

TASMANIA

**VEHICLE AND TRAFFIC AMENDMENT
(WRITTEN-OFF VEHICLES) BILL 2013**

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**VEHICLE AND TRAFFIC AMENDMENT
(WRITTEN-OFF VEHICLES) BILL 2013**

*(Brought in by the Minister for Infrastructure, the Honourable
David James O'Byrne)*

A BILL FOR

An Act to amend the *Vehicle and Traffic Act 1999*

Be it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

1. Short title

This Act may be cited as the *Vehicle and Traffic Amendment (Written-off Vehicles) Act 2013*.

2. Commencement

This Act commences on the day on which this Act receives the Royal Assent.

3. Principal Act

In this Act, the *Vehicle and Traffic Act 1999** is referred to as the Principal Act.

*No. 70 of 1999

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4. Section 3A amended (Repairable and statutory write-offs)

Section 3A of the Principal Act is amended as follows:

- (a) by omitting the definition of *statutory write-off* from subsection (1) and substituting the following definitions:

statutory write-off means a vehicle that –

- (a) has been assessed by a prescribed person in Tasmania, another State or a Territory as a total loss; and
- (b) has been assessed by a prescribed person in Tasmania, another State or a Territory as only suitable for dismantling and processing as scrap; and
- (c) has been assessed and classified, or deemed, to be a statutory write-off in accordance with the Technical Guide by a prescribed person in Tasmania, another State or a Territory;

Technical Guide means the *Damage Assessment Criteria for the Classification of Statutory Write-Offs* approved by Austroads Ltd (ABN 16 245 787 323) on 25 May 2011, as amended or substituted from time to time.

- (b) by omitting from subsection (2) “or a statutory write-off”;
- (c) by inserting the following subsection after subsection (2):
 - (3) For the avoidance of doubt, it is declared that if a damaged vehicle has been assessed as a repairable write-off before the commencement of the *Vehicle and Traffic Amendment (Written-off Vehicles) Act 2013* –
 - (a) that assessment continues to have effect after that commencement; and
 - (b) that vehicle, as so damaged, may not be reassessed as a statutory write-off after that commencement.

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5. Repeal of Act

This Act is repealed on the three hundred and sixty fifth day from the day on which it commences.