

Authorised Version
Environment Protection (Vehicle Emissions)
Regulations 2013
S.R. No. 159/2013

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Authorised Version

STATUTORY RULES 2013

S.R. No. 159/2013

Environment Protection Act 1970

**Environment Protection (Vehicle Emissions)
Regulations 2013**

The Governor in Council makes the following Regulations:

Dated: 10 December 2013

Responsible Minister:

RYAN SMITH

Minister for Environment and Climate Change

YVETTE CARISBROOKE
Clerk of the Executive Council

PART 1—PRELIMINARY

1 Objectives

The objectives of these Regulations are to—

- (a) prescribe air emission standards and standards of maximum permissible concentration for emissions from motor vehicles, other than new vehicles and heavy vehicles, to minimise the negative impacts of motor vehicle use on Victorians and the environment; and
- (b) prescribe standards for noise emissions from motor vehicles, other than new vehicles and heavy vehicles, to minimise the negative impacts of motor vehicle use on Victorians and the environment; and

- (c) provide for offences relating to the import, refining and blending of petrol to minimise the release of petrol vapours into the environment; and
- (d) prescribe various matters necessary for the purposes of the **Environment Protection Act 1970**.

2 Authorising provisions

These Regulations are made under sections 53P and 71 of the **Environment Protection Act 1970**.

3 Commencement

These Regulations come into operation on 11 December 2013.

4 Revocations

The Environment Protection (Vehicle Emissions) Regulations 2003¹ and the Environment Protection (Vehicle Emissions) (Amendment) Regulations 2006² are **revoked**.

5 Definitions

In these Regulations—

ADR 83/00 means Australian Design Rule 83/00 "External Noise" determined under section 7 of the Motor Vehicle Standards Act 1989 of the Commonwealth;

A-weighted means frequency weighted as specified in Australian Standard 1055.1-1997 "Acoustics—Description and Measurement of Environmental Noise—General Procedures" published by Standards Australia;

bus has the same meaning as in the **Bus Safety Act 2009**;

dB(A) means the A-weighted sound pressure level expressed in decibels;

diesel engine means an internal combustion engine that operates on the compression-ignition principle;

DT80 Test Cycle means the DT80 transient test procedure for the testing of diesel-fuelled vehicle exhaust emissions as set out in Schedule 1 to the National Transport Commission (Road Transport Legislation—Vehicle Standards) Amendment Regulations 2006 (No. 1) of the Commonwealth;

ethanol-blended petrol means petrol containing 4 per cent or more of ethanol by volume but not more than 20 per cent of ethanol by volume;

forward-control passenger vehicle has the same meaning as ***forward-control passenger vehicle (MB)*** has in the Road Safety (Vehicles) Regulations 2009;

goods vehicle means any motor vehicle, other than a passenger car or passenger car derivative, that—

- (a) is constructed principally for the carriage of goods; and
- (b) has at least 4 wheels;

GVM (gross vehicle mass) has the same meaning as in the **Road Safety Act 1986**;

monthly average volumetric vapour pressure means monthly average volumetric vapour pressure calculated in accordance with regulation 18;

motor cycle has the same meaning as in the **Road Safety Act 1986**;

motor trike means a motor vehicle with 3 wheels, but does not include a 2-wheeled motor vehicle with a sidecar attached to it that is supported by a third wheel;

off-road passenger vehicle has the same meaning as ***off-road passenger vehicle (MC)*** has in the Road Safety (Vehicles) Regulations 2009;

passenger car has the same meaning as ***passenger car (MA)*** has in the Road Safety (Vehicles) Regulations 2009;

passenger car derivative means any motor vehicle—

- (a) of the type known as a utility or panel van and of the same make as a factory produced passenger car; and
- (b) in which the greater part of the body form and the greater part of the forward mechanical equipment are the same as those in the passenger car;

passenger vehicle means a forward-control passenger vehicle, an off-road passenger vehicle, a passenger car or a passenger car derivative;

petrol has the same meaning as in section 42A of the Act;

