



Road Transport (Vehicle Registration) Amendment (Registration Labels) Regulation 2012

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*.

DUNCAN GAY, MLC
Minister for Roads and Ports

Explanatory note

The object of this Regulation is to abolish the requirement that registration labels be issued and affixed to light motor vehicles and trailers (being vehicles or trailers that have a gross vehicle mass of up to 4.5 tonnes). Heavy vehicles and conditionally registered vehicles will still be required to have registration labels affixed in accordance with the *Road Transport (Vehicle Registration) Regulation 2007*.

The Regulation also makes a consequential amendment to permit the use of an unregistered vehicle on a road or road related area in certain circumstances where the person driving the vehicle did not know, and could not reasonably have known, that the vehicle was unregistered. Specific provision is made in relation to those working in a motor industry business.

This Regulation is made under the *Road Transport (Vehicle Registration) Act 1997*, including sections 14 (the general regulation-making power), 15 and 18.

2012 No 570

Clause 1 Road Transport (Vehicle Registration) Amendment (Registration Labels)
Regulation 2012

**Road Transport (Vehicle Registration) Amendment
(Registration Labels) Regulation 2012**

under the

Road Transport (Vehicle Registration) Act 1997

1 Name of Regulation

This Regulation is the *Road Transport (Vehicle Registration) Amendment (Registration Labels) Regulation 2012*.

2 Commencement

- (1) Except as provided by subclause (2), this Regulation commences on 1 January 2013 and is required to be published on the NSW legislation website.
- (2) Schedule 1 [8] commences on the day on which this Regulation is published on the NSW legislation website.

Schedule 1 Amendment of Road Transport (Vehicle Registration) Regulation 2007

[1] Clause 16 Registration labels for certain registrable vehicles

Omit clause 16 (1). Insert instead:

- (1) If the Authority registers a heavy vehicle, or conditionally registers any registrable vehicle, it must issue a registration label.

[2] Clause 16A Replacement of registration documents

Omit clause 16A (1). Insert instead:

- (1) The Authority may, at any time, issue a replacement certificate of registration 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.

Note. Clause 15 (3) provides for the replacement of a certificate of registration that has been lost, stolen, damaged or destroyed on the payment of the applicable fee.

- (1A) The Authority may, at any time, issue a replacement registration label for a registered vehicle that the Authority is required to issue a registration label in respect of 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 registration label.

Note. Clause 16 (6) provides for the replacement of a registration label that has been lost, stolen, damaged or destroyed on the payment of the applicable fee.

[3] Clause 42 Procedures for suspension and cancellation of registration

Omit "the registration label" from clause 42 (5) (a).

Insert instead "any registration label".

[4] Part 4, heading

Insert "**and permitted**" after "**Authorised**".

2012 No 570

Road Transport (Vehicle Registration) Amendment (Registration Labels)
Regulation 2012

Schedule 1 Amendment of Road Transport (Vehicle Registration) Regulation 2007

[5] Part 4, Division 3

Insert after Division 2:

Division 3 Persons unaware of registration status

50A Vehicles being driven in the course of motor industry business

- (1) For the purposes of section 18 (2) (b) of the Act, the use of an unregistered registrable vehicle on a road or on a road related area is permitted if the person using the vehicle:
 - (a) was not the responsible person for the vehicle at the relevant time, and
 - (b) was a motor industry business employee or owner using the vehicle in the course of motor vehicle dealing or the repair, inspection, maintenance, cosmetic enhancement or testing of the vehicle at the relevant time.
- (2) Subclause (1) does not apply if it is established that the person using the vehicle knew, or ought reasonably to have known, that the vehicle was unregistered at the relevant time.

50B Vehicles being driven by persons unaware of registration status

For the purposes of section 18 (2) (b) of the Act, the use of an unregistered registrable vehicle on a road or on a road related area is permitted if the person using the vehicle:

- (a) was not the responsible person for the vehicle at the relevant time, and
- (b) can establish that he or she did not know, and could not reasonably have known, that the vehicle was unregistered at the relevant time.

[6] Clause 85 Number-plate and registration certificate and label offences

Omit “the registration label” from clause 85 (1) (b).

Insert instead “any registration label (that is required to be affixed to the vehicle)”.

[7] Clause 85 (1) (c)

Insert “(unless the vehicle is no longer required to have a registration label affixed)” after “expired”.

[8] Clause 95

Insert after clause 94:

95 Transitional provision—registration labels

- (1) This clause applies in relation to a registrable vehicle that, as a result of the *Road Transport (Vehicle Registration) Amendment (Registration Labels) Regulation 2012*, will (from 1 January 2013) no longer be subject to the registration label requirements in clause 16.
- (2) A person who is issued with a registration label at any time after the commencement of this clause in respect of a registrable vehicle to which this clause applies is not required to affix the registration label to the vehicle and, accordingly, is not guilty of an offence under clause 85 in relation to a failure to affix or display the registration label during the period between the commencement of this clause and 1 January 2013.