

South Australia

Motor Vehicles (Fees) Variation Regulations 2008

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 (Fees) Variation Regulations 2008*.

2—Commencement

These regulations will come into operation on the day on which the *Motor Vehicles (National Transport Commission) Amendment Act 2007* comes into operation.

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—Variation of regulation 4—Interpretation

Regulation 4(1), definition of *special purpose vehicle*—delete "Commonwealth Road Transport Charges Act" and substitute:

Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008

5—Variation of regulation 38—Fees

Regulation 38(1)—delete subregulation (1) and substitute:

- (1) For the purposes of the Act and these regulations, the fees set out in Schedule 5 (other than clause 40) are prescribed.

6—Insertion of regulation 38A

After regulation 38 insert:

38A—Conditional registration—exemption from stamp duty

An application to register a motor vehicle under section 25 of the Act (other than an application to register a road train, B double or vehicle of a class referred to in clause 6(g) of Schedule 1) is declared to be exempt from stamp duty.

Note—

See the *Stamp Duties Act 1923* (Schedule 2 clause 2(2) exemption 10A).

7—Variation of regulation 39—Reduced registration fees—prescribed amounts

Regulation 39(4)—delete subregulation (4) and substitute:

- (4) In this regulation—
truck (type 1) and *truck (type 2)* have the same respective meanings as in the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*.

8—Variation of Schedule 1—Conditional registration

- (1) Schedule 1, clause 5(1)(a)—delete "fishery licence under the *Fisheries Act 1982*" and substitute:

fishery authority under the *Fisheries Management Act 2007*

- (2) Schedule 1, clause 5(1)(b)—delete paragraph (b) and substitute:

- (b) is used solely for the purpose of towing a registered boat within the meaning of that Act,

9—Substitution of Schedule 5

Schedule 5—delete the Schedule and substitute:

Schedule 5—Fees

1—Interpretation

In this Schedule—

emergency response vehicle has the same meaning as in Schedule 1;

government authorised examiner means an authorised examiner who is—

- (a) a police officer; or
- (b) an employee in the Transport Department; or
- (c) a person appointed as an authorised examiner by some public authority and approved by the Registrar;

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

level 2 fee means an administration fee of \$15.00;

level 3 fee means an administration fee of \$21.00;

special purpose vehicle (type O) has the same meaning in as in the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*;

special purpose vehicle (type T) has the same meaning in as in the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*;

Transport Department premises, in relation to an examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act, includes a place specified under section 139(1)(d) of the Act at which the motor vehicle is required to be produced for the purpose of the examination;

truck (type I) has the same meaning as in the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*.

2—Registration (section 24 of Act)

- (1) For registration of a heavy vehicle under section 24 of the Act for a period of 12 months—the fee prescribed by, or determined in accordance with, the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*.
- (2) For registration of a motor vehicle (other than a heavy vehicle) under section 24 of the Act for a period of 12 months—
 - (a) a motor bike \$32.00
 - (b) a trailer \$55.00
 - (c) a motor vehicle propelled other than by an internal combustion engine \$95.00
 - (d) a commercial motor vehicle—
 - (i) if the unladen mass of the vehicle does not exceed 1 000 kg and the vehicle is propelled by an internal combustion engine—
 - (A) having 4 cylinders or less \$95.00

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Part 2—Variation of *Motor Vehicles Regulations 1996*

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|-------|---|----------|
| (B) | having 5 or 6 cylinders | \$193.00 |
| (C) | having 7 or more cylinders | \$280.00 |
| (ii) | if the unladen mass of the vehicle exceeds 1 000 kg but does not exceed 1 500 kg | \$209.00 |
| (iii) | if the unladen mass of the vehicle exceeds 1 500 kg | \$356.00 |
| (e) | a motor vehicle (other than a vehicle referred to in paragraphs (a) to (d)) propelled by an internal combustion engine— | |
| (i) | having 4 cylinders or less | \$95.00 |
| (ii) | having 5 or 6 cylinders | \$193.00 |
| (iii) | having 7 or more cylinders | \$280.00 |
- (3) The registration fee payable for the registration of a motor vehicle under section 24 of the Act for a period of less than 12 months is as follows:
- (a) in the case of a registration for 1, 2 or 3 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 under section 24 of the Act | level 3 fee |
| (b) | renewal of registration of a motor vehicle under section 24 of the Act | 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 under section 24 of the Act for—
- (a) less than 6 months—a fee equal to 5.625% of the registration fee;
 - (b) 6 months or more but less than 9 months—a fee equal to 3.75% of the registration fee;
 - (c) 9 months or more but less than 12 months—a fee equal to 1.875% of the registration fee.

3—Conditional registration (section 25 of Act)

- (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 registration fee for registration of the vehicle under section 24 of the Act for the financial year in which the registration is to take effect;

- (b) in the case of a heavy vehicle that is a road train, B double or a vehicle of a class referred to in clause 6(g) of Schedule 1—a fee equal to the registration fee that would be payable for registration of the vehicle under section 24 of the Act;

- (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—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) \$66.00

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

9—Temporary configuration certificate for heavy vehicle

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

10—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

11—Number allotment

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

12—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

13—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(2)(d)(i) or 2(2)(e) 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 1 category of vehicle such that more than 1 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
- 14—Supply of trade plate by Registrar**
- Administration fee for the supply of a trade plate by the Registrar level 3 fee
- 15—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
- 16—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
- 17—Trade plate transfer**
- Administration fee payable on application for the transfer of a trade plate level 3 fee
- 18—Trade plate surrender**
- Administration fee payable on surrender of a trade plate under section 70(5) of the Act level 2 fee
- 19—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— \$13.00
- (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% of the rate for total incapacity (per year);
- (b) where the applicant is a concession card holder (per year); \$13.00
- (c) in any other case (per year) \$26.00
- (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 3 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 3 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 3 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 Families and Communities; 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.

