

It's a Question of Numbers !

A cautionary tale for ALL classic vehicle owners

Recently there has been a lot of chatter with some of it very heated around the identification of classic vehicles, especially Vincent motorcycles. At a recent bike auction in the USA the provenance of some bikes was called into question specifically in regard to engine numbers that were claimed by some to be other than original. The immediate result of this was that some bikes that were presented did not sell and others sold way below the pre-auction price estimates.



Just imagine the negative market value impact if the engine/frame numbers on this lot were called into question

What led to this situation? Bureaucratic rigidity and red tape in the enforcement of very clear laws in Australia and New Zealand relating to the requirements to clearly identify an vehicle being presented to the authorities in order to have it registered so it can then be legally driven/ridden on public roads. Within Australia each of the 8 states and territories have their own set of 'almost' uniform regulations; New Zealand has common requirements across its country.

Surrogate Numbers: Here is the guts of the problem: If you present ANY vehicle made before the introduction of the international standard VIN (vehicle Identification Number) system for registration the laws in Australia and New Zealand demand that the engine and frame/chassis numbers MUST be clear and readable. If either or both are not then the government authorities will, as required by law, issue a new identification number (often referred to by them as a 'surrogate' number) and that new number MUST be permanently stamped onto the engine and in some cases, the frame as well. The original numbers, now said by the authorities to be illegible, may be required to be removed or obliterated. Just think what this could do to the market value of your prized 'matching' numbers bike!

The Sting in the Tail: Under Australian and also New Zealand law it is a criminal offence to tamper in any way with the engine or chassis/frame numbers –its considered re-birthing and in Australia comes with a maximum penalty of 14 (yep you read correctly – fourteen) years imprisonment and a lifelong criminal record! [Click for more info on rebirthing](#).

So do you allow your pristine and in all other respects restored matching numbered bike to be defaced and devalued by the authorities or do you risk a possible criminal conviction by 'restoring' hard to read engine and or frame numbers?

What's the 'Official' Situation?

OVR put the following question to each of the relevant authority in Australia and New Zealand.

“There is a basis of concern, especially in relation to significant classic vehicles, that ANY disfigurement of any existing engine or chassis numbers, no matter the state of those original numbers or the addition of any new numbers – sometimes I believe referred to as ‘surrogate’ numbers - would have a significant and negative impact on the value the market would place on the so affected vehicle. As a consequence I have decided to put together an article that I hope will dispel any myths and present my readers with the real facts around what they can expect from your department if and when they present a vehicle for registration inspection and the engine and or frame numbers are considered by your inspection staff to be illegible or ambiguous.

Can you please provide me with a description of how such a vehicle would be treated by your officers and what actions your officers may take – especially actions that relate to making physical alterations or additions to the vehicle? “

Replies from the Authorities:

A **New South Wales** Roads and Maritime spokesperson provided the following information:

“Compliance plates were introduced on different vehicles at different times. Compliance plates and Australian Design Rules are managed by the Department of Infrastructure and Regional Development. All Passenger vehicles and heavy vehicles must have a compliance plate fitted if built on or after 1 August 1972, while motorcycles must have a compliance plate fitted if built on or after 1 October 1976. Vehicles built before these dates do not require compliance plates.

If the chassis or engine number cannot be found when a vehicle is presented for registration, the vehicle is referred to the Roads and Maritime Services' Vehicle Identification Unit or the NSW Police so its identity can be confirmed. Surrogate numbers are only issued by Roads and Maritime when original identifiers cannot be found or have been damaged and only when the vehicle's original identity and vehicle identifiers have been confirmed.

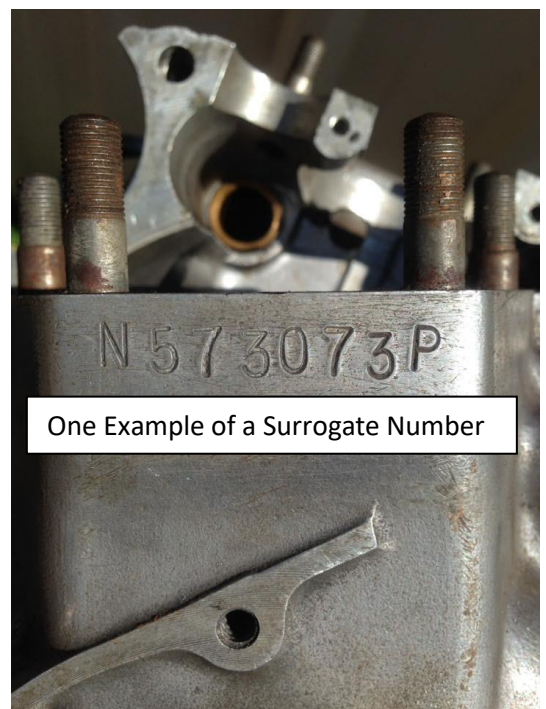
Restamping of original identifiers is illegal and is classified as vehicle rebirthing. Serious criminal charges apply.

