

South Australia

Motor Vehicles Variation Regulations 2004

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 2004*.

2—Commencement

These regulations will come into operation on 1 July 2004.

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 Act 1959*

4—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 <i>Motor Vehicles Act 1959</i>	Fee
16(9)	<i>Driving motor vehicle without carrying permit under section 16 of the Act</i>	\$74
16(11)	<i>Contravening condition of permit under section 16 of the Act</i>	\$60
47(1)	<i>Driving, or causing to stand, motor vehicle not bearing number plates</i>	\$60
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>	\$60
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>	\$72
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>	\$72
47D(1)(b))	<i>Driving, or causing to stand, motor vehicle to which is attached number plate altered, defaced, mutilated or added to</i>	\$72
47D(1)(c))	<i>Driving, or causing to stand, motor vehicle to which is attached colourable imitation of number plate</i>	\$72
47D(1)(d))	<i>Without lawful excuse, having in possession number plate or article resembling number plate</i>	\$72
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>	\$72
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>	\$74
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>	\$74
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>	\$72

Section	Description of offence against <i>Motor Vehicles Act 1959</i>	Fee
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>	\$72
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>	\$72
53(1)(d)	<i>Without lawful excuse, having in possession registration label, permit or article resembling registration label or permit</i>	\$72
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>	\$72
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>	\$72
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>	\$72
74(1)	<i>Driving motor vehicle without holding appropriate licence or learner's permit</i>	\$274
75A(5)	<i>Contravening condition of learner's permit referred to in section 75A(3)(c) of the Act</i>	\$131
75A(5)	<i>Contravening condition of learner's permit referred to in section 75(3)(d) of the Act</i>	\$139
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>	\$56
75A(5aa) a)	<i>Holder of learner's permit driving motor vehicle without displaying two "L" plates</i>	\$50
75A(7)	<i>Acting as qualified passenger for learner driver while having prescribed concentration of alcohol in blood</i>	\$140
81(4)	<i>Contravening condition endorsed on licence under section 81 of the Act</i>	\$56
81A(5)	<i>Contravening condition of provisional licence referred to in section 81A(1)(ca) of the Act</i>	\$140
81A(5)	<i>Contravening condition of provisional licence referred to in section 81A(1)(d) of the Act</i>	\$56
81A(5)	<i>Contravening condition of provisional licence referred to in section 81A(1)(e) of the Act</i>	\$124
81A(5a)	<i>Holder of provisional licence driving motor vehicle without displaying two "P" plates</i>	\$63
81AB(5)	<i>Contravening condition of probationary licence referred to in section 81AB(1)(a) or (c) of the Act</i>	\$56
81AB(5)	<i>Contravening condition of probationary licence referred to in section 81AB(1)(b) of the Act</i>	\$140

Motor Vehicles Variation Regulations 2004Part 2—Variation of *Motor Vehicles Act 1959*

Section	Description of offence against <i>Motor Vehicles Act 1959</i>	Fee
81B(3a)	<i>Failing to comply with requirement made by Registrar under section 81B(3)(a) of the Act to attend lecture</i>	\$62
97A(3)	<i>Failing to carry or produce licence while driving pursuant to section 97A(1) of the Act</i>	\$72
98AAA(1)	<i>Failing to carry or produce licence while driving heavy vehicle with GVM over 8 tonnes</i>	\$62
98AAB	<i>Failing to carry or produce probationary licence, provisional licence or learner's permit while driving</i>	\$62
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>	\$20
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>	\$89
136(2)	<i>Failing to notify Registrar of change of name or principal place of business of natural person who holds trade plates</i>	\$89
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>	\$89
136(2b)	<i>Failing to notify Registrar of change of garage address of motor vehicle</i>	\$89
136(2c)	<i>Failing to notify Registrar of change of registered operator of motor vehicle</i>	\$89
143	<i>Causing or permitting the commission of an expiable offence against the Act or these regulations</i>	\$45

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—	
	r 22(1)— <i>Driving motor vehicle while a device is attached to the vehicle or to a number plate or trade plate 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>	\$274
	r 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>	\$274

Regulation	Description of offence against these regulations	Fee
	<i>r 27(2)—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>	\$56
	<i>r 27(4)—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>	\$56

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 27 May 2004

No 83 of 2004

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