

South Australia

## **Motor Vehicles Variation Regulations 2014**

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 2014*.

#### **2—Commencement**

These regulations will come into operation on 1 March 2014.

#### **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 3—Interpretation**

Regulation 3(3)—delete subregulation (3) and substitute:

- (3) For the purposes of these regulations—
  - (a) the *power to weight ratio*—
    - (i) of a motor bike or motor trike is to be calculated by dividing its engine power (in kilowatts) by the sum of its tare mass (in kilograms) and 90 kilograms, and multiplying the product of that division by 1 000;

- (ii) of a motor vehicle other than a motor bike or motor trike is to be calculated by dividing the vehicle's engine power (in kilowatts) by its tare mass (in kilograms), and multiplying the product of that division by 1 000;
- (b) the **engine power** of a motor vehicle is the engine power stated in the Road Vehicle Descriptor for that vehicle's make and model published by the Commonwealth Department of Infrastructure and Regional Development;
- (c) the **tare mass** of a motor vehicle is—
  - (i) the tare mass as stated in the Road Vehicle Descriptor for that vehicle's make and model published by the Commonwealth Department of Infrastructure and Regional Development; or
  - (ii) if the tare mass is not stated in the Road Vehicle Descriptor—the tare mass for that vehicle's make and model as stated in the manufacturer's specifications; or
  - (iii) if the tare mass is not stated in the Road Vehicle Descriptor or the manufacturer's specifications—the tare mass for that vehicle as determined by the Registrar.

## **5—Substitution of regulation 3A**

Regulation 3A—delete the regulation and substitute:

### **3A—Meaning of high powered vehicle**

- (1) The following classes of motor vehicles are prescribed as high powered vehicles for the purposes of the Act (see the definition of **high powered vehicle** in section 5(1) of the Act):
  - (a) light vehicles that have been manufactured before 1 January 2010 and have been modified to increase engine performance (other than vehicles that have been so modified by the manufacturer in the course of the manufacture of the vehicle);
  - (b) light vehicles that have been manufactured before 1 January 2010 and have engines with 8 or more cylinders;
  - (c) light vehicles that have been manufactured before 1 January 2010 and are turbocharged or supercharged (other than such light vehicles that have engines with less than 8 cylinders and are diesel powered);
  - (d) light vehicles that have been manufactured on or after 1 January 2010 and have been modified to vary engine performance (other than vehicles that have been so modified by the manufacturer in the course of the manufacture of the vehicle);

- (e) light vehicles (other than motor bikes and motor trikes) that have been manufactured on or after 1 January 2010 and have a power to weight ratio greater than 130 kilowatts per tonne in tare mass.

- (2) In this regulation—

*light vehicle* means a motor vehicle that is not a heavy vehicle.

## **6—Variation of regulation 98—Guidelines for disclosure of information**

Regulation 98(6)—after paragraph (j) insert:

- (k) whether a particular motor vehicle is a high powered vehicle for the purposes of the Act.

### **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 13 February 2014

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