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c/o <https://engage.vic.gov.au/road-safety-vehicles>

## Road Safety (Vehicles) Regulations 2021 Regulatory Impact Statement

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Victorian Motorcycle Council Submission  
July 2021

## About this submission:

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The Victorian Motorcycle Council welcomes the opportunity to present a submission to the Road Safety (Vehicles) Regulations 2021 Regulatory Impact Statement review via the <https://engage.vic.gov.au/road-safety-vehicles> submission portal.

The Victorian Motorcycle Council was created to represent the interests of all motorcyclists, motorcycling organisations and relevant stakeholders in Victoria. The Victorian Motorcycle Council is represented on the Australian Motorcycle Council, the peak motorcycle body in Australia.

This submission takes into account the extensive knowledge and thinking of a diverse group of experienced, representative and interested motorcyclists, and captures views and rationales expressed and should be considered as representative of the riding community.

The information included in this submission is for all intents and purposes, factual, correct, accurate and relevant. The VMC and/or its associates, are available to expand on any of the points contained within this submission, or available to consult further on related matters not covered in this submission.

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## ***Introduction***

This is a narrowly focussed submission by design, based on the riding community's response and commentary on a number of pertinent proposed changes. The response format will be based on the pertinent topics with the topic order not reflecting priority or importance.

In this submission, the term *vehicles* can be considered to apply generally to all types of regulatory recognised/defined road going vehicles, whereas the term motorcycle or motorcycles is specifically targeting all vehicle types that meet the definition of a powered two or three wheeler, i.e., mopeds, scooters, motor bikes etc.

### ***Topic - Written Off Vehicle Register:***

Whilst the discussion in the RIS did mention motorcycles in relation to this topic, the discussion was car-centric and the concern is that the relevant and perhaps unique concerns of riders may fail to be properly considered.

In principle, there was no objection to a vehicle of any age being listed as "written off" if the damaged vehicle is considered or assessed as uneconomic to repair. Usually this is a commercial economic decision, but it misses a significant point about enthusiast ownership of motorcycles and other enthusiast vehicles. On that basis, the riding community and the VMC clearly does not support an economic write off being banned from possible purchase and re-registration.

If a potential owner has the skills, knowledge and means to return a repairable write off to a roadworthy and registerable condition, this option must remain. Such activity is already a common occurrence in motorcycling circles when the damage is cosmetic in nature, or when the mechanical damage is to components that are replaceable or indeed repairable.

***The VMC does not support economic write offs being banned from re-registration.***

### ***Topic - Certificate of Roadworthiness:***

Riders were of the view "If it's not broken, don't fix it" in regards to the RWC system. That said, they were open to the idea of some specific flexibilities being introduced, but were adamant against mandatory annual or periodic RWC's.

The requiring of an RWC with the on-selling and transfer of a motorcycle, as per the status quo, is considered reasonable and practical. That said, there was some sense noted in potentially exempting the need for an additional RWC for some scenarios:

- for new, near new or second hand vehicles –with an RWC - that have languished on the shop floor prior to their sale, or
- if vehicles were less than a certain age or had experienced less than certain mileage since new when being on-sold second hand, or
- if vehicles were still in the manufacturer's warranty period and were regularly serviced, when being on-sold (privately or commercially) second hand.

There was very little to no support for a time scheduled / periodic RWC inspection of an in-service vehicle, such as an annual roadworthy. Time and time again, public media messages from the road safety agencies have confirmed that annual RWC's are a great community impost for little to no return.

***Riders endorse the current RWC system. They do not endorse the imposition of any kind of periodic routine roadworthy certificate requirement.***

### ***Topic - Club Permit Scheme(CPS) and Replicas:***

Riders expressed some concern about the CPS vehicle age limit being raised from 25 years to 30 years. There was a strongly held view that it smacked of a revenue grab and was punishing those of integrity for the sins of the few. The rationale proposed for the increase was considered very weak. Greater enforcement and/or scrutiny of CPS providers, particularly low membership or low CPS registration clubs, would help return confidence to the scheme. If Victoria proceeds to adopting a 30yr vehicle age requirement, a phase in of such a requirement may be more palatable.

