



NEW GUIDELINES REGISTRATION LABELS

Background Information

The NSW Government recently amended the Road Transport Regulations to remove the requirement for light vehicle (less than 4.5t) to display a registration label.

This has created a lot of discussion about what happens when an unregistered vehicle is driven by a workshop technician during the course of service and repairs.

The Motor Traders Association NSW lobbied on this very subject to the Minister for Roads when the issue of the removal of registration labels was being considered.

The Minister for Roads (the Hon Duncan Gay) responded positively to the MTA NSW concerns and a specific section to deal with this scenario was inserted into the regulations.

Legislation

ROAD TRANSPORT (VEHICLE REGISTRATION) REGULATION 2007 - REG 50A

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.

What this means for automotive professionals

As detailed in subclause 2, this is not an open avenue to drive unregistered vehicles on the road, that are being repaired or at a dealership. **This regulation applies where an employee does not reasonably know the vehicle is unregistered.**

What the regulation does is offer a degree of protection to automotive professionals driving other people's vehicles in the course of motor vehicle dealing or the repair, inspection, maintenance, cosmetic enhancement or testing of the vehicle.

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What the legislation covers

The main elements are—the driver does not own nor is the registered operator of the vehicle; the driver is driving the vehicle during the course of dealing or repair; the driver does not know and could not reasonably have known the vehicle was unregistered.

What the legislation does not cover

A driver is not covered by this Regulation unless the vehicle is being operated in the course of motor vehicle dealing or the repair, inspection, maintenance, cosmetic enhancement or testing of the vehicle

As an example—driving a customer's car to pick up lunch would not fall into this category.

Benefit of the New Legislation

Historically, registration labels could be misleading as to the registered status of a vehicle. This commonly occurred when a person paid 6 months registration and used a 12 month registration label. This new regulation creates a protection for the motor industry that previously did not exist.

Checking vehicle registration

RMS website provides a free registration check function where anyone can confirm if a vehicle is registered - www.myrta.com.

Verifying vehicle registration is particularly important when dealerships are valuing vehicles.

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