

Legal Requirements of a Vehicle Examiner



Legal Requirements Handbook

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BACKGROUND

This handbook has been produced by the Department of Infrastructure, Energy and Resources (DIER) to assist Vehicle Examiners (VE) in understanding their legal responsibility as a Vehicle Examiner.

This instruction must be read by all Vehicle Examiners before attempting the Knowledge Quiz; it can also be used as a reference during the “Quiz”.

A copy of this document can be accessed or printed off the AIS Manuals Disk.

If you do not have a current version of the AIS Manuals Disk, please contact the AIS Compliance Unit on PH 6233 5403.

LEGAL REQUIREMENTS OF A TYPE 1 VEHICLE EXAMINER

Each Vehicle Examiner once approved by the AIS Compliance Unit is given their **own** Instrument of Authority by the Registrar of Motor Vehicles.

- Your Instrument of Authority is issued in **your name** for conducting inspections at a specified AIS.
- Your authority sets out what inspections the Registrar of Motor Vehicles has authorised **you** to conduct on his behalf.

They are:

- Pre-registration Inspections.
- Defect Notice Clearances.
 - Certifying that defects identified by Police or Transport Inspectors have been corrected.
- General Inspection Reports.

PRE-REGISTRATION INSPECTION REPORTS

When signing the document you are declaring that;

- I...(full name)...inspected the above vehicle on (date)...and to the best of my knowledge found it to comply with the requirements of the *Vehicle and Traffic Act (1999)* and *Regulations* and to be acceptable for registration.

DEFECT CLEARANCE

When signing the document you are declaring that;

- I have inspected the vehicle identified in this notice and certify that the defects listed have been corrected.

GENERAL INSPECTION REPORT

When signing the document you are declaring that;

- I...(full name)...inspected the above vehicle on (date)...and to the best of my knowledge found it to comply with the requirements of the *Vehicle and Traffic Act (1999)* and *Regulations* and to be acceptable for registration.

HOW DO YOU KNOW THE VEHICLE COMPLIES?

Because everything that is required to make that decision is contained in either the;

- Light Vehicle Inspection Manual;
- Light vehicle Approved Inspection Station Manual

LIGHT VEHICLE INSPECTION MANUAL

The purpose of this manual is to provide information on the minimum roadworthiness and safety standards for vehicles used on Tasmanian roads. These requirements are listed in a “Reasons for Rejection” format which contain;

- All “Reasons for Rejection” have a direct link back to the *Vehicle and Traffic Act (1999)* and Associated *Regulations*.

LIGHT VEHICLE APPROVED INSPECTION STATION MANUAL

The purpose of this manual is to provide both the administrative and legal requirements for a Vehicle Examiner to conduct inspections on behalf of the Registrar of Motor Vehicles.

WHAT IMPACT DOES THIS ON MY INSPECTION?

When **you** inspect a vehicle you need to be satisfied to the “best of **your** knowledge” that the vehicle does not have any components that are “Reasons for Rejection” in the Light Vehicle Inspection Manual and it meets the requirements of the Light Vehicle Approved Inspection Station Manual.

WHY MUST YOU BE SATISFIED?

Because the Registrar of Motor Vehicles has a **duty** to ensure that all vehicles at the time of registration comply with the relevant vehicle standards and are eligible for registration.

Any defects detected are corrected and certified as such.

WHAT IF YOU GET IT WRONG?

Then a potentially **unsafe** motor vehicle will be legally be able to be used on the roads.

If it is determined that you have not exercised your authority in good faith, your Vehicle Examiner status will be either;

- Suspended;
- OR
- Cancelled.

If the vehicle is involved in a crash resulting in damage to a person and /or property, **you** may be held liable for a civil claim for compensation if the crash was caused or contributed to, by a vehicle defect that ought to have been detected at the time of inspection.

WHAT IF I GET IT DELIBERATELY WRONG?

If it can be shown that **you** have fraudulently used **your** authority, the matter will be investigated and handed over to the Police for Criminal Prosecution.

QUESTIONS?

If you have any further questions regarding your legal requirements as a Vehicle Examiner please call the AIS Compliance Unit on Ph 6233 5403.