The owner of the vehicle is under no obligation to stamp or use a surrogate engine number, but registration cannot proceed without proper identifiers, either original or issued by Roads and Maritime.”

The spokesperson for the Department of State Growth in **Tasmania** provided a more detailed reply, as follows:

“For a vehicle to be eligible for registration in Tasmania it is required to be roadworthy and comply will the relevant vehicle standards. The Tasmanian vehicle standards regulations set the minimum in service safety and environmental standards that vehicles are required to meet and are based on model legislation from the National Transport Commission to assist with national consistency.

For light vehicles manufactured prior to the implementation of the 3rd edition Australian Design Rules for Road Vehicles 61/00 the engine must have an individual engine identification number



that is clearly stamped, embossed or permanently marked on it, and in the case of a vehicle manufactured after 1930 the number must be on the block or main component of the engine. The vehicle must also have an individual vehicle identification number that is clearly stamped, embossed or permanently marked on a substantial part of the frame or chassis. Both the individual engine and vehicle identification number must be located where they can easily be read without the use of tools.

If a vehicle doesn't comply with the minimum marking requirements set out above it will not be eligible for registration in Tasmania.

For a vehicle without the required identification number(s) the Tasmanian Registrar of Motor Vehicles may, after satisfying himself of the origins of the vehicle, provide an applicant for registration with a specific identification number to be stamped, embossed or permanently marked on the vehicle. NB. the term 'surrogate identification number' is generally used when the original number has been removed due to the vehicle having been repaired or as part of an attempt to hide the ID of the vehicle (eg rebirthing).

If the applicant meets these requirements and the vehicle meets all of the other applicable roadworthy, standards and eligibility requirements the vehicle will be able to be registered.

While there are provisions to grant conditional exemptions from the standards, these provisions are exclusively used under exceptional circumstances to address ONLY safety related matters and are not used to address cosmetics concerns of registered operators.

The information provided above relates to the requirements of the Tasmanian Vehicle and Traffic Act 1999 including the Vehicle and Traffic (Vehicle Standards) Regulations 2014, the Vehicle and Traffic (Driver Licensing and Vehicle Registration) Regulations 2010 and the Vehicle and Traffic (Review of Decisions) Regulations 2010 made under the Act."

The **Victorian** situation is much the same. This is what the Director Registration and Licensing Practice with VicRoads said:

"VicRoads has a responsibility under Regulation 1 of the requirements of the Road Safety (Vehicles) Regulations 2009 to maintain a register of vehicles, ensure that motor vehicles and trailers are appropriately registered in line with the standards for registration, and to record the identification details of registered vehicles and trailers with the names and addresses of the persons responsible for them.

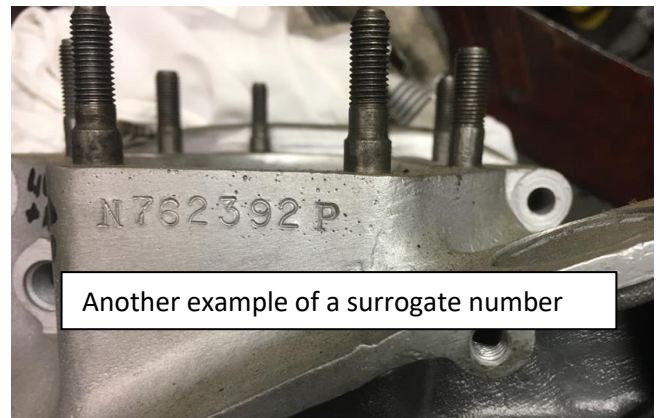
Under Regulation 18, VicRoads also requires vehicles that are presented for registration, whether new or second hand and regardless of a vehicle's age, to be stamped with appropriate engine and chassis numbers so the identity of the vehicle can be confirmed. If a vehicle or engine number on a vehicle appears to have been altered, defaced, removed, substituted or tampered with, VicRoads may require the person seeking registration of the vehicle to provide supplementary documentation or evidence or in some cases, require that the vehicle be submitted for forensic testing.

If VicRoads is not satisfied that the true identity of the vehicle has been established, registration of the vehicle may be rejected and if fraudulent activity is suspected, the matter may be referred to Victoria Police for further investigation. If the identity is established the person applying for registration may be required to, under Regulation 16, stamp a new identification number (surrogate) specified by VicRoads onto the vehicle chassis or engine.

It should also be noted that Regulation 18 also makes it an offence for a person to alter, deface, remove, substitute or tamper with a vehicle identification number, including engine numbers."

The **West Australia** position is broadly in line with all other Australian states. The West Australian Office of Director General; Department of Transport provided the following information to OVR:

“The Department of Transport (DoT) advises that all vehicles must comply with the West Australian Road Traffic (Vehicles) Regulations 2014, specifically Part 10 Division 6 Regulation 274 (4) which requires a vehicle identification number (VIN) to be licensed. Prior to being licensed the vehicle must be examined by a DoT Authorised Vehicle Examiner (AVE). In the first instance vehicle examiners will look for a number on the vehicle’s frame stamped by the vehicle’s manufacturer. On early, historic or special vehicles where there is no manufacturer’s numbers stamped on the frame, a surrogate VIN must be issued to the vehicle.



