

South Australia

Motor Vehicles (Ultra High Powered Vehicle Driver Licensing) Amendment Regulations 2022

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 (Ultra High Powered Vehicle Driver Licensing) Amendment Regulations 2022*.

2—Commencement

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

Part 2—Amendment of *Motor Vehicles Regulations 2010*

3—Amendment of regulation 3—Interpretation

Regulation 3(1)—after the definition of *Transport Department* insert:

ultra high powered vehicle means a motor vehicle—

- (a) with a GVM not greater than 4.5 tonnes, but not including a bus or a motor bike or motor trike; and
 - (b) with a power to weight ratio equal to or greater than 276 kilowatts per tonne.
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4—Amendment of regulation 45—Exemptions from duty to hold licence, learner's permit or particular class of licence

- (1) Regulation 45—after subregulation (1) insert:
- (1a) If a person who holds a driver's licence other than a licence that is assigned the R-DATE, R or U classification—
- (a) is employed at a motor vehicle related workplace; and
- (b) is required by their employer to drive an ultra high powered vehicle on a road in the course of their employment,
- the person may drive an ultra high powered vehicle as so required by their employer.
- (2) Regulation 45(11)—delete subregulation (11) and substitute:
- (11) In this regulation—
- international driving permit, interstate licence and permanent resident* have the same respective meanings as in section 97A of the Act;
- motor home* means a motor vehicle with a GVM not exceeding 4.5 tonnes that is designed and constructed for the primary purpose of providing a temporary dwelling for persons using the vehicle for recreational travel;
- motor vehicle related workplace* means a place at which the primary business relates to the repair, sale, trade, inspection or transport of motor vehicles, or the renting or leasing out of motor vehicles.

5—Amendment of regulation 98—Guidelines for disclosure of information

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

- (ka) whether a particular motor vehicle is an ultra high powered vehicle for the purposes of the Act;

6—Amendment of Schedule 2—Classification of driver's licences

- (1) Schedule 2, clause 1(3)(b)—delete paragraph (b) and substitute:
- (b) has—
- (i) passed a practical driving test approved by the Registrar; or
- (ii) completed a driver training course approved by the Registrar,
- (2) Schedule 2, table, item relating to licence class C, second column, clause 1—after paragraph (b) insert:
- (c) an ultra high powered vehicle.
- (3) Schedule 2, table, item relating to licence class MC, second column, clause 1—delete "or motor trike" and substitute:
- , a motor trike or an ultra high powered vehicle

- (4) Schedule 2, table—after item relating to licence class MC insert:

U	1	An ultra high powered vehicle.	The applicant must have held a driver's licence endorsed with the classification C, LR, MR, HR, HC or MC for at least 3 years.
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Schedule 1—Transitional provision

1—Temporary exemption in relation to ultra high powered vehicles

- (1) If, on the commencement day, the holder of a licence is authorised to drive an ultra high powered vehicle on a road under section 74(3)(b)(ii) of the Act, section 74(4) of the Act does not apply when the holder of the licence drives an ultra high powered vehicle during the relevant period.

- (2) In this clause—

commencement day means the day on which these regulations come into operation;

relevant period means the period beginning on the commencement day and ending on the day that is 2 years after the commencement day;

ultra high powered vehicle means an ultra high powered vehicle within the meaning of the *Motor Vehicles Regulations 2010* as amended by these regulations.

Editorial note—

As required by section 10AA(2) of the *Legislative Instruments 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's Deputy

with the advice and consent of the Executive Council
on 1 December 2022

No 109 of 2022