

# KNOWN USER NOMINATION STATEMENT OR REQUEST FOR COURT HEARING

274 Gower Street, Preston  
PO Box 91, Preston, Vic 3072  
T 8470 8888 F 8470 8877  
E mailbox@darebin.vic.gov.au  
darebin.vic.gov.au



the place  
to live

## YOUR DETAILS - TO BE COMPLETED BY THE VEHICLE OWNER OR NOMINATED DRIVER

Infringement Number	Registration Number (if applicable)	
First Name	Last Name	
Corporation name and ABN (if applicable)		
Address of person / Corporation		
Suburb	State	Postcode

## NOMINATION STATEMENT

I was not driving or in possession or control of the vehicle at the time of the offence because (select option):

<input type="checkbox"/> Someone else was the driver in possession or control of the vehicle at the time of the offence.	<input type="checkbox"/> I sold this vehicle to someone else or permanently disposed of the vehicle on this date: <input type="text"/>	<input type="checkbox"/> I believe the vehicle or number plates displayed on the vehicle were stolen. <small>Note: You must attach Police Report.</small>	<input type="checkbox"/> I do not know and cannot identify the person in possession of the vehicle at the time of the offence. <small>Note: This statement cannot be selected where the offence involves a taxi-cab.</small>	<input type="checkbox"/> I was incorrectly nominated as the responsible person in relation to the vehicle and I reject the nomination.
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## DETAILS OF PERSON DRIVING OR IN POSSESSION OF THE VEHICLE AT THE TIME OF THE OFFENCE (IF KNOWN).

First Name	Last Name	
Corporation name and ABN (if applicable)		
Address of person / Corporation		
Suburb	State	Postcode
Drivers Licence/Permit Number	State/Country of issue	Date of birth

Note: This statement will be rejected if you do not provide a drivers licence number or date of birth for a nominated individual or an ACN for a nominated corporation. If the vehicle is a taxi-cab, you must provide the driver's accreditation number.

## DETAILS OF REASONABLE AND DILIGENT ENQUIRIES (IF USER UNKNOWN) OR REASONS FOR REJECTION OF NOMINATION

Please provide us what reasonable and diligent enquires you have made to try to identify the person in possession or control of the vehicle at the time of the offence, or why you are rejecting the nomination.

Note: If you need additional writing space please attach a signed extra page.

## CONFIRMATION OF DETAILS

The information provided in this statement is true and correct. I understand that I may be served with a summons to give evidence in relation to this nomination.

Signature	Date
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## REQUEST A COURT HEARING - COMPLETE THIS SECTION TO HAVE THE INFRINGEMENT REVIEWED BY THE MAGISTRATES COURT

I decline to have this matter dealt with under these enforcement provisions and want to have the matter heard and determined by a Court. I understand I may receive a summons for this offence and that additional penalties may be imposed.

First Name	Last Name	
Corporation name and ABN (if applicable)		
Address of person / Corporation		
Suburb	State	Postcode
Your Drivers Licence Number	Date of birth	
Signature	Date	

## YOUR NOMINATION STATEMENT

Please complete all sections of this application and return to the City of Darebin.

You may return the application to a Customer Service Centre listed below:

- 23 Edwardes Street, Reservoir
- 274 Gower Street, Preston
- 32-38 Separation Street, Northcote

E [mailbox@darebin.vic.gov.au](mailto:mailbox@darebin.vic.gov.au)

## NOMINATION STATEMENTS AND THE INFRINGEMENT PROCESS

In accordance with section 84BC of the Road Safety Act 1986 ('the Act') all traffic offences are 'operator onus' offences. This means that the registered owner of the vehicle is deemed responsible for any offences associated with that vehicle unless that person nominates the person who was driving or in possession of the vehicle at the time of the offence.

For a nomination to be valid, the Act specifies that certain prescribed details need to be provided. Please ensure that all relevant fields are completed on the front side of this statement.

### UNKNOWN USER STATEMENTS

Failure to keep a record of who was in possession or control of the vehicle involved in the offence is not an adequate reason unless you can provide exceptional circumstances. If the offence involves a taxi-cab you cannot nominate another person if you are recorded as the driver in the operator's records, and you cannot claim you are not aware of, or cannot identify the driver.

### FALSE OR MISLEADING INFORMATION

Under section 84BI of the Act a person must not knowingly provide false or misleading information. Knowingly providing false or misleading information in relation to a nomination statement may attract a fine of 60 penalty units for an individual or 120 penalty units for a body corporate. Additionally, in the case of an individual, your driver's license may be cancelled under section 84BIA of the Act.

### APPLY TO MAGISTRATES COURT

At any time during the infringement process you can elect to have the matter heard at the Magistrates Court by an independent arbitrator. Please be aware that in doing so Darebin will incur costs which will be sought should your matter be unsuccessful. For more information on electing to go to Court please see the reverse side of your Infringement Notice or visit our website at [www.darebin.vic.gov.au/fines](http://www.darebin.vic.gov.au/fines)

## ACTIONING AN INFRINGEMENT

### INFRINGEMENT NOTICE

On receipt of an Infringement Notice you must do one of the following:

- pay the amount owing
- lodge an application for internal review
- lodge a request for an extension of time to pay
- lodge a nomination statement, nominating the person in control of the vehicle at the time of the offence
- Request a Court hearing

If the infringement is not actioned before the due date on the infringement a Penalty Reminder Notice will be issued with additional costs added.

### PENALTY REMINDER NOTICE

When no action has been taken before the due date of an infringement a Penalty Reminder Notice will be issued with additional costs added.

On receipt of an Penalty Reminder Notice you must do one of the following:

- pay the amount owing
- lodge an application for internal review
- lodge a request for an extension of time to pay
- lodge a nomination statement, nominating the person in control of the vehicle at the time of the offence
- Request a Court hearing

If you fail to action a Penalty Reminder Notice before the due date your infringement will be referred to the Court with additional costs added. You will no longer have the above options available and will be required to deal directly with the Court.

### ENFORCEMENT ORDER

If you have received a letter from Civic Compliance then the infringement has progressed to the Court.

Once a matter has been lodged with the Court, the City of Darebin can no longer accept any correspondence relating to your infringement. For additional information visit [www.fines.vic.gov.au](http://www.fines.vic.gov.au) or phone the Court on 9200 8222.

## PRIVACY

The collection and handling of personal information is in accordance with Council's Privacy Policy which is displayed on Council's website and available for inspection at, or collection from, Council's Customer Service Centres.



National Relay Service  
TTY dial 133 677 or Speak & Listen  
1300 555 727 or to [relayservice.gov.au](http://relayservice.gov.au)  
then enter 03 8470 8888



Speak Your Language  
8470 8470