



New South Wales

# Road Transport (Vehicle Registration) Amendment Regulation 2008

under the

Road Transport (Vehicle Registration) Act 1997

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Vehicle Registration) Act 1997*.

ERIC ROOZENDAAL, M.L.C.,  
Minister for Roads

## Explanatory note

The object of this Regulation is to amend the *Road Transport (Vehicle Registration) Regulation 2007*:

- (a) to provide that registrable vehicles that are first registered, or have their registration transferred, after the commencement of this Regulation may generally only have one registered operator, and
- (b) to provide that a light vehicle (other than a seasonal vehicle) may be registered for a period of 3 months, 6 months or one year, and
- (c) to provide that a registered operator of a registrable vehicle is required to pay the scheduled fee for an inspection carried out for the purposes of considering whether the defects described in a vehicle defect notice have been rectified, and
- (d) to provide that the Roads and Traffic Authority may suspend or cancel the registration of a vehicle that ceases to be the subject of a third-party insurance policy under the *Motor Accidents Compensation Act 1999*, and
- (e) to provide that the Roads and Traffic Authority may issue a replacement certificate of registration or registration label, or both, if satisfied that the expiry date included in a certificate of registration or registration label is different from the expiry date recorded in the Register, and
- (f) to make certain consequential and minor amendments.

This Regulation is made under the *Road Transport (Vehicle Registration) Act 1997*, including sections 15 and 15A and section 14 (the general regulation-making power).

## **2008 No 127**

Clause 1            Road Transport (Vehicle Registration) Amendment Regulation 2008

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# **Road Transport (Vehicle Registration) Amendment Regulation 2008**

under the

Road Transport (Vehicle Registration) Act 1997

### **1 Name of Regulation**

This Regulation is the *Road Transport (Vehicle Registration) Amendment Regulation 2008*.

### **2 Commencement**

This Regulation commences on 19 May 2008.

### **3 Amendment of Road Transport (Vehicle Registration) Regulation 2007**

The *Road Transport (Vehicle Registration) Regulation 2007* is amended as set out in Schedule 1.

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## Schedule 1 Amendments

(Clause 3)

### [1] Clause 7 Who may apply for registration?

Omit clause 7 (2)–(4). Insert instead:

- (2) For the purposes of section 23A (1) of the Act:
  - (a) in the case of a transitional registrable vehicle—the name of not more than 2 persons may be recorded in the Register as a registered operator of the vehicle, or
  - (b) in the case of any other registrable vehicle—the name of only one person may be recorded in the Register as the registered operator of the vehicle,  
either at the time the vehicle is first registered or subsequently.
- (3) For the purposes of subclause (2) (a), a **transitional registrable vehicle** is:
  - (a) any light vehicle in respect of which 2 persons were recorded as registered operators of the vehicle immediately before 19 May 2008, or
  - (b) any other light vehicle in respect of which an application for the registration of the vehicle was made (but not finally determined) immediately before 19 May 2008 where the application seeks to have 2 persons recorded as the registered operators of the vehicle.
- (4) A registrable vehicle ceases to be a transitional registrable vehicle for the purposes of subclause (2) (a) on the occurrence of any of the following:
  - (a) the transfer of the registration of the vehicle (whether by reason of the death of a registered operator or because of the disposal of the vehicle),
  - (b) the cancellation or surrender of the registration of the vehicle,
  - (c) the registration of the vehicle has expired and the period within which the registration may be renewed has also expired,
  - (d) an application for registration of a vehicle of the kind referred to in subclause (3) (b) is refused.

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### Road Transport (Vehicle Registration) Amendment Regulation 2008

#### Schedule 1 Amendments

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**[2] Clause 11 Duration of registration**

Omit clause 11 (1) (a) and (b). Insert instead:

- (a) if the applicant is seeking to register a registrable vehicle (other than a seasonal vehicle):
  - (i) 3 months, or
  - (ii) 6 months, or
  - (iii) one year,

**[3] Clause 14 Maintenance of the Register**

Omit clause 14 (1) (a). Insert instead:

- (a) if the vehicle is not a transitional vehicle (within the meaning of clause 7 (3))—the name, residential address and the address for the service of notices (if any) of the registered operator, and
- (a1) if the vehicle is a transitional registrable vehicle (within the meaning of clause 7 (3))—the name, residential address and the address for the service of notices (if any) of each of the registered operators.

**[4] Clause 14 (1) (d)**

Omit the paragraph.

**[5] Clause 16 Registration labels**

Omit clause 16 (2) (a) (vi). Insert instead:

- (vi) if the vehicle is conditionally registered—a code indicating that the vehicle is conditionally registered, and

**[6] Clause 16 (2), Note**

Omit the note. Insert instead:

**Note.** In relation to subclause (2) (a) (vi), a registered operator will receive full written explanation of the conditions applying to the vehicle when the registration label is issued.

In relation to subclause (2) (a) (ix), a list of codes is available from the Authority.

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**[7] Clause 16A**

Insert after clause 16:

**16A Replacement of registration documents**

- (1) The Authority may, at any time, issue a replacement certificate of registration or registration label, or both, for a registered vehicle if the Authority is satisfied that the expiry date of the vehicle's registration recorded on the Register is different to the expiry date included in the certificate of registration or registration label.

**Note.** Clauses 15 (3) and 16 (6) provide for the replacement of a certificate of registration or registration label, respectively, that has been lost, stolen, damaged or destroyed on the payment of the applicable gazetted fee.

- (2) If the Authority issues a new certificate of registration or registration label under this clause, the registered operator of the vehicle must:
- (a) destroy the certificate of registration or registration label, or both, that is or are being replaced, or
  - (b) if required to do so by written notice from the Authority, return the certificate of registration or registration label, or both, to the Authority (or an agent nominated by the Authority) before the date specified in the notice for that purpose.

Maximum penalty: 20 penalty units.

- (3) Despite subclause (2), a registered operator is not required to return to the Authority a certificate of registration or registration label that has been destroyed before the notice was issued under subclause (2) (b).

**[8] Clause 41 Suspension or cancellation of registration by Authority**

Insert after clause 41 (1) (c):

- (c1) the vehicle ceases to be an insured motor vehicle within the meaning of the *Motor Accidents Compensation Act 1999*, or

**Note.** Section 14 of the *Motor Accidents Compensation Act 1999* requires the RTA to comply with a request by a licenced insurer to suspend or cancel the registration of a motor vehicle in certain circumstances.

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Schedule 1 Amendments

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**[9] Clause 71 Recording, clearance and withdrawal of vehicle defect notices**

Insert after clause 71 (2):

- (2A) The Authority may require a registered operator of a registrable vehicle that is inspected pursuant to this clause to pay the applicable scheduled fee for the inspection.

**[10] Clause 78 Refunds of fees**

Omit “365” from the formula in clause 78 (2).

Insert instead “period of registration”.

**[11] Clause 78 (2)**

Insert after the definition of *number of days*:

*period of registration* is the total number of whole days in the period for which the vehicle is registered.

**[12] Schedule 3 Fees**

Omit paragraph (n) from Part 1. Insert instead:

- (n) Any vehicle not referred to elsewhere in the list:
- |       |   |      |
|-------|---|------|
| (i)   | for more than 6 months                            | \$51 |
| (ii)  | for more than 3 months but not more than 6 months | \$25 |
| (iii) | for 3 months or less                              | \$12 |

**[13] Schedule 3**

Omit “**clause 56 or 57**” from the headings to Parts 5 and 6, wherever occurring.

Insert instead “**clause 56, 57 or 71**”.

BY AUTHORITY

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