

(Reprint No. 22)

South Australia

**MOTOR VEHICLES REGULATIONS 1996**

*These regulations are reprinted pursuant to the Subordinate Legislation Act 1978 and incorporate all amendments in force as at **25 May 2000**.*

# REGULATIONS UNDER THE MOTOR VEHICLES ACT 1959

## MOTOR VEHICLES REGULATIONS 1996

being

No. 126 of 1996: *Gaz.* 30 May 1996, p. 2751<sup>1</sup>

as varied by

No. 224 of 1996: *Gaz.* 30 September 1996, p. 1256<sup>2</sup>

No. 239 of 1996: *Gaz.* 31 October 1996, p. 1585<sup>3</sup>

No. 259 of 1996: *Gaz.* 23 December 1996, p. 2262<sup>4</sup>

No. 25 of 1997: *Gaz.* 27 February 1997, p. 1089<sup>5</sup>

No. 50 of 1997: *Gaz.* 24 April 1997, p. 1648<sup>6</sup>

No. 101 of 1997: *Gaz.* 13 May 1997, p. 1908<sup>7</sup>

No. 153 of 1997: *Gaz.* 5 June 1997, p. 2945<sup>8</sup>

No. 164 of 1997: *Gaz.* 26 June 1997, p. 3217<sup>9</sup>

No. 211 of 1997: *Gaz.* 25 September 1997, p. 935<sup>10</sup>

No. 224 of 1997: *Gaz.* 13 November 1997, p. 1307<sup>11</sup>

No. 233 of 1997: *Gaz.* 4 December 1997, p. 1532<sup>12</sup>

No. 239 of 1997: *Gaz.* 18 December 1997, p. 1691<sup>13</sup>

No. 3 of 1998: *Gaz.* 8 January 1998, p. 33<sup>14</sup>

No. 35 of 1998: *Gaz.* 23 April 1998, p. 2000<sup>15</sup>

No. 40 of 1998: *Gaz.* 30 April 1998, p. 2083<sup>16</sup>

(Erratum *Gaz.* 7 May 1998, p. 2133)

No. 44 of 1998: *Gaz.* 21 May 1998, p. 2219<sup>17</sup>

No. 49 of 1998: *Gaz.* 21 May 1998, p. 2244<sup>18</sup>

No. 92 of 1998: *Gaz.* 28 May 1998, p. 2371<sup>19</sup>

No. 165 of 1998: *Gaz.* 13 August 1998, p. 405<sup>20</sup>

No. 191 of 1998: *Gaz.* 22 October 1998, p. 1230<sup>21</sup>

No. 196 of 1998: *Gaz.* 13 November 1998, p. 1411<sup>22</sup>

No. 31 of 1999: *Gaz.* 22 April 1999, p. 2243<sup>23</sup>

No. 51 of 1999: *Gaz.* 27 May 1999, p. 2792<sup>24</sup>

No. 94 of 1999: *Gaz.* 27 May 1999, p. 2887<sup>25</sup>

No. 177 of 1999: *Gaz.* 26 August 1999, p. 1016<sup>26</sup>

No. 229 of 1999: *Gaz.* 25 November 1999, p. 2531<sup>27</sup>

No. 230 of 1999: *Gaz.* 25 November 1999, p. 2533<sup>28</sup>

No. 26 of 2000: *Gaz.* 6 April 2000, p. 2049<sup>29</sup>

**No. 100 of 2000: *Gaz.* 25 May 2000, p. 2795<sup>30</sup>**

**NOTE:**

- Asterisks indicate repeal or deletion of text.
- Entries appearing in bold type indicate the amendments incorporated since the last reprint.
- For the legislative history of the regulations see Appendix.

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- 1 Came into operation 1 July 1996: reg. 2.
- 2 Came into operation 30 September 1996: reg. 2.
- 3 Came into operation 31 October 1996: reg. 2.
- 4 Came into operation 3 February 1997: reg. 2.
- 5 Came into operation 27 February 1997: reg. 2.
- 6 Came into operation 24 April 1997: reg. 2.
- 7 Came into operation 13 May 1997: reg. 2.
- 8 Came into operation 1 July 1997: reg. 2.
- 9 Came into operation 1 July 1997: reg. 2.
- 10 Came into operation 25 September 1997: reg. 2.
- 11 Came into operation 17 November 1997: reg. 2.
- 12 Came into operation 4 December 1997: reg. 2.
- 13 Came into operation 24 December 1997: reg. 2.
- 14 Came into operation 15 January 1998: reg. 2.
- 15 Came into operation (except reg. 3(a)) 23 April 1998: reg. 2(1); reg. 3(a) came into operation 31 May 1998: reg. 2(2).
- 16 Came into operation (except reg. 11) 2 May 1998: reg. 2(1); reg. 11 came into operation 15 June 1998: reg. 2(2).
- 17 Came into operation 1 July 1998: reg. 2.
- 18 Came into operation 28 May 1998: reg. 2.
- 19 Came into operation (except reg. 4) 28 May 1998: reg. 2(1); reg. 4 came into operation 1 July 1998: reg. 2(2).
- 20 Came into operation 1 September 1998: reg. 2.
- 21 Came into operation 1 November 1998: reg. 2.
- 22 Came into operation 13 November 1998: reg. 2.
- 23 Came into operation 22 April 1999: reg. 2.
- 24 Came into operation 1 July 1999: reg. 2.
- 25 Came into operation 27 May 1999: reg. 2.
- 26 Came into operation 6 September 1999: reg. 2.
- 27 Came into operation 1 December 1999: reg. 2.
- 28 Came into operation 1 December 1999: reg. 2.
- 29 Came into operation 1 May 2000: reg. 2.
- 30 **Came into operation 25 May 2000: reg. 2.**

N.B. The following regulations have been revoked:  
 No. 57 of 1997: *Gaz.* 13 May 1997, p. 1818 revoked by No. 153 of 1997: *Gaz.* 5 June 1997, p. 2945.

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**PART 1  
PRELIMINARY**

**Citation**

1. These regulations may be cited as the *Motor Vehicles Regulations 1996*.

**Commencement**

2. These regulations will come into operation on 1 July 1996.

**Revocation**

3. The *Motor Vehicles Act Regulations 1968* (see *Gazette* 14 March 1968 p. 865), as varied, are revoked.

**Interpretation**

4. (1) In these regulations, unless the contrary intention appears—

"**the Act**" means the *Motor Vehicles Act 1959*;

"**articulated bus**" means a bus consisting of more than one rigid section with passenger access between the sections and the sections connected to one another so as to allow rotary movement between the sections;

"**articulated motor vehicle**" means a motor vehicle consisting of a prime mover and a trailer that is pivoted to and superimposed on the prime mover (a semi-trailer);

"**B double**" means an articulated motor vehicle that has a further semi-trailer superimposed on the semi-trailer that forms part of the articulated motor vehicle;

"**bike rack**" means a device that—

- (a) is designed or adapted for attachment to the rear of a motor vehicle (other than a motor cycle or motor tricycle); and
- (b) is designed or adapted for the carriage of one or more pedal cycles, motor cycles, wheelchairs or other similar ride-on vehicles (whether self-propelled or propelled by the rider);

"**bus**" means a motor vehicle—

- (a) designed for the principal purpose of carrying passengers; and
- (b) designed to carry more than 12 seated adult persons;

"**converter dolly**" means a trailer with one axle group or single axle and a fifth wheel coupling designed to convert a semi-trailer into a dog trailer;

"**dog trailer**" means a trailer (including a trailer consisting of a semi-trailer and converter dolly) with—

