

## UN/ECE 22-05 Helmet Law implementation by State

Date	Jurisdiction
1 February 2015	Queensland
6 August 2015	Victoria
16 September 2015	Northern Territory
11 December 2015	NSW
22 December 2015	ACT
24 February 2016	Tasmania
1 March 2016	Western Australia
28th April 2016	South Australia

All States of Australia require a helmet to be marked as compliant with EITHER the European Helmet Regulation UN/ECE 22-05 or the Australian Standard AS/NZS 1698:2006

Additionally, NSW, South Australia and Victoria require that the “mark” certifying compliance to the Australian Standard be from a body accredited with JAS-ANZ.

Helmet laws had been of concern to Australian riders for some time.

The Australian Standard is based on a 1968 USA Standard, with a few minor tweaks through the years to ensure it is totally unique to Australia. This ensured it was a unique Standard in a closed marketplace, leading to high prices for no additional benefit in safety. Riders were forced to buy a “sticker” with a helmet attached.

Helmet wearing laws were further confounded by confusion of commercial influences with safety. In particular, the privatisation and sale of the certification business of Standards Australia.

The European Helmet regulation is based on evidence from studies of large populations of crashed, helmeted riders and is in a constant process of review and improvement. It is a significant improvement in rider safety and provides both real competition in the market and a significant increase in available choices.

The Australian Motorcycle Council commenced action on helmets with publication of an article in Australian Road Rider in 2011.

<https://www.roadrider.com.au/state-of-helmets/>

The action by AMC was to challenge every State in Australia, the ACCC, the Department of Industry and Innovation, Standards Australia and a number of commercial organisations that pushed back with powerful political lobbying.

The key to success was co-ordination between all State and Territory rider organisations to keep presenting the evidence to their local road authorities while AMC maintained pressure on Commonwealth bodies. We thank the NSW administrators for their excellent homework and briefings to other States, confirming our evidence.

This culminated in the ACCC initiating a Review of the Commonwealth Safety Standard (*Consumer Protection Notice (CPN) No. 9 of December 10, 1990*), in 2013. This Review was not completed until 2015, although, with an election looming, Queensland jumped the gun in an effort to gather votes from riders, relying on the NSW briefing.

The action took time to complete due to commercial interests dominating while rider safety languished. Eventually, the evidence presented was persuasive.

The AMC fulfilled its role to make motorcycling better for all riders.

Articles

<https://www.roadrider.com.au/what-makes-a-helmet-legal/>

<http://www.mrasa.asn.au/pdf/MotorcycleHelmetStandards.pdf>

<https://synapse.org.au/information-services/motorbike-helmets-and-brain-injury-prevention.aspx>