

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 come into operation on the day on which they are made.

#### **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***

#### **4—Substitution of Schedule 5**

Schedule 5—delete Schedule 5 and substitute:

#### **Schedule 5—Fees**

##### **1—Interpretation**

In this Schedule—

*level 1 fee* means an administration fee of \$6.00;

*level 2 fee* means an administration fee of \$11.00;

*level 3 fee* means an administration fee of \$21.00.

## **2—Registration**

(1) For registration of—

(a) a heavy vehicle—

- (i) for one or more quarters—a fee equal to the product of the number of quarters for which the vehicle is to be registered multiplied by one quarter of the amount that would be the annual registration charge determined in accordance with the Commonwealth Road Transport Charges Act for registration of the vehicle in the Australian Capital Territory; or
- (ii) in any other case—a fee equal to the product of the number of days for which the vehicle is to be registered multiplied by one-three hundred and sixty-fifth of the fee that would be payable for registration of the vehicle for 12 months;

(b) a vehicle that is not a heavy vehicle—

- (i) a motor bike \$28.00
- (ii) a trailer \$48.00
- (iii) a motor vehicle propelled other than by an internal combustion engine \$82.00
- (iv) a commercial motor vehicle—
  - (A) if the unladen mass of the vehicle does not exceed 1 000 kg and the vehicle is propelled by an internal combustion engine—
    - having 4 cylinders or less \$82.00
    - having 5 or 6 cylinders \$167.00
    - having 7 or more cylinders \$244.00
  - (B) if the unladen mass of the vehicle exceeds 1 000 kg but does not exceed 1 500 kg \$182.00
  - (C) if the unladen mass of the vehicle exceeds 1 500 kg \$310.00
- (v) any motor vehicle (other than a vehicle referred to in subparagraphs (i) to (iv)) propelled by an internal combustion engine—
  - (A) having 4 cylinders or less \$82.00
  - (B) having 5 or 6 cylinders \$167.00
  - (C) having 7 or more cylinders \$244.00

(2) The registration fees prescribed in subclause (1)(b) are those payable for registration for 12 months.

(3) The registration fee payable for the registration of a motor vehicle for a period of less than 12 months is as follows:

- (a) in the case of a registration for one, two or three quarters—a fee equal to the product of the number of quarters for which the vehicle is to be registered multiplied by one quarter of the fee that would be payable for registration of the vehicle for 12 months;
  - (b) in any other case—a fee equal to the product of the number of days for which the vehicle is to be registered multiplied by one-three hundred and sixty-fifth of the fee that would be payable for registration of the vehicle for 12 months.
- (4) Administration fee (payable in addition to the registration fee) for—
- (a) initial registration or re-registration of a motor vehicle level 3 fee
  - (b) renewal of registration of a motor vehicle level 1 fee
- (5) Surcharge (payable in addition to the registration fee and administration fee) for registration or renewal of registration of a motor vehicle for—
- (a) less than 6 months—a fee equal to 5.625 per cent of the registration fee;
  - (b) 6 months or more but less than 9 months—a fee equal to 3.75 per cent of the registration fee;
  - (c) 9 months or more but less than 12 months—a fee equal to 1.875 per cent of the registration fee.
- (6) Subject to clause 3, the fees prescribed in this clause do not apply in relation to the registration of a motor vehicle under section 25 of the Act.

### **3—Conditional registration**

- (1) For registration of a motor vehicle under section 25 of the Act—
- (a) in the case of—
    - (i) a heavy vehicle that is a special purpose vehicle (type o); or
    - (ii) a heavy vehicle that is a special purpose vehicle (type t) (other than an emergency response vehicle or a vehicle that is used principally for the purpose of fire fighting and is fitted with fire fighting equipment),  
  
a fee equal to the product of the number of quarters for which the vehicle is to be registered multiplied by one quarter of the amount that would be the annual registration charge determined in accordance with the Commonwealth Road Transport Charges Act for registration of the vehicle in the Australian Capital Territory;
  - (b) in the case of a road train, B double or a vehicle referred to in clause 6(g) of Schedule 1—the registration fee prescribed by clause 2 of this Schedule;
  - (c) in any other case—no fee.