produces, in relation to petrol, means any of the following—

- (a) imports petrol into Victoria;
- (b) refines petrol in Victoria;
- (c) blends petrol in Victoria;

recreational motor cycle means any 2-wheeled motor cycle that is registered as a recreation motor cycle under the Road Safety (Vehicles) Regulations 2009;

regulated petrol producer means a person who produces petrol;

spark ignition engine means an internal combustion engine in which the mixture of air and fuel is ignited by means of an electrical spark;

summer period means the period commencing on 1 November and ending on 31 March of each year;

the Act means the **Environment Protection Act 1970**;

unladen mass for a motor vehicle means the mass of that motor vehicle without any load;

vapour pressure, in relation to petrol, means the petrol's volatility at 37.8°C measured using the test method specified in ASTM D4953-06 "Standard Test Method for Vapor Pressure of Gasoline and Gasoline-Oxygenate Blends (Dry Method)" published by ASTM International in 2006 or other method approved by the Authority;

vehicle test mass for a motor vehicle means half the sum of its unladen mass and its GVM.

6 Regulations do not apply to new vehicles or heavy vehicles

These Regulations do not apply to a new vehicle or a heavy vehicle.

PART 2—VEHICLE AIR EMISSION STANDARDS

7 Prescribed emission standard for visible emissions from motor vehicles

- (1) For the purposes of sections 42(1)(b)(i) and 43A(1)(b)(i) of the Act, a prescribed emission standard for a motor vehicle propelled by an internal combustion engine is that the emissions from that motor vehicle must not be visible for a continuous period of 10 or more seconds.
- (2) This regulation does not apply if—
 - (a) the emissions are visible solely because of heat or the condensation of water vapour; or
 - (b) the motor vehicle was manufactured before 1 January 1930.

8 Prescribed standard of maximum permissible concentration of carbon monoxide and hydrocarbon for spark ignition motor vehicles

- (1) In this regulation—

at high idle means as determined by the high idle test set out in Part B of the Schedule;

at idle means as determined by the idle test set out in Part A of the Schedule.
- (2) For the purposes of sections 42(1)(b)(ii) and 43A(1)(b)(ii) of the Act, the prescribed standard of maximum permissible concentration for the emission of carbon monoxide for a passenger vehicle propelled by a spark ignition engine with a date of manufacture specified in column 1 of the following Table is the corresponding level specified in column 2 of that Table.

Table

<i>Column 1</i>	<i>Column 2</i>
<i>Date of manufacture</i>	<i>Carbon monoxide level (% by volume)</i>
On or after 1 July 1976 and before 1 February 1986	≤4.5 at idle
On or after 1 February 1986	≤4.5 at idle and ≤1.0 at high idle

- (3) For the purposes of section 43A(1)(b)(ii) of the Act, the prescribed standard of maximum permissible concentration for the emission of hydrocarbon for a passenger vehicle propelled by a spark ignition engine that has a date of manufacture specified in column 1 of the following Table is the corresponding level specified in column 2 of that Table.

Table

<i>Column 1</i>	<i>Column 2</i>
<i>Date of manufacture</i>	<i>Hydrocarbon limit (ppm)</i>
On or after 1 July 1976 and before 1 February 1986	≤1200 at idle
On or after 1 February 1986	≤600 at idle and ≤200 at high idle

- (4) For the purposes of section 42(2B) of the Act, the prescribed manner for keeping, maintaining or adjusting a vehicle specified in column 1 of the Table following subregulation (3) is the keeping, maintaining or adjusting of that vehicle so that the vehicle complies with the corresponding maximum permissible concentration for the emission of hydrocarbon specified in column 2 of that Table.

