

South Australia

Motor Vehicles (Expiation Fees) Variation Regulations 2010

under the *Motor Vehicles Act 1959*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Motor Vehicles Regulations 2010*

- 4 Variation of regulation 36—Offences
 - 5 Variation of regulation 74—Registrar to be given notice of, and notices to be affixed to, written-off vehicles
 - 6 Variation of regulation 75—Offence to drive written-off vehicle on road
 - 7 Variation of regulation 100—Expiation of alleged offences
 - 8 Substitution of Schedule 5
- Schedule 5—Expiation fees
- 1 Offences against *Motor Vehicles Act 1959*
 - 2 Offences against these regulations
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Motor Vehicles (Expiation Fees) Variation Regulations 2010*.

2—Commencement

These regulations will come into operation on 1 July 2010.

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 2010*

4—Variation of regulation 36—Offences

- (1) Regulation 36(1), penalty provision—delete "Expiation fee: \$329."
 - (2) Regulation 36(4), penalty provision—delete "Expiation fee: \$329."
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5—Variation of regulation 74—Registrar to be given notice of, and notices to be affixed to, written-off vehicles

Regulation 74(7), penalty provision—delete "Expiation fee: In the case of an alleged offence not committed in the course of a trade or business—\$210."

6—Variation of regulation 75—Offence to drive written-off vehicle on road

Regulation 75(1), penalty provision—delete "Expiation fee: in the case of an alleged offence not committed in the course of a trade or business—\$210."

7—Variation of regulation 100—Expiation of alleged offences

Regulation 100(1)—after "against the Act" insert:

or these regulations

8—Substitution of Schedule 5

Schedule 5—delete the Schedule and substitute:

Schedule 5—Expiation fees

1—Offences against *Motor Vehicles Act 1959*

Section	Description of offence against <i>Motor Vehicles Act 1959</i>	Fee
9(1)	<i>Driving unregistered motor vehicle on road or causing unregistered motor vehicle to stand on road</i>	\$258
9(3)	<i>Being owner of unregistered motor vehicle found standing on road</i>	\$258
16(9)	<i>Driving motor vehicle without carrying permit under section 16 of Act</i>	\$92
16(11)	<i>Contravening condition of permit under section 16 of Act</i>	\$74
43A(3)	<i>Causing or permitting unregistered heavy vehicle to be driven on road</i>	\$258
43A(7)	<i>Failing to carry temporary configuration certificate in vehicle or to produce it for inspection by police officer or authorised officer</i>	\$26
47(1)	<i>Driving, or causing to stand, motor vehicle not bearing number plates</i>	\$517
47(1a)	<i>Being registered owner or registered operator of motor vehicle driven, or caused to stand, in contravention of section 47(1) of Act</i>	\$517
47A(7)	<i>Driving motor vehicle to which is attached number plates in respect of which a declaration under section 47A(2) of Act has been made without relevant agreement under section 47A(4)</i>	\$517
47B(2)	<i>Selling or supplying number plates without approval of Minister</i>	\$517

Motor Vehicles (Expiation Fees) Variation Regulations 2010Variation of *Motor Vehicles Regulations 2010*—Part 2

Section	Description of offence against <i>Motor Vehicles Act 1959</i>	Fee
47C(3)	<i>Failing to comply with direction of Registrar under section 47C(2) of Act to return number plates</i>	\$207
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>	\$517
47D(1)(b)	<i>Driving, or causing to stand, motor vehicle to which is attached number plate altered, defaced, mutilated or added to</i>	\$517
47D(1)(c)	<i>Driving, or causing to stand, motor vehicle to which is attached colourable imitation of number plate</i>	\$517
47D(1)(d)	<i>Without lawful excuse, having in possession number plate or article resembling number plate</i>	\$517
47D(2)	<i>Being registered owner or registered operator of motor vehicle driven, or caused to stand, in contravention of section 47D(1) of Act</i>	\$517
48(3)	<i>Driving, or causing to stand, registered motor vehicle not carrying registration label (or amended registration label) issued for vehicle or carrying registration label not in conformity with section 48 of Act or these regulations</i>	\$89
48(3a)	<i>Being registered owner or registered operator of motor vehicle driven, or caused to stand, in contravention of section 48(3) of Act</i>	\$92
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>	\$89
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>	\$89
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>	\$89
53(1)(d)	<i>Without lawful excuse, having in possession registration label, permit or article resembling registration label or permit</i>	\$89
53(1a)	<i>Being registered owner or registered operator of motor vehicle driven, or caused to stand, in contravention of section 53(1) of Act</i>	\$89
56(b)(ii)	<i>Failing to lodge notice of transfer of ownership of motor vehicle within 14 days after transfer</i>	\$165
66(2)	<i>If 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>	\$89

