

South Australia

Motor Vehicles (Drink and Drug Driving) Variation Regulations 2018

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 (Drink and Drug Driving) Variation Regulations 2018*.

2—Commencement

These regulations will come into operation on 24 April 2018.

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, clause 4—after the item relating to section 47(1) insert:

47(1a)	<i>Engaging in conduct involving motor vehicle that constitutes offence against section 47(1) while child under age of 16 years is present in or on that motor vehicle</i>	6
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- (2) Schedule 4, clause 4—after the item relating to section 47B(1) insert:

47B(1a)	<i>Engaging in conduct involving motor vehicle that constitutes offence against section 47B(1) while child under age of 16 years is present in or on that motor vehicle</i>	
	Contravention involving 0.08 g or more but less than	5

Motor Vehicles (Drink and Drug Driving) Variation Regulations 2018

Part 2—Variation of *Motor Vehicles Regulations 2010*

- 0.15 g of alcohol in 100 mL of blood
- Contravention involving 0.15 g or more of alcohol in 100 mL of blood 6
- (3) Schedule 4, clause 4—after the item relating to section 47BA(1) insert:
- 47BA(1a) *Engaging in conduct involving motor vehicle that constitutes offence against section 47BA(1) while child under age of 16 years is present in or on that motor vehicle* 4
- (4) Schedule 4, clause 4—after the item relating to section 47E(3) insert:
- 47E(3a) *Refusing or failing to comply with direction of police officer in relation to alcotest or breath analysis—person engaging in conduct described in section 47E(1)(a), (b) or (c) while child under age of 16 years is present in or on motor vehicle* 6
- (5) Schedule 4, clause 4—after the item relating to section 47EAA(9):
- 47EAA(9a) *Refusing or failing to comply with direction of police officer in relation to drug screening test, oral fluid analysis or blood test—person engaging in conduct described in section 47E(1)(a), (b) or (c) while child under age of 16 years is present in or on motor vehicle* 6
- 47I(7) *Refusing or failing to comply with request to submit to taking of sample of blood—child under age of 16 years present in or on motor vehicle at time of accident* 6

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 19 April 2018

No 49 of 2018

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