20—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

21—Learner's permit

- (1) For the issue or renewal of a learner's permit \$26.00
- (2) Administration fee for the issue or renewal of a learner's permit (payable in addition to the permit fee) level 2 fee

22—Duplicate learner's permit

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

23—Theoretical examination

For a theoretical examination prescribed for the purposes of section 79 of the Act—

- (a) examination fee \$10.00
- (b) administration fee (payable in addition to the examination fee) level 2 fee

24—Practical driving tests conducted by government authorised examiners

For a practical driving test conducted by a government authorised examiner—

- (a) booking fee level 2 fee
- (b) test fee—
 - (i) for a test of up to, but not exceeding, 40 minutes' duration \$40.00
 - (ii) for a test exceeding 40 minutes' duration \$90.00
- (c) administration fee (payable in addition to the test fee) level 2 fee

25—Other practical driving tests; final assessments

Booking fee, for notice to the Registrar of— level 2 fee

- (a) a practical driving test; or
- (b) a final assessment in a competence based training course for drivers of motor vehicles (other than motor bikes) undertaken in accordance with the directions of the Registrar,

to be conducted by an authorised examiner other than a government authorised examiner

26—Hazard perception tests

For a hazard perception test—

- (a) test fee \$10.00
- (b) administration fee (payable in addition to the test fee) level 2 fee

27—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 \$313.00
 - (ii) for advanced motor bike training preparatory to obtaining a motor bike driver's licence \$276.00
- (b) administration fee (payable in addition to the training course fee) \$15.00

28—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 \$55.00
 - (ii) administration fee (payable in addition to the test fee) level 2 fee

(b)	for a practical training course test—	
(i)	test fee	\$4 819.00
(ii)	administration fee (payable in addition to the test fee)	level 2 fee
29	—Motor driving instructor's licence	
	For the issue of a motor driving instructor's licence (per year)	\$76.40
30	—Duplicate motor driving instructor's licence	
	Administration fee for the issue of a duplicate motor driving instructor's licence	level 2 fee
31	—Appointment as authorised examiner	
	For appointment as an authorised examiner (other than a government authorised examiner) (per year)	\$112.00
32	—Proficiency tests for authorised examiners	
(1)	For a proficiency test, required by the Registrar, of an applicant for appointment as an authorised examiner in relation to the driving of motor vehicles with a gross vehicle mass not exceeding 4.5 tonnes—	
(a)	practical training course test (per day)	\$197.00
(b)	administration fee (payable in addition to test fee)	\$16.00
(2)	For a proficiency test, required by the Registrar, of an applicant for appointment as an authorised examiner in relation to the driving of motor vehicles with a gross vehicle mass exceeding 4.5 tonnes—	
(a)	practical training course test (per day)	\$332.00
(b)	administration fee (payable in addition to test fee)	\$16.00
33	—Lectures as to motor vehicle accidents and their causes	
	For attendance at a lecture conducted under regulation 32	\$33.00
34	—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
35	—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

36—Motor vehicle examinations

- (1) For an examination of a motor vehicle for the purposes of completion of a report under regulation 23A \$13.00
- (2) A fee for an examination referred to in subclause (1) must be paid—
 - (a) in the case of an examination to be carried out by an authorised officer—on the registration of the vehicle; or
 - (b) in the case of an examination to be carried out by a police officer—prior to the examination.
- (3) For a basic examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act to be carried out by a person authorised by the Registrar under section 139(1) of the Act \$29.00
- (4) For a basic examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act to be carried out by a police officer \$46.00
- (5) For a basic examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act to be carried out by an authorised officer at Transport Department premises \$46.00
- (6) For a basic examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act to be carried out by an authorised officer at a site other than Transport Department premises—
 - (a) fee for call out (per site visit)—\$166.00; plus
 - (b) fee for examination (per vehicle)—\$46.00.
- (7) For a comprehensive examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act to be carried out by an authorised officer \$248.00
- (8) For a further examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act following a comprehensive examination referred to in subclause (7), to be carried out by an authorised officer \$29.00
- (9) A fee for an examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act must be paid—
 - (a) in the case of a fee specified in subclause (3), (5) or (6)(b)—on the registration of the vehicle; or
 - (b) in the case of a fee specified in subclause (4), (6)(a), (7) or (8)—prior to the examination.

- (10) If more than 1 fee becomes payable under subclauses (1) to (7) (inclusive) in respect of the examination of the same motor vehicle, only the higher or highest fee (as the case may be) must be paid.
- (11) A fee for an examination referred to in this clause to be carried out by a police officer must be paid to the South Australian Police Department.

37—Application for review of decision of Registrar

Administration fee payable on application for a review under section 98Z of the Act level 3 fee

38—Dishonoured cheque or debit card or credit card transactions

Administration fee payable under section 138B of the Act level 3 fee

39—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.

40—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) (section 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 (section 12(2)) level 2 fee

Schedule 1—Transitional provision

1—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 2008.
- (2) All other fees prescribed in Schedule 5 of the *Motor Vehicles Regulations 1996*, as substituted by these regulations, apply from 1 July 2008.

- (3) Despite regulation 9—
- (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 2008; 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 2008.

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's Deputy

with the advice and consent of the Executive Council
on 5 June 2008

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