- (a) one axle group or single axle at the front that is steered by connection to the towing vehicle by a drawbar; and
- (b) one axle group or single axle at the rear;

"**engine number**" has the same meaning as in Part 3A of the *Road Traffic Act 1961*;

"**fifth wheel coupling**" means a device, other than the upper rotating element and the kingpin (which are parts of a semi-trailer), used with a prime-mover, semi-trailer or a converter dolly to permit quick coupling and uncoupling and to provide for articulation;

"**gross combination mass**", in relation to a particular motor vehicle, means the gross combination mass limit determined by the Registrar under the *Road Traffic Act 1961*, in respect of that vehicle;

"**gross vehicle mass**" or "**GVM**" of a vehicle means—

- (a) the maximum loaded mass of the vehicle—
  - (i) as specified by the vehicle's manufacturer; or
  - (ii) as specified by the Registrar if—
    - (A) the manufacturer has not specified a maximum loaded mass; or
    - (B) the manufacturer cannot be identified; or
    - (C) the vehicle has been modified to the extent that the manufacturer's specification is no longer appropriate; or
- (b) if neither the vehicle's manufacturer nor the Registrar has specified the maximum loaded mass of the vehicle—the unladen mass of the vehicle;

"**motor trike**" means a motor vehicle with three wheels, but does not include—

- (a) a two wheeled motor vehicle with a sidecar attached to it and supported by a third wheel; or
- (b) a motor vehicle with three wheels that has a body type commonly known as, or similar to, a sedan, station wagon, coupe, convertible, roadster, utility, tray top or van;

"**power-assisted pedal cycle**" means a pedal cycle that has one or more auxiliary propulsion motors with a combined power output not exceeding 200 watts;

"**rigid**" means not articulated, other than in respect of an articulated bus;

"**road train**" means a combination of vehicles, other than a B-double, consisting of a motor vehicle towing at least two trailers (counting as one trailer a converter dolly supporting a semi-trailer);

"**special purpose vehicle**" means a motor vehicle that does not carry passengers or goods and whose primary purpose is not the carriage of passengers or goods;

"**unladen mass**" has the same meaning as in the *Road Traffic Act 1961*;

"**vehicle identification number**" has the same meaning as in Part 3A of the *Road Traffic Act 1961*;

"**vehicle identification plate**" has the same meaning as in Part 3A of the *Road Traffic Act 1961*.

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(2) For the purposes of the definition of "**mass**" in section 5(1) of the Act, the mass of a commercial motor vehicle that is not a heavy vehicle includes the mass of the following accessories and equipment carried (either habitually or intermittently) on the vehicle:

- (a) stock hurdles, stock crates, sheep gates, cages and other similar equipment used to contain animals;
- (b) containers and tanks used to carry solid, liquid or gaseous loads;
- (c) stake sides, drop sides, canopies, frames, tarpaulins and other similar equipment used to contain or protect a load;
- (d) cranes, hoists, platforms and other similar equipment used for the purpose of loading or unloading goods;
- (e) air-conditioners, sleeping and cooking equipment, refrigeration units, radios and tape recorders and other similar equipment;
- (f) tools, tool boxes, towbars, spare tyres, roof racks and other similar spare equipment;
- (g) any other equipment that is not part of a load and is usually carried on a motor vehicle.

(3) For the purposes of these regulations, if a motor vehicle has been altered by the addition of equipment to enable it to be propelled by liquefied petroleum gas instead of other fuel, such of that equipment as is necessary for the use of the gas is not to be taken to be included in the unladen mass of the vehicle.

**PART 2  
REGISTRATION OF MOTOR VEHICLES**

**DIVISION 1—EXEMPTIONS AND PERMITS**

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**Exemption from registration for vehicles driven by, or at direction of, a member of police force, etc.**

7. A motor vehicle may be driven on roads without registration if it is being driven by, or at the direction of, any of the following persons acting in the course of official duties:

- (a) a member of the police force;
- (b) an inspector;
- (c) a person authorised to examine motor vehicles under section 139 of the Act.

**Exemption from registration and insurance for certain vehicles used by disabled persons (s. 12A(2) of the Act)**

8. A motor vehicle (other than a motor car) may be driven on roads without registration or insurance by a person who, because of some physical infirmity reasonably requires the use of the vehicle, if—

- (a) the vehicle is specially designed and constructed (and not merely adapted) for the transport of a person suffering from some physical defect or disability; and
- (b) the vehicle has seating for one person only; and
- (c) the unladen mass of the vehicle does not exceed 250 kilograms; and
- (d) the vehicle is capable only of short low speed journeys.

**Exemption from registration and insurance for vehicles being towed by towtrucks**

9. A motor vehicle (other than a trailer) may be towed by a towtruck on roads without registration or insurance.

**Exemption from registration and insurance for golf carts and certain motorcycles**

9A. (1) Subject to the conditions set out in subregulation (4), a prescribed motor vehicle may be driven on a golf course without registration or insurance.

(2) Subject to the conditions set out in subregulation (4), a prescribed motor vehicle may be driven on a road that does not form part of a golf course without registration or insurance in order to travel by the shortest available route from one part of a golf course to another part of the golf course.

(3) Subregulations (1) and (2) only apply if the motor vehicle is being driven by the owner of the vehicle or by a person authorised by the owner of the vehicle.

(4) The conditions referred to in subregulations (1) and (2) are as follows:

- (a) the vehicle must not be used, either wholly or partly, for the purpose of hiring it to another person for fee or reward; and

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- (b) a policy of public liability insurance indemnifying the owner and any authorised driver of the vehicle in an amount of at least ten million dollars in relation to death or bodily injury caused by, or arising out of, the use of the vehicle must be in force.

(5) In this regulation—

"**golf cart**" means a motor vehicle designed for the purpose of transporting a person or persons who are playing golf around a golf course;

"**golf course**" includes—

- (a) land (including land used for car parking) used for the purposes of, or in conjunction with, a golf course; and
- (b) two golf courses that are adjacent to one another and are managed by the same club or authority;

"**prescribed motor vehicle**" means—

- (a) a golf cart;
- (b) a motor cycle that—
- (i) has a mass not exceeding 65 kilograms; and
- (ii) has an engine capacity not exceeding 50 millilitres; and
- (iii) is fitted with automatic transmission; and
- (iv) is not capable of being propelled by its engine to a speed exceeding 50 kilometres per hour.

**Exemption from registration and insurance for power-assisted pedal cycles**

**9B.** A power-assisted pedal cycle may be driven on roads without registration or insurance.

**Permit to drive unregistered vehicle in prescribed circumstances (s. 16(1)(c)(ii) of the Act)**

**10.** A permit under section 16(1)(c)(ii) of the Act may authorise a motor vehicle to be driven on roads without registration—

- (a) to enable the vehicle to be driven in a street procession, motor club rally or other similar activity; or
- (b) to enable the vehicle to be moved to another location; or
- (c) to enable the vehicle to be towed by another motor vehicle (other than a towtruck); or
- (d) to enable the vehicle to be driven for a limited number of short journeys.