- (2) Administration fee (payable whether or not a registration fee is payable under subclause (1)) for registration of a motor vehicle under section 25 of the Act—
- (a) initial registration or re-registration of a motor vehicle level 3 fee
  - (b) renewal of registration of a motor vehicle level 1 fee
- (3) If a registration fee is payable for the registration of a motor vehicle under section 25 of the Act and the period of registration is less than 12 months, a surcharge of the amount prescribed in clause 2(5) is payable in addition to the registration fee and administration fee.
- (4) An application for the registration of a motor vehicle under section 25 of the Act is exempt from stamp duty if the motor vehicle to which the application relates is of any of the classes of vehicles prescribed for the purposes of that section in Schedule 1 (other than a road train, B double or a vehicle referred to in clause 6(g) of that Schedule).
- (5) In this clause—
- emergency response vehicle* has the same meaning as in Schedule 1;
- special purpose vehicle (type o)* has the same meaning as in the Schedule of the Commonwealth Road Transport Charges Act;
- special purpose vehicle (type t)* has the same meaning as in the Schedule of the Commonwealth Road Transport Charges Act.

#### **4—Transfer of registration**

- (1) Administration fee for transfer of the registration of a motor vehicle level 3 fee
- (2) Additional fee for late payment of the fee prescribed in subclause (1) \$50.00

#### **5—Cancellation of registration**

Administration fee for cancellation of the registration of a motor vehicle level 2 fee

#### **6—Duplicate certificates of registration and registration labels**

Administration fee for the issue of a duplicate certificate of registration or duplicate registration label level 2 fee

#### **7—Permit to drive an unregistered motor vehicle**

Administration fee for the issue of—

- (a) a permit under section 16(1)(c)(i) of the Act level 1 fee
- (b) a permit under section 16(1)(c)(ii) of the Act level 3 fee

#### **8—Duplicate permit to drive an unregistered motor vehicle**

Administration fee for the issue of a duplicate permit under section 16(12) of the Act level 2 fee

#### **10—Temporary configuration certificate for heavy vehicle**

Administration fee for the issue of a temporary configuration certificate for a heavy vehicle level 3 fee

**11—Duplicate temporary configuration certificate for heavy vehicle**

Administration fee for the issue of a duplicate temporary configuration certificate for a heavy vehicle level 2 fee

**12—Number allotment**

Administration fee for variation or amendment of the number allotted to a motor vehicle (per vehicle) level 3 fee

**13—Number plates**

(1) Administration fee for the issue or replacement of a single number plate, a pair of number plates or a supplementary number plate for a bike rack level 3 fee

(2) Administration fee (payable in addition to the fee prescribed in subclause (1)) for postal delivery of a number plate or plates level 2 fee

**14—Issue or reissue of trade plate**

(1) For the issue or reissue of a trade plate—

- (a) in respect of a motor vehicle that has a gross vehicle mass exceeding 4 500 kg (other than a special purpose vehicle) (*Category A*)— an annual fee of an amount equal to the fee that would be payable for registration for 12 months of a heavy vehicle that is a truck (type 1) with 2 axles and a gross vehicle mass exceeding 4 500 kg but not exceeding 12 000 kg;
- (b) in respect of a motor vehicle that has a gross vehicle mass not exceeding 4 500 kg (other than a motor bike, trailer or special purpose vehicle) (*Category B*)— an annual fee of an amount equal to the fee that would be payable for registration for 12 months of a motor vehicle referred to in clause 2(1)(b)(iv)(A) or 2(1)(b)(v) that has 7 or more cylinders;
- (c) in respect of a motor bike (*Category C*)— an annual fee of an amount equal to the fee that would be payable for registration for 12 months of a motor bike;
- (d) in respect of a trailer that has a gross vehicle mass not exceeding 4 500 kg (*Category D*)— an annual fee of an amount equal to the fee that would be payable for registration for 12 months of a trailer;
- (e) in respect of a special purpose vehicle (*Category E*)— no fee.

If an application for the issue or reissue of a trade plate relates to more than one category of vehicle such that more than one fee becomes payable, then only the highest fee must be paid.

(2) Administration fees (payable in addition to the fee prescribed in subclause (1))—

- (a) on application for the issue of a trade plate level 3 fee
- (b) for allocation of a trade plate number on the issue of a trade plate (per plate) level 2 fee

(3) Administration fee (payable in addition to the fee prescribed in subclause (1)) on application for the reissue of a trade plate level 1 fee

(4) In this clause—

*truck (type 1)* has the same meaning as in the Schedule of the Commonwealth Road Transport Charges Act.