9 Prescribed emission standards for diesel engine vehicles

- (1) In this regulation, *motor vehicle* means a passenger vehicle, a bus or a goods vehicle that—
- (a) is registered in Victoria; and
 - (b) is powered by a diesel engine.
- (2) For the purposes of section 43A(1)(b)(i) of the Act, for a motor vehicle manufactured before 1 January 1996 with a GVM specified in column 1 of the following Table, the prescribed emission standard for—
- (a) oxides of nitrogen in exhaust gases, is that the exhaust gases emitted must not exceed the corresponding rate specified in column 2 of that Table; and
 - (b) particles in exhaust gases, is that the exhaust gases emitted must not exceed the corresponding rate specified in column 3 of that Table.

Table

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>GVM (t)</i>	<i>Rate of NO_x emissions (grams/kilometre/ tonne of vehicle test mass)</i>	<i>Rate of particle emission (grams/kilometre/ tonne of vehicle test mass)</i>
Not greater than 3.5	1.5	0.23
More than 3.5 but less than or equal to 4.5	2.0	0.23

- (3) For the purposes of section 43A(1)(b)(i) of the Act, for a motor vehicle manufactured on or after 1 January 1996 with a GVM specified in column 1

of the following Table, the prescribed emission standard for—

- (a) oxides of nitrogen in exhaust gases, is that the exhaust gases emitted must not exceed the corresponding rate specified in column 2 of that Table; and
- (b) particles in exhaust gases, is that the exhaust gases emitted must not exceed the corresponding rate specified in column 3 of that Table.

Table

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>GVM (t)</i>	<i>Rate of NO_x emissions (grams/kilometre/ tonne of vehicle test mass)</i>	<i>Rate of particle emission (grams/kilometre/ tonne of vehicle test mass)</i>
Not greater than 3.5	1.5	0.23
More than 3.5 but less than or equal to 4.5	2.0	0.15

- (4) For the purposes of sections 42(1)(b)(i) and 43A(1)(b)(i) of the Act, the prescribed emission standard for exhaust gas opacity for a motor vehicle is that the exhaust gases emitted must not exceed 25% opacity averaged over a DT80 Test Cycle.
- (5) The Authority may in writing exempt a motor vehicle from the requirement to comply with an emission standard prescribed by this regulation if the Authority is of the opinion that it is impracticable for that vehicle to comply.

PART 3—VEHICLE STANDARDS FOR NOISE EMISSIONS

10 Noise from motor vehicles certified in accordance with ADR 83/00

For the purposes of sections 48B and 48D(3A) of the Act, the prescribed standard for a motor vehicle certified in accordance with ADR 83/00 is that the vehicle must not emit noise exceeding, by more than 5 dB(A), the stationary noise level established for that vehicle when it was certified.

11 Noise from passenger vehicles not certified in accordance with ADR 83/00

For the purposes of sections 48B and 48D(3A) of the Act, the prescribed standard for a passenger vehicle not certified in accordance with ADR 83/00 that has a date of manufacture specified in column 1 of the following Table is that the passenger vehicle must not emit noise exceeding the corresponding level specified in column 2 of that Table.

Table

<i>Column 1</i>	<i>Column 2</i>
<i>Date of manufacture</i>	<i>Noise level (dB(A))</i>
Before 1 November 1983	96
On or after 1 November 1983	90

12 Noise from goods vehicles and buses not certified in accordance with ADR 83/00

- (1) For the purposes of sections 48B and 48D(3A) of the Act, the prescribed standard for a goods vehicle or bus propelled by a spark ignition engine not certified in accordance with ADR 83/00 that has a date of manufacture specified in column 1 of the following Table, a GVM specified in column 2 of that Table and an exhaust height specified in

column 3 of the Table, is that the vehicle must not emit noise exceeding the corresponding level specified in column 4 of the Table.