**DIVISION 2—NOTIFICATION OF ALTERATIONS OR ADDITIONS TO VEHICLES**

**Duty to notify prescribed alterations or additions to vehicles**

**11.** (1) For the purposes of section 44(2)(g) of the Act, the following alterations and additions to motor vehicles are prescribed:

- (a) any alteration or addition to the specifications or tyres of a motor vehicle whereby the gross combination mass or gross vehicle mass of the vehicle is varied;

- (b) any alteration or addition to the engine by which a motor vehicle is driven so as to enable the engine to drive the vehicle by a fuel that would not drive the engine without the alteration or addition being made;
- (c) the wrecking or disassembling of a vehicle where the engine, a part of the engine bearing the engine number or a part of the body bearing a vehicle identification number or vehicle identification plate is removed and not put back into place as part of the vehicle;
- (d) the removal, alteration, defacing or obliteration of a vehicle identification plate, vehicle identification number or engine number, except where, in relation to a plate or number on a plate that is removed from a motor vehicle, the plate is put back into place on the vehicle;
- (e) the changing of the colour of a motor vehicle such that the vehicle ceases to be of the primary colour recorded as its colour in the register of motor vehicles;
- (f) any alteration or addition by which a commercial motor vehicle ceases to be a commercial vehicle.

(2) A registered owner of a motor vehicle who gives written notice to the Registrar under section 44(1) of the Act must include the following particulars in the notice:

- (a) a full description of the alteration or addition; and
- (b) the date on which the alteration or addition was made; and
- (c) —
  - (i) in the case of the substitution of an engine of identical specifications—the substituted engine number; or
  - (ii) in the case of the substitution of an engine that does not have identical specifications—the make, the number of pistons, the diameter of the cylinders, the engine number and the type of substituted engine; and
- (d) if an alteration has been made to the construction of the vehicle—a weighbridge note; and
- (e) if any alteration or addition has been made that may vary the gross combination mass or gross vehicle mass of the vehicle—the size, ply and type of construction of the tyres; and
- (f) details of any equipment that has been altered or added to the vehicle.

### DIVISION 3—NUMBER PLATES

#### Carriage of number plates (s. 47(1) of the Act)

12. For the purposes of section 47(1)(a) of the Act, the following provisions apply to the carriage of number plates:

- (a) a motor vehicle must have attached to it—
  - (i) in the case of a motor cycle or trailer—one number plate at the rear;
  - (ii) in the case of a tractor or agricultural machine—one number plate;

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- (iii) in any other case—one number plate at the front and one number plate at the rear,
- such that—
- (iv) the bottom edge of the plate is not less than 30 centimetres above the level of the ground and in such a position that every figure and letter of the registered number is upright; and
  - (v) —
    - (A) in the case of a plate placed on the front of the vehicle—the whole of the plate is visible from the front; and
    - (B) in the case of a plate placed on the rear of a vehicle—the whole of the plate is visible from the rear; and
- (b) every letter and figure on a number plate must be—
- (i) clearly visible in daylight to a person standing on the same plane as the vehicle at any point not less than 3 metres or more than 18 metres from the plate looking at the plate along an imaginary line approximately at right angles to the plate; and
  - (ii) legible from left to right on a plane level with the ground; and
  - (iii) clean and legible at all times; and
- (c) a number plate must be rectangular.

**Exemption from duty to carry number plates**

**13.** A person who drives a motor vehicle, the front and rear of which is marked with the number allotted to the vehicle under the Act (the "**registered number**"), is exempt from the operation of section 47(1) of the Act if—

- (a) the registered number was allotted before 1 July 1996; and
- (b) the registered number was marked on the vehicle before 1 July 1996; and
- (c) number plates bearing the registered number and the slogan "SA • The Festival State" have never been obtained for the vehicle; and
- (d) the vehicle is registered in the name of the person who was, immediately prior to 1 July 1996, recorded on the register of motor vehicles as the owner of the vehicle; and
- (e) there is no agreement in force under section 47A of the Act between the Registrar and the registered owner of the vehicle in relation to the registered number; and
- (f) every letter and figure of the registered number marked on the vehicle is—
  - (i) clearly visible in daylight to a person standing on the same plane as the vehicle at any point not less than 3 metres or more than 18 metres from the portion of the vehicle on which the number is marked looking at the number along an imaginary line approximately at right angles to the number; and
  - (ii) legible from left to right on a plane level with the ground; and

- (iii) clean and legible at all times.

#### DIVISION 4—TRADE PLATES

##### **Purposes for which trade plates may be issued and used**

14. For the purposes of sections 62(1) and 66 of the Act, the following purposes are prescribed:

- (a) delivery of a motor vehicle from premises of the manufacturer or distributor of the vehicle to business premises of a motor vehicle dealer or auctioneer;
- (b) delivery of a motor vehicle from premises of the manufacturer of the vehicle to a place for storage or to business premises of the distributor of the vehicle;
- (c) relocation of a motor vehicle—
  - (i) between different business premises of a motor vehicle dealer or auctioneer; or
  - (ii) between business premises of different motor vehicle dealers or auctioneers;
- (d) demonstration to a prospective purchaser of a motor vehicle of the on-road performance of the vehicle—
  - (i) being a demonstration in respect of which the vendor of the vehicle does not receive any monetary consideration; and
  - (ii) in the case of a commercial motor vehicle that is to carry a load during a demonstration, provided that—
    - (A) the demonstration consists of not more than two separate journeys by the same prospective purchaser and each journey is completed within three days; and
    - (B) during the demonstration the vehicle is used only within the State;
- (e) demonstration to a prospective purchaser of a bus of the on-road performance of the bus, being a demonstration—
  - (i) in respect of which the vendor of the bus does not receive any monetary consideration; and
  - (ii) during which no passengers other than the prospective purchaser and any person advising the prospective purchaser in relation to the purchase of the bus are carried in the bus;
- (f) on-road testing of a motor vehicle prior to delivery of the vehicle to a purchaser of the vehicle;
- (g) delivery of a motor vehicle sold by a motor vehicle dealer or auctioneer to a place nominated by the purchaser of the vehicle (whether within or outside the State);

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- (h) in the case of a motor vehicle that—
  - (i) is sold by a motor vehicle dealer who is not authorised under section 7(3) of the Act to register vehicles sold by the dealer; and
  - (ii) is delivered to the purchaser on a day on which, or at a time of day at which, the office of the Registrar is closed for business,  
  
to enable the vehicle to be driven by the purchaser or a person authorised by the purchaser without registration for any purpose until the time at which the office of the Registrar closes for business on the next day on which it is open for business;
- (i) delivery of a motor vehicle to a workshop or other place for repair or servicing of the vehicle or the making of alterations or additions to the vehicle;
- (j) return of a motor vehicle from a workshop or other place at which the vehicle has been repaired or serviced or at which alterations or additions have been made to the vehicle;
- (k) delivery of a motor vehicle to a place for wrecking or disassembling;
- (l) on-road testing of a motor vehicle in the course of repairs or servicing or the making of alterations or additions to the vehicle;
- (m) in the case of a motor vehicle on loan by a motor vehicle repairer to the owner of a motor vehicle under repair—to enable the loan vehicle to be driven for any purpose by the owner of the vehicle under repair provided that—
  - (i) the repairer does not receive any separate monetary consideration in respect of the provision of the loan vehicle; and
  - (ii) if the loan vehicle is a commercial motor vehicle—the loan vehicle is not used to carry a load during the loan period except within the State; and
  - (iii) if the loan vehicle is not a special purpose vehicle—
    - (A) the repairer is licensed as a dealer under the *Second-hand Vehicle Dealers Act 1995*; and
    - (B) the loan vehicle is a second-hand vehicle that is being offered or exposed for sale by the repairer; and
    - (C) a notice that complies with section 16 of the *Second-hand Vehicle Dealers Act 1995* is attached to the loan vehicle;

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- (n) delivery of a motor vehicle to the site of a motor show or other similar event at which the vehicle is to be on display;
- (o) return of a motor vehicle from the site of a motor show or other similar event at which the vehicle has been on display;
- (p) demonstration of the on-road performance of a motor vehicle while the vehicle is on display at a motor show or other similar event;

- (q) delivery of a motor vehicle to a place for inspection or examination under the Act, the *Road Traffic Act 1961* or any other Act or law;
- (r) return of a motor vehicle from a place to which the vehicle has been taken for inspection or examination under the Act, the *Road Traffic Act 1961* or any other Act or law.

