Australian Capital Territory

Lifetime Care and Support (Catastrophic Injuries) Transport Modification Motor Vehicle Guidelines 2026

Disallowable instrument DI2026–224

made under the

Lifetime Care and Support (Catastrophic Injuries) Act 2014, section 93 (LTCS guidelines)

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1 Name of instrument

This instrument is the *Lifetime Care and Support (Catastrophic Injuries) Transport Modification Motor Vehicle Guidelines 2026**.

2 Commencement

This instrument commences on the day after its notification.

3 Guidelines

I make the guidelines attached to this instrument. The guidelines are Part 12, *Transport Modification Motor Vehicle*, of the LTCS Guidelines made under the *Lifetime Care and Support (Catastrophic Injuries) Act 2014.*

4 Revocation

The *Lifetime Care and Support (Catastrophic Injuries) Guidelines 2014 (No 12)* (DI2014-213) is revoked.

Nicola Clark
Lifetime Care and Support Commissioner of the ACT

14 October 2026

*Name amended under Legislation Act, s 60

Part 12: Transport Modification Motor Vehicle

This Part of the Lifetime Care and Support Guidelines is made under section 93 of the *Lifetime Care and Support (Catastrophic Injuries) Act 2014*.

Part 12 of the Lifetime Care and Support Guidelines (the LTCS Guidelines) applies to any assessment of treatment and care needs relating to transport modifications motor vehicle made on and from the date of commencement of the part in respect of any participant in the Lifetime Care and Support Scheme (the LTCS Scheme), whether interim or lifetime, and whether accepted into the LTCS Scheme before or after that date.

The LTCS Commissioner may waive observance of any part or parts of this Guideline. Waiving observance of all or part of this Guideline in any particular circumstances is not an indication that the LTCS Commissioner will waive observance of this part or any other parts of the Guidelines in other circumstances.

1 Reasonable and necessary transport modification to a motor vehicle

1.1 Minor modifications to a motor vehicle are changes that do not alter the structure of the vehicle or the safety of the vehicle and do not require certification by the licensing authority. They may be temporary or permanent changes. This may include a seat belt buckle cover, panoramic mirrors, fisheye mirrors, a spinner knob, and an indicator extension lever.

1.2 Major modifications to a motor vehicle are permanent modifications that alter the structure of the motor vehicle. Major modifications to a motor vehicle require certification by the licensing authority. This may include left foot accelerator, mechanical and electronic hand controls, wheelchair hoist systems, wheelchair restraining devices and wheelchair access ramps. Major modifications must be prescribed by an occupational therapist qualified in driver assessment (Occupational Therapist Driving Assessor or OTDA).

1.3 The LTCS Commissioner considers transport modification to be reasonable and necessary when:

a) the transport modification is required as a result of the motor accident injury or work injury which prevents a participant from safely driving or travelling as a passenger;

b) the participant's need for the transport modification is unlikely to change

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over a considerable period;

c) modifications are required to a participant's vehicle in order to get in and out, drive the vehicle, be transported safely in a wheelchair, or to transport a wheelchair;
d) a participant owns or has access to a motor vehicle, or is planning to purchase a suitable vehicle to be modified; and
e) the participant intends to be a driver of the vehicle to be modified, the participant will obtain or retain their driver license.

1.4 The LTCS Commissioner will not consider major modifications to more than one vehicle owned and/or used by the participant at the same time to be reasonable and necessary except in circumstances where a replacement vehicle is undergoing modification immediately prior to the disposal of a current vehicle.

1.5 The LTCS Commissioner considers reasonable and necessary transport modification do not include:

a) modifications to a motor vehicle which relate to or are required because of a need that existed prior to the motor accident injury or work injury;
b) modifications when the participant will only use the modified vehicle infrequently and/or for short periods of time and other means of transport (such as taxi transportation) are more cost effective or appropriate in the circumstances;
c) driver modifications for a participant who intends to drive but is not medically cleared and licensed to drive;
d) driver modifications for a participant who has been assessed as unsafe to drive;
e) transport infrastructure such as modification to a road or footpath where this is part of a universal service obligation or reasonable adjustment; and
f) services to compensate for the lack of a public transport system in the participant's local area.

