

INFRINGEMENT NOTICES FOR VEHICLE OFFENCES

State Penalties Enforcement Act 1999

www.logan.qld.gov.au

Offences involving vehicles

Council officers may serve an infringement notice for an offence involving a vehicle:

- on the owner of the vehicle
- on the person named in a known user declaration as the person who was in charge of the vehicle at the relevant time
- on the person named in a sold vehicle declaration as the person to whom the vehicle had been sold or otherwise disposed of before the relevant time.

Liability for an infringement notice

When an infringement notice is served on the owner of a vehicle for an offence involving a vehicle, the owner is deemed to be the offender even though the offence may have been committed by someone else.

However, the owner will not be taken to have committed the offence if, within 28 days from the date the notice was issued, the owner makes and gives Logan City Council a known user declaration, a sold vehicle declaration, an illegal user declaration or an unknown user declaration for the vehicle for the offence.

The declaration must be in the form of a statutory declaration and made by:

- the owner, if the owner is an individual; or
- an executive officer of the corporation or the responsible operator, if the owner is a corporation. A declaration by an executive officer of a corporation must be under the common seal of the corporation.

Please note that the owner and the actual offender can not both be punished for the offence.

What do I do?

If you have been issued with an infringement notice for an offence relating to a vehicle and you were not the driver or person in charge of the vehicle at the time, you may submit a statutory declaration to Council within 28 days from the date the notice was issued.

Statutory declaration

For a known user declaration, a sold vehicle declaration or an illegal user declaration, complete the statutory declaration template on the rear of this fact sheet and return it to Council within 28 days from the date the notice was issued.

Submit your statutory declaration to

Logan City Council
PO Box 3226
Logan City DC QLD 4114

For more information

Phone **3412 5318**
Visit www.logan.qld.gov.au
Email council@logan.qld.gov.au
or write to Council at the above address.

Statutory Declaration

Oaths Act 1867

I,
Full name or in the case of a corporation the full name of the authorised person completing the declaration is required

of
Number Street Suburb Postcode

On behalf of |
(Full name of corporation that owned the vehicle if applicable) (Authorised person's position in Corporation if applicable)

do solemnly and sincerely declare that at the time of the offence stated in infringement notice
infringement notice number and involving vehicle with registration number
vehicle registration number;

Please tick one of the following

I was the owner of the vehicle; **or** I was not the owner of the vehicle;

I further declare that at the time of the offence I was not the driver or person in charge of the vehicle.

Please tick one of the following and supply full details

The driver was: The vehicle had been sold or otherwise disposed of by me to:

.....
Family Name (or Corporation Name) First name Middle name s)

.....
Number Street Suburb Postcode

...../...../.....
Date of Birth (if known) Licence No. (if known) State of Issue (if known)

.....
Date vehicle sold or disposed of (if applicable)

The vehicle was stolen or illegally used at the time of the offence and the matter was reported to:

..... at Police Station on
Police Officer's name Date

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1867*.

.....
Signature of declarant

Taken and declared at in the State of on the day of20.....

.....
A Justice of the Peace /
Commissioner for Declarations

Note: Driver means the person driving or in charge of a vehicle.

Important: This Statutory Declaration should be returned to Logan City Council, PO Box 3226, Logan City DC, Qld, 4114, within 28 days from the date the infringement notice was issued.