

South Australia

# **Heavy Vehicle National Law (South Australia) (Expiation Fees) Regulations 2013**

under the *Heavy Vehicle National Law (South Australia) Act 2013*

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Legislative history

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### **1—Short title**

These regulations may be cited as the *Heavy Vehicle National Law (South Australia) (Expiation Fees) Regulations 2013*.

### **2—Commencement**

These regulations will come into operation on the day on which Part 3 of the *Heavy Vehicle National Law (South Australia) Act 2013* comes into operation.

### **3—Interpretation**

- (1) In these regulations, unless the contrary intention appears—

*Act* means the *Heavy Vehicle National Law (South Australia) Act 2013*;

*Law* means the *Heavy Vehicle National Law (South Australia)*.

- (2) Text set out in italic type in a column headed "Description of offence" in a table in Schedule 1 is a description for convenience purposes only and is not to be taken to define the offence for which a particular amount is fixed as the expiation fee.

#### 4—Prescribed offences and expiation fees

- (1) Pursuant to section 28(3)(f) of the Act, the expiation fees set out in a column headed "Fee" in the table in Part 1 of Schedule 1 are fixed for alleged offences against the local application provisions of the Act.
- (2) Pursuant to section 28(3)(g) of the Act—
- (a) an offence against a section of the Law referred to in a column headed "Section" in the table in Part 2 Division 1 of Schedule 1 is a prescribed offence for the purposes of section 591 of the Law; and
  - (b) an offence against a section of the Law referred to in a column headed "Section" in the table in Part 2 Division 2 of Schedule 1 is a prescribed offence for the purposes of section 591 of the Law that is peculiar to South Australia; and
  - (c) the expiation fees set out in a column headed "Fee" in a table in Part 2 of Schedule 1 are fixed for alleged prescribed offences against the Law.
- (3) Pursuant to section 28(3)(g) of the Act—
- (a) an offence against the *Heavy Vehicle (Mass, Dimension and Loading) National Regulation (South Australia)* referred to in a column headed "Regulation" in the table in Part 3 of Schedule 1 is a prescribed offence for the purposes of section 591 of the Law; and
  - (b) the expiation fees set out in a column headed "Fee" in the table are fixed for alleged prescribed offences against those national regulations.

#### 5—Increase of expiation fees for prescribed offences

- (1) Section 737 of the Law provides that, at the start of 1 July of each year, beginning with 1 July 2014, the amount of each penalty for an offence will be increased, from the amount that applied immediately before that 1 July, in accordance with the method prescribed by the national regulations for the purposes of that section.

**Note—**

As soon as practicable but before 1 July of each year, the Regulator will publish on the Regulator's website the amounts of each penalty applying as from that date.

- (2) The expiation fees for a prescribed offence against the Law for the first financial period are the fees set out in a table in Part 2 and Part 3 of Schedule 1.
- (3) The amount of the expiation fees for the following financial year, and each subsequent financial year, for a prescribed offence against the Law is the adjusted amount for that financial year and will be the amount as shown and published on the Regulator's website.

- (4) Subregulation (3) does not apply to expiation fees fixed for a prescribed offence against the Law peculiar to South Australia (see Part 2 Division 2 of Schedule 1).

**Note—**

Expiation fees fixed for prescribed offences peculiar to South Australia may be adjusted from time to time by variation of these regulations.

- (5) In this regulation—

*first financial period* means the period 1 September 2013 until 30 June 2014;

*following financial year* means the financial year commencing on 1 July 2014.

