

South Australia

## **Motor Vehicles Variation Regulations 2012**

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 2012*.

#### **2—Commencement**

These regulations will come into operation on 1 September 2012.

#### **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 Schedule 4—Demerit points**

- (1) Schedule 4, Part 1, clause 1, item relating to section 79B(2), entry relating to rule 20—delete the entry
- (2) Schedule 4, Part 1, clause 1, item relating to section 82(1)—delete the item
- (3) Schedule 4, Part 1, clause 1, item relating to section 164A(1), entries relating to section 83(1)(a) and section 83(1)(b)—delete the entries
- (4) Schedule 4, Part 1, clause 2, item relating to rule 20—delete the item
- (5) Schedule 4, Part 2, clause 4, item relating to section 45A—delete "6" and substitute:

- (6) Schedule 4, Part 2, clause 4, item relating to section 79B(2)—delete the item and substitute:

79B(2)	<i>Being the owner of a vehicle that appears from evidence obtained through the operation of a photographic detection device to have been involved in the commission of a prescribed offence</i>	
	Contravention where the owner is a natural person and the prescribed offence in which the vehicle appears to have been involved is an offence against the following rule of the <i>Australian Road Rules</i> :	
	r 20— <i>Speeding</i>	
	Exceeding applicable speed-limit on length of road—	
	by less than 10 kph	2
	by 10 kph or more but less than 20 kph	3
	by 20 kph or more but less than 30 kph	5
	by 30 kph or more	7
	Contravention where the owner is a natural person and the prescribed offence in which the vehicle appears to have been involved is an offence against 1 of the following provisions of the <i>Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999</i> :	
	r 9A(1)— <i>Speeding while driving road train</i>	
	Exceeding prescribed speed-limit (road trains)—	
	by less than 10 kph	2
	by 10 kph or more but less than 20 kph	3
	by 20 kph or more but less than 30 kph	5
	by 30 kph or more	7
	r 9A(2)— <i>Speeding while driving road train</i>	
	Exceeding 40 kph speed-limit—	
	by less than 10 kph	2
	by 10 kph or more but less than 20 kph	3
	by 20 kph or more but less than 30 kph	5
	by 30 kph or more	7
82(1)	<i>Speeding</i>	
	Exceeding speed-limit while passing school bus—	
	by less than 10 kph	2
	by 10 kph or more but less than 20 kph	3
	by 20 kph or more but less than 30 kph	5
	by 30 kph or more	7

- (7) Schedule 4, Part 2, clause 4, item relating to section 164A(1), before the entry relating to section 110 insert:

s 83(1)(a)— <i>Speeding while passing emergency vehicle</i>	
Exceeding 40 kph while passing an emergency vehicle—	
by less than 10 kph	2
by 10 kph or more but less than 20 kph	3
by 20 kph or more but less than 30 kph	5
by 30 kph or more	7
s 83(1)(b)— <i>Speeding while passing emergency vehicle</i>	
Exceeding lesser speed required to avoid endangering person while passing an emergency vehicle	3

- (8) Schedule 4, Part 2, clause 5, before the item relating to rule 28(1A) insert:

20	<i>Speeding</i>	
	Exceeding applicable speed-limit on length of road—	
	by less than 10 kph	2
	by 10 kph or more but less than 20 kph	3
	by 20 kph or more but less than 30 kph	5
	by 30 kph or more	7

- (9) Schedule 4, Part 2, clause 6, items relating to regulations 9A(1) and 9A(2)—delete the items and substitute:

9A(1)	<i>Speeding while driving road train</i>	
	Exceeding prescribed speed-limit (road trains)—	
	by less than 10 kph	2
	by 10 kph or more but less than 20 kph	3
	by 20 kph or more but less than 30 kph	5
	by 30 kph or more	7
9A(2)	<i>Speeding while driving road train</i>	
	Exceeding 40 kph speed-limit—	
	by less than 10 kph	2
	by 10 kph or more but less than 20 kph	3
	by 20 kph or more but less than 30 kph	5
	by 30 kph or more	7

**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 7 June 2012

No 155 of 2012

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