



# The Association of Motoring Clubs Inc.



## NEWSLETTER

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Extract containing VCPS FAQs - p12-14

**Patron**

**The Right Honourable Malcolm Fraser, A.C., C.H.**

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## Frequently Asked Questions on the Victorian Logbook Club Permit Scheme Updated 5.5.2011

The following questions and answers have been prepared by the AOMC Executive from issues and questions raised in general forum with Victoria Police and VicRoads over a long period..

The Title of " Victorian Logbook Club Permit Scheme" refers to a series of changes introduced by VicRoads to take effect on 1 February 2011. The regulations: Road Safety (Vehicles) Amendment (Club Permit) Regulations 2010 under which the Scheme operates, may be downloaded here in text form. Refer also to the instructions provided with your logbook.

The Victorian Logbook Club Permit Scheme is administered by VicRoads under the VicRoads Business Rules. Victoria Police ensures compliance with the scheme.

Some issues of the Scheme may not be specifically addressed in the Regulations and VicRoads Business Rules and so may be open to the subjective interpretation and consequently fall within a "grey area".

As a consequence, where the interpretation is unclear, the AOMC recommends that the permit holder take a conservative position !!

Given the significant benefits and modest fees, users of the scheme must consider it a privilege rather than a right. Abuse of the scheme could result in far reaching implications to the individual, their club and the Permit Scheme in general, such as:

- Fines for driving an unregistered vehicle, or
- Loss of your individual Club Permit, or
- Loss of your club's authority to operate the Club Permit Scheme, or
- Cancellation of the Club Permit Scheme for all enthusiasts.

The introduction of the logbook scheme also places conditions on Clubs and individual club members to ensure the intent of the scheme. To this end, Authorised Clubs have been required to enter into an agreement with VicRoads. In general, the Logbook Club Permit Scheme applies to vehicles 25 years and older with a rolling 25 year year cutoff.

In summary, the Logbook CPS requires that :

- The holder is a financial member of a club,
- The vehicle is safe and roadworthy,
- The vehicle is not used for commercial purposes
- A logbook entry is made if the vehicle moves more than 100 metres from the vehicle's garage address.

Note a "day" in a logbook entry is from 12 midnight to 12 midnight.

Q1. May I use my Club Permit Vehicle for a family wedding?

A. Yes, the logbook requires an entry. Note that a CPS vehicle cannot be used for hire or reward hence a regular business in wedding transport is not permitted.

Q2. Can I tow a trailer with a Club Permit Vehicle?

A.1 Passenger car or derivative (see also Q.33):

Yes, subject to normal rules for the registration and towing of trailers eg. weight, coupling, lighting, speed limits etc. If a towed trailer obscures the number plate of the towing vehicle there is a requirement that the registration number of the towing vehicle is displayed by painting or otherwise on the rear of the towed vehicle. Trailers owners are also able to order a "Trailer Exempt" plate from VicRoads. (Revised 1.2.11)

A2. Commercial vehicle (truck) , see Q3 below:

Q3. Can a (semi) trailer be placed on the CPS?

A. Yes. A heavy trailer (semi trailer, dog trailer etc) can be listed as a CPS vehicle in its own right providing it meets the 25 year rule and roadworthy requirements. (Revised 1.2.11)

Q4. Can a learner driver operate a Club Permit Vehicle?

A. Yes, subject to the normal rules for learner drivers.

Q5. Why have I not received a renewal notice for my Club Permit vehicle?

A. It is permit holder's responsibility to ensure a permit is renewed. The Club Permit Scheme is stored on a separate computer system to the general VicRoads data files and hence if you should change your address for a fully registered vehicle, or a Driver's Licence, then a separate advice is still required for a Club Permit vehicle.

Q6. Can a modified vehicle be used under the Club Permit scheme?

A. Yes, provided the vehicle is in a safe condition. In some cases an Engineer's Certificate might be required. Note that the CPS must not be considered a method of driving an unsafe or unroadworthy vehicle.

Q7. Under what conditions may I test my Club Permit Vehicle?

A. It is the owner/driver's responsibility to maintain the vehicle in a safe condition. A logbook entry is required for any testing or "exercising" of the vehicle, where the vehicle is operated more than 100 m from the listed garaged address. (Revised 1.2.11)

Q8. May my mechanic (repair garage) test drive my vehicle?

A. Yes. A logbook entry by the driver will be required for any testing of the vehicle.

Q9. May I drive my Club Permit Vehicle interstate.

A. Yes. But note that at this stage Western Australia may still require a separate WA permit for travel in that state ? (The new Logbook CPS is yet to be clarified)

Q10. Our club has a display day at a Swap Meet. May I carry a load of spare parts in my Club Permit Vehicle to sell at the Swap Meet?

A. No. Club Permit Vehicles must not be used for carrying goods for hire or for personal or business gain.

Q11. My CH number plate has been damaged. How can I replace it?

