



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, Terry Mulder, Minister for Roads, being the Minister administering the **Road Safety Act 1986** ('the Act'), declare under section 96A(1)(b) of the Act that regulations 86 and 97 of the Road Safety (Vehicles) Regulation 2009 ('the Regulations') are varied in the manner set out in this Declaration.

1. Commencement

This Notice comes into operation on the date on which it is published in the Victoria Government Gazette.

2. Revocation

The previous Declaration under section 96A of the Act, which was published in Victoria Government Gazette S 217 on 1 July 2011, is revoked.

3. Definitions

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 March 2010, 7 March 2010 or 25 December 2011; and

exempt vehicle means a vehicle recorded as a repairable write-off on the Victorian register of written-off vehicles, as a result of the vehicle having sustained cosmetic damage only, caused by the direct impact of hail-stones during the hail-storm events which occurred in Victoria on 6 March 2010, 7 March 2010 or 25 December 2011, as indicated by the relevant code or term for that type of damage approved by the Corporation under regulation 87(3)(c) of the Regulations.

4. Eligible vehicles

In respect of an eligible vehicle –

- (a) 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) the damage or condition, or the damaged part or component, which caused the vehicle to be recorded on the register of written-off vehicles has, in the case of damage other than cosmetic damage caused by the direct impact of hail-stones, been repaired, restored or replaced.'; and

- (b) regulation 97 of the Regulations is varied by inserting the following subregulation after regulation 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 certifying that the damage or condition, or the damaged part or component, which caused the vehicle to be recorded on the register of written-off vehicles has, in the case of damage other than cosmetic damage caused by the direct impact of hail-stones, been repaired, restored or replaced.'

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5. Exempt vehicles

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

- ‘(2) Despite subregulation (1), the Corporation may register a vehicle to which section 16F(3) or (4) of the Act applies if all the requirements for registration have been satisfied other than those specified in paragraphs (a) to (c) of subregulation (1).’.

6. Expiry

This Declaration expires on 31 December 2012.

Note: Except for the words ‘eligible vehicle’, ‘exempt vehicle’ and ‘VIV certificate’, words and phrases in this Notice have the same meaning as in the **Road Safety Act 1986** and regulations made under that Act.

Dated 14 January 2012

TERRY MULDER MP
Minister For Roads

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