Table

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Date of manufacture</i>	<i>GVM (t)</i>	<i>Exhaust height (millimetres)</i>	<i>Noise level (dB(A))</i>
Before 1 July 1983	≤ 3.5	< 1500	92
Before 1 July 1983	> 3.5 and ≤ 4.5	< 1500	98
Before 1 July 1983	≤ 3.5	≥ 1500	88
Before 1 July 1983	> 3.5 and ≤ 4.5	≥ 1500	94
On or after 1 July 1983	≤ 3.5	< 1500	89
On or after 1 July 1983	> 3.5 and ≤ 4.5	< 1500	95
On or after 1 July 1983	≤ 3.5	≥ 1500	85
On or after 1 July 1983	> 3.5 and ≤ 4.5	≥ 1500	91

- (2) For the purposes of sections 48B and 48D(3A) of the Act, the prescribed standard for a goods vehicle or bus propelled by a diesel engine not certified in accordance with ADR 83/00 that has a date of manufacture specified in column 1 of the following Table, a GVM specified in column 2 of that Table and an exhaust height specified in column 3 of the Table, is that the vehicle must not emit noise exceeding the corresponding level specified in column 4 of the Table.

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Part 3—Vehicle Standards for Noise Emissions

Table

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Date of manufacture</i>	<i>GVM (t)</i>	<i>Exhaust height (millimetres)</i>	<i>Noise level (dB(A))</i>
Before 1 July 1980	≤ 3.5	< 1500	105
Before 1 July 1980	> 3.5 and ≤ 4.5	< 1500	107
Before 1 July 1980	≤ 3.5	≥ 1500	101
Before 1 July 1980	> 3.5 and ≤ 4.5	≥ 1500	103
On or after 1 July 1980 and before 1 July 1983	≤ 3.5	< 1500	102
On or after 1 July 1980 and before 1 July 1983	> 3.5 and ≤ 4.5	< 1500	104
On or after 1 July 1980 and before 1 July 1983	≤ 3.5	≥ 1500	98
On or after 1 July 1980 and before 1 July 1983	> 3.5 and ≤ 4.5	≥ 1500	100
On or after 1 July 1983	≤ 3.5	< 1500	99
On or after 1 July 1983	> 3.5 and ≤ 4.5	< 1500	101
On or after 1 July 1983	≤ 3.5	≥ 1500	95
On or after 1 July 1983	> 3.5 and ≤ 4.5	≥ 1500	97

Authorised by the Chief Parliamentary Counsel

13 Noise from motor cycles and motor trikes not certified in accordance with ADR 83/00

For the purposes of sections 48B and 48D(3A) of the Act, the prescribed standard for a motor cycle or motor trike not certified in accordance with ADR 83/00 that is of a vehicle type specified in column 1 of the following Table and has a date of manufacture specified in column 2 of that Table, is that the vehicle must not emit noise exceeding the corresponding level specified in column 3 of the Table.

Table

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Vehicle type</i>	<i>Date of manufacture</i>	<i>Noise level (dB(A))</i>
Motor cycle or motor trike, other than a recreational motor cycle	Before 1 March 1985	100
Motor cycle or motor trike, other than a recreational motor cycle	On or after 1 March 1985	94
Recreational motor cycle	On or after 1 January 1994	94

14 Method for determining motor vehicle noise emissions

- (1) For the purposes of this Part, the noise emitted by a motor vehicle must be determined using a method described in the "National Stationary Exhaust Noise Test Procedures for In-Service Motor Vehicles" published by the National Transport Commission as in force from time to time.
- (2) For the purposes of subregulation (1), in the "National Stationary Exhaust Noise Test Procedures for In-Service Motor Vehicles" the

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Part 3—Vehicle Standards for Noise Emissions

engine speed at maximum power of a motor vehicle is that specified in the "ESMP Data Manual 1992" published by the Authority as in force from time to time.

PART 4—VEHICLE NOISE LABELLING STANDARDS

15 Labelling of motor cycles and motor trikes

(1) In this regulation—

engine speed at maximum power means the speed, expressed in revolutions per minute, at which maximum power is developed by an engine;

relevant information means—

- (a) a heading "STATIONARY NOISE TEST INFORMATION"; and
 - (b) a statement containing the recorded stationary sound level value and the 50 per cent engine speed at maximum power value in the following format—
"TesteddB(A) atr/min
Silencing System: (manufacturer)
Identification: (trade description)".
- (2) A person must not use a motor cycle or motor trike manufactured on or after 1 March 1988 that does not have the relevant information—
- (a) embossed or etched in a readily visible position or carried on a label of plastic or metal which is welded, riveted or otherwise permanently attached to the motor cycle or motor trike in a readily visible position; and
 - (b) in the English language in block letters and numerals of a height not less than 3 millimetres and of a colour contrasting with their background; and

- (c) affixed to the motor cycle or motor trike so that the relevant information cannot be removed without being destroyed or defaced.

