



Victoria Government Gazette

No. S 85 Tuesday 12 March 2013
By Authority of Victorian Government Printer

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

1. Commencement

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

2. 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-storms which occurred in Victoria on 6 March 2010, 7 March 2010 and 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 as a result of the direct impact of hail-stones during the hail-storms which occurred in Victoria on 6 March 2010, 7 March 2010 and 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.

3. 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.'

SPECIAL

4. Exempt vehicles

In respect of an exempt vehicle –

- (a) 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 of registration have been satisfied other than those specified in paragraphs (a) to (c) of subregulation (1).’; and
- (b) regulation 119 of the Regulations is varied by inserting the following subregulation after regulation 119(1) –
 - ‘(1A) Despite subregulation (1), the Corporation is not required to cancel the registration of an exempt vehicle.’.

5. Expiry

This Declaration expires on 31 December 2014.

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

Dated 6 March 2013

TERRY MULDER MP
Minister for Roads

This page was left blank intentionally

bluestar * **PRINT**

The *Victoria Government Gazette* is published by Blue Star Print with the authority of the Government Printer for the State of Victoria

© State of Victoria 2013

This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act.

Address all enquiries to the Government Printer for the State of Victoria

Level 2, 1 Macarthur Street
Melbourne 3002
Victoria Australia

How To Order**Mail Order****Victoria Government Gazette**

Level 5, 460 Bourke Street
Melbourne 3000
PO Box 1957 Melbourne 3001
DX 106 Melbourne

**Telephone**

(03) 8523 4601

**Fax**

(03) 9600 0478

email

gazette@bluestargroup.com.au

**Retail & Mail Sales****Victoria Government Gazette**

Level 5, 460 Bourke Street
Melbourne 3000
PO Box 1957 Melbourne 3001

**Telephone**

(03) 8523 4601

**Fax**

(03) 9600 0478

**Retail Sales****Victorian Government Bookshop**

Level 20, 80 Collins Street
Melbourne 3000

**Telephone**

1300 366 356

**Fax**

(03) 9208 3316

Price Code A