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## QHMC Bulletin – August 2016

### Clarification of Western Australia Registration Requirements

In the past, Western Australia did not allow vehicles operating under other State and Territory historic vehicle schemes to be used there unless the vehicle was registered. We understand the reason for this is that some jurisdiction's schemes are a permit to operate an unregistered vehicle rather than a registration scheme, which wasn't acceptable under Western Australian legislation. The Victorian CPS was an often quoted example. We understand that Queensland's SIVS was never an issue as it is a registration scheme in its own right.

This issue was resolved by a change to Western Australian legislation in the past few years to recognise the permit schemes of other jurisdictions. i.e. the change allows *'the use of a vehicle while its use on a road is authorised under the law of another jurisdiction'*.

However the belief that interstate vehicles need to be fully registered to operate in Western Australia still appears to persist amongst some in the movement.

Recently a national one-make club was advised that vehicles from other States and Territories attending an event in Western Australia would need to be fully registered. The same advice was recently put in print by another body.

To provide clarity on this subject we approached the Western Australian Department of Transport. Its response is reproduced below.

Note the mention of, and the differentiation between, a *responsible person* and a *person* and how this affects vehicle usage. i.e. in Western Australia, a Western Australian resident may drive a vehicle registered or authorised for use on the road by another State or Territory, however it is an offence for them to own and operate a vehicle registered in, or authorised for use by another jurisdiction.

**From:** DVS Policy [<mailto:DVSPolicy@transport.wa.gov.au>]  
**Sent:** Wednesday, 27 July 2016 12:31 PM  
**To:**  
**Cc:** concessions  
**Subject:** RE: Interstate concessional licenses in WA [#708971]

Thanks for your enquiry.

I can't advise on specific permits granted in other jurisdictions, however, I can advise that section 4(5) of the *Road Traffic (Vehicles) Act 2012* provides that someone does not commit the offence of driving an unlicensed vehicle if the use of the vehicle on a road is authorised by the law of another jurisdiction and the responsible person for the vehicle is not ordinarily a resident of WA. Generally this means that a vehicle licensed in another jurisdiction or driven on a permit issued in another jurisdiction is allowed to drive on gazetted roads in WA as long

as the (responsible) person isn't a resident of WA and they're adhering to any conditions on the vehicle licence/permit.

Please see the relevant subsections pasted below.

*Road Traffic (Vehicles) Act 2012*

**4. Vehicle licences**

(2) A responsible person for a vehicle and each person who uses the vehicle on a road commits an offence if, at the time the vehicle is used on the road —

(a) a vehicle licence is required for the vehicle; and

(b) a licence has not been granted in respect of the vehicle or a licence has been granted in respect of the vehicle but is not current.

Penalty: a fine of 10 PU, and in addition, the court is to order the accused to pay a further penalty equal to the charges payable under this Act for the grant of a vehicle licence for the vehicle concerned for a period of 6 months.

(5) A person does not commit an offence under subsection (2) arising out of the use of a vehicle while its use on a road is authorised under the law of another jurisdiction unless a responsible person for the vehicle is ordinarily resident within this State.

Hope this assists you.

Regards,

Melissa

**DVS Licensing Policy**

**Driver and Vehicle Services | Department of Transport**

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**Clear Direction • Fresh Thinking • Excellent Service • Great People**

Regards

A handwritten signature in black ink, appearing to read "Christine Stevens".

Christine Stevens

PRESIDENT

Queensland Historic Motoring Council (Inc.)

RM 31-8-16