

TASMANIA

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

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

This Public Bill originated in the House of Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

P. R. ALCOCK, *Clerk of the House*
9 April 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.

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3. Principal Act

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

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

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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.