**Trade plate label and certificate of issue of trade plate**

**15.** (1) At the time of issuing a trade plate, the Registrar must issue to the holder of the trade plate or his or her agent—

- (a) a trade plate label; and
- (b) a certificate of issue of a trade plate.

(2) A trade plate label will be in a form determined by the Registrar.

(3) If the Registrar is satisfied by statutory declaration or such other evidence as the Registrar may require that the label or certificate issued in respect of a trade plate has been lost or destroyed, the Registrar may, on application by the holder of the trade plate or his or her agent and payment of the prescribed fee, issue a duplicate label or certificate.

**Carriage of trade plate and trade plate label**

**16.** If a motor vehicle is to be driven on a road pursuant to section 66 of the Act—

- (a) a trade plate must be securely attached to the rear of the vehicle in such a position that the bottom edge of the plate is not less than 30 centimetres above the level of the ground; and
- (b) the label issued by the Registrar in respect of the trade plate must be displayed in a waterproof holder that has a transparent front and is affixed to the plate; and
- (c) every figure and letter on the plate and label must be—
  - (i) legible from left to right on a plane level with the ground; and
  - (ii) clean and legible at all times; and
- (d) every figure and letter on the plate must be clearly visible in daylight to a person standing on the same plane as the vehicle at any point not less than 3 metres or more than 18 metres from the plate, looking at the plate along an imaginary line approximately at right angles to the plate.

**Offences**

**17.** (1) A person must not—

- (a) drive or leave standing on a road a motor vehicle to which a colourable imitation of a trade plate is attached; or
- (b) drive or leave standing on a road a motor vehicle to which is affixed a trade plate that displays a colourable imitation of a trade plate label; or
- (c) drive or leave standing on a road a motor vehicle to which is affixed a trade plate that displays a trade plate label issued in respect of another trade plate; or

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- (d) without lawful excuse, have in his or her possession a trade plate label or an article resembling a trade plate label that is liable to be mistaken for a trade plate label.
- (2) A person must not sell or supply trade plates without the approval of the Minister.

**Replacement of lost trade plate**

**18.** (1) If—

- (a) a person satisfies the Registrar that—
  - (i) a trade plate has been lost; and
  - (ii) the loss has been reported to a member of the police force; and
  - (iii) the circumstances of the loss justify replacement of the plate; and
- (b) an application for replacement of the lost plate is made to the Registrar; and
- (c) the fee set out in schedule 5 for the issue of a replacement trade plate is paid to the Registrar,

the Registrar may issue a new trade plate to that person.

(2) The Registrar may require an applicant for a replacement trade plate to furnish—

- (a) a statutory declaration stating the matters referred to in subregulation (1)(a); and
- (b) a written undertaking to—
  - (i) return to the Registrar the lost trade plate if it comes into the applicant's possession; or
  - (ii) inform the Registrar of and when the location of the lost trade plate becomes known to or suspected by the applicant.

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**DIVISION 5—MISCELLANEOUS**

**Vehicles for which a registration label is not required to be issued**

**20.** (1) For the purposes of section 48(1)(b), (2) and (3) of the Act, a motor vehicle that is registered under the Continuous Government Registration Scheme and in respect of which Class 8—Government Vehicle Number Plates are issued is a motor vehicle of a prescribed class.

(2) In this regulation—

**"Class 8—Government Vehicle Number Plates"** means the number plates of that class established by the Registrar under section 47A of the Act by notice published in the *Gazette* from time to time;

**"Continuous Government Registration Scheme"** means the scheme known by that name established for the registration of motor vehicles used for or in connection with Government or Government sponsored services.

**Carriage of registration labels and permits**

**21.** (1) A registration label or permit under section 16, 50 or 51 of the Act—

(a) must—

(i) if issued in respect of a motor vehicle that has a windscreen (other than a motor cycle)—be firmly affixed in an upright position to the vehicle—

(A) to the inside surface of the front or rear windscreen in a corner on the opposite side of the windscreen to the driver's position; or

(B) in the case of a vehicle that has a pivoted, hinged or fixed side window adjacent to the front or rear windscreen on the opposite side of the windscreen to the driver's position—to the inside surface of that window,

but not so as to obstruct the driver's vision; or

(ii) if issued in respect of a motor vehicle (other than a motor cycle or trailer) that does not have a windscreen—be displayed in a waterproof holder that has a transparent front and is affixed to an external surface of the vehicle on the left hand or near side of the vehicle, as near as practicable to the position in which the label or permit would have been affixed in accordance with subparagraph (i), had the vehicle been fitted with a windscreen; or

(iii) if issued in respect of a motor cycle—be displayed in a waterproof holder that has a transparent front and is affixed to the handlebar in the centre, left hand or near side of the motor cycle; or

(iv) if issued in respect of a trailer—

(A) be displayed in a waterproof holder that has a transparent front and is affixed to an external surface of the trailer on the front left hand or near side of the trailer, at a height not exceeding two metres above ground level; or

(B) in the case of a trailer that has a clear glass window be affixed to the inside of the bottom left hand corner of the window—at a height not exceeding two metres above ground level; and

(b) must be displayed so as to be clearly visible to a person facing the label or permit at a distance of four metres from the label or permit.

(2) For the purposes of section 48(4) of the Act, a motor vehicle registered under the Act may be driven on roads without the registration label being affixed to the vehicle if—

(a) —

(i) the vehicle is, for the purpose of having the label destroyed, being driven to the place where the label is to be destroyed; or

(ii) —

(A) the label has been destroyed; and

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- (B) the vehicle is being driven by the nearest practicable route from the place where the label was destroyed to some other place where the vehicle is to be kept or stored or to a port or depot from which the vehicle is to be shipped or railed; and
- (b) the driver carries with him or her a receipt, issued by the Registrar or an officer appointed by the Registrar, for a completed application for cancellation of the registration of the vehicle.

**Offences**

22. (1) A person must not drive a motor vehicle on a road while—

- (a) a device is attached to the vehicle or a number plate or trade plate on the vehicle; or
- (b) a substance is painted on or otherwise added to or made part of a number plate or trade plate on the vehicle,

the effect of which is to obscure or distort a letter or figure on a number plate or trade plate on the vehicle when the plate is viewed or photographed from any particular angle or from all angles in daylight or at night.

(2) In subregulation (1), a reference to a number plate extends to that portion of a motor vehicle on which the registered number is marked in accordance with regulation 13.

(3) Subregulation (1)(a) does not apply in relation to a motor vehicle to which a bike rack is attached if a number plate that—

- (a) conforms to the specifications and design prescribed for a number plate of a class established under section 47A of the Act for the purposes of this subregulation; and
- (b) bears the number allotted to the vehicle under the Act,

is attached to the bike rack and displayed such that—

- (c) the whole of the number plate is visible from the rear; and
- (d) the bottom edge of the number plate is not less than 30 centimetres above the level of the ground and in such a position that every letter and figure of the registered number is upright; and
- (e) every letter and figure on the number plate is—
  - (i) legible from left to right on a plane level with the ground; and
  - (ii) clean and legible at all times; and
  - (iii) clearly visible in daylight to a person standing on the same plane as the vehicle at any point not less than 3 metres or more than 18 metres from the plate looking at the plate along an imaginary line approximately at right angles to the plate.