1.6 The LTCS Commissioner considers the reasonable expenses in relation to the participant's assessed treatment and care needs in relation to transport modification will not include:

a) modifications that do not comply with the requirements of a registration body, current national medical standards or the applicable Australian Standards and design rules, where these apply;
b) the purchase of a vehicle;
c) any standard costs associated with motor vehicle ownership including

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licensing, registration, motor accident injuries insurance for the ACT or state equivalent and comprehensive insurance;

d) costs to convert the vehicle back to its standard configuration once major modifications have been installed;

e) repairs that form part of the supplier's or vehicle modifier's warranty, including vehicle modifier warranty or the vehicle's insurance policy;

f) loss, theft or damage to the motor vehicle or its modifications.

2 Method of assessment and criteria used to determine reasonable and necessary treatment and care needs for or in connection with transport modification

a) The LTCS Commissioner's assessment of a participant's treatment and care needs for or in connection with transport modification must:

b) be made in collaboration with the participant;

c) take into account the participant's individual needs, and social and physical environment;

d) consider whether the participants' needs for transport modification are stable or are likely to change; and

e) identify and recommend the most appropriate and cost-effective transport modification option.

2.2 Information required by the LTCS Commissioner to make an assessment includes:

a) information about the participant's transport needs and the frequency of access to the modified vehicle, especially in cases where funding is requested to modify a vehicle shared between family members;

b) information about the modification suitability and cost of a vehicle owned or used by the participant prior to the motor accident injury or work injury, including age, condition and ownership of the vehicle;

c) confirmation that the vehicle proposed to be modified is in good condition and will remain roadworthy and registrable;

d) consideration of the modification suitability and cost of a new vehicle (that has been purchased, or is yet to be purchased) following the motor accident injury or work injury, including age, condition and intended ownership of the vehicle;

e) documented agreement from the owner of the vehicle, if the vehicle is not owned by the participant, that they consent to installation of the

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modifications and agree to ongoing use by the participant;

f) evidence that the recommended modifications have been successfully trialed, wherever possible; and

g) the costs of modifications (over the expected life of the vehicle) compared with alternative transport options.

2.3 The LTCS Commissioner follows the below procedures making an assessment:

a) the vehicle modifications must be those recommended by an OTDA; and

b) two quotes for the recommended modifications unless otherwise agreed by the LTCS Commissioner.

2.4 If the participant is intending to be the driver of the modified vehicle the LTCS Commissioner follows the below procedures when making an assessment:

a) the participant must provide a medical certificate by a treating medical practitioner which provides evidence of medical clearance to return to driving; and

b) the participant must be assessed by an OTDA, certified by the appropriate licensing authority.

3 Electronic hand controls

3.1 The LTCS Commissioner follows the below procedures when making an assessment of treatment and care needs for electronic or electro-mechanical hand controls:

a) the supplier of the modification must provide a written quote for electronic or electro- mechanical hand controls;

b) a range of industry specialists, vehicle modifiers and converters should be consulted to provide a range of quotes and options for vehicle modifications. At least two quotes are required or an explanation must be given why only one quote is available; and

c) requests to fund electro-mechanical hand controls, such as space-drive technology, should be preceded by a trial of mechanical hand controls in a suitably modified vehicle or be accompanied by medical evidence establishing an inability to use hand controls. The LTCS Commissioner will consider the electro-mechanical hand controls to be reasonable and necessary only if the participant demonstrates an inability to use mechanical controls.

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4 Insurance, repairs and maintenance of modifications

4.1 The LTCS Commissioner will fund insurance of the modifications, being the difference in comprehensive insurance costs between an unmodified vehicle and a modified vehicle.

4.2 The LTCS Commissioner considers maintenance and repair of an installed modification is reasonable and necessary when it is:

a) required to maintain the functionality of the modification;

b) limited to normal wear and tear;

c) the maintenance or repair is not covered under warranty or covered by insurance; and

d) where the cost of the modification has been shared between the LTCS Fund and the participant or owner of the vehicle, the cost of the maintenance or repair is consistent with the LTCS Fund's contribution towards the modification.

