

Appendix 1

Road Transport (General) Amendment (Written-off vehicles) Act 2007

Key provisions:

1. incorporate the nationally agreed definitions of “repairable write off”, “statutory write off”, “total loss”, and “written off vehicle”
2. clearly define vehicles that are subject to written-off vehicle notifications
3. remove the definition of “wrecked” (vehicle) and replaced it with the definition “statutory write off”
4. ensure that any vehicles assessed as statutory write-offs in NSW and other jurisdictions are denied re-registration in NSW by providing powers to the RTA to refuse to register, renew or transfer the registration of a statutory written-off vehicle listed on the register, or a vehicle on an interstate register that has the same vehicle identifier as a statutory written-off vehicle
5. amend the definition of “late model motor vehicle” to include a nationally agreed principle that notifiable vehicles must be Australian Design Rules compliant (the definition includes vehicles that are unregistered)
6. include the requirement that “self-insurers” who are responsible for 5 or more late model motor vehicles (which are not insured for loss or damage) report written-off motor vehicles to the register; self-insurer is also a nationally agreed provision and is designed to acquire written off vehicle information from fleet owners
7. allow Austroads (which maintains NEVDIS) access to information on the NSW written-off vehicles register
8. provide the flexibility for the RTA to correct notifier errors or omissions on the register, for example where the notifier has provided incorrect information and requests for reversals of statutory write-off notifications if certain conditions are met
9. enable the RTA to decline to enter information in the register
10. exclude the Crown and the RTA from certain liability in relation to the keeping of the register, as the RTA makes no determination on written-off information provided by notifiers
11. require notifiers to attach written-off vehicle warning labels to statutory written-off vehicles to warn prospective buyers that the vehicle cannot be registered and is suitable only for spare parts and dismantling; and
12. approve other incidental or consequential amendments to road transport legislation as may be necessary.