

South Australia

Motor Vehicles Variation Regulations 2003

under the *Motor Vehicles Act 1959*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Motor Vehicles Variation Regulations 2003*.

2—Commencement

These regulations will come into operation on 1 July 2003.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Motor Vehicles Regulations 1996* (Gazette 30.5.1996 p 2751) as varied

4—Variation of regulation 55—Expiation of alleged offences

Regulation 55—redesignate the present contents of the regulation as subregulation (1) and insert:

- (2) Text set out in italic type under a heading in Schedule 6 commencing with the words "Description of offence" 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.

5—Substitution of Schedule 6

Schedule 6—delete Schedule 6 and substitute:

Schedule 6—Expiation fees

Part 1—Offences against the *Motor Vehicles Act 1959*

Section	Description of offence against Motor Vehicles Act 1959	Fee (\$)
16(9)	<i>Driving motor vehicle without carrying permit under section 16 of the Act</i>	71
16(11)	<i>Contravening condition of permit under section 16 of the Act.....</i>	58
47(1)	<i>Driving, or causing to stand, motor vehicle not bearing number plates</i>	58
47(1a)	<i>Being registered owner or registered operator of motor vehicle driven, or caused to stand, in contravention of section 47(1) of the Act</i>	58
47A(7)	<i>Driving motor vehicle to which is attached number plates in respect of which a declaration under section 47A(2) of the Act has been made</i>	69
47D(1)(a)	<i>Driving, or causing to stand, motor vehicle to which is attached number plate bearing number other than number allotted to vehicle</i>	69
47D(1)(b)	<i>Driving, or causing to stand, motor vehicle to which is attached number plate altered, defaced, mutilated or added to.....</i>	69
47D(1)(c)	<i>Driving, or causing to stand, motor vehicle to which is attached colourable imitation of number plate.....</i>	69
47D(1)(d)	<i>Without lawful excuse, having in possession number plate or article resembling number plate</i>	69
47D(2)	<i>Being registered owner or registered operator of motor vehicle driven, or caused to stand, in contravention of section 47D(1) of the Act</i>	69

Section	Description of offence against Motor Vehicles Act 1959	Fee (\$)
48(3)	<i>Driving, or causing to stand, registered motor vehicle not carrying registration label issued for vehicle or carrying registration label not in conformity with section 48 of the Act or these regulations.....</i>	71
48(3a)	<i>Being registered owner or registered operator of motor vehicle driven, or caused to stand, in contravention of section 48(3) of the Act.....</i>	71
53(1)(a)	<i>Driving, or causing to stand, motor vehicle on which is affixed registration label, or in which is carried permit, no longer in force or issued in respect of another vehicle</i>	69
53(1)(b)	<i>Driving, or causing to stand, motor vehicle on which is affixed registration label, or in which is carried permit, that has been altered, defaced, mutilated or added to</i>	69
53(1)(c)	<i>Driving, or causing to stand, motor vehicle on which is affixed colourable imitation of registration label or in which is carried colourable imitation of permit.....</i>	69
53(1)(d)	<i>Without lawful excuse, having in possession registration label, permit or article resembling registration label or permit</i>	69
53(1a)	<i>Being registered owner or registered operator of motor vehicle driven, or caused to stand, in contravention of section 53(1) of the Act.....</i>	69
66(2)	<i>Where motor vehicle to which trade plates are affixed is driven other than for a prescribed purpose stated in application for issue of the plates, being driver or person to whom plates were issued.....</i>	69
71B(2)	<i>Failure by person to whom replacement number plate, trade plate, duplicate certificate of registration or duplicate registration label issued to return found or recovered original plate, certificate or label to Registrar.....</i>	69
74(1)	<i>Driving motor vehicle without holding appropriate licence or learner's permit</i>	264
75A(5)	<i>Contravening condition of learner's permit referred to in section 75A(3)(c) of the Act</i>	126
75A(5)	<i>Contravening condition of learner's permit referred to in section 75(3)(d) of the Act</i>	134
75A(5)	<i>Contravening condition of learner's permit (other than the condition referred to in section 75(3)(c) or (d) of the Act).....</i>	54
75A(5aaa)	<i>Holder of learner's permit driving motor vehicle without displaying two "L" plates.....</i>	48
75A(7)	<i>Acting as qualified passenger for learner driver while having prescribed concentration of alcohol in blood.....</i>	135
81(4)	<i>Contravening condition endorsed on licence under section 81 of the Act.....</i>	54
81A(5)	<i>Contravening condition of provisional licence referred to in section 81A(1)(ca) of the Act.....</i>	135
81A(5)	<i>Contravening condition of provisional licence referred to in section 81A(1)(d) of the Act.....</i>	54

