

TN301*

Road Traffic Act 1974

Road Traffic (Written-Off Vehicle Register) Amendment Regulations 2012

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic (Written-Off Vehicle Register) Amendment Regulations 2012*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Road Traffic (Written-Off Vehicle Register) Regulations 2003*.

4. Regulation 4 amended

Delete regulation 4 and insert:

4. Total loss — meaning

A vehicle is a total loss if an assessor determines that the extent of the damage is such that —

$A \leq B$

where —

A is —

- (a) if the vehicle was insured at the time of the event that caused the damage - the value for which the vehicle was insured at the time of that event; or
- (b) if the vehicle was not insured at the time of the event that caused the damage - the market value of the vehicle at the time of that event;

B is the cost of repairing the vehicle for use on a road so that it complies with the Vehicle Standards plus the cost of salvage.

5. Regulation 5 amended

Delete regulation 5 and insert:

5. Written-off vehicles

For the purposes of these regulations, a motor vehicle is written-off if it has been damaged by collision, fire, flood, accident, trespass, dismantling, demolition or other event and has been assessed as a total loss by an assessor.

6. Regulation 7 amended

Delete regulation 7(1), (2) and (3) and insert:

- (1) A vehicle is a statutory write-off if —
 - (a) the vehicle is a total loss; and
 - (b) an assessor has determined that the vehicle is suitable only for dismantling and processing as scrap.
- (2) An assessor who, in accordance with these regulations, is determining whether a vehicle is a statutory write-off must —
 - (a) conduct tests on the vehicle which enable the condition of the vehicle to be assessed in accordance with the Technical Guide; and
 - (b) assess the results of those tests in accordance with the Technical Guide.
- (3) In subsection (2) —

Technical Guide means the “New Damage Assessment Criteria for the Classification of Statutory Write-offs” approved by Austroads Ltd ABN 16 245 787 323 and published in July 2011.

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.