Motor Vehicles (Expiation Fees) Variation Regulations 2010Part 2—Variation of *Motor Vehicles Regulations 2010*

Section	Description of offence against <i>Motor Vehicles Act 1959</i>	Fee
71B(2)	<i>Failure by person to whom replacement number plate, trade plate or duplicate registration certificate or registration label issued to return found or recovered original plate, certificate or label to Registrar</i>	\$89
72A(2)	<i>Acting as qualified supervising driver while having prescribed concentration of alcohol in blood or prescribed drug in oral fluid or blood</i>	\$173
74(1)	<i>Driving motor vehicle without currently holding appropriate licence or learner's permit</i>	\$340
75A(5)	<i>Contravening condition of learner's permit—</i>	
	condition referred to in section 75A(3)(c) of Act	\$162
	condition referred to in section 75A(3)(d) of Act	\$171
	condition other than condition referred to in section 75A(3)(c) or (d) of Act	\$70
75A(5aaa)	<i>Holder of learner's permit driving motor vehicle without displaying 2 "L" plates</i>	\$61
81(4)	<i>Contravening condition endorsed on licence or permit under section 81 of Act</i>	\$70
81A(5)	<i>Contravening condition of provisional licence—</i>	
	condition referred to in section 81A(1)(ca) of Act	\$173
	condition referred to in section 81A(1)(d) of Act	\$70
	condition referred to in section 81A(1)(e) of Act	\$155
	condition referred to in section 81A(3a)(a) of Act	\$173
	condition referred to in section 81A(3a)(b) of Act	\$70
81A(5a)	<i>Holder of P1 licence driving motor vehicle without displaying 2 "P" plates</i>	\$77
81AB(5)	<i>Contravening condition of probationary licence—</i>	
	condition referred to in section 81AB(1)(a) or (c) of Act	\$70
	condition referred to in section 81AB(1)(b) of Act	\$173
81B(3a)	<i>Failing to comply with requirement made by Registrar</i>	
	failure to attend lecture	\$76
96(1)	<i>Failing to produce licence or learner's permit on request of police officer</i>	\$112

Motor Vehicles (Expiation Fees) Variation Regulations 2010

Variation of *Motor Vehicles Regulations 2010*—Part 2

Section	Description of offence against <i>Motor Vehicles Act 1959</i>	Fee
97A(3)	<i>Failing to carry or produce licence while driving under section 97A of Act</i>	\$112
98AAA(1)	<i>Failing to carry or produce licence while driving heavy vehicle</i>	\$112
98AAB	<i>Failing to carry or produce probationary licence, provisional licence or learner's permit while driving</i>	\$112
102(1)	<i>Driving uninsured motor vehicle on road or causing uninsured motor vehicle to stand on road</i>	\$517
102(2)	<i>Being owner of uninsured motor vehicle found standing on road</i>	\$517
136(1)	<i>Failing to notify Registrar of change of name or residence of natural person who is registered owner or registered operator of motor vehicle or holds licence or learner's permit</i>	\$109
136(2)	<i>Failing to notify Registrar of change of name or principal place of business of natural person who holds trade plates</i>	\$109
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>	\$109
136(2b)	<i>Failing to notify Registrar of change of garage address of motor vehicle</i>	\$109
136(2c)	<i>Failing to notify Registrar of change of registered operator of motor vehicle</i>	\$109
136(2d)	<i>Failing to notify Registrar of change of postal address</i>	\$109
143(1)	<i>Causing or permitting another person to do or omit to do anything in contravention of Act or regulations</i>	
	causing or permitting commission of expiable offence	the expiation fee prescribed for the expiable offence

2—Offences against these regulations

Regulation	Description of offence against these regulations	Fee
36(1)	<i>Driving motor vehicle on road while number plate or trade plate obscured or distorted by device or substance</i>	\$340
36(4)	<i>Driving motor vehicle on road while number plate on bike rack obscured or distorted by device or substance</i>	\$340

Motor Vehicles (Expiation Fees) Variation Regulations 2010

Part 2—Variation of *Motor Vehicles Regulations 2010*

Regulation	Description of offence against these regulations	Fee
74(7)	<i>Contravening or failing to comply with requirements of regulation concerning written-off vehicle notices or notification</i>	
	alleged offence not committed in the course of a trade or business	\$210
75(1)	<i>Driving written-off vehicle to or from place other than place specified in regulation</i>	
	alleged offence not committed in the course of a trade or business	\$210

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 10 June 2010

No 92 of 2010

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