**15—Supply of trade plate by Registrar**

Administration fee for the supply of a trade plate by the Registrar level 3 fee

**16—Issue of replacement trade plate**

Administration fee on application for the issue of a new trade plate in lieu of a lost trade plate level 2 fee

**17—Duplicate trade plate label or certificate of issue of trade plate**

Administration fee for the issue of a duplicate trade plate label or duplicate certificate of issue of a trade plate level 2 fee

**18—Trade plate transfer**

Administration fee payable on application for the transfer of a trade plate level 3 fee

**19—Trade plate surrender**

Administration fee payable on surrender of a trade plate under section 70(5) of the Act level 2 fee

**20—Driver's licences**

(1) For the issue or renewal of a driver's licence—

(a) where the applicant is a person who as a result of his or her service in a naval, military or air force of Her Majesty— \$12.00

(i) is totally or permanently incapacitated; or

(ii) has lost a leg or foot; or

(iii) receives under the law of the Commonwealth relating to repatriation a pension at the rate for total incapacity or a pension granted by reason of impairment of his or her power of locomotion at the rate of not less than 70 per cent of the rate for total incapacity (per annum)

(b) where the applicant is a concession card holder (per annum) \$12.00

(c) in any other case (per annum) \$24.00

(2) The licence fee for a driver's licence issued or renewed for a period other than for full years is one-quarter of the annual licence fee for each complete three months of the period for which the licence is issued or renewed.

(3) If—

(a) a person ceases to be a concession card holder; and

(b) the person holds a driver's licence that was issued or renewed on payment of a reduced fee,

the person must pay an additional fee of an amount that is equal to the difference between—

- (c) the amount obtained by multiplying the number of complete three month periods in the unexpired period of the licence by one-quarter of the annual fee paid for the issue or renewal of the licence; and
  - (d) the amount obtained by multiplying the number of complete three month periods in the unexpired period of the licence by one-quarter of the annual fee that would have been payable for the issue or renewal of the licence if the person had not been a concession card holder.
- (4) For the purposes of subclause (3), the unexpired period of the licence commences on the day on which the person ceases to be a concession card holder.
- (5) Administration fee (payable in addition to the licence fee) for the issue or renewal of a driver's licence level 2 fee
- (6) Administration fee (payable in addition to the fee prescribed in subclause (5)) where application for the issue of a driver's licence is made more than 6 months after the expiry of a previously held licence and the applicant was not, during the whole of the period of 6 months after the expiry of the previously held licence, disqualified from holding or obtaining a driver's licence level 3 fee
- (7) In this clause—
- concession card holder** means a person who—
- (a) holds—
    - (i) a State Concession Card issued by the Department for Human Services; or
    - (ii) a pensioner entitlement card issued under a law of the Commonwealth; and
  - (b) is entitled, as the holder of such a card, to travel on public transport in this State at reduced fares;

**reduced fee** means the fee payable for the issue or renewal of a driver's licence where the applicant is a concession card holder.

**21—Duplicate driver's licence**

Administration fee for the issue of a duplicate driver's licence that bears a photograph of the holder level 2 fee

**22—Learner's permit**

Administration fee for the issue or renewal of a learner's permit level 3 fee

**23—Duplicate learner's permit**

Administration fee for the issue of a duplicate learner's permit level 2 fee

**24—Examination in rules to be observed by drivers**

Administration fee for an examination, under section 79 of the Act, in the rules required by law to be observed by drivers of motor vehicles level 3 fee

**25—Practical driving tests**

For a practical driving test—

- (a) booking fee level 2 fee

- (b) test fee—
  - (i) for a test of up to, but not exceeding, 40 minutes' duration \$34.00
  - (ii) for a test exceeding 40 minutes' duration \$79.00
- (c) administration fee (payable in addition to the test fee) level 2 fee

**26—Motor bike training courses**

For a motor bike training course undertaken in accordance with the directions of the Registrar—

- (a) training course fee—
  - (i) for basic motor bike training preparatory to obtaining a motor bike learner's permit \$85.00
  - (ii) for advanced motor bike training preparatory to obtaining a motor bike driver's licence \$75.00
- (b) administration fee (payable in addition to the training course fee) \$12.00

