

South Australia

## **Motor Vehicles Variation Regulations 2015**

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 2015*.

#### **2—Commencement**

These regulations come into operation on the day on which they are made.

#### **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—Revocation of Part 3**

Part 3—delete the Part

#### **5—Variation of regulation 56—Attendance at lectures by holder of learner's permit etc who contravenes probationary conditions or incurs 4 or more demerit points**

Regulation 56(2)—delete "81A(13)" and substitute:

81A(9)

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

(1) Regulation 98—after subregulation (7) insert:

(7a) Where, after the commencement of this subregulation—

- (a) a prescribed offence is committed, or allegedly committed, by a person driving a heavy vehicle; and
- (b) the offence has not been detected by use of a photographic detection device,

the following information relating to the offence, or alleged offence, may be disclosed by a police officer to a person who the police officer believes is a relevant person in relation to the heavy vehicle:

- (c) the name and date of birth of the person who was driving, or who is alleged to have been driving, the heavy vehicle;
- (d) the time, date, location and nature of the offence, or alleged offence;
- (e) the registration number of the heavy vehicle or, if the heavy vehicle is a combination, of any vehicles in the combination;
- (f) details of action taken in relation to the offence, or alleged offence (such as, for example, arrest of the driver, clamping or impounding of the vehicle or issue of expiation notice or summons).

(2) Regulation 98—after subregulation (9) insert:

(10) In this regulation—

***prescribed offence*** means—

- (a) an offence against section 45, 45A, 46, 47, 47B, 47BA, 47E or 47EAA of the *Road Traffic Act 1961*; or
- (b) an offence against section 74 or 91 of the *Motor Vehicles Act 1959*;

***relevant person***—each of the following is a relevant person in relation to a heavy vehicle:

- (a) a registered owner or registered operator of the heavy vehicle or, if the heavy vehicle is a combination, of any vehicle in the combination;
- (b) a person who is responsible for controlling or directing the use of the heavy vehicle or, if the heavy vehicle is a combination, of any vehicle in the combination;
- (c) an officer or employee of a person referred to in paragraph (a) or (b).

### 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 25 June 2015

No 174 of 2015

MTR/14/057