



**Australian Government**

**Department of Infrastructure and Regional Development**

**Secretary**

PDR ID: EC14-000294  
Contact: Steven Hoy



Mr Josh Munro  
Coroners Registrar  
Coroners Court of Victoria  
Level 11  
222 Exhibition Street  
MELBOURNE VIC 3000

Dear Mr Munro

**Investigation into the Death of Michael (Miroslav) Cicmil**

Thank you for your letter dated 4 June 2014 about the Coroner's recommendations and findings into the death of Michael (Miroslav) Cicmil.

The Department of Infrastructure and Regional Development (the Department) is responsible for administering the *Motor Vehicle Standards Act 1989*. The Australian Design Rules (ADRs) are national standards under the Act and all road vehicles, regardless of the country they are manufactured in, must comply with them prior to their use in transport in Australia.

The ADRs are aligned to a large extent with international regulations as adopted by the United Nations (UN) World Forum for the Harmonization of Vehicle Regulations. Prior to the determination of a new ADR, or any amendment that increases the stringency of an ADR, a regulatory impact assessment must first establish that the proposal is in accordance with Australian Government principles for best practice regulation.

In relation to the Coroner's recommendations, I am advised that although UN Regulation 118 does set requirements for fire retardant materials, it is only applicable to heavy buses (similar requirements are specified in ADR 58/00 for buses in Australia). In addition, limits to post-crash fuel leakage are already specified within vehicle crashworthiness ADRs for offset frontal impact occupant protection (ADR 73/00) and dynamic side impact occupant protection (ADR 72/00). These ADRs are aligned with UN Regulations 94 (frontal collision protection) and 95 (lateral collision protection) respectively.

Notwithstanding the above, the Department's ADR consultative groups, the Australian Motor Vehicle Certification Board (AMVCB) and the Technical Liaison Group (TLG), provide forums to consider vehicle safety issues and there is a standing item on their agendas for the examination of Coroners' findings. The AMVCB includes representatives from the state and territory vehicle registration authorities, the National Transport Commission (NTC) and the National Heavy Vehicle Regulator (NHVR), while TLG includes AMVCB members together with representatives from industry and consumer groups. Both groups will meet later this year and I have asked that they review this case.

I trust this information will be of assistance.

Yours sincerely



Mike Mrdak

28 July 2014