

South Australia

Motor Vehicles (Expiation Fees) Variation Regulations 2011

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 (Expiation Fees) Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 July 2011 immediately after the *Motor Vehicles Variation Regulations 2011 (Gazette 29.04.2011 p1292)* come 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 2010*

4—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>	\$315
9(3)	<i>Being owner of unregistered motor vehicle driven or found standing on road</i>	\$315
16(9)	<i>Driving motor vehicle without carrying permit under section 16 of Act</i>	\$115
16(11)	<i>Contravening condition of permit under section 16 of Act</i>	\$96
43A(3)	<i>Causing or permitting unregistered heavy vehicle to be driven on road</i>	\$315
43A(7)	<i>Failing to carry temporary configuration certificate in vehicle or to produce it for inspection by police officer or authorised officer</i>	\$47
47(1)	<i>Driving, or causing to stand, motor vehicle not bearing number plates</i>	\$582
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>	\$582
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>	\$582
47B(2)	<i>Selling or supplying number plates without approval of Minister</i>	\$582
47C(3)	<i>Failing to comply with direction of Registrar under section 47C(2) of Act to return number plates</i>	\$263
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>	\$582
47D(1)(b)	<i>Driving, or causing to stand, motor vehicle to which is attached number plate altered, defaced, mutilated or added to</i>	\$582
47D(1)(c)	<i>Driving, or causing to stand, motor vehicle to which is attached colourable imitation of number plate</i>	\$582
47D(1)(d)	<i>Without lawful excuse, having in possession number plate or article resembling number plate</i>	\$582

Motor Vehicles (Expiation Fees) Variation Regulations 2011
Variation of *Motor Vehicles Regulations 2010*—Part 2

Section	Description of offence against <i>Motor Vehicles Act 1959</i>	Fee
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>	\$582
48(3)	<i>Driving, or causing to stand, registered heavy 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>	\$115
48(3a)	<i>Being registered owner or registered operator of heavy vehicle driven, or caused to stand, in contravention of section 48(3) of Act</i>	\$115
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>	\$112
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>	\$112
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>	\$112
53(1)(d)	<i>Without lawful excuse, having in possession registration label, permit or article resembling registration label or permit</i>	\$112
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>	\$112
56(b)(ii)	<i>Failing to lodge notice of transfer of ownership of motor vehicle within 14 days after transfer</i>	\$220
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>	\$112
71B(2)	<i>Failure by person to whom replacement number plate, trade plate or prescribed document or duplicate registration label issued to return found or recovered original plate, document or label to Registrar</i>	\$112
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>	\$228
74(1)	<i>Driving motor vehicle without currently holding appropriate licence or learner's permit</i>	\$400
75A(14)	<i>Contravening condition of learner's permit</i>	\$307

Motor Vehicles (Expiation Fees) Variation Regulations 2011Part 2—Variation of *Motor Vehicles Regulations 2010*

Section	Description of offence against <i>Motor Vehicles Act 1959</i>	Fee
75A(15)(a)	<i>Holder of learner's permit driving motor bike on road while no L plate affixed to bike in accordance with regulations</i>	\$307
75A(15)(b)	<i>Holder of learner's permit driving motor vehicle (other than motor bike) on road while L plates not affixed to vehicle in accordance with regulations—</i>	
	<i>only 1 L plate affixed to vehicle in accordance with regulations</i>	\$179
	<i>no L plates affixed to vehicle in accordance with regulations</i>	\$307
81(4)	<i>Contravening condition endorsed on licence or permit under section 81 of Act</i>	\$307
81A(13)	<i>Contravening condition of provisional licence</i>	\$307
81A(15)(a)	<i>Holder of P1 licence driving motor bike on road while no P plate affixed to bike in accordance with regulations</i>	\$307
81A(15)(b)	<i>Holder of P1 licence driving motor vehicle (other than motor bike) on road while P plates not affixed to vehicle in accordance with regulations—</i>	
	<i>only 1 P plate affixed to vehicle in accordance with regulations</i>	\$179
	<i>no P plates affixed to vehicle in accordance with regulations</i>	\$307
81A(16)	<i>Holder of P1 or P2 licence under the age of 25 years driving a high powered vehicle</i>	\$307
81AB(5)	<i>Contravening condition of probationary licence</i>	\$307
81B(3)	<i>Failing to comply with requirement made by Registrar</i>	
	<i>failure to attend lecture</i>	\$98
96(1)	<i>Failing to produce licence or learner's permit on request of police officer</i>	\$165
97A(3)	<i>Failing to carry or produce licence while driving under section 97A of Act</i>	\$165
98AAA(1)	<i>Failing to carry or produce licence while driving heavy vehicle</i>	\$165
98AAB	<i>Failing to carry or produce probationary licence, provisional licence or learner's permit while driving</i>	\$165
102(1)	<i>Driving uninsured motor vehicle on road or causing uninsured motor vehicle to stand on road</i>	\$582
102(2)	<i>Being owner of uninsured motor vehicle driven or found standing on road</i>	\$582

Section	Description of offence against <i>Motor Vehicles Act 1959</i>	Fee
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>	\$162
136(2)	<i>Failing to notify Registrar of change of name or principal place of business of natural person who holds trade plates</i>	\$162
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>	\$162
136(2b)	<i>Failing to notify Registrar of change of garage address of motor vehicle</i>	\$162
136(2c)	<i>Failing to notify Registrar of change of registered operator of motor vehicle</i>	\$162
136(2d)	<i>Failing to notify Registrar of change of postal address</i>	\$162
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>	\$400
36(4)	<i>Driving motor vehicle on road while number plate on bike rack obscured or distorted by device or substance</i>	\$400
55E	<i>Failing to carry or produce certificate of exemption while driving a high powered vehicle</i>	\$179
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	\$266
75(1)	<i>Driving written-off vehicle to or from place other than place specified in regulation</i>	

Motor Vehicles (Expiation Fees) Variation Regulations 2011

Part 2—Variation of *Motor Vehicles Regulations 2010*

<u>Regulation</u>	<u>Description of offence against these regulations</u>	<u>Fee</u>
	alleged offence not committed in the course of a trade or business	\$266

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 9 June 2011

No 102 of 2011

MPOL11/007CS