**27—Proficiency test for motor driving instructor's licence**

For a proficiency test of an applicant for a driving instructor's licence—

- (a) for a theory test—
  - (i) test fee \$48.00
  - (ii) administration fee (payable in addition to the test fee) level 2 fee
- (b) for a practical training course test—
  - (i) test fee \$4 185.00
  - (ii) administration fee (payable in addition to the test fee) level 2 fee

**28—Motor driving instructor's licence**

For the issue of a motor driving instructor's licence (per annum) \$64.40

**29—Duplicate motor driving instructor's licence**

Administration fee for the issue of a duplicate motor driving instructor's licence level 2 fee

**30—Proficiency tests for authorised examiners**

For a proficiency test of an applicant for appointment as an authorised examiner—

- (a) for a 3-day practical training course test—
  - (i) test fee \$359.00
  - (ii) administration fee (payable in addition to the test fee) \$12.00
- (b) for a 5-day practical training course test—
  - (i) test fee \$534.00



- (ii) administration fee (payable in addition to the test fee) \$12.00
- 31—Lectures as to motor vehicle accidents and their causes**
- For attendance at a lecture conducted pursuant to reg. 32 \$32.00
- 32—Disabled person's parking permit**
- For the issue of a disabled person's parking permit—
- (a) permit fee—
- (i) for 1 year or less \$3.00
- (ii) for 2 years \$5.00
- (iii) for 3 years \$7.00
- (iv) for 4 years \$9.00
- (v) for 5 years \$12.00
- (b) administration fee (payable in addition to the permit fee) level 1 fee
- 33—Register searches etc**
- (1) Administration fee for searching the register and supplying information—
- (a) for manual search of archived information (per search) level 3 fee
- (b) for manual search of current information (per search) level 3 fee
- (c) for multiple searches where separate extracts of entries are not required level 2 fee
- (d) where the applicant prepares computer input data in a form acceptable to the Registrar (per search) level 1 fee
- (2) Administration fee for an extract of an entry in the register level 3 fee
- 34—Application for review of decision of Registrar**
- Administration fee payable on application for a review under s 98Z of the Act level 3 fee
- 35—Dishonoured cheque or debit card or credit card transactions**
- Administration fee payable under s 138B of the Act level 3 fee
- 36—Fees payable by insurer for emergency treatment**
- For the purposes of section 110(1) of the Act—
- (a) the fee payable to a medical practitioner who renders emergency treatment is a fee equal to a level 3 fee;
- (b) the fee payable to a nurse who renders emergency treatment is a fee equal to a level 2 fee;
- (c) the amount payable to a person who conveys an injured person is an amount equal to one-tenth of a level 1 fee for every kilometre that the person is conveyed.
- 37—Fees payable for registration under Commonwealth *Interstate Road Transport Act 1985***
- (1) Administration fee (payable in addition to the registration charge imposed by Commonwealth law) (s 9(1)(a))—

- |   |             |
|---|-------------|
| (a) for registration  | level 3 fee |
| (b) for renewal of registration   | level 1 fee |
| (2) Administration fee to accompany notice surrendering registration<br>(s 12(2)) | level 2 fee |

## **Part 3—Transitional provision**

### **5—Transitional provision**

- (1) The fees prescribed in respect of the issue or renewal of a driver's licence or registration of a motor vehicle by Schedule 5 of the *Motor Vehicles Regulations 1996*, as substituted by these regulations, apply where the issue or renewal is to take effect on or after 1 July 2004.
- (2) All other fees prescribed by Schedule 5 of the *Motor Vehicles Regulations 1996*, as substituted by these regulations, apply from 1 July 2004.
- (3) Despite regulation 4—
  - (a) the fees prescribed in respect of the issue or renewal of a driver's licence or registration of a motor vehicle by Schedule 5 of the *Motor Vehicles Regulations 1996*, as in force immediately before the commencement of these regulations, continue to apply where the issue or renewal is to take effect before 1 July 2004; and
  - (b) all other fees prescribed by Schedule 5 of the *Motor Vehicles Regulations 1996*, as in force immediately before the commencement of these regulations, continue to apply until 1 July 2004.

**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 86 of 2004

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