A. Duplicate number plates can be ordered either by contacting VicRoads Telephone Information Service on 131171 or by presenting the damaged plate, and evidence of

identity at a VicRoads' Customer Service Centre. A fee will apply for the replacement plate(s). (Revised 1.2.11)

Q12. Can I have two garage addresses listed for my CH plated vehicle?

A. Legislation and VicRoads rules stipulate only one address however you may have the vehicle garage address different from your residential address (and for service of notices).

Q13. I want to put my bike rack on my CH vehicle, can I get another small bike plate for the rack?

A. Bike rack number plates are available for club permit vehicles.

Q14. Can a Club get a list of owners of CH vehicles in their club from VicRoads?

A. A statement has recently been added to club permit applications and renewals, authorising VicRoads to provide information to the clubs about vehicles linked to their clubs through the club permit scheme. (However, VicRoads will not be in a position to provide that information to the clubs until all permit holders have signed the authorisation over the next 12 months.) (Revised 1.2.11)

Q15. What are the limits to modifications permitted to CH vehicles?

A. Vehicle Standards Information publication (VSI 8), available from the VicRoads book shop, provides guidance. Heavily modified vehicles may need an Engineer's Certificate.

Q16. Can I sell my vehicle with CH plate and can the CH plate be transferred to the new owner?

A. Yes provided the new owner is a member of the same club and the plates will be re-issued for the same vehicle. The vehicle will need to be re-permitted to the new owner by submitting a new application, safety inspection or Certificate of Roadworthiness and the appropriate fees. (Revised 1.2.11)

Q17. Does the driver of the CH plated vehicle need to be the permit holder?

A. No.

Q18. Can L plate or P plate drivers operate a RHD CH plated vehicle?

A. Yes, but note that the vehicle insurers may impose restrictions on drivers of vehicles less than 30 years old.

Q19. Can L plate or P plate drivers operate a LHD CH plated vehicle?

A. No. Only a fully licenced driver may drive a LHD CH Plated vehicle. (All LHD vehicles may only be driven by only a fully licenced driver). (Revised 1.2.11)

Q20. I belong to two clubs authorised to operate the Club Permit Scheme. My CH plated vehicle is recorded by one club. Can I have another 90 day Logbook issued through my other club?

A. No, only one Logbook per vehicle! A member of more than one club may have various vehicles listed with certain clubs but dual listing of a vehicle is not permitted.

Q21. Our club is authorised to operate the Club Permit Scheme. We have original vehicles over 25 years old on the scheme. We also have members with replicas of these vehicles that were made only 5 years ago. Can these replicas

operate under the CPS?

A. Yes, provided the replica is of a vehicle originally manufactured at least 25 years ago.

Q22. Can I park my CH plated vehicle in the street on any day when it is not used?

A. Yes, but this would require an entry in the logbook. You may temporarily "shuffle" CPS vehicles in and out of your property up to a distance of 100m without need for a Logbook entry. Note that if you were to leave your vehicle parked in the street more than 100m from its garaged address for a number of days then this would require a logbook entry for each day! (Revised 1.2.11)

Q23. I purchased my vehicle unregistered and in pieces. What paperwork is needed to put my vehicle on the Club Permit Scheme?

A. Firstly, refer to the Club Permit Scheme handbook for the general requirements of the CPS.

You must have:

- the CPS Application Form completed and endorsed by the duly authorised officer of your club confirming that you are a current member.

- personal ID and evidence and that you own the vehicle.

- a current Roadworthiness Certificate or Club Statement of Safety.

You should also have:

- proof that the vehicle was previously registered or club permitted in Victoria eg. registration certificate or CP. If the vehicle has not been registered or permitted in Australia, and the vehicle was imported after 1989, then Import Approval and Customs Import documents identifying the vehicle need to be produced.

If you cannot supply the previous registration details but are certain that the vehicle was registered in Australia then it is recommended you provide a formal Statutory Declaration attesting to the information (including registration, engine and chassis numbers where possible). The results of an Engine Number search of the AOMC Engine Number Records for Victoria might be useful.

Generally, as with other VicRoads permits, there should be no need to present the vehicle for inspection at the time of applying for the Club Permit but in the event of dispute you should be able to have the vehicle available for either a VicRoads or VASS inspection. (Revised 1.2.11)

Q24. I have a bus on the CPS. May I use it to carry passengers?

A. Commercial vehicles (including trucks & buses) are not permitted to carry goods for hire or reward. It is permissible to carry club member vehicles to events free of charge. Note that if a bus (including a CPS vehicle) carries 12 or more passengers plus driver it comes under Bus Regulations which require annual inspections by authorised inspectors. The owner of the vehicle may also have insurance responsibilities as part of "The Duty of Care"

It should also be noted that some heavy vehicles are subject to heavy vehicle fatigue laws, regardless of whether they are carrying a load or passengers for hire or reward. The operator of a heavy vehicle that is defined as "fatigue regulated heavy vehicle" is required to complete a "work diary" as well as the club permit log book when the vehicle is in use.

