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Transport Accident Act 1986

TRANSPORT ACCIDENT CHARGES ORDER (NO. 1) 2010

Order in Council

The Governor in Council under section 110(8) of the **Transport Accident Act 1986** on the recommendation of the Transport Accident Commission makes the following order:

1. Title

This Order is called the Transport Accident Charges Order (No. 1) 2010.

2. Commencement

This Order comes into operation on 1 July 2010.

3. Definitions

In this order –

'exempt general-use motorcycle' means a general-use motorcycle which –

(a) at the time when application is made for registration or renewal of registration, application is made by a person who has another general-use motorcycle registered under the **Road Safety Act 1986** that is classified under 3(a)(iii) or 3(a)(iv) of Schedule 1 to this Order, and

(b) is fitted with an engine with a capacity greater than 125 cc, and

(c) is the subject of an application for registration or renewal of registration by an individual;

'general-use motorcycle' means a motorcycle that is not classified, or to be classified, under 4(b), 4(c), 4(d), 5(b)(ii) or 5(d) of Schedule 1 to this Order;

'high risk zone' means the parts of the State in which addresses are allocated a postcode listed in Part A of Schedule 2 and, except if the Commission otherwise determines under 110(1A) of the Act, any place outside Victoria;

'low risk zone' means the parts of the State that are not located in the 'high risk zone' or the 'medium risk zone';

'medium risk zone' means the parts of the State in which addresses are allocated a postcode listed in Part B of Schedule 2 to this Order;

'nominated motor vehicle' means a motor vehicle in respect of which the applicant for registration or renewal of registration has nominated a period of six months as the registration period in accordance with regulation 219(5), or regulation 227(1A) of the Road Safety (Vehicles) Regulations 2009;

'nominated pensioner motor vehicle' means a 'pensioner motor vehicle' in respect of which the pensioner has nominated a period of six months as the registration period in accordance with regulation 219(5), or regulation 227(1A) of the Road Safety (Vehicles) Regulations 2009;

'pensioner motor vehicle' means a motor vehicle that –

(a) is registered or to be registered in the name of an eligible pensioner within the meaning of the **State Concessions Act 2004**; and

(b) is eligible to be registered under the **Road Safety Act 1986** in accordance with clause 4 or item 13, item 13A, item 13B or item 14 of the Table to Schedule 4 to the Road Safety (Vehicles) Regulations 2009; and

(c) is registered or about to be registered under the **Road Safety Act 1986**;

'prescribed period' means the period prescribed for the purposes of section 109 of the Act in relation to a motor vehicle of a certain class specified in regulation 5 of the Transport Accident (Administration of Charges) Regulations 2001;

'the Act' means the **Transport Accident Act 1986.**

4. Transport accident charge

(1) The amount of the transport accident charge applicable to a motor vehicle, other than a pensioner motor vehicle, for which the prescribed period is 12 months is the amount shown in Schedule 1 as applicable in respect of –

(a) motor vehicles of that class; and

(b) the high risk zone, medium risk zone or low risk zone, as the case may be, in which the motor vehicle is usually kept.

(2) If the prescribed period in relation to a motor vehicle, other than a nominated motor vehicle or a nominated pensioner motor vehicle, is less than 12 months, the transport accident charge applicable to the motor vehicle in respect of that period is the amount, calculated to the nearest whole dollar, determined in accordance with the formula –

$$\frac{(A \times B)}{365} + \$17$$

where –

A is the amount of the transport accident charge applicable under sub-paragraph (1); and

B is the number of days in the prescribed period.

(3) Despite sub-paragraph (2), if the prescribed period in relation to a motor vehicle, other than a nominated motor vehicle or a nominated pensioner motor vehicle, is less than 12 months, and is a whole number of months, the transport accident charge applicable to the motor vehicle in respect of that period is the amount, calculated to the nearest whole dollar, determined in accordance with the formula –

$$\frac{(A \times C)}{12} + \$17$$

where –

A is the amount of the transport accident charge applicable under sub-paragraph (1); and

C is the number of months in the prescribed period.

(4) If the prescribed period in relation to a motor vehicle is more than 12 months, the transport accident charge applicable to the motor vehicle in respect of that period is the amount, calculated to the nearest whole dollar, determined in accordance with the formula –

$$\frac{(A \times B)}{365}$$

where –

A is the amount of the transport accident charge applicable under sub-paragraph (1); and

B is the number of days in the prescribed period.

