

South Australia

Motor Vehicles (Expiation Fees) Variation Regulations 2017

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 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 2017*.

2—Commencement

These regulations will come into operation on 1 July 2017.

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>	\$366
9(3)	<i>Being owner of unregistered motor vehicle driven or found standing on road</i>	\$366
16(9)	<i>Driving motor vehicle without carrying permit under section 16 of Act</i>	\$134
16(11)	<i>Contravening condition of permit under section 16 of Act</i>	\$112
43A(3)	<i>Causing or permitting unregistered heavy vehicle to be driven on road</i>	\$366
43A(7)	<i>Failing to carry temporary configuration certificate in vehicle or to produce it for inspection by police officer or authorised officer</i>	\$54
47(1)	<i>Driving, or causing to stand, motor vehicle not bearing number plates</i>	\$677
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>	\$677
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>	\$677
47B(2)	<i>Selling or supplying number plates without approval of Minister</i>	\$677
47C(3)	<i>Failing to comply with direction of Registrar under section 47C(2) of Act to return number plates</i>	\$307
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>	\$677
47D(1)(b)	<i>Driving, or causing to stand, motor vehicle to which is attached number plate altered, defaced, mutilated or added to</i>	\$677

Motor Vehicles (Expiation Fees) Variation Regulations 2017
Variation of *Motor Vehicles Regulations 2010*—Part 2

Section	Description of offence against <i>Motor Vehicles Act 1959</i>	Fee
47D(1)(c)	<i>Driving, or causing to stand, motor vehicle to which is attached colourable imitation of number plate</i>	\$677
47D(1)(d)	<i>Without lawful excuse, having in possession number plate or article resembling number plate</i>	\$677
47D(2)	<i>Being registered owner or registered operator of motor vehicle driven, or caused to stand, in contravention of section 47D(1)(a), (b) or (c) of Act</i>	\$677
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>	\$134
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>	\$134
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>	\$130
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>	\$130
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>	\$130
53(1)(d)	<i>Without lawful excuse, having in possession registration label, permit or article resembling registration label or permit</i>	\$130
53(1a)	<i>Being registered owner or registered operator of motor vehicle driven, or caused to stand, in contravention of section 53(1)(a), (b) or (c) of Act</i>	\$130
56	<i>Failing to comply with requirements of section on transfer of ownership of motor vehicle—</i> <i>failing to lodge notice of transfer of ownership of motor vehicle within 14 days after transfer in accordance with section 56(b)(ii) where application for cancellation of registration has not been made in accordance with section 56(a)</i>	\$256

Motor Vehicles (Expiation Fees) Variation Regulations 2017Part 2—Variation of *Motor Vehicles Regulations 2010*

Section	Description of offence against <i>Motor Vehicles Act 1959</i>	Fee
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>	\$130
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>	\$130
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>	\$266
74(1)	<i>Driving motor vehicle without currently holding appropriate licence or learner's permit</i>	\$464
75A(14)	<i>Contravening condition of learner's permit</i>	\$349
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>	\$349
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>	\$203
	<i>no L plates affixed to vehicle in accordance with regulations</i>	\$349
75A(20)	<i>Holder of prescribed learner's permit driving motor bike between midnight and 5.00 a.m. without carrying passenger acting as qualified supervising driver</i>	\$349
81(4)	<i>Contravening condition endorsed on licence or permit under section 81 of Act</i>	\$358
81A(9)	<i>Contravening condition of provisional licence</i>	\$349
81A(13)	<i>Holder of P1 or P2 licence under the age of 25 years driving high powered vehicle</i>	\$349
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>	\$349
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>	\$203

Motor Vehicles (Expiation Fees) Variation Regulations 2017
Variation of *Motor Vehicles Regulations 2010*—Part 2

Section	Description of offence against <i>Motor Vehicles Act 1959</i>	Fee
	no P plates affixed to vehicle in accordance with regulations	\$349
81A(16)	<i>Holder of P1 licence under the age of 25 years driving between midnight and 5.00 a.m. without being accompanied by a person acting as qualified supervising driver</i>	\$349
81A(18)	<i>Holder of P1 licence under the age of 25 years driving with 2 or more peer passengers in the vehicle without carrying person acting as qualified supervising driver</i>	\$349
81AB(5)	<i>Contravening condition of probationary licence</i>	\$358
81B(3)	<i>Failing to comply with requirement made by Registrar</i>	
	failure to attend lecture	\$114
96(1)	<i>Failing to produce licence or learner's permit on request of police officer</i>	\$191
97A(3)	<i>Failing to carry or produce licence while driving under section 97A of Act</i>	\$191
98AAA(1)	<i>Failing to carry or produce licence while driving heavy vehicle</i>	\$191
98AAB	<i>Failing to carry or produce probationary licence, provisional licence or learner's permit while driving</i>	\$191
102(1)	<i>Driving uninsured motor vehicle on road or causing uninsured motor vehicle to stand on road</i>	\$677
102(2)	<i>Being owner of uninsured motor vehicle driven or found standing on road</i>	\$677
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>	\$188
136(2)	<i>Failing to notify Registrar of change of name or principal place of business of natural person who holds trade plates</i>	\$188
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>	\$188
136(2b)	<i>Failing to notify Registrar of change of garage address of motor vehicle</i>	\$188
136(2c)	<i>Failing to notify Registrar of change of registered operator of motor vehicle</i>	\$188
136(2d)	<i>Failing to notify Registrar of change of postal address</i>	\$188

Motor Vehicles (Expiation Fees) Variation Regulations 2017

Part 2—Variation of *Motor Vehicles Regulations 2010*

Section	Description of offence against <i>Motor Vehicles Act 1959</i>	Fee
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>	\$464
36(4)	<i>Driving motor vehicle on road while number plate on bike rack obscured or distorted by device or substance</i>	\$464
55E	<i>Failing to carry or produce certificate of exemption while driving a high powered vehicle</i>	\$208
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	\$310
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	\$310

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 22 June 2017

No 186 of 2017

T&F17/008CS