With respect to logbooks, genuine enthusiast CPS vehicle owners had no major concerns with electronic logbooks or more stringent logbook requirements however there were concerns expressed over "technology" given that the CPS demographic tends towards older age groups for whom technology could be problematic.

With respect to replicas, a modern day, ADR complying factory produced "replica" of a classic motorcycle, i.e., a modern bike that "looks" like a classic bike, was not seen as meeting the intent of the CPS. However, the construction of and reproduction of an era appropriate production vehicle, made from parts that are either period appropriate, period specific, modern reproduction or some combination of same, was seen as a vehicle that should be included in the CPS.

***Riders do not support an increase in the vehicle age for the CPS.  
The accurate reproduction of a CPS complying era specific production vehicle  
was seen as a vehicle befitting the CPS.***

### ***Topic - Motor Trikes:***

There was support for the removal of the regulatory inconsistencies around motor trikes, on the understanding that a trike is a three wheeled motorcycle that a rider sits astride and is steered with handlebars. Motor trikes should be treated consistently within the regulations as another motorcycle sub segment and their registration should reflect this. Further, available motor trike models need to be reviewed to confirm which are suitable for the LAMS bike system.

The LAMS point arises from anecdotal reports of confusion regarding injured or older licensed riders that are still within their LAMS restriction period, with a desire to ride a stable three wheeled motorcycle. They can legally own such a vehicle, but are currently not legally allowed to ride them.

Care should be taken to provide clear separation between the growing number of small footprint three wheel motor vehicles, some even with open cockpit design, to avoid confusing them as motor trikes.



Above Figures: These are **not** Motor Trikes

***The VMC supports Trikes being wholly considered as a sub-segment of the motorcycle vehicle class with proper motorcycle registration including LAMS.***

### ***Topic - Light Trailers:***

Light weight, short length and/or narrow trailers, are one of the most common ways that motorcycles are transported to and from workshops, over long distances and to specific events. It is commonly understood that such trailers don't need to be registered but still need to display some form of identification, if not a specific trailer registration, then the towing vehicle's identification. This approach for privately owned trailers is well understood and believed to be working effectively. It also avoids the need for an additional impost in fees or inspection for little to no road safety return. The return is further reduced when one considers the significantly small amount of time that such trailers actually spend on the roads.

For the above reasons, riders don't support a change to the light trailer registration requirements. Further, the argument that trailers can obscure the towing vehicle's



identification was considered not relevant given that not only is the trailer required to carry the vehicle's identification, but that in almost all cases, the trailered motorcycle's registration plate is clearly visible for all enforcement intents and purposes. In addition, there's little to no anecdotal evidence that riders are entrusting their motorcycles to shoddy unsafe trailers, leading to road safety concerns or incidents, thus further reducing

any benefit from imposing separate registration obligations.

Light and bike transport trailers that can be commercially hired, should continue to carry their own registration.

***Riders do not support the proposal to register light trailers.***

### ***Additional Topic - LAMS and ebike TAC premiums:***

The LAMS (Learner Approved Motorcycle Scheme) bike scheme, contains a list of motorcycles which meet certain requirements, including a limited power to weight ratio, making them arguably safer bikes for learner and novice riders to gain riding experience. Interestingly, the TAC premium fee for motorcycles does not have a LAMS / non-LAMS break. The fee schedule is based on engine size. This is inconsistent with the LAMS scheme. It is strongly recommended that this be rectified.

As an adjunct to such work, electric powered motorcycles are likely to become an increasing part of the fleet. It is unclear how their registration and TAC premium fees are determined. Some work or greater clarity is needed in this area also.

***Closing Comments:***

Whilst the restoration, historic, classic and veteran enthusiast sector of motorcycling is not large, it is a significant portion of Victoria's motorcycling demographic and maintains important motorcycling heritage for all Victorians. Some of the proposed changes, or a combination of the proposed changes, could deal a significant threat to these pursuits if not carefully selected and/or implemented.

While it makes sense that the run of discussion in the RIS is centred on cars, trucks and other motor vehicles, powered two/three wheelers, i.e., motorcycles, are a legitimate, fast growing and bonafide mode of transport that must not be overlooked. The potential or unintentional impact on this road user group from any and all proposed changes to the regulations must be taken into account. This submission tries to do this. The VMC stands ready to provide additional input on these matters should that be required.