(5) Despite sub-paragraph (4), if the prescribed period in relation to a motor vehicle is more than 12 months and is a whole number of months, the transport accident charge applicable to the motor vehicle in respect of that period is the amount, calculated to the nearest whole dollar, determined in accordance with the formula –

$$\frac{(A \times C)}{12}$$

where –

A is the amount of the transport accident charge applicable under sub-paragraph (1); and

C is the number of months in the prescribed period.

(6) If the motor vehicle is a pensioner motor vehicle the transport accident charge applicable to the motor vehicle is one-half of the transport accident charge that would otherwise be payable.

(7) If the motor vehicle is a nominated pensioner motor vehicle the transport accident charge applicable to the motor vehicle is one-quarter of the amount shown in Schedule 1 as applicable in respect of –

(a) motor vehicles of that class; and

(b) the high risk zone, medium risk zone or low risk zone, as the case may be, in which the motor vehicle is usually kept,

rounded down to the nearest fifty cents.

(8) If the motor vehicle is a nominated motor vehicle, the transport accident charge applicable to the motor vehicle is one-half of the amount shown in Schedule 1 as applicable in respect of –

(a) motor vehicles of that class; and

(b) the high risk zone, medium risk zone or low risk zone, as the case may be, in which the motor vehicle is usually kept,

rounded down to the nearest fifty cents.

(9) In the case of a motor vehicle referred to in item 1(c) in Schedule 1, the motor vehicle is deemed to be usually kept in the zone in which it is licensed to operate or, if it is licensed to operate in more than one zone, the zone in respect of which the greater transport accident charge applies.

SCHEDULES

SCHEDULE 1

(Paragraph 4)

TRANSPORT ACCIDENT CHARGES

Item	Class	Amounts of Transport Accident Charge Payable		
		High risk zone $ (Inc GST)	**Medium risk zone $ (Inc GST)**	**Low risk zone $ (Inc GST)**
1.	**Passenger Vehicles**			
	a) Any motor vehicle with sedan, station wagon or related body-type (including 4WD passenger vehicle) not included in any other class; self-propelled caravan; ambulance; hearse; mourning coach; private hire car licensed under the **Transport Act 1983**	**397**	**355**	**308**
	b) Any motor vehicle with a bus or forward-control body-type constructed and primarily used for carrying passengers, but not for hire, fare or reward –			
	i) Seating fewer than 10 people (including the driver)	**397**	**354**	**292**
	ii) Seating more than 9 people (including the driver)	**561**	**354**	**292**
	c) Taxi – licensed under the **Transport Act 1983**	**2011**	**1505**	**1003**
	d) Bus – any motor vehicle, other than a taxi cab or private hire car, licensed for or primarily used for carrying passengers for hire, fare or reward –			
	i) seating fewer than 10 people (including the driver)	**1313**	**879**	**304**
	ii) seating more than 9 but fewer than 31 people (including the driver), the relevant zone charge for a bus under (i), plus for each additional seat over 9	**33**	**15**	**4**
	iii) seating 31 people or more	**2011**	**1204**	**398**

		High risk zone $ (Inc GST)	Medium risk zone $ (Inc GST)	Low risk zone $ (Inc GST)
2.	**Goods Vehicles**			
	Any motor vehicle designed, constructed or primarily used for carrying goods –			
	a) up to and including two tonnes carrying capacity (including utility)	**398**	**301**	**209**
	b) over two tonnes carrying capacity, but excluding motor vehicles classified under 2(c) or 2(d)	**580**	**506**	**435**
	c) prime mover type motor vehicle, but excluding motor vehicles classified under 2(d) and motor vehicles having a tare weight of 5 tonnes or less	**1608**	**1285**	**967**
	d) any motor vehicle owned by a primary producer that would otherwise be classified under 2(b) or 2(c) that is used solely in connection with the primary production operations of the owner	**176**	**147**	**119**
3.	**Motorcycles**			
	a) Any general-use motorcycle, other than an exempt general-use motorcycle with			
	i) engine capacity less than 61 cc	**67**	**67**	**67**
	ii) engine capacity greater than 60cc but less than 126cc	**263**	**230**	**200**
	iii) engine capacity greater than 125 cc but less than 501cc	**348**	**312**	**276**
	iv) engine capacity greater than 500cc	**475**	**423**	**370**
	b) Any exempt general-use motorcycle with			
	i) engine capacity greater than 125 cc but less than 501cc	**292**	**256**	**220**
	ii) engine capacity greater than 500cc	**419**	**367**	**314**
4.	**Miscellaneous motor vehicles**			
	a) Any motor vehicle not otherwise classified: including road making motor vehicle, mobile crane, tractor (except those classified under 4(b))	**300**	**238**	**76**
	b) Any tractor, self-propelled farm machine or motor cycle owned by a primary producer and used solely in connection with the primary production operations of the owner	**67**	**67**	**67**
	c) Any vintage, veteran, classic or historic motor vehicle or motorcycle	**67**	**67**	**67**
	d) Any recreation motor vehicle registered under the **Road Safety Act 1986**	**55**	**55**	**55**