(4) If a bike rack that displays a number plate is attached to a motor vehicle, a person must not drive the motor vehicle on a road while—

- (a) a device is attached to the bike rack or the number plate on the bike rack; or

- (b) a substance is painted on or otherwise added to or made part of the number plate on the bike rack,

the effect of which is to obscure or distort a letter or figure on the plate when the plate is viewed or photographed from any particular angle or from all angles in daylight or at night.

**Cancellation of permit to drive unregistered vehicle**

**23.** The holder of a permit under section 16 of the Act may at any time apply for cancellation of the permit and if the Registrar is satisfied that—

- (a) the permit has been destroyed; or
- (b) the motor vehicle in respect of which the permit was issued has been stolen or destroyed,

the Registrar must cancel the permit.

**Report required before registration of new vehicles—prescribed particulars**

**23A.** A report required under section 23A of the Act in relation to a new motor vehicle must—

- (a) be completed by a member of the police force, an inspector or a person authorised by the Registrar under section 7(3) of the Act; and
- (b) contain the following particulars:
  - (i) the name of the person who completed the report; and
  - (ii) the Vehicle Identification Number (**VIN**) of the vehicle; and
  - (iii) the month and year of manufacture of the vehicle; and
  - (iv) the make of the vehicle; and
  - (v) in the case of a motor vehicle other than a caravan or trailer—the body type and engine number of the vehicle.

**PART 3  
LICENCES**

**DIVISION 1—DRIVER'S LICENCES AND LEARNER'S PERMITS**

**Duty of applicant for licence or permit to supply specimen signature, etc.**

**24.** (1) If—

- (a) a person applies for the issue or renewal of a driver's licence or learner's permit; and
- (b) the licence or permit is to include a photograph of the person and a specimen of the person's signature; and
- (c) the Registrar requires the person to attend at a specified place for the purpose of having the person's photograph taken,

the person must, before having his or her photograph taken, supply the Registrar with one or more specimens of the person's signature, as specified by the Registrar.

(2) If—

- (a) a person applies for the issue or renewal of a driver's licence or learner's permit; and
- (b) the licence or permit is to include a photograph of the person and a specimen of the person's signature; and
- (c) the Registrar requires the person to supply to the Registrar one or more photographs of the person,

the person must, at the time of supplying the photographs to the Registrar, also supply the Registrar with one or more specimens of the person's signature, as specified by the Registrar.

(3) If a person applies for the issue or renewal of a driver's licence or learner's permit that is not to bear a photograph of the person, the person must sign the licence or permit as soon as practicable after receiving it.

**Exemptions from duty to hold driver's licence, learner's permit or particular class of licence**

**25.** (1) A member of the police force who holds a driver's licence may, in the course of official duties, drive a motor vehicle of a class other than that for which he or she holds a licence in circumstances of emergency.

(2) If a person holds a driver's licence or is, under section 97A of the Act, permitted to drive a motor vehicle on roads in this State pursuant to an interstate licence or foreign licence, the person may drive a motor cycle on roads in this State without holding a licence endorsed with the classification R-DATE or R provided that the motor cycle—

- (a) has a mass not exceeding 65 kilograms; and
- (b) has an engine capacity not exceeding 50 millilitres; and
- (c) is fitted with automatic transmission; and
- (d) is not capable of being propelled by its engine to a speed exceeding 50 kilometres per hour.

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(5) A person may drive a power-assisted pedal cycle without holding a driver's licence or learner's permit.

(6) A person may drive a self-propelled wheelchair or a motor vehicle of a class prescribed by regulation 8 for the purposes of section 12A(2) of the Act without holding a driver's licence or learner's permit if the person reasonably requires the use of the wheelchair or vehicle because of some physical infirmity.

**Power to refuse practical driving test where undue danger to any person**

26. If the Commissioner of Police or the Registrar believes on reasonable grounds that the testing of an applicant for a practical driving test would present undue danger to the applicant, the authorised examiner or a member of the public, the Commissioner or the Registrar (as the case may be) may refuse to conduct such a test.

**Duties of persons accompanying holders of learner's permits**

27. (1) A person other than a person conducting a practical driving test in accordance with sections 79A and 85 of the Act must, while accompanying a holder of a learner's permit pursuant to section 75A(3) of the Act, hold a current appropriate licence to drive a vehicle of the kind being driven by the holder of the learner's permit.

(2) If a person accompanying a holder of a learner's permit pursuant to section 75A(3)(d) of the Act is requested by a member of the police force to produce his or her licence, the person must produce the licence either—

- (a) immediately to the member of the police force who made the request; or
- (b) within 48 hours after the making of the request, at a police station named by that person to the member of the police force at the time of the making of the request.

(3) A person who accompanies a holder of a learner's permit pursuant to section 75A(3)(d) of the Act must take all reasonable steps to supervise and instruct the holder of the learner's permit in the safe and efficient driving of the motor vehicle.

**Learner's permits—display of "L" plates**

28. (1) For the purposes of section 75A(3)(c) and (5aaa) of the Act—

- (a) —
  - (i) in the case of a motor vehicle other than a motor cycle—plates bearing the letter "L" ("**L** plate") must be displayed on the vehicle so as to be clearly visible from the front and rear of the vehicle; or
  - (ii) in the case of a motor cycle—an "L" plate must be displayed at, and be clearly visible from, the rear of the motor cycle; and
- (b) an "L" plate must conform to the following requirements:
  - (i) the plate must measure not less than 14.5 centimetres by 14.5 centimetres; and
  - (ii) the letter "L" must be displayed in black on a yellow background and be clearly legible; and

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- (iii) the letter "L" must be not less than 10.5 centimetres in height and 8 centimetres in width; and
- (iv) the width of every line of the letter "L" must be not less than 2 centimetres.

(2) A person other than the holder of a learner's permit must not drive a motor vehicle on a road while there is affixed to the vehicle an "L" plate in accordance with this regulation.

(3) Subregulation (2) does not apply to—

- (a) a person driving a motor vehicle for the purpose of instructing the holder of a learner's permit in the safe and efficient driving of a motor vehicle; or
- (b) the holder of a motor driving instructor's licence driving a motor vehicle that is clearly identified as one being used in the business of driving instruction and proceeding from or to a place where instruction has been or is to be given.

**Provisional licences—display of "P" plates**

**29.** (1) For the purposes of section 81A(1)(e) and (5a) of the Act—

(a) —

- (i) in the case of a motor vehicle other than a motor cycle—plates bearing the letter "P" ("**P** plate") must be displayed on the vehicle so as to be clearly visible from the front and rear of the vehicle; or
- (ii) in the case of a motor cycle—a "P" plate must be displayed at, and be clearly visible from, the rear of the motor cycle; and

(b) a "P" plate must conform to the following requirements:

- (i) the plate must measure not less than 14.5 centimetres by 14.5 centimetres; and
- (ii) the letter "P" must be displayed in red on a white background and be clearly legible; and
- (iii) the letter "P" must be not less than 10.5 centimetres in height and 8 centimetres in width; and
- (iv) the width of every line of the letter "P" must be not less than 2 centimetres.

(2) A person other than the holder of a provisional licence must not drive a motor vehicle on a road while there is affixed to the vehicle a "P" plate in accordance with this regulation.

**Exemption from duty to display "P" plates for members of police force and police cadets**

**30.** A member of the police force or police cadet who holds a provisional licence is, while engaged in official duties or training, exempt from the operation of section 81A(1)(d) and (5a) of the Act.