Penalty: In the case of an individual, 20 penalty units.

In the case of a body corporate,
50 penalty units.

- (3) A person must not remove or deface—

- (a) relevant information that is embossed or etched on a motor cycle or motor trike; or

- (b) a label described in subregulation (2)(a).

Penalty: In the case of an individual, 20 penalty units.

In the case of a body corporate,
50 penalty units.

PART 5—GENERAL VEHICLE OFFENCES

16 Offence to sell a motor vehicle capable of exceeding a prescribed standard for the emission of noise

A person must not sell a motor vehicle that does not comply with a standard prescribed by Part 3 of these Regulations relating to the emission of noise by that vehicle.

Penalty: In the case of an individual, 20 penalty units.

In the case of a body corporate,
50 penalty units.

17 Offences concerning temporary noise defeat devices

- (1) A person must not use a motor vehicle equipped with any temporary defeat device, inlet port restrictor, exhaust port restrictor or temporary noise reduction device if the vehicle was not equipped with that device when it was a new vehicle.

Penalty: In the case of an individual, 20 penalty units.

In the case of a body corporate,
50 penalty units.

- (2) A person must not install onto a motor vehicle any temporary defeat device, inlet port restrictor, exhaust port restrictor or temporary noise reduction device if the vehicle was not equipped with that device when it was a new vehicle.

Penalty: In the case of an individual, 20 penalty units.

In the case of a body corporate,
50 penalty units.

- (3) A person must not sell a motor vehicle equipped with any temporary defeat device, inlet port restrictor, exhaust port restrictor or temporary noise reduction device unless the vehicle was equipped with that device when it was a new vehicle.

Penalty: In the case of an individual, 20 penalty units.

In the case of a body corporate,
50 penalty units.

PART 6—PETROL VAPOUR PRESSURE

18 Monthly average volumetric vapour pressure

For the purposes of these Regulations, the monthly average volumetric vapour pressure, expressed in kPa, of petrol that is not ethanol-blended petrol produced by a regulated petrol producer is determined in accordance with the following formula—

$$\sum_{i=1}^n \frac{B_i \times S_i}{G}$$

where—

- n** is the total number of batches of petrol that is not ethanol-blended petrol produced during the relevant month by the producer; and
- B_i** is the volume, expressed in litres, of a batch of petrol that is not ethanol-blended petrol; and
- S_i** is the vapour pressure, expressed in kPa, of a batch of petrol that is not ethanol-blended petrol; and
- G** is the total volume, expressed in litres, of petrol that is not ethanol-blended petrol produced in a month by the producer.

19 Offences relating to the production of petrol with excess vapour pressure

- (1) A regulated petrol producer must not produce ethanol-blended petrol that has, during the summer period, a vapour pressure of more than 71 kPa.

Penalty: 50 penalty units.

- (2) A regulated petrol producer must not produce petrol that is not ethanol-blended petrol that has, during the summer period, a monthly average volumetric vapour pressure of more than 62 kPa.

Penalty: 50 penalty units.

- (3) A regulated petrol producer must not produce petrol that is not ethanol-blended petrol that has, during the summer period, a vapour pressure of more than 64 kPa.

Penalty: 50 penalty units.

20 Authority may exempt a person from vapour pressure provisions

- (1) On the application of a regulated petrol producer, the Authority may grant the producer an exemption in writing from the need to comply with any provision of regulation 19.