## Schedule 1—Offences, prescribed offences and expiation fees

### Part 1—Offences against the local application provisions of the Act

Section	Description of offence	Fee
19(2)	<i>Failure to comply with a direction given under section 19(1)</i>	\$600
21(1)	<i>Sale or other disposal of a heavy vehicle in respect of which a vehicle defect notice is in force</i>	\$300

### Part 2—Prescribed offences against the *Heavy Vehicle National Law (South Australia)*

#### Division 1—Prescribed offences for purposes of section 591 of the Law

Section	Description of offence	Fee
60(1)	<i>Using, or permitting the use of, a heavy vehicle that contravenes a heavy vehicle standard—</i>	
	(a) if the heavy vehicle standard relates to a speed limiter	\$600
	(b) in any other case	\$300
79(2)	<i>Failure to comply with notice to return vehicle standards exemption (permit) to Regulator within specified period</i>	\$400
81(1)	<i>Contravening a condition of a vehicle standards exemption</i>	\$300
81(2)	<i>Using, or permitting the use of, a heavy vehicle that contravenes a condition of a vehicle standards exemption</i>	\$300
81(3)	<i>Using or permitting the use of a heavy vehicle in a way that contravenes a condition of a vehicle standards exemption</i>	\$300
82(2)	<i>Failure of driver to comply with condition under vehicle standards exemption (notice) to keep relevant document in driver's possession</i>	\$300
82(3)	<i>Offence for relevant party if driver commits an offence against section 82(2)</i>	\$300
83(1)	<i>Failure of driver to keep a copy of vehicle standards exemption (permit) in driver's possession</i>	\$300
83(2)	<i>Failure of driver to return copy of vehicle standards exemption (permit) to relevant party when driver stops working</i>	\$300

**Heavy Vehicle National Law (South Australia) (Expiation Fees) Regulations 2013—10.2.2014 to 30.6.2014**

Schedule 1—Offences, prescribed offences and expiation fees

<b>Section</b>	<b>Description of offence</b>	<b>Fee</b>
83(3)	<i>Offence for relevant party if driver commits an offence against section 83(1)</i>	\$300
85(1)	<i>Modifying a heavy vehicle without approval by approved vehicle examiner or Regulator</i>	\$300
85(2)	<i>Using or permitting the use of a heavy vehicle that has been modified without approval by approved vehicle examiner or Regulator</i>	\$300
86(2)	<i>Failure of approved vehicle examiner to give approved certificate and ensure plate or label is fitted or affixed to vehicle</i>	\$300
89(1)	<i>Using or permitting the use of an unsafe heavy vehicle</i>	\$600
90(1)	<i>Using or permitting the use of a heavy vehicle not fitted with emission control system for each relevant emission</i>	\$300
90(2)	<i>Using or permitting the use of emission control system that is not operating in accordance with manufacturer's design</i>	\$300
90(3)	<i>Using or permitting the use of an emission control system resulting in a failure to comply with heavy vehicle standard</i>	\$300
92(2)	<i>Using or permitting the use of a heavy vehicle displaying a warning sign where the sign is not required to be displayed</i>	\$300
96(1)	<i>Driving a heavy vehicle where vehicle or components do not comply with mass requirements—</i>	
	(a) for a minor risk breach	\$400
	(b) for a substantial risk breach	\$600
102(1)(a)	<i>Driving a heavy vehicle that does not comply with dimension requirements where vehicle does not have goods or passengers in it</i>	\$300
102(1)(b)	<i>Driving a heavy vehicle that does not comply with dimension requirements where vehicle has goods or passengers in it—</i>	
	(a) for a minor risk breach	\$300
	(b) for a substantial risk breach	\$500
109(2)	<i>Using or permitting the use of a heavy vehicle without fixing the required flag or light to back of the load</i>	\$300
111(1)	<i>Driving a heavy vehicle that does not comply, or whose load does not comply, with loading requirements—</i>	
	(a) for a minor risk breach	\$300
	(b) for a substantial risk breach	\$500
129(1)	<i>Driver or operator of heavy vehicle contravening a condition of a mass or dimension exemption</i>	\$600
129(2)	<i>Using or permitting the use of a heavy vehicle that contravenes a condition of a mass or dimension exemption</i>	\$600
129(3)	<i>Using or permitting the use of a heavy vehicle in a way that contravenes a condition of a mass or dimension exemption</i>	\$600
130(2)	<i>Failure of driver of pilot or escort vehicle to comply with conditions of a mass or dimension exemption</i>	\$600
130(3)	<i>Offence for operator of a heavy vehicle if driver of pilot or escort vehicle commits an offence against section 130(2)</i>	\$600