**Exemption from provisional licence speed limit for members of police force and police cadets**

**31.** A member of the police force or police cadet who holds a provisional licence is, while engaged in official duties or training, exempt from the operation of section 81A(5b) of the Act.

**Attendance at lectures by learner's permit or provisional licence holder who contravenes conditions or incurs four or more demerit points**

**32.** (1) For the purposes of section 81B(3) of the Act, lectures must be conducted as to motor vehicle accidents and their causes and consequences in a manner determined by the Registrar.

(2) A person who is convicted or found guilty of an offence against section 75A(5) or section 81A(5) of the Act is exempt from the operation of section 81B(3) and (3a) of the Act if the person resides outside Metropolitan Adelaide within the meaning of the *Development Act 1993*.

**Exemption from duty to carry and produce provisional licence for members of police force and police cadets**

**33.** A member of the police force or police cadet who holds a provisional licence is, while engaged in official duties or training, exempt from the operation of section 98AAB(2) of the Act.

**Cancellation of licence on surrender**

**34.** If—

- (a) the holder of a licence gives the Registrar notice in writing of the holder's wish to surrender the licence; and
- (b) the Registrar is satisfied that the licence or any duplicate of that licence has been returned or has been lost or destroyed,

the Registrar may cancel the licence.

**DIVISION 2—MOTOR DRIVING INSTRUCTORS' LICENCES**

**Applicant for licence to supply photographs to Registrar**

**35.** An applicant for a motor driving instructor's licence must supply to the Registrar two unmounted copies of a recent photograph of the applicant that—

- (a) depict only the head and shoulders of the applicant taken "full face" without any head covering and against a plain background; and
- (b) are not less than 3 centimetres but not more than 3.5 centimetres in width and in height.

**Applicant for licence to pay fees before proficiency tests**

**36.** An applicant for a motor driving instructor's licence is not entitled to undergo the proficiency tests required by the Registrar under section 98A(5) of the Act unless the applicant has paid the appropriate fees set out in schedule 5 to the Registrar.

**Exemption from duty to hold motor driving instructor's licence for approved motor cycle training courses**

**37.** A person is exempt from section 98A of the Act for the purposes of conducting a motor cycle training course approved by the Registrar.

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**PART 4  
FEES**

**Fees**

**38.** (1) For the purposes of the Act and these regulations, the fees set out in schedule 5 are prescribed.

(2) The fees set out in schedule 5 (other than those payable under section 110 of the Act) must be paid to the Registrar.

**Reduced registration fees—prescribed amounts**

**39.** (1) For the purposes of sections 34(1) and 37(1) of the Act, the prescribed amount is—

- (a) in the case of a heavy vehicle other than a special purpose vehicle (type 2), truck (type 1) or truck (type 2)—40 per cent of the prescribed registration fee;
- (b) in the case of a motor vehicle that is not a heavy vehicle—50 per cent of the prescribed registration fee.

(2) For the purposes of section 38(1) of the Act, the prescribed amount is 66.667 per cent of the prescribed registration fee.

(3) For the purposes of sections 38A(1), 38AB(1) and 38B(1) of the Act, the prescribed amount is 50 per cent of the prescribed registration fee.

(4) In this regulation, "**special purpose vehicle (type 2)**", "**truck (type 1)**" and "**truck (type 2)**" have the same meanings as in the Commonwealth Road Transport Charges Act.

**Exemption from s. 41(2) of the Act**

**39A.** (1) A person who uses a motor vehicle of restricted registration contrary to the terms of an undertaking in relation to the vehicle under section 34(1)(b) of the Act is exempt from section 41(2) of the Act if—

- (a) the purpose for which the vehicle is used is solely the carrying of primary produce to assist a charitable organisation or a sporting organisation in fundraising activities; and
- (b) neither the owner of the vehicle nor a person using the vehicle (if not the owner) receives a monetary or other material benefit (including out of pocket expenses relating to the use of the vehicle) in relation to that use of the vehicle; and
- (c) the use of the vehicle is within an area having a radius of 75 kilometres from the garage address of the vehicle.

(2) In this regulation—

"**charitable organisation**" means a body (whether corporate or unincorporate) established on a non-profit basis for charitable, religious, educational or benevolent purposes and includes a trustee who holds property on behalf of such a body;

"**sporting organisation**" means a body (whether corporate or unincorporate) established on a non-profit basis principally for the purpose of facilitating and co-ordinating the sporting activities of its members.

**Additional amount payable where certain vehicles are altered or added to**

**40.** (1) If a motor vehicle is altered or added to during the period for which it is registered and the alteration or addition is such that, if it had been made before the registration, the registration fee would have been more than the amount paid, the additional amount payable under section 44(3) is an amount that bears to the difference the same proportion as the number of days in the unexpired period of registration bears to the number of days in the period of registration.

(2) Subregulation (1) does not apply in relation to a heavy vehicle, motor cycle, trailer or motor vehicle that is not propelled by an internal combustion engine.

**Refund on cancellation of registration**

**41.** (1) For the purposes of sections 54 and 60 of the Act, the amount to be refunded on cancellation of the registration of a motor vehicle under those sections is an amount equal to the product obtained by multiplying one three hundred and sixty-fifth of the prescribed annual registration fee by the number of days in the unexpired period of registration.

(2) If—

- (a) the registration of a motor vehicle is renewed before the expiry of the previous registration; and
- (b) before that expiry the registered owner of the vehicle applies for cancellation of the renewal of registration,

the Registrar must also refund any surcharge paid in respect of the renewal of registration.

**Refund on surrender of trade plate**

**41A.** For the purposes of section 70(5) of the Act, the amount to be refunded on the surrender of a trade plate is an amount equal to the product obtained by multiplying one three hundred and sixty-fifth of the annual fee paid for the issue of the plate by the number of days in the unexpired portion of the period for which the plate was issued.

**Refund on surrender of driver's licence**

**42.** (1) Subject to subregulation (2), if the Registrar is satisfied that a person has surrendered his or her driver's licence as a consequence of—

- (a) the person's physical or mental incapacity; or
- (b) the person having left the State to reside elsewhere; or
- (c) an order of a court or recommendation of the consultative committee requiring the Registrar to cancel the person's licence and issue a provisional licence; or
- (d) any other cause that the Registrar is satisfied is fair and reasonable in the circumstances,

the Registrar may pay or place to the credit of the person a refund calculated in accordance with this regulation.

(2) No refund may be made under subregulation (1) if—

- (a) a person has surrendered his or her licence as a consequence of—
  - (i) a suspension or disqualification imposed by a court or pursuant to section 89 or 98B of the Act; or

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- (ii) a decision or order to cancel, or a requirement that the Registrar cancel, a provisional licence; or
- (b) the amount of the refund calculated in accordance with this regulation does not exceed one dollar.
- (3) A refund is to be made in respect of the period unexpired—
  - (a) at the date of the surrender of the licence; or
  - (b) in the case of the suspension of a licence—at the date that the suspension becomes effective.
- (4) The amount of a refund is to be calculated by multiplying one-quarter of the annual licence fee paid by the number of complete three month periods unexpired.

**Refund of part of licence fee on eligibility for reduced fee**

**43.** If—

- (a) a driver's licence has been issued on payment of the licence fee prescribed in clause 18(1)(c) of schedule 5; and
- (b) the holder of the licence becomes, at any time during the currency of the licence, entitled to a reduction of the licence fee,

the Registrar may refund to the holder of the licence such part of the licence fee as the Registrar thinks just in the circumstances.