4.3 The LTCS Commissioner considers the reasonable expenses in relation to the participant's assessed treatment and care needs in relation to transport modifications will not include:

a) maintenance and repairs that all vehicle owners are expected to undertake on a vehicle in order to keep them in safe working order;

b) day-to-day running costs such as oil, petrol, parking fees or tolls; and

c) maintenance or repairs that are for aesthetic reasons or to add value to a vehicle.

4.4 The LTCS Commissioner may replace rather than repair the modification installed in the vehicle when:

a) it is not cost effective to repair the modification;

b) the projected life expectancy of the modification has expired;

c) the occupational therapist or engineer recommends new equipment; or

d) the modification no longer meets the participant's needs.

5 Modifications to workplace vehicles

5.1 The LTCS Commissioner will only consider paying for minor modifications to more than one vehicle which the participant will own and/or use at the same time, where:

a) the participant reasonably requires modifications to enable them to return to work; and

b) modifications do not form part of the employer's obligations for reasonable adjustment. *For example, the LTCS Commissioner would*

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consider funding two steering wheel spinner knobs where a participant requires the use of a spinner knob in a private vehicle as well as their employer's vehicle.

6 Modifications to a subsequent vehicle

6.1 The LTCS Commissioner considers it reasonable to fund major modifications to a motor vehicle no more frequently than every eight years, unless there is a change in the participant's injury-related needs or circumstances which prevent access to the modified vehicle or unless there are some other circumstances making the funding of modifications reasonable and necessary.

6.2 If the owner of the modified vehicle wants to purchase a replacement vehicle, the LTCS Commissioner considers it reasonable to fund the transfer of the modifications (where this is not a standard feature in the subsequent vehicle) to the replacement vehicle wherever possible.

7 Driver rehabilitation services in connection with transport modifications

7.1 The LTCS Commissioner will fund the reasonable costs of driving rehabilitation designed by an OTDA, where the need is related to the motor accident injury or work injury and the specific goal is for the participant to learn to use the transport modifications. This driver rehabilitation will include lessons from a qualified driving instructor, in a suitably modified vehicle with dual controls.

7.2 A request for funding of driving lessons for modified vehicles will be considered by the LTCS Commissioner only if the participant has medical clearance that they are medically fit to drive or to attend an off- and on-road assessment of their driving performance.

7.3 The LTCS Commissioner will not consider it reasonable and necessary to pay for driver rehabilitation for any period of time when the participant's license is suspended or cancelled.

7.4 The LTCS Commissioner considers the reasonable expenses in relation to the participant's assessed treatment and care needs in relation to driver rehabilitation services may include:

a) fees to a medical examiner for a medical certificate to certify fitness to drive;
b) an off- and on-road assessment conducted by an OTDA;
c) lessons recommended by an OTDA which the LTCS Commissioner has

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deemed as reasonable and necessary to allow safe driving with the transport modifications which are to be made; and

d) minor modifications to a vehicle that the participant has access to or owns, to enable the participant to have driver practice hours.

7.5 The LTCS Commissioner considers the reasonable expenses in relation to the participant's assessed treatment and care needs in relation to driver rehabilitation services will not include:

a) cancellation fees for non-attendance at driving lessons as part of driving rehabilitation;

b) driving lessons if the participant is charged with a driving offence during their period of driving rehabilitation; and

c) initial lessons for a new learner driver where the need is not related to the motor accident injury or work injury and there are no modifications to the vehicle.

8 Agreements

8.1 The LTCS Commissioner may enter into an agreement with the participant that specifies conditions of use, maintenance, insurance and ownership of the vehicle. The agreement may concern one or more of the following:

a) subsequent ownership;

b) changes of ownership;

c) frequency of future modifications;

d) maintenance and repairs to the vehicle's adaptations or modifications;

e) ongoing costs related to the modification such as insurance; or

f) the requirement to repay the reasonable contribution amount to the LTCS Commissioner if the vehicle is sold.

Applicable provisions of the LTCS Act	
Part 12 - LTCS Guidelines	LTCS Act reference
Transport modifications (Modifications to a motor vehicle)	Sections 9, 23

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