Illegible Engine numbers or frame numbers also require a surrogate VIN to be issued to a vehicle. To comply with the regulations, a surrogate identification number must be an individual number and be clearly stamped, embossed or otherwise permanently marked on a substantial part of the vehicles frame or chassis. A surrogate identification number may also be stamped on a plate; the plate must be permanently attached to the vehicle. To comply with the regulations in WA the vehicle must have an identification number or the vehicle cannot be licensed.

The exact legislative reference is provided for owners and members of historic/vintage club vehicles below;

Road Traffic (Vehicles) Regulations 2014: Part 10 Division 6 — Vehicle marking R 274

- (1) In this regulation —number includes letter.*
- (2) A motor vehicle must have an individual engine identification number clearly stamped, embossed or otherwise permanently marked on it.*
- (3) A motor vehicle built after 1930 must have the engine identification number on its engine block or the main component of its engine.*
- (4) A vehicle must have an individual vehicle identification number clearly stamped, embossed or otherwise permanently marked on a substantial part of its frame or chassis.*
- (5) A VIN or engine identification number must be located where a person can read it easily without having to use tools to remove a part of the vehicle that would otherwise obstruct the person’s view.”*

In **Queensland** the rules are the same as the other Australian states. When OVR asked the Queensland authorities about the use of supporting documentation to help identify difficult numbers – this was the reply from a Transport and Main Roads spokesperson. *“Unfortunately, vehicles with damaged, erased, altered or missing identifiers must be stamped with a surrogate identifier, regardless of any evidence presented. While we acknowledge that this can be an inconvenience to vehicle owners, there is no way of confirming that supporting documentation correlate with the vehicle being presented. There is a high degree of trust in the existing vehicle identification system and any weakening of these processes increases the risk of vehicle-related crime, for example rebirthing of stolen vehicles.”*

In **New Zealand** the rules are somewhat tougher than those in Australia. The media manager of the New Zealand Transport Agency provided the following detailed reply, which at first seems more reasonable than the Australian position but has a sting in the closing paragraph:

“The NZ Transport Agency understands there is some confusion at times around evidence of history and ownership, as well as ID numbers. The paperwork needs to match the vehicle and although there is no one size fits all solution, our advice is for owners to tell us as much as they know about the vehicle and provide documentation. Especially when dealing with high-value vehicles, it’s critical that we are able to fill the gaps and get it right. To register a vehicle the inspector checks its identity by the chassis or frame number and then matches that to the history, previous registration and ownership documentation. Where there is insufficient evidence the case is referred to the Transport Agency.

We need to make evidence-based decisions and owners can help by telling us everything they know about the vehicle. Wherever possible this includes but is not limited to:

- *What the chassis, frame and engine numbers looked like, meant and where they were affixed, usually from manuals or other publications – where vehicles did not have identifiers affixed by the manufacturer, provide evidence of this rather than try and affix something, because any tampered IDs will also need to be explained*
- *Receipts for insurance, repairs, periodic in-service inspections (Warrants of Fitness [WoFs]) etc*
- *Manufacturers’, importers’ or dealers’ records that show the vehicle was originally imported or manufactured*
- *If imported, the country the vehicle was imported from.*

When providing information, the emphasis should always be on documentation. Owners could contact a relevant vintage/classic car/motorcycle club to see if support is available for accessing records or information (for example the Vintage Car Club in New Zealand, www.vcc.org.nz). For valuable vehicles like Vincent motorcycles, we would expect detailed provenance to be available.

Any bike or car going through the registration process, or registered vehicles with no or an unreadable frame/chassis number, is required to have a 17 digit ISO VIN attached. This is a legal requirement and as such a ISO VIN will need to be attached. Guidance on placement is provided in the legislation but consultation with the owner may be necessary to determine the most suitable location in some instances.”

So – What to do?

It is illegal within Australia and NZ (and I suspect almost world-wide) to alter any existing numbers in ANY way, such as over-stamping and its equally illegal to completely remove the existing number and then restamp the original numbers so that they are easy to read or for any other less noble reason.

Got a set of metal numbering stamps like these in your toolkit? Get smart and throw them away before they get you into more trouble than the Great Train Robbers!

If the numbers on your bike are difficult to read you may do anything you wish to make them clearer through restoration work such as the careful removal of excess paint, dirt etc. but put one mark on the numbers themselves, even the tiniest scratch and it could be considered an illegal re-number or re-stamping with serious consequences. It’s a very personal choice and no matter which way you choose you need to be very very careful.



So before you present your treasured classic bike to the authorities for road registration, do all the restoration work you legally can to make those numbers clear and of course, take along all of the evidence you have that supports what the numbers should be – such as bills of sale, fitness certificates, copies of factory records and such like.

BUT! All of this only applies if you want to get your bike registered so you can legally ride it on public roads. So those garage queens and museum bikes are not affected – at least till they are offered up for sale!



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