**No refund of administration fees**

**44.** Administration fees are not refundable.

**Calculation of fees and refunds to nearest 10 cents or whole dollar**

**45.** (1) Subject to subregulation (2), in calculating a fee or refund payable under the Act a fraction of 10 cents not exceeding five cents must be excluded and a fraction of 10 cents exceeding five cents is to count as 10 cents.

- (2) In calculating the fees payable for—
  - (a) the registration of a motor vehicle; or
  - (b) the issue of a trade plate; or
  - (c) the issue of a replacement trade plate; or
  - (d) the issue of a provisional driver's licence,

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a fraction of one dollar is to count as one dollar.

(3) In applying this regulation, the calculation to the nearest 10 cents or to the whole next dollar is to be applied only to the final amount payable.

**Exemption from practical driving test fees**

**46.** An applicant for the issue or renewal of a learner's permit or driver's licence, or the holder of a learner's permit or driver's licence who is required to be tested otherwise than pursuant to section 79A or 85 of the Act, is exempt from the requirement that he or she pay the prescribed test fee.

**Remission and reduction of fees**

**47.** The Registrar may, for reasonable cause, remit or reduce any of the following fees:

- (a) an administration fee payable under the Act or these regulations; or
- (b) a fee payable for registration of a motor vehicle following cancellation of a current authority issued under the law of another State or a Territory by virtue of which the vehicle may be driven on roads within that State or Territory; or
- (c) a fee payable for the issue of a driver's licence following the surrender of a current interstate licence.

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**PART 5  
MISCELLANEOUS**

**Offence to alter, deface, etc., permits, labels or certificates**

**48.** A person must not, without lawful authority, wilfully alter, deface, damage or destroy a permit, label or certificate issued under the Act.

**Forms determined by the Minister**

**49.** The following documents will be in the form determined by the Minister:

- (a) an application for a permit under section 16, 50 or 51 of the Act;
- (b) an application for the issue, transfer or replacement of a trade plate;
- (c) an application for a duplicate driver's licence or learner's permit;
- (d) a certificate of issue of a trade plate;
- (e) a permit under section 50 or 51 of the Act;
- (f) a motor driving instructor's licence.

**Appointment of authorised examiners**

**50.** (1) The Registrar may, when appointing a person as an authorised examiner, or at any time by notice in writing to an authorised examiner, impose conditions limiting the kinds of tests that the authorised examiner may conduct as required by the Registrar under section 80 of the Act to assess the ability or fitness of applicants for the issue or renewal of licences and learner's permits.

(2) The Registrar may, for the purpose of testing the proficiency of an applicant for appointment as an authorised examiner, require the applicant to undergo such tests (whether written, oral or practical) as the Registrar considers necessary.

(3) An applicant for appointment as an authorised examiner (other than an employee in the Department of Transport) is not entitled to undergo a proficiency test required by the Registrar under subregulation (2) unless he or she has paid the appropriate fees set out in schedule 5.

**Corresponding laws declared for purposes of demerit points scheme**

**51.** The following laws, as amended or substituted from time to time, are declared to be corresponding laws for the purposes of Part 3B of the Act:

*Motor Traffic Act 1936* of the Australian Capital Territory and regulations made under that Act.

*Traffic Act 1901* of New South Wales and regulations made under that Act.

*Traffic Act 1959 of Queensland* and regulations made under that Act.

*Traffic Act 1925* of Tasmania and regulations made under that Act.

*Road Safety Act 1986* of Victoria and regulations made under that Act.

**Notification to Registrar of change of address**

**51A.** For the purposes of section 136 of the Act, notice is given to the Registrar in a prescribed manner if it is given—

- (a) in writing to the Registrar; or

- (b) by telephone to a telephone number nominated by the Registrar for the purpose of giving notice;
- (c) by facsimile transmission to a facsimile number nominated by the Registrar for the purpose of giving such notice; or
- (d) by other telephonic or electronic means made available by the Registrar to members of the public for the purpose of giving such notice.

**Power of Registrar to require destruction of a document or thing issued or renewed in consequence of a void transaction**

52. If a transaction is void by virtue of section 138B of the Act, the Registrar may require the person who is liable to make the payment to destroy the licence, permit, label, certificate, plate or other document or thing issued or renewed by the Registrar in consequence of the purported transaction and to produce evidence of the destruction to the satisfaction of the Registrar.

**Provisions relating to written-off vehicles**

53. (1) This regulation applies to a motor vehicle if the vehicle would be required to be registered under the Act in order to be driven on a road whether or not the vehicle is in fact registered.

(2) The following provisions apply in relation to written-off vehicles:

- (a) an insurer who writes off a motor vehicle as a total loss or constructive total loss for insurance purposes must—
  - (i) as soon as practicable after writing off the vehicle, but before selling or otherwise disposing of the vehicle, affix written-off vehicle notices to the vehicle in accordance with this regulation; and
  - (ii) within seven days after writing off the vehicle, give notice in relation to the vehicle to the Registrar in accordance with this regulation;
- (b) a person who brings a written-off vehicle into the State from another State or a Territory of the Commonwealth or from outside Australia must—
  - (i) as soon as practicable after bringing the vehicle into the State, but before selling or otherwise disposing of the vehicle, affix written-off vehicle notices to the vehicle in accordance with this regulation; and
  - (ii) within seven days after bringing the vehicle into the State, give notice in relation to the vehicle to the Registrar in accordance with this regulation;
- (c) a vehicle dealer who comes into possession of a written-off vehicle must—
  - (i) as soon as practicable after coming into possession of the vehicle, but before selling or otherwise disposing of the vehicle, affix written-off vehicle notices to the vehicle in accordance with this regulation; and
  - (ii) within seven days after coming into possession of the vehicle, give notice in relation to the vehicle to the Registrar in accordance with this regulation;

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- (d) a vehicle wrecker who acquires a written-off vehicle must—
  - (i) as soon as practicable after acquiring the vehicle, but before selling or otherwise disposing of the vehicle, affix written-off vehicle notices to the vehicle in accordance with this regulation; and
  - (ii) within seven days after acquiring the vehicle, give notice in relation to the vehicle to the Registrar in accordance with this regulation;
- (e) a person (other than a person referred to in a preceding paragraph of this subregulation) must, before selling or otherwise disposing of a written-off vehicle—
  - (i) give notice in relation to the vehicle to the Registrar in accordance with this regulation; and
  - (ii) affix written-off vehicle notices to the vehicle in accordance with this regulation;
- (f) a person is not required to affix written-off vehicle notices to a written-off vehicle under this regulation if such notices are already affixed to the vehicle in accordance with this regulation;
- (g) written-off vehicle notices required to be affixed to a written-off vehicle in accordance with this regulation are notices issued by the Registrar and must be affixed to the written-off vehicle in the manner determined by the Minister and printed on the notices or on accompanying material;
- (h) a notice required to be given to the Registrar in accordance with this regulation must be given in the manner and form, and contain particulars of matters, determined by the Minister;
- (i) a written-off vehicle notice affixed to a written-off vehicle in accordance with this regulation must not be defaced, altered or removed from the vehicle except by or with the approval of an inspector.

(3) A person who contravenes or fails to comply with a requirement of subregulation (2) is guilty of an offence.

Maximum penalty: In the case of an offence committed in the course of a trade or business—\$2 500.  
In any other case—\$750.

Expiation fee: In the case of an alleged offence not committed in the course of a trade or business—\$210.

- (4) A person must not drive a written-off vehicle on a road except to or from—
  - (a) a place at which the vehicle is to be or has been repaired; or
  - (b) a place at which the vehicle is to be or has been inspected by an inspector.