A heavy vehicle is a fatigue regulated heavy vehicle if it is any of the following—

- (a) a motor vehicle with a GVM of more than 12 tonnes; or
- (b) a combination with a GVM of more than 12 tonnes; or
- (c) a bus.

(2) However, a heavy vehicle is not a fatigue regulated heavy vehicle if it is any of the following—

- (a) a tram; or
- (b) a motor vehicle that—
  - (i) is built, or has been modified, primarily to operate as a machine or implement off-road, on a road-related area, or on an area of road that is under construction; and
  - (ii) is not capable of carrying goods or passengers by road; or
- (c) a motor home.. (Revised 1.2.11)

Q25. I attend various car shows and displays on behalf of my employer. My vehicle is on the CPS and is displayed with advertising at the Trade Stall of my employer.

A. The “no commercial use” requirement refers to carrying loads or passengers for commercial gain. VicRoads policy does not prohibit vehicles being painted and operated, or used as static advertisement, to promote a business. (Revised 1.2.11)

Q26. I have purchased an unregistered 26 year old LHD vehicle from overseas. What paperwork is needed to put my vehicle on the Club Permit Scheme?

A. See answer 23 above. Also, if there is no evidence of the vehicle previously being registered in Australia, then you may be required to supply an Engineer's Report attesting that it meets the relevant Australian standards. The vehicle may need to be presented for inspection at VicRoads.

Q27. Our club has signed an agreement with VicRoads to operate under the scheme. It requires that the club advise VicRoads of unfinancial members. Does this mean all unfinancial members or only those with CPS vehicles?

A. Only those unfinancial members with CPS vehicles managed by your club.

Q28. Under our present Club constitution unfinancial members do not cease to be members until after 3 months from the end of the club's financial year. When must we advise VicRoads?

A. In the above mentioned example at the end of the financial year plus 3 months. However as some clubs may have differing rules in relation to membership, VicRoads needs to be notified when the club concerned considers the permit holder to no longer be a club member. (Revised 1.2.11)

Q29. I used to operate a transport business. I have since retired and the company has been wound up. I have retained some of my early trucks which are still signwritten with my company name. Can I keep the signage on the vehicles if they are on the CPS?

A. Yes, see answer 25 above. (Revised 1.2.11)

Q30. Are annual roadworthiness inspections of CPS vehicles required?

A. No, VicRoads do not require annual roadworthy inspections. Clubs may carry out annual inspections as a condition of membership.

Q31. Who is to be responsible in our club for managing our club permit vehicles?

A. In the first instance, your club Committee is responsible. It is recommended that the committee appoint a "Registrar" or "Permit Officer" who shall be authorised to sign off new club permit applications and renewals confirming the applicant is a financial member of the club. He shall also keep records of those vehicles on the CPS in the club that can be audited, if so requested by VicRoads. The signature(s) of those club official(s) authorised to sign off on a club permit must be registered with VicRoads.

Q32. Why must our Club Permit Officer sight the Roadworthy Certificate (RWC) or club Attestation of Safety for a new application for a club permit?

A. This is intended to preclude the possibility of an applicant submitting a false Attestation of Safety to VicRoads (where a vehicle might not otherwise pass a RWC).

Q33. Must my trailer be fully registered when towed by a CPS vehicle?

A. Reference to a VicRoads leaflet (12-91) on trailers states:

The Road Safety Act requires most trailers to be registered to be allowed on public roads. Exceptions to this are: small trailers which are not boat trailers and are not used for commercial purposes, and which weigh less than 200 kg unloaded, are less than 3.0 m overall length (including any load) and are narrower than the towing vehicle. All trailers must have a number plate on the back. Trailers not registered with their own plate must use the number of the towing vehicle. (New 2.2.11)

Q34. Only a single number plate is normally issued for Veteran and Vintage vehicles. Where should it be placed?

A. The location of a single CPS plate is not defined by VicRoads but the AOMC recommends that it be attached to the rear of the vehicle. This is consistent with the use of a Trade Plate.

Q35. I plan to purchase a vehicle (which is on full registration at present) and put it onto the CPS. Can I transfer the ownership from the previous owner direct to the CPS and avoid paying Stamp Duty?

A. Yes. You can transfer direct to CPS without incurring Stamp Duty (CPS vehicles are not required to pay Stamp Duty) providing the vehicle meets the CPS requirements (age, new owner is a member of a Vicroads Authorised Club) and a Roadworthy Certificate, sighted by the Club registrar, (or Club approval letter) is submitted with the application.

Q36. How should the logbook be filled in when I drive the CPS vehicle in the morning to an event and my wife drives it home later?

A. Fit the two signatures into the one space in the logbook.