- (2) An application by a regulated petrol producer for an exemption under subregulation (1) must—

(a) be made in writing; and

(b) be accompanied by the following information—

- (i) the reasons for the application; and
- (ii) an assessment of the environmental impact of the proposed exemption if approved; and
- (iii) the volume and type of petrol covered by the application; and
- (iv) the likely geographic location where the petrol will be sold for retail; and
- (v) the vapour pressure of the petrol to be produced; and

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- (vi) the period for which the exemption is requested; and
- (c) be accompanied by a fee of 69.9 fee units.
- (3) The Authority may request a regulated petrol producer to provide any further information that the Authority considers necessary to determine an application under this regulation.
- (4) An exemption granted under subregulation (1) may be granted subject to conditions and may apply to all petrol produced or to a specified type of petrol produced.
- (5) The Authority must publish a notice of an exemption granted under this regulation and any condition imposed under subregulation (4) in the Government Gazette and on the Authority's website.
- (6) A regulated petrol producer must not contravene any condition to which an exemption granted to that producer under this regulation is subject.

Penalty: 50 penalty units.

21 Vapour pressure—record keeping

A regulated petrol producer must keep the information used to determine the monthly average volumetric vapour pressure of petrol for no less than 24 months from the date that information was collected.

Penalty: 50 penalty units.

22 Annual compliance report

- (1) A regulated petrol producer must submit an annual compliance report to the Authority by 30 April of each year.

Penalty: 50 penalty units.

- (2) A regulated petrol producer must include the following information in an annual compliance report submitted under subregulation (1)—
- (a) the monthly average volumetric vapour pressure of petrol, that is not ethanol-blended petrol, produced by the regulated petrol producer in each month during the summer period; and
 - (b) the maximum vapour pressure of all the petrol produced by the producer in each month during the summer period; and
 - (c) details of all the petrol produced by the producer during the summer period, including—
 - (i) the type of petrol; and
 - (ii) the monthly volume of each type of petrol.

Penalty: 50 penalty units.

SCHEDULE

Regulation 8

METHOD FOR DETERMINING THE CONCENTRATION OF CARBON MONOXIDE AND HYDROCARBON IN THE EXHAUST GASES OF A MOTOR VEHICLE

PART A—IDLE TEST

1. An idle test of a motor vehicle must be conducted in the following manner—
 - (a) the engine of the vehicle must be running and be at normal operating temperature; and
 - (b) the inlet end of a sampling probe must be positioned in the exhaust pipe of the vehicle at any point between 35 centimetres and 50 centimetres from the discharge end of the exhaust pipe; and
 - (c) the accelerator pedal of the vehicle must not be depressed; and
 - (d) if the vehicle is equipped with a manual transmission, the transmission must be kept in neutral gear with the clutch engaged; and
 - (e) if the vehicle is equipped with automatic or semi-automatic transmission, the transmission must be kept with the gear selector engaged in the drive position with the vehicle's handbrake in the fully on position; and
 - (f) if the vehicle is equipped with a manual choke, the choke must be off.
2. The measurement must be taken by noting the maximum value of the concentration of carbon monoxide [in %vol] and total hydrocarbons [in ppm] as determined by the analyser over a period of between 30 seconds and

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60 seconds beginning not earlier than 60 seconds after the probe has been inserted in the exhaust pipe.

3. If the motor vehicle is equipped with more than one exhaust pipe, the concentration must be measured in each exhaust pipe and the maximum value shall be the average value from all pipes.
4. If required for the purposes of testing, the exhaust pipe may be temporarily extended by an extension piece connected to the designed discharge outlet by means of a suitable connection which does not allow dilution of the exhaust gases by air.