		High risk zone $ (Inc GST)	Medium risk zone $ (Inc GST)	Low risk zone $ (Inc GST)
5.	**Special purpose motor vehicles**			
	a) Fire brigade –			
	i) Any motor vehicle owned by the Metropolitan Fire Brigades Board which is used to combat outbreaks of fire	**1003**	**1003**	**1003**
	ii) Any motor vehicle owned by the Country Fire Authority or any brigade or group of brigades registered with the Country Fire Authority which is used to combat outbreaks of fire	**159**	**159**	**159**
	b) Police			
	i) Any motor vehicle (excluding a motorcycle) registered in the name of the Victoria Police	**1407**	**1407**	**1407**
	ii) Any motorcycle registered in the name of the Victoria Police	**398**	**398**	**398**
	c) Motor trades			
	i) Motor vehicle used by a manufacturer of vehicles, a dealer in vehicles, a fleet owner or a licensed tester of vehicles as defined in the vehicles regulations with general identification mark (trade plate) attached	**260**	**196**	**128**
	ii) Tow truck licensed under the **Accident Towing Services Act 2007**	**740**	**555**	**372**
	d) Hire and drive yourself motor vehicle or motorcycle, but excluding a prime mover classified under item 2(c).	**630**	**528**	**455**

SCHEDULE 2

PART A

Postcodes in the high risk zone

3000	3026	3050	3073	3106	3136	3163	3184	3206
3001	3027	3051	3074	3107	3137	3164	3185	3207
3002	3028	3052	3075	3108	3138	3165	3186	3428
3003	3031	3053	3076	3109	3141	3166	3187	3800
3004	3032	3054	3078	3110	3142	3167	3188	3802
3005	3033	3055	3079	3111	3143	3168	3189	3803
3006	3034	3056	3081	3121	3144	3169	3190	3975
3008	3036	3057	3082	3122	3145	3170	3191	3976
3010	3037	3058	3083	3123	3146	3171	3192	
3011	3038	3059	3084	3124	3147	3172	3193	
3012	3039	3060	3085	3125	3148	3173	3194	
3013	3040	3061	3086	3126	3149	3174	3195	
3015	3041	3062	3087	3127	3150	3175	3196	
3016	3042	3064	3088	3128	3151	3176	3197	
3018	3043	3065	3093	3129	3152	3177	3198	
3019	3044	3066	3094	3130	3153	3178	3199	
3020	3045	3067	3101	3131	3154	3179	3200	
3021	3046	3068	3102	3132	3155	3180	3201	
3022	3047	3070	3103	3133	3156	3181	3202	
3023	3048	3071	3104	3134	3161	3182	3204	
3025	3049	3072	3105	3135	3162	3183	3205	

PART B

Postcodes in the medium risk zone

3024	3114	3215	3750	3766	3788	3808	3920	3938
3029	3115	3216	3751	3767	3789	3809	3926	3939
3030	3116	3217	3752	3770	3791	3810	3927	3940
3089	3139	3218	3754	3775	3792	3910	3928	3941
3090	3140	3219	3755	3777	3793	3911	3929	3942
3091	3158	3220	3757	3781	3795	3912	3930	3943
3095	3159	3335	3759	3782	3796	3913	3931	3944
3096	3160	3337	3760	3783	3804	3915	3933	3977
3097	3211	3338	3761	3785	3805	3916	3934	3978
3099	3212	3427	3763	3786	3806	3918	3936	3980
3113	3214	3429	3765	3787	3807	3919	3937	

Dated 18 May 2010

Responsible Minister

TIM HOLDING MP
Minister for Finance, WorkCover
and the Transport Accident Commission

TOBY HALLIGAN
Clerk of the Executive Council

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