which resulted in the issue of the Authority to Operate was false or misleading.
- 4.4 The Administrator may only cancel or suspend an Authority to Operate under paragraph 4.3 of Part 3 - if it has provided the holder of the Authority to Operate with at least twenty eight (28) days to show cause why the Authority to Operate should not be cancelled or suspended and the Administrator has not received a satisfactory response, acting reasonably.
- 4.5 Contravention of any condition of this Guideline may result in the amendment, suspension or cancellation of the registration of the Rally Vehicle.

Part 4 - Exemptions

1. Exemptions to vehicle standards

1.1 Subject to paragraphs 1.2 and 1.3 of Part 4 -, an operator of a Rally Vehicle who participates in the Queensland rally vehicle registration scheme by:

1.1.1 holding a Current Authority to Operate; and

1.1.2 complying with the conditions of use as set out in Part 2 -.

does not need to comply with the following as required under the VSS Regulation:

- (a) fitting of a Plate, in accordance with section 100;
- (b) installation of non-compliant harness type seatbelts and approved safety cages in accordance with sections 18 and 19;
- (c) modifications do not require approval by a person accredited by the State as an Approved Person, but only to the extent the non-compliance is required to meet, or otherwise permitted by, the relevant Administrator's Regulations;
- (d) for a vehicle manufactured prior to 1 January 1969, compliance with the requirements under Schedule 1, but only to the extent that the non-compliance is required to meet, or otherwise permitted, by the relevant Administrator's Regulations;
- (e) for a vehicle manufactured between 1 January 1969 and 31 December 1988 (inclusive of both dates), compliance with the second edition Australian Design Rules as required by Section 21(1) of Schedule 1 but only to the extent that the non-compliance is required to meet, or otherwise permitted, by the relevant Administrator's Regulations; and
- (f) for a vehicle manufactured on and from 1 January 1989, compliance with the third edition Australian Design Rules as required by Section 22(1) of Schedule 1, but only to the extent that the non-compliance is required to meet, or otherwise permitted, by the relevant Administrator's Regulations.

1.2 If an operator of a Rally Vehicle does not fully comply with this Guideline or if the operator contravenes any conditions contained in this Guideline, then the operator does not have the benefit of the exemptions set out in this Part 4 - and the operator may be liable for offences committed under the Act.

1.3 An operator of a Rally Vehicle that takes the benefit of the specific exemptions as set out in this Part 4 - must comply with all other requirements that may apply to the Rally Vehicle under the Act and the VSS Regulation.