Motor Vehicles Variation Regulations 2003Part 2—Variation of *Motor Vehicles Regulations 1996* (Gazette 30.5.1996 p 2751) as varied

Section	Description of offence against Motor Vehicles Act 1959	Fee (\$)
81A(5)	<i>Contravening condition of provisional licence referred to in section 81A(1)(e) of the Act.....</i>	48
81A(5a)	<i>Holder of provisional licence driving motor vehicle without displaying two "P" plates.....</i>	61
81AB(5)	<i>Contravening condition of probationary licence referred to in section 81AB(1)(a) or (c) of the Act.....</i>	54
81AB(5)	<i>Contravening condition of probationary licence referred to in section 81AB(1)(b) of the Act.....</i>	135
81B(3a)	<i>Failing to comply with requirement made by Registrar under section 81B(3)(a) of the Act to attend lecture.....</i>	60
97A(3)	<i>Failing to carry or produce licence while driving pursuant to section 97A(1) of the Act.....</i>	69
98AAA(1)	<i>Failing to carry or produce licence while driving heavy vehicle with GVM over 8 tonnes.....</i>	60
98AAB	<i>Failing to carry or produce probationary licence, provisional licence or learner's permit while driving.....</i>	60
102(1)	<i>Driving, or causing to stand, an uninsured vehicle, being an offence arising out of the towing of an uninsured trailer that is not a heavy vehicle.....</i>	19
136(1)	<i>Failing to notify Registrar of change of residence of natural person who is registered owner or registered operator of motor vehicle or holds licence or learner's permit.....</i>	86
136(2)	<i>Failing to notify Registrar of change of name or principal place of business of natural person who holds trade plates.....</i>	86
136(2a)	<i>Failing to notify Registrar of change of principal place of business of body corporate that is registered owner or registered operator of motor vehicle or holds trade plates.....</i>	86
136(2b)	<i>Failing to notify Registrar of change of garage address of motor vehicle.....</i>	86
136(2c)	<i>Failing to notify Registrar of change of registered operator of motor vehicle.....</i>	86
143	<i>Causing or permitting the commission of an expiable offence against the Act or these regulations.....</i>	43

Part 2—Offences against these regulations

Regulation	Description of offence against these regulations	Fee (\$)
54(1)	Offence arising from an alleged contravention of, or failure to comply with—	

Regulation	Description of offence against these regulations	Fee (\$)
reg. 22(1)	<i>Driving motor vehicle while a device is attached to the vehicle or to a number plate or trade on the vehicle, or while a substance is painted or otherwise added to or made part of a number plate or trade plate on the vehicle, the effect of which is to obscure or distort a letter or figure on a number plate or trade plate on the vehicle</i>	264
reg. 22(4)	<i>Driving motor vehicle to which a bike rack is attached displaying a number plate while a device is attached to the bike rack or the number plate, or a substance is painted on or otherwise added to or made part of the number plate on the bike rack, the effect of which is to obscure or distort a letter or figure on the plate</i>	264
reg. 27(2)	<i>Acting as qualified passenger for learner driver without holding licence authorising the person to drive the vehicle the learner driving is driving or attempting to put in motion</i>	54
reg. 27(4)	<i>Failing while acting as qualified passenger for a learner driver to take all reasonable steps to supervise and instruct the learner driver in safe and efficient driving</i>	54

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 29 May 2003

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