Maximum penalty: In the case of an offence committed in the course of a trade or business—\$2 500.  
In any other case—\$750.

Expiation fee: In the case of an alleged offence not committed in the course of a trade or business—\$210.

(5) In this regulation—

"**sell**" means sell whether by treaty or auction and whether on one's own behalf or on behalf of others;

"**vehicle dealer**" means a person who carries on the business of selling motor vehicles;

"**vehicle wrecker**" means a person who carries on the business of wrecking motor vehicles or disassembling motor vehicles for salvage;

"**written-off vehicle**" means a motor vehicle that is to be or has been—

- (a) written off as a total loss or constructive total loss for insurance purposes; or
- (b) wrecked or wholly or partly disassembled for salvage; or
- (c) sold or acquired for wrecking or disassembling for salvage or when in a condition such that it cannot be driven on a road lawfully or at all and requires extensive repairs,

and includes a part of a wrecked or wholly or partly disassembled motor vehicle, being a part that bears a vehicle identification plate.

#### **General offence**

**54.** (1) A person who contravenes or fails to comply with a provision of these regulations is guilty of an offence.

Maximum penalty:       \$1 250.

Expiation fee:           The relevant fee set out in Schedule 6.

(2) Subregulation (1) does not apply to a provision if a penalty is otherwise fixed for a contravention of or failure to comply with the provision.

#### **Expiation of alleged offences**

**55.** The expiation fees set out in Schedule 6 are fixed for alleged offences against the Act or these regulations specified in the Schedule.

#### **Demerit points for offences in this State**

**56.** (1) For the purposes of section 98B(1) of the Act—

- (a) the offences specified in Schedule 7 are prescribed; and
- (b) the number of demerit points incurred by a person on conviction or expiation of an offence specified in Schedule 7 is the number set out alongside that offence.

(2) Text set out in italic type under a heading in Schedule 7 commencing with the words "Description of offence" is a description for convenience purposes only and is not to be taken to define the offence for which a particular number is prescribed as the number of demerit points attracted by the offence.

#### **Notification of demerit points to interstate licensing authorities**

**57.** For the purposes of section 98BI(1) of the Act, the offences specified in Part 1 of Schedule 7 are prescribed.

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**SCHEDULE 1**

*Conditional registration*

**Interpretation**

1. In this schedule—

"**ambulance**" means a motor vehicle that is used principally for responding to emergencies and is fitted with rotating flashing emergency lights, a siren or repeater horn and life supporting equipment;

"**emergency response vehicle**" means an ambulance, fire fighting vehicle or rescue vehicle;

"**fire fighting vehicle**" means a motor vehicle that is used principally for the purpose of fire fighting and is fitted with rotating flashing emergency lights, a siren or repeater horn and fire fighting equipment;

"**historic vehicle**" means a motor vehicle where 30 years or more have elapsed since 1 January of the year in which the vehicle was manufactured;

"**left hand drive vehicle**" means a motor vehicle that has its steering wheel on the left of the longitudinal axis of the vehicle;

"**rescue vehicle**" means a motor vehicle that is used principally for the purpose of taking action in connection with emergencies and is fitted with flashing emergency lights, a siren or repeater horn and rescue equipment.

**Period of conditional registration**

2. Where a motor vehicle is registered under section 25 of the Act, the period of registration is—

- (a) in the case of the registration of a historic vehicle or left hand drive vehicle—1, 2 or 3 years, at the option of the applicant; or
- (b) in any other case—any number of quarters, not exceeding 12 quarters, at the option of the applicant.

**Historic and left hand drive motor vehicles**

3. (1) For the purposes of section 25(1)(a) of the Act, the following classes of motor vehicles are prescribed:

- (a) a historic vehicle that has not been modified from its original design to any significant extent;
- (b) a left hand drive vehicle that was manufactured before 1 January 1974 and has not been modified from its original design to any significant extent.

(2) The registration of a historic vehicle or left hand drive vehicle under section 25 of the Act is subject to the following conditions:

- (a) a person must not drive the vehicle, or cause, suffer or permit the vehicle to be driven, on a road unless the owner of the vehicle is a financial member of a motor vehicle club recognised by the Registrar for the purposes of this clause;
- (b) a person who drives the vehicle on a road must—
  - (i) while doing so, carry in the vehicle a log book in a form approved by the Registrar; and
  - (ii) record in the log book, in accordance with the directions contained in the log book, particulars of each journey undertaken by the person in the vehicle; and
  - (iii) produce the log book for inspection on request made by a member of the police force or an inspector;

- (c) a person must not drive the vehicle, or cause, suffer or permit the vehicle to be driven, on a road on more than 90 days in each period of 12 months in the period of registration.

\* \* \* \* \*

(3) The Registrar may by notice published in the *Gazette*—

- (a) recognise a motor vehicle club for the purposes of this clause;
- (b) if satisfied that there is good cause to do so, withdraw the recognition of a motor vehicle club with effect from a date specified in the notice (being not less than 28 days from the date of publication of the notice).

\* \* \* \* \*

**Vehicles used between farm blocks**

**4.** (1) For the purposes of section 25(1)(a) of the Act, a vehicle (other than a tractor or agricultural machine) that—

- (a) is owned by a primary producer; and
- (b) is used in connection with the working of two or more separate parcels of land that are worked in conjunction with each other by that primary producer,

is a prescribed class of vehicle.

(2) The registration of such a vehicle under section 25 of the Act is subject to the condition that a person must not, during the period for which the vehicle is registered under that section, drive the vehicle, or cause, suffer or permit the vehicle to be driven, on a road except to enable the vehicle to be driven between the parcels of land referred to in subclause (1).

**Vehicles used to tow commercial fishing boats**

**5.** (1) For the purposes of section 25(1)(a) of the Act, a vehicle that—

- (a) is owned by the holder of a fishery licence under the *Fisheries Act 1982*; and
- (b) is used solely for the purpose of towing—
  - (i) a boat registered by endorsement of that licence; or
  - (ii) a boat used in place of the registered boat with the consent of the Director of Fisheries,

is a prescribed class of vehicle.

(2) The registration of such a vehicle under section 25 of the Act is subject to the condition that a person must not, during the period for which the vehicle is registered under that section, drive the vehicle, or cause, suffer or permit the vehicle to be driven, on a road except for the purpose of—

- (a) towing a boat referred to in subclause (1)(b) to a place at which it is to be launched; or
- (b) retrieving such a boat from a place at which it has been landed.

**Other prescribed classes of vehicles**

**6.** For the purposes of section 25(1)(a) of the Act, the following classes of vehicles are prescribed:

- (a) an emergency response vehicle;
- (b) a special purpose vehicle;
- (c) a vehicle that is to be driven on a road for a limited number of short journeys;

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- (d) a road train;
- (e) a B double;
- (f) a vehicle in relation to which there is in force a permit issued under the *Road Traffic Act 1961* exempting the vehicle from compliance with a requirement of that Act subject to conditions or restrictions limiting the use of the vehicle to a road or roads, or a class of roads, specified in the permit;
- (g) a vehicle in relation to which there is in force—
  - (i) an exemption granted by the Minister under section 163AA of the *Road Traffic Act 1961* exempting the vehicle from compliance with a requirement of Part 4 of that Act subject to conditions limiting the use of the vehicle (other than a restriction limiting the use of the vehicle to a particular road or roads or class of roads); or
  - (ii) a dispensation granted by the Minister under regulation 10.08 of the *Road Traffic Regulations 1974* exempting the vehicle from compliance with a requirement of the regