

South Australia

# Motor Vehicles (Suspension of Licences of Medically Unfit Drivers) Amendment Act 2004

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

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## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Amendment provisions

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

- 3 Amendment of section 5—Interpretation
- 4 Amendment of section 80—Ability or fitness to be granted or hold licence or permit
- 5 Amendment of section 148—Duty of health professionals

### Schedule 1—Validation of certain acts

- 1 Certain acts validated
- 

**The Parliament of South Australia enacts as follows:**

## Part 1—Preliminary

### 1—Short title

This Act may be cited as the *Motor Vehicles (Suspension of Licences of Medically Unfit Drivers) Amendment Act 2004*.

### 2—Amendment provisions

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

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

### 3—Amendment of section 5—Interpretation

Section 5(1)—after the definition of *gross vehicle mass* or *GVM* insert:

*health professional* means a legally qualified medical practitioner, a registered optometrist or a registered physiotherapist;

**4—Amendment of section 80—Ability or fitness to be granted or hold licence or permit**

- (1) Section 80(2a)(b)(ii)—delete subparagraph (ii) and substitute:
  - (ii) from information furnished to the Registrar by a health professional or from any other evidence received by the Registrar,
- (2) Section 80(2a)(e)—after "permit" insert:

for such period as the Registrar considers necessary in the circumstances of the case, or

**5—Amendment of section 148—Duty of health professionals**

- (1) Section 148(1)—delete "legally qualified medical practitioner, a registered optician, or a registered physiotherapist" and substitute:

health professional
- (2) Section 148(1)—delete "medical practitioner, registered optician or registered physiotherapist" and substitute:

health professional
- (3) Section 148(2)—delete "medical practitioner, registered optician or registered physiotherapist" and substitute:

health professional

**Schedule 1—Validation of certain acts**

**1—Certain acts validated**

- (1) Subject to subclause (2), if a suspension of a licence or learner's permit purportedly imposed by the Registrar under section 80 of the *Motor Vehicles Act 1959* before the commencement of this Act would, if imposed after that commencement, have been validly imposed, that suspension is to be taken to have been validly imposed.
- (2) Subclause (1) does not affect a decision or order of a court made before the commencement of this Act.