**10.2.2014 to 30.6.2014—Heavy Vehicle National Law (South Australia) (Expiation Fees)  
Regulations 2013**

Offences, prescribed offences and expiation fees—Schedule 1

<b>Section</b>	<b>Description of offence</b>	<b>Fee</b>
131(1)	<i>Failure of driver of a pilot vehicle to ensure that the accompanying heavy vehicle is not contravening a condition of exemption</i>	\$600
132(2)	<i>Failure of driver of class 1 or class 3 heavy vehicle to comply with condition under mass or dimension exemption (notice) to keep relevant document in driver's possession</i>	\$300
132(3)	<i>Offence for relevant party if driver of class 1 or class 3 heavy vehicle commits an offence against section 132(2)</i>	\$300
133(1)	<i>Failure of driver of a class 1 or class 3 heavy vehicle to keep a copy of a mass or dimension exemption (permit) in driver's possession</i>	\$300
133(2)	<i>Failure of driver of a class 1 or class 3 heavy vehicle to return copy of mass or dimension exemption (permit) to relevant party when driver stops working</i>	\$400
133(3)	<i>Offence for relevant party if driver of class 1 or class 3 heavy vehicle commits an offence against section 133(1)</i>	\$300
134(1)	<i>Displaying a heavy vehicle warning sign on a heavy vehicle not being used under a dimension exemption</i>	\$300
134(2)	<i>Displaying a pilot vehicle warning sign on a vehicle not being used as a pilot vehicle for a heavy vehicle being used under a dimension exemption</i>	\$300
137	<i>Using or permitting the use of a class 2 heavy vehicle other than in accordance with a class 2 heavy vehicle authorisation</i>	\$600
150(1)	<i>Driver or operator of a class 2 heavy vehicle contravening a condition of a class 2 heavy vehicle authorisation</i>	\$600
151(2)	<i>Failure of driver of a class 2 heavy vehicle to comply with a condition of a class 2 heavy vehicle authorisation (notice) to keep relevant document in driver's possession</i>	\$300
151(3)	<i>Offence for a relevant party if driver commits an offence against section 151(2)</i>	\$300
152(1)	<i>Failure of driver of a class 2 heavy vehicle to keep copy of class 2 heavy vehicle authorisation (permit) in driver's possession</i>	\$300
152(2)	<i>Failure of driver to return copy of class 2 heavy vehicle authorisation (permit) to relevant party</i>	\$400
152(3)	<i>Offence for relevant party if driver commits offence against section 152(1)</i>	\$300
153(1)	<i>Failure of driver to keep copy of the PBS vehicle approval in driver's possession</i>	\$300
153(2)	<i>Offence for relevant party if driver commits offence against section 153(1)</i>	\$300
181(3)	<i>Failure to comply with notice requiring return of permit for mass or dimension authority to Regulator within specified time</i>	\$400
183(2)	<i>Offence for an employer, a prime contractor or an operator if a relevant offence is committed by the driver of a heavy vehicle—</i>	
	(a) for a mass requirement—	
	(i) for a minor risk breach	\$400
	(ii) for a substantial risk breach	\$600

**Heavy Vehicle National Law (South Australia) (Expiation Fees) Regulations 2013—10.2.2014 to 30.6.2014**

Schedule 1—Offences, prescribed offences and expiation fees

<b>Section</b>	<b>Description of offence</b>	<b>Fee</b>
	(b) for a dimension requirement—	
	(i) if not carrying any goods or passengers	\$300
	(ii) for a minor risk breach	\$300
	(iii) for a substantial risk breach	\$500
	(c) for a loading requirement—	
	(i) for a minor risk breach	\$300
	(ii) for a substantial risk breach	\$500
184(1)	<i>Driving a heavy vehicle while towing more than 1 other vehicle other than as permitted by section 184(2)</i>	\$300
185(1)	<i>Using or permitting the use of a trailer not securely coupled to the vehicle in front of it in a heavy combination</i>	\$600
185(2)	<i>Using or permitting the use of incompatible or improperly connected components of a coupling in a heavy combination</i>	\$600
190(1)	<i>Responsible entity permitting the transport of a freight container without providing the operator or driver of the heavy vehicle with a complying container weight declaration</i>	\$600
191(1)	<i>Operator of a heavy vehicle permitting the driver of the vehicle to transport freight container without providing the driver with a complying container weight declaration</i>	\$600
191(3)	<i>Failure of operator of a heavy vehicle to provide complying container weight declaration or prescribed particulars to carrier</i>	\$600
192(1)	<i>Driving a heavy vehicle loaded with freight container without a complying container weight declaration for the container</i>	\$600
192(2)	<i>Failure of driver of a heavy vehicle to keep the complying container weight declaration in or about the vehicle and in a way readily available to an authorised officer</i>	\$300
219(1)	<i>Offence against section 219(1)—</i>	
	(a) driver of a heavy vehicle exceeding a speed limit of 50 km/h or 60 km/h	\$300
	(b) driver of a heavy vehicle exceeding a speed limit of 70 km/h or 80 km/h—	
	(i) by less than 15 km/h	\$300
	(ii) by 15 km/h or more	\$500
	(c) driver of a heavy vehicle other than a road train exceeding a speed limit of 90 km/h—	
	(i) by less than 15 km/h	\$300
	(ii) by 15 km/h or more	\$500
	(d) driver of a road train exceeding a speed limit of 90 km/h by less than 15 km/h	\$500
	(e) driver of a heavy vehicle exceeding speed limit of 100 km/h or more by less than 15 km/h	\$500

**10.2.2014 to 30.6.2014—Heavy Vehicle National Law (South Australia) (Expiation Fees)**  
**Regulations 2013**  
 Offences, prescribed offences and expiation fees—Schedule 1

<b>Section</b>	<b>Description of offence</b>	<b>Fee</b>
250(1)	<i>Failure of solo driver of a fatigue-regulated heavy vehicle to comply with standard hours—</i>	
	(a) for a minor risk breach	\$400
	(b) for a substantial risk breach	\$600
251(1)	<i>Failure of two-up driver of a fatigue-regulated heavy vehicle to comply with standard hours—</i>	
	(a) for a minor risk breach	\$400
	(b) for a substantial risk breach	\$600
254(1)	<i>Failure of solo driver of a fatigue-regulated heavy vehicle to comply with BFM hours—</i>	
	(a) for a minor risk breach	\$400
	(b) for a substantial risk breach	\$600
256(1)	<i>Failure of two-up driver of a fatigue-regulated heavy vehicle to comply with BFM hours—</i>	
	(a) for a minor risk breach	\$400
	(b) for a substantial risk breach	\$600
258(1)	<i>Failure of driver of fatigue-regulated heavy vehicle to comply with AFM hours—</i>	
	(a) for a minor risk breach	\$400
	(b) for a substantial risk breach	\$600
260(1)	<i>Failure of driver of fatigue-regulated heavy vehicle to comply with exemption hours—</i>	
	(a) for a minor risk breach	\$400
	(b) for a substantial risk breach	\$600
263(1)	<i>Failure of driver of fatigue-regulated heavy vehicle to comply with change of work and rest hours option requirements</i>	\$400
284(2)	<i>Failure to comply with notice to return work and rest hours exemption (permit) to Regulator within specified period</i>	\$600
286(1)	<i>Failure to comply with a condition of a work and rest hours exemption</i>	\$600
287(2)	<i>Failure of driver of fatigue-regulated heavy vehicle operating under a work and rest hours exemption (notice) to keep a relevant document in driver's possession</i>	\$300
287(3)	<i>Offence for relevant party if driver commits an offence against section 287(2)</i>	\$300
288(1)	<i>Failure of driver of a fatigue-regulated heavy vehicle to keep a copy of work and rest hours exemption (permit) in the driver's possession</i>	\$300
288(2)	<i>Failure of driver of a fatigue-regulated heavy vehicle to return copy of work and rest hours exemption (permit) to relevant party in certain circumstances</i>	\$400
288(3)	<i>Offence for relevant party if driver of a fatigue-regulated heavy vehicle commits an offence against section 288(1)</i>	\$300

