



Victoria Government Gazette

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Road Safety Act 1986

DECLARATION OF VARIATION TO THE ROAD SAFETY (VEHICLES) REGULATIONS 2009 UNDER SECTION 96A OF THE ROAD SAFETY ACT 1986

I, Tim Pallas, Minister for Roads and Ports, being the Minister administering the **Road Safety Act 1986** (the Act), declare under section 96A of the Act that regulations 86, 97 and 114 of the Road Safety (Vehicles) Regulations 2009 (the Regulations) are varied in the manner set out in this Declaration.

The previous Declaration under section 96A of the Act, which was published in Victoria Government Gazette S126 on Tuesday 13 April 2010, is revoked.

For the purposes of this Declaration –

eligible vehicle means a vehicle recorded as a repairable write-off on the Victorian register of written-off vehicles, as a result of the hail-storm events which occurred in Victoria on 6 and 7 March 2010.

In respect of an eligible vehicle only, the definition of ‘**VIV certificate**’ in regulation 86 of the Regulations is varied to read as follows:

VIV certificate means a certificate issued in respect of a vehicle by an authorised person certifying that –

- (a) the vehicle is the original vehicle to which the relevant vehicle identifier was assigned; and
- (b) (i) the damage or condition, or the damaged part or component which caused the vehicle to be recorded on the register of written-off vehicles (other than cosmetic damage caused by the direct impact of hail-stones) has been repaired, restored or replaced; or
- (ii) the damage or condition which caused the vehicle to be recorded on the register of written-off vehicles consisted only of cosmetic damage caused by the direct impact of hail-stones.

In respect of an eligible vehicle only, regulation 97 of the Regulations is varied by inserting the following additional subregulation after subregulation 97(1) –

- (2) Despite subregulation (1), the Corporation may register a vehicle to which section 16F(3) or (4) of the Act applies on the condition that the operator of the vehicle gives the Corporation a VIV certificate for the relevant vehicle within 6 months after the date of registration.

In respect of an eligible vehicle only, regulation 114 of the Regulations is varied by including the following additional grounds for suspension of the registration of a vehicle –

- (s) the operator of the vehicle fails to provide a VIV certificate as required by subregulation 97(2); or
- (t) the operator of the vehicle obtained registration of the vehicle under subregulation 97(2) by providing evidence of a VIV inspection appointment, but cancelled or failed to attend that appointment.

These grounds may result in suspension of the registration of the vehicle in accordance with the procedure for suspension of the registration of a vehicle set out in regulation 115.

Note: Under regulation 117 of the Regulations, the registration of the vehicle may be cancelled if appropriate action is not taken to have the suspension lifted.

This Declaration operates from the date of its publication in the Government Gazette until 30 June 2011.

Dated 30 August 2010

TIM PALLAS
Minister for Roads and Ports

SPECIAL

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