

South Australia

# **Motor Vehicles (Expiation Fees) 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 (Expiation Fees) Variation Regulations 2018*.

### **2—Commencement**

These regulations will come into operation on 1 July 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—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>  | \$374 |
| 9(3)      | <i>Being owner of unregistered motor vehicle driven or found standing on road</i>   | \$374 |
| 16(9)     | <i>Driving motor vehicle without carrying permit under section 16 of Act</i>  | \$137 |
| 16(11)    | <i>Contravening condition of permit under section 16 of Act</i>   | \$114 |
| 43A(3)    | <i>Causing or permitting unregistered heavy vehicle to be driven on road</i>  | \$374 |
| 43A(7)    | <i>Failing to carry temporary configuration certificate in vehicle or to produce it for inspection by police officer or authorised officer</i>  | \$55  |
| 47(1)     | <i>Driving, or causing to stand, motor vehicle not bearing number plates</i>  | \$692 |
| 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>  | \$692 |
| 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> | \$692 |
| 47B(2)    | <i>Selling or supplying number plates without approval of Minister</i>  | \$692 |
| 47C(3)    | <i>Failing to comply with direction of Registrar under section 47C(2) of Act to return number plates</i>  | \$314 |
| 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>   | \$692 |
| 47D(1)(b) | <i>Driving, or causing to stand, motor vehicle to which is attached number plate altered, defaced, mutilated or added to</i>  | \$692 |

**Motor Vehicles (Expiation Fees) Variation Regulations 2018**  
Variation of *Motor Vehicles Regulations 2010*—Part 2

| <b>Section</b> | <b>Description of offence against <i>Motor Vehicles Act 1959</i></b>  | <b>Fee</b> |
|----------------|---|------------|
| 47D(1)(c)      | <i>Driving, or causing to stand, motor vehicle to which is attached colourable imitation of number plate</i>  | \$692      |
| 47D(1)(d)      | <i>Without lawful excuse, having in possession number plate or article resembling number plate</i>  | \$692      |
| 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>  | \$692      |
| 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> | \$262      |
| 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>  | \$133      |
| 71B(2)         | <i>Failure by person to whom replacement number plate, trade plate or prescribed document issued to return found or recovered original plate or document to Registrar</i>   | \$133      |
| 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>   | \$272      |
| 74(1)          | <i>Driving motor vehicle without currently holding appropriate licence or learner's permit</i>  | \$474      |
| 75A(14)        | <i>Contravening condition of learner's permit</i>   | \$357      |
| 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>  | \$357      |
| 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>   | \$207      |
|                | <i>no L plates affixed to vehicle in accordance with regulations</i>  | \$357      |
| 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>  | \$357      |

**Motor Vehicles (Expiation Fees) Variation Regulations 2018**Part 2—Variation of *Motor Vehicles Regulations 2010*

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| <b>Section</b> | <b>Description of offence against <i>Motor Vehicles Act 1959</i></b>   | <b>Fee</b> |
|----------------|--|------------|
| 81(4)          | <i>Contravening condition endorsed on licence or permit under section 81 of Act</i>  | \$366      |
| 81A(9)         | <i>Contravening condition of provisional licence</i>   | \$357      |
| 81A(13)        | <i>Holder of P1 or P2 licence under the age of 25 years driving high powered vehicle</i>   | \$357      |
| 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>   | \$357      |
| 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>                    |            |
|                | only 1 P plate affixed to vehicle in accordance with regulations   | \$207      |
|                | no P plates affixed to vehicle in accordance with regulations  | \$357      |
| 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>  | \$357      |
| 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> | \$357      |
| 81AB(5)        | <i>Contravening condition of probationary licence</i>  | \$366      |
| 81B(3)         | <i>Failing to comply with requirement made by Registrar</i>  |            |
|                | failure to attend lecture  | \$117      |
| 96(1)          | <i>Failing to produce licence or learner's permit on request of police officer</i>   | \$195      |
| 97A(3)         | <i>Failing to carry or produce licence while driving under section 97A of Act</i>  | \$195      |
| 98AAA(1)       | <i>Failing to carry or produce licence while driving heavy vehicle</i>   | \$195      |
| 98AAB          | <i>Failing to carry or produce probationary licence, provisional licence or learner's permit while driving</i>   | \$195      |
| 102(1)         | <i>Driving uninsured motor vehicle on road or causing uninsured motor vehicle to stand on road</i>   | \$692      |
| 102(2)         | <i>Being owner of uninsured motor vehicle driven or found standing on road</i>   | \$692      |

**Motor Vehicles (Expiation Fees) Variation Regulations 2018**  
Variation of *Motor Vehicles Regulations 2010*—Part 2

| <b>Section</b> | <b>Description of offence against <i>Motor Vehicles Act 1959</i></b>   | <b>Fee</b>  |
|----------------|--|---|
| 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> | \$192   |
| 136(2)         | <i>Failing to notify Registrar of change of name or principal place of business of natural person who holds trade plates</i>   | \$192   |
| 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>     | \$192   |
| 136(2b)        | <i>Failing to notify Registrar of change of garage address of motor vehicle</i>  | \$192   |
| 136(2c)        | <i>Failing to notify Registrar of change of registered operator of motor vehicle</i>   | \$192   |
| 136(2d)        | <i>Failing to notify Registrar of change of postal address</i>   | \$192   |
| 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**

| <b>Regulation</b> | <b>Description of offence against these regulations</b>   | <b>Fee</b> |
|-------------------|---|------------|
| 36(1)             | <i>Driving motor vehicle on road while number plate or trade plate obscured or distorted by device or substance</i>             | \$474      |
| 36(4)             | <i>Driving motor vehicle on road while number plate on bike rack obscured or distorted by device or substance</i>               | \$474      |
| 55E               | <i>Failing to carry or produce certificate of exemption while driving a high powered vehicle</i>                                | \$213      |
| 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  | \$317      |
| 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  | \$317      |

**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 21 June 2018

No 110 of 2018

T&F18/018CS