**Heavy Vehicle National Law (South Australia) (Expiation Fees) Regulations 2013—10.2.2014 to 30.6.2014**

Schedule 1—Offences, prescribed offences and expiation fees

<b>Section</b>	<b>Description of offence</b>	<b>Fee</b>
293(1)	<i>Failure of driver of a fatigue-regulated heavy vehicle to keep a work diary, record required information and keep the diary in the driver's possession</i>	\$600
296(1)	<i>Failure of driver to record required information in work diary in the manner and at the time prescribed by the national regulations</i>	\$150
297(2)	<i>Failure of driver to record required information immediately after starting work on a day</i>	\$300
298(1)	<i>Failure of driver of a fatigue-regulated heavy vehicle to record the odometer reading as required by the national regulations</i>	\$150
299	<i>Failure of two-up driver to provide details prescribed by the national regulations as requested by the other driver</i>	\$300
301	<i>Failure of driver to comply with requirements for recording information in written work diary</i>	\$150
302	<i>Failure of driver to comply with requirements for recording information in electronic work diary</i>	\$150
303	<i>Failure of driver to record time in work diary according to the time zone of driver's base location</i>	\$150
305(1)	<i>Failure of driver of fatigue-regulated heavy vehicle to record required information in supplementary record</i>	\$600
305(2)	<i>Failure to comply with requirements for recording information in supplementary record not in electronic form</i>	\$300
305(3)	<i>Failure of driver to record time in supplementary record according to the time zone of driver's base location</i>	\$150
306	<i>Failure of driver of fatigue-regulated heavy vehicle to notify the Regulator within 2 business days in the approved form when a written work diary has been filled up, destroyed, lost or stolen</i>	\$300
307(2)	<i>Failure of driver to notify the Regulator within 2 business days in the approved form when an electronic work diary has been filled up, destroyed, lost or stolen or is not in working order</i>	\$300
308(1)	<i>Failure of driver to comply with the requirements when an old work diary is found or returned</i>	\$300
309(2)	<i>Failure to inform the driver's record keeper within 2 business days of becoming aware of a matter specified in section 309(1)</i>	\$600
310(2)	<i>Failure to inform the driver's record keeper within 2 business days of becoming aware of matters specified in section 310(1)</i>	\$600
319(1)	<i>Failure of record keeper to comply with requirements specified in section 319(1)</i>	\$600
321(1)	<i>Failure of record keeper to comply with requirements specified in section 321(1)</i>	\$600
321(2)	<i>Failure of record keeper to record information required if driver is operating under BFM or AFM hours</i>	\$600
322(2)	<i>Failure of driver to give copy of work diary entry or supplementary record to each record keeper within 21 days</i>	\$300



**10.2.2014 to 30.6.2014—Heavy Vehicle National Law (South Australia) (Expiation Fees)**  
**Regulations 2013**  
Offences, prescribed offences and expiation fees—Schedule 1

<b>Section</b>	<b>Description of offence</b>	<b>Fee</b>
323(2)	<i>Failure of driver to give new record keeper a copy of information recorded in a work diary relating to the 28 day period before the change to the new record keeper</i>	\$300
341(1)	<i>Failure of record keeper to keep records required under Division 3 for 3 years after specified day</i>	\$600
341(2)	<i>Failure of record keeper to keep records required under Division 9 or Division 10 for specified period</i>	\$600
341(3)	<i>Failure of record keeper to ensure record (or copy) is readily available to an authorised officer at the record location</i>	\$300
341(4)	<i>Failure of driver who is his or her own record keeper to ensure record (or copy) is readily available to an authorised officer at the record location</i>	\$300
354(3)	<i>Failure of holder of an electronic recording system approval to comply with a direction of the Regulator</i>	\$600
354(5)	<i>Failure of a person to whom a notice has been given of amended conditions of an electronic recording system approval to give a copy of the notice to each person supplied by that person with an electronic recording system or a device forming part of the system</i>	\$600
355(2)	<i>Failure of holder of approval to remove electronic work diary label relating to approval from electronic recording system</i>	\$600
355(4)	<i>Failure of holder of an approval to comply with a direction of the Regulator</i>	\$600
355(6)	<i>Failure of a person to whom a notice has been given that approval has been cancelled to give a notice containing the information set out in paragraphs (a) and (b) of section 355(6) to each person supplied by that person with an electronic recording system or a device forming part of the system</i>	\$600
373(2)	<i>Failure to comply with notice requiring return of work diary exemption (permit) to Regulator</i>	\$600
375	<i>Contravention of a condition of a work diary exemption</i>	\$600
376(2)	<i>Failure of driver of a fatigue-regulated heavy vehicle to comply with a condition under a work diary exemption (notice) to keep relevant document in driver's possession</i>	\$300
376(3)	<i>Offence for relevant party if driver of a fatigue-regulated heavy vehicle commits an offence against section 376(2)</i>	\$300
377	<i>Failure of a driver of a fatigue-regulated heavy vehicle to keep a copy of work diary exemption (permit) in the driver's possession</i>	\$300
392(2)	<i>Failure to comply with notice requiring return of fatigue record keeping exemption (permit) to Regulator</i>	\$600
395	<i>Contravention of a condition of a fatigue record keeping exemption</i>	\$600
396(2)	<i>Failure of owner of a fatigue-regulated heavy vehicle to maintain odometer in accordance with requirements prescribed by the national regulations</i>	\$600
399(2)	<i>Driving or permitting a person to drive a fatigue-regulated heavy vehicle without complying with section 398</i>	\$600

**Heavy Vehicle National Law (South Australia) (Expiation Fees) Regulations 2013—10.2.2014 to 30.6.2014**

Schedule 1—Offences, prescribed offences and expiation fees

<b>Section</b>	<b>Description of offence</b>	<b>Fee</b>
467	<i>Failure of holder of BFM or AFM accreditation to comply with accreditation conditions</i>	\$600
468(1)	<i>Failure of a driver of a heavy vehicle operating under heavy vehicle accreditation to keep certain documents in driver's possession</i>	\$300
468(3)	<i>Offence for operator if driver of a heavy vehicle commits an offence against section 468(1)</i>	\$300
469(2)	<i>Failure of driver operating under a heavy vehicle accreditation to return document to operator as soon as reasonably practicable</i>	\$400
470(3)	<i>Failure of operator to inform driver operating under AFM accreditation of the AFM hours applying under the accreditation</i>	\$600
470(8)	<i>Failure of operator to comply with a requirement under section 470(7)</i>	\$300
471(2)	<i>Failure of operator to give notice to driver or scheduler of amendment, suspension or cessation of heavy vehicle accreditation</i>	\$600
471(3)	<i>Failure of driver to return to the operator any document relevant to the notice given to the driver by the operator for the purposes of section 468(1)</i>	\$400
476(2)	<i>Failure to return accreditation certificate to Regulator within specified period</i>	\$600
488	<i>Failure to return identity card to Regulator within specified period</i>	\$300
513(4)	<i>Failure to comply with a direction given under section 513(1)</i>	\$600
514(3)	<i>Failure to comply with a direction given under section 514(1)</i>	\$600
516(3)	<i>Failure to comply with a direction given under section 516(1)</i>	\$600
517(4)	<i>Failure to comply with a direction given under section 517(2)</i>	\$600
522(5)	<i>Failure to produce a heavy vehicle for inspection at the place and time stated in the notice</i>	\$600
524(5)	<i>Failure to comply with a direction given under section 524(2) or (3)</i>	\$600
526(4)	<i>Failure of driver of a heavy vehicle who is not the operator of the vehicle to give defect notice to operator</i>	\$300
528(3)	<i>Removing or defacing a defective vehicle label attached to a heavy vehicle</i>	\$300
529	<i>Using or permitting the use of a heavy vehicle in contravention of a vehicle defect notice</i>	\$300
533(7)	<i>Failure to comply with a direction given under section 533</i>	\$1 000
534(5)	<i>Failure to comply with a direction given under section 534</i>	\$1 000
567(4)	<i>Failure to comply with a requirement made under section 567(2) or (3)</i>	\$300

