



Victoria Government Gazette

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Subordinate Legislation Act 1994

PROPOSED ENVIRONMENT PROTECTION (VEHICLE EMISSIONS) REGULATIONS 2013

Notice of Decision

I, Ryan Smith, Minister for Environment and Climate Change, give notice under section 12 of the **Subordinate Legislation Act 1994** that the proposed Environment Protection (Vehicle Emissions) Regulations 2013 have been the subject of a Regulatory Impact Statement. Public comments and submissions were invited. Twenty four submissions were received and have been considered in accordance with section 11 of that Act.

After consideration of the submissions, I give notice of my intention to proceed with the making of the proposed regulations, with the following amendments:

- The term 'petrol supplier' has been replaced with 'regulated petrol producer' to ensure clarity that proposed regulations regulate the production of petrol – its importation, refining or blending. To support this, a definition of 'produces' has also been inserted.
- A typographical error has been corrected to clarify that motor vehicles manufactured after 1 February 1986 must comply with both hydrocarbon and carbon monoxide emission standards. The Regulatory Impact Statement was undertaken on the basis of compliance with both standards.
- The commencement date of the proposed regulations has been changed to 11 December 2013.
- The definition of 'vapour pressure' has been amended to include a provision for the Environment Protection Authority to approve any other test method to determine the vapour pressure of petrol.
- The formula for calculating the monthly average volumetric vapour pressure of non-ethanol blended petrol has been amended to ensure it calculates this pressure based on a weighted average of all batches of petrol produced each month over the summer period.
- In relation to petrol, the word 'grade' has been replaced with 'type' to better reflect terminology used in the fuel industry.
- Other minor changes were made to the regulations including changes to language to ensure consistency in use or to reflect the language of the Environment Protection Act 1970, and minor grammatical and wording changes to ensure the regulations are clear as to intent and do not cause confusion.

Some key issues raised by the submissions that have not led to amendments to the proposed regulations include:

- Concerns that the vehicle noise and air emission standards are either not stringent enough or are too stringent. The proposed regulations have not been amended to address these concerns as the standards reflect the nationally agreed Australian Vehicle Standard Rules or alternative state agreed standards.
- Concerns that the proposed regulations will require people to purchase original equipment at a greater cost. These concerns do not warrant changes to the proposed regulations as the regulations are performance based. Therefore the use of equipment that is not original is permissible as long as performance standards are complied with.
- Concerns that the proposed regulations will impose unfair costs for maintaining older vehicles. This concern does not warrant changes to the proposed regulations as the regulations do not require older vehicles to comply with the same standards as newer vehicles.

Dated 3 December 2013

THE HON RYAN SMITH MP
Minister for Environment and Climate Change

SPECIAL

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