

South Australia

**Motor Vehicles (Vehicle Immobilisers)
Amendment Bill 2008**

A BILL FOR

An Act to amend the *Motor Vehicles Act 1959*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Motor Vehicles (Vehicle Immobilisers) Amendment Act 2008*.

5 2—Commencement

This Act will come into operation 3 months after the date of assent.

3—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

10 Part 2—Amendment of *Motor Vehicles Act 1959*

4—Insertion of section 23B

After section 23A insert:

23B—Certain vehicles must not be registered unless fitted with immobiliser

- 15 (1) If—
- (a) an application is made for registration of a motor vehicle that has previously been registered under this Act or the law of any other State or Territory of the Commonwealth; and
 - (b) the application indicates that the person last recorded as the owner of the vehicle in the register of motor vehicles under this Act or the law of any other State or Territory of the Commonwealth (as the case may require) is no longer the owner of the vehicle,
- 20
- 25 the Registrar must not register the motor vehicle unless satisfied, by such evidence as he or she may require, that—

- (c) the vehicle is fitted with an immobiliser of a kind prescribed by regulation; and
- (d) the immobiliser is in good working order.

(2) This section does not apply—

- 5 (a) to a heavy vehicle or a motor vehicle that has an unloaded mass of 3 tonnes or more; or
- (b) to a motor vehicle that was built 25 years or more before the date on which the application for registration is made; or
- 10 (c) to registration of a motor vehicle in accordance with an order of a court; or
- (d) in circumstances prescribed by regulation.

5—Amendment of section 58—Transfer of registration

Section 58—after subsection (4) insert:

- 15 (5) If a motor vehicle is one to which section 23B applies, the Registrar must refuse to transfer the registration of the motor vehicle unless he or she is satisfied, by such evidence as he or she may require, that—
 - (a) the vehicle is fitted with an immobiliser of a kind prescribed by regulation for the purposes of section 23B; and
 - (b) the immobiliser is in good working order.