

(From the February 2011 *Your ABCCC News*)

A LETTER FROM THE AOMC – Victorian Club Permit Scheme

Editor's Note: Here follows a copy of a letter sent to clubs by the AOMC. It provides a vast amount of pertinent information about the introduction of the new 90-day Logbook Scheme that is the result of a very lengthy review by VicRoads. You can be assured that the AOMC will be publishing a new handbook that will cover the Victorian Club Permit Scheme (VCPS) in its new format. There is quite an amount that both our club, and those members who operate vehicles on the VCPS need to be aware of. We will endeavour to keep you fully informed via Your ABCCC News. The letter was scanned and then optically character read (OCR), so there could be some errors. To save space the AOMC heading has been removed.

11th November 2010

Dear AOMC-Affiliate Club,

REFERENCE: VICTORIAN CLUB PERMIT SCHEME

The implementation phase of the new, logbook-based, Club Permit Scheme (CPS) is progressing and VicRoads are working toward commencement of the scheme in February 2011.

In reviewing the existing scheme, VicRoads announced that clubs would be subject to a more formal process of accountability for the proper operation of their role. This was to include a clear definition of their obligations and the ability of VicRoads to apply penalties for breaches.

This will be put into effect by means of an agreement between VicRoads and each authorised club, somewhat like a contract. To facilitate an easy implementation of the scheme, this contract will be affected by the signing of a Letter of Agreement between VicRoads and each VCPS club.

The Letter of Agreement is presently being sent out to all CPS clubs and specifies those things which clubs must undertake to do. They include undertakings to ensure vehicles being put on CPS plates are eligible and that VicRoads be notified when a club becomes aware that a permit holder is not using a vehicle in accordance with the scheme's provisions. Other circumstances requiring clubs to notify VicRoads include when:

- A permit holder ceases to be a financial member
- A permit holder sells a vehicle without destroying the logbook and removing the plates
- The club has advised a permit holder that a CPS vehicle requires attention to remain safe for use on the road and the permit holder fails within a reasonable time to correct that situation.

These requirements are predicated on the club becoming aware of such situations. It is not expected that clubs should be snooping around to catch members out, or maintaining some kind of internal policy system. The key is whether the club could be reasonably expected to be aware of such situations in the course of club activities.

A regime of regular, comprehensive vehicle inspections is not envisaged, for example. Rather, it is anticipated that clubs simply be aware that action is required when a vehicle is observed, in the normal course of club activity (or when so advised by a member), to require rectification of some fault which renders it not likely to pass the tests required for it to be put on the scheme. The key is that the club could reasonably be expected to be aware of the situation.

By the same token, it may be necessary for clubs to institute some procedures to ensure that their obligations can be met. This may include rules to require permit holders to notify when vehicles are sold or new procedures to ensure membership cessation includes notice to VicRoads. Care to ensure that permit applications/renewals are only issued to financial members will also be necessary.

The obligations on clubs to maintain records of all VCPS vehicles is already part of the existing scheme and the requirement for cross-checking against VicRoads data when

requested is a way to ensure that no permit holders are on the scheme by fraudulently claiming membership of the club.

After signing the Letter of Agreement your club may need to review those areas which will require changes to internal processes and policies so that such changes are in place early in 2011.

You should bear in mind that any penalties applied by VicRoads are subject, in the new VCPS Regulations, to a defined dispute resolution process. This means that a club has the opportunity to present a case for not having sanctions unreasonably imposed where it can demonstrate that it has acted in good faith and taken all reasonable steps to fulfil its obligations.

You will note that VicRoads have requested the letter be signed and returned by late December, this is to ensure the introduction of the new scheme in February. If you have not received the letter from VicRoads within the next week or so we suggest you contact them to ensure that their record of your club's address is up to date.

VicRoads have also advised that the method of conversion to the new scheme is intended to give all present permit holders equal access to the new scheme. This means that 90-day logbooks will be issued to all permit holders for immediate use for the remaining period of their current permit. A new logbook will then be issued (for 90 or 45 days, as requested) at renewal for the next 12-month period. This is a significantly fair and generous policy decision on the part of VicRoads and the Minister. We would urge all clubs to ensure that their members are aware that to abuse it by seeking to use vehicles outside the scope of hobby/recreational use, which is the spirit of the CPS, risks damaging the image of the CPS and clubs in the eyes of the authorities. Common sense and restraint are the best way to respond.

Should you have any queries about these latest developments you may contact AOMC or attend the next Delegate's meeting on 22nd November, where they will be discussed.

Yours faithfully,

Signed: Rod Amos
Vice President, Association of Motoring Clubs.