**10.2.2014 to 30.6.2014—Heavy Vehicle National Law (South Australia) (Expiation Fees)**  
**Regulations 2013**  
Offences, prescribed offences and expiation fees—Schedule 1

<b>Section</b>	<b>Description of offence</b>	<b>Fee</b>
568(3)	<i>Failure to comply with a requirement made under section 568(2)</i>	An amount equal to 10% of the amount of the maximum penalty for an offence of failing to keep the document, device or other thing in the driver's possession
568(7)	<i>Failure to comply with a requirement given under section 568(6)</i>	\$300
569(2)	<i>Failure to comply with a requirement made under section 569(1)</i>	\$600
569(7)	<i>Failure to comply with a requirement made under section 569(6)</i>	\$300

**Division 2—Prescribed offences peculiar to South Australia**

<b>Section</b>	<b>Description of offence</b>	<b>Fee</b>
183(2)	<i>Offence for a consignor, packer, loading manager or loader if a relevant offence is committed by the driver of a heavy vehicle—</i>	
	(a) for a mass requirement—	
	(i) for a minor risk breach	\$400
	(ii) for a substantial risk breach	\$600
	(b) for a dimension requirement—	
	(i) for a minor risk breach	\$300
	(ii) for a substantial risk breach	\$500
	(c) for a loading requirement—	
	(i) for a minor risk breach	\$300
	(ii) for a substantial risk breach	\$500
261(2)	<i>Offence for an employer, a prime contractor, an operator, a scheduler, a consignor or consignee, a loading manager, a loader or an unloader if relevant offence committed by the driver of a fatigue-regulated heavy vehicle—</i>	
	(a) for a minor risk breach	\$400
	(b) for a substantial risk breach	\$600
322(4)	<i>Failure of record keeper to ensure driver complies with section 322(2)</i>	\$300
577(4)	<i>Failure to comply with a requirement made under section 577(1) or (2)</i>	\$1 000

**Part 3—Prescribed offences against the *Heavy Vehicle (Mass, Dimension and Loading) National Regulation (South Australia)***

<b>Section</b>	<b>Description of offence</b>	<b>Fee</b>
11(1)	<i>Failure to maintain relevant accreditation label on CML heavy vehicle in way required by section 11(2), (3) and (4)</i>	\$300
16(2)	<i>Using or permitting the use of HML heavy vehicle under higher mass limits in an area or on a route to which the HML declaration applies where vehicle is neither equipped for monitoring by an approved intelligent transport system nor covered by an intelligent access agreement</i>	\$300
28	<i>Driver or operator of HML heavy vehicle contravening a condition of HML permit</i>	\$300
34(2)	<i>Failure to comply with a notice to return HML permit</i>	\$400
36(2)	<i>Failure to maintain relevant accreditation label on HML heavy vehicle in way required by section 36(3) and (5)</i>	\$300

## Legislative history

### Notes

- Variations of this version that are uncommenced are not incorporated into the text.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or [www.legislation.sa.gov.au](http://www.legislation.sa.gov.au).

### Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
2013	296	<i>Gazette 19.12.2013 p5016</i>	10.2.2014: r 2
2014	181	<i>Gazette 19.6.2014 p2785</i>	1.7.2014: r 2