PART B—HIGH IDLE TEST

5. A high idle test of a motor vehicle must be conducted in the following manner—
 - (a) the engine of the vehicle must be running and be at normal operating temperature; and
 - (b) the inlet end of a sampling probe must be positioned in the exhaust pipe of the vehicle at any point between 35 centimetres and 50 centimetres from the discharge end of the exhaust pipe; and
 - (c) the accelerator pedal of the vehicle must be depressed and the engine rotational speed must be stabilised within the range of 2500 rpm to 3000 rpm; and
 - (d) if the vehicle is equipped with a manual transmission, the transmission must be kept in neutral gear with the clutch engaged; and
 - (e) if the vehicle is equipped with automatic or semi-automatic transmission, the transmission must be kept with the gear selector engaged in the neutral or park position with the handbrake in the fully on position; and
 - (f) if the vehicle is equipped with a manual choke, the choke must be off.

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6. The measurement must be taken by noting the maximum value of the concentration of carbon monoxide [in %vol] and total hydrocarbons [in ppm] as determined by the analyser over a period of between 30 seconds and 60 seconds beginning not earlier than 60 seconds after the probe has been inserted in the exhaust pipe.
 7. If the motor vehicle is equipped with more than one exhaust pipe, the concentration must be measured in each exhaust pipe and the maximum value shall be the average value from all pipes.
 8. If required for the purposes of testing, the exhaust pipe may be temporarily extended by an extension piece connected to the designed discharge outlet by means of a suitable connection which does not allow dilution of the exhaust gases by air.

**PART C—EQUIPMENT FOR IDLE TEST AND
HIGH IDLE TEST**

9. The concentration of carbon monoxide and total hydrocarbons in the exhaust gases of the motor vehicle must be measured with a non-dispersive infrared carbon monoxide and hydrocarbon analyser.
10. The analyser must be calibrated within the preceding 12 months by being zeroed with dry nitrogen or air containing less than 10 ppm carbon monoxide, or 6 ppm total hydrocarbon (equivalent carbon response), as applicable, and spanned with a carbon monoxide or total hydrocarbon mixture, as applicable, which will result in a response equivalent to not less than 70 per cent of the full scale deflection for each gas.
11. The analyser instrument must be zeroed and spanned using a secondary electronic or mechanical system prior to each measurement.

ENDNOTES

¹ Reg. 4: S.R. No. 10/2003. Reprint No. 1 as at 23 October 2008.
Reprinted to S.R. No. 65/2006. Subsequently extended in operation by
S.R. No. 153/2012.

² Reg. 4: S.R. No. 65/2006.

Fee Units

These Regulations provide for fees by reference to fee units within the meaning of the **Monetary Units Act 2004**.

The amount of the fee is to be calculated, in accordance with section 7 of that Act, by multiplying the number of fee units applicable by the value of a fee unit.

The value of a fee unit for the financial year commencing 1 July 2013 is \$12.84. The amount of the calculated fee may be rounded to the nearest 10 cents.

The value of a fee unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a fee unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.

Penalty Units

These Regulations provide for penalties by reference to penalty units within the meaning of section 110 of the **Sentencing Act 1991**. The amount of the penalty is to be calculated, in accordance with section 7 of the **Monetary Units Act 2004**, by multiplying the number of penalty units applicable by the value of a penalty unit.

The value of a penalty unit for the financial year commencing 1 July 2013 is \$144.36.

The amount of the calculated penalty may be rounded to the nearest dollar.

The value of a penalty unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a penalty unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.

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Table of Applied, Adopted or Incorporated Matter

The following table of applied, adopted or incorporated matter is included in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2004.

Statutory Rule Provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 5	Australian Standard 1055.1—1997 Acoustics—Description and Measurement of Environmental Noise Part 1—General Procedures (published by Standards Australia on 5 August 1997).	The whole
Regulation 5	ASTM D4953-06 Standard Test Method for Vapor Pressure of Gasoline and Gasoline-Oxygenate Blends (Dry Method) 2006 (published by the American Society for Testing and Materials International on 1 August 2006).	The whole
Regulation 14	National Stationary Exhaust Noise Test Procedures for In-Service Motor Vehicles (published by the National Transport Commission and as in force from time to time).	The whole
Regulation 14	ESMP Data Manual 1992 (published by the Environment Protection Authority and as in force from time to time).	The whole