

Legislative Council—No 13

As introduced and read a first time, 4 March 2020

South Australia

**Road Traffic (South Eastern Freeway Offences)
Amendment Bill 2020**

A BILL FOR

An Act to amend the *Road Traffic Act 1961* and for other purposes.

Contents

Part 1—Preliminary

- 1 Short title
- 2 Amendment provisions

Part 2—Amendment of *Road Traffic Act 1961*

- 3 Amendment of section 45C—Speed and gear restrictions for trucks on prescribed roads
- 4 Amendment of section 79B—Provisions applying where certain offences are detected by photographic detection devices

Part 3—Variation of *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*

- 5 Variation of regulation 9C—Low gear offence (rule 108) not applicable to drivers of trucks on prescribed road

Part 4—Transitional provision

- 6 Transitional provision
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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

- 5 This Act may be cited as the *Road Traffic (South Eastern Freeway Offences) Amendment Act 2020*.

2—Amendment provisions

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

Part 2—Amendment of *Road Traffic Act 1961*

3—Amendment of section 45C—Speed and gear restrictions for trucks on prescribed roads

- (1) Section 45C(1)—delete "or bus"
- (2) Section 45C(2)—delete "or bus" (twice occurring)
- 15 (3) Section 45C(3)(b)—after "or sentence" insert:
 - unless, in the case of a first offence, the court is satisfied, by evidence given on oath, that the offence is trifling, in which case the court may order a period of disqualification that is less than the prescribed minimum period but not less than 1 month
- 20 (4) Section 45C(7), definition of *bus*—delete the definition

- (5) Section 45C(7), definition of *primary brake*—delete "or bus"
- (6) Section 45C(7), definition of *relevant speed limit*—delete "or bus"

4—Amendment of section 79B—Provisions applying where certain offences are detected by photographic detection devices

5 Section 79B(2c)(b)—after "or sentence" insert:

unless, in the case of a first offence against this section, the court is satisfied, by evidence given on oath, that the offence against section 45C(1) in which the vehicle appears to have been involved is trifling, in which case the court may order a period of disqualification that is less than the prescribed
10 minimum period but not less than 1 month

Part 3—Variation of *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*

5—Variation of regulation 9C—Low gear offence (rule 108) not applicable to drivers of trucks on prescribed road

15 Regulation 9C—delete "or bus"

Part 4—Transitional provision

6—Transitional provision

20 Sections 45C(3)(b) and 79B(2c)(b) of the *Road Traffic Act 1961* as amended by this Act apply for the purposes of any proceedings determined after the commencement of this Act (regardless of whether the offence to which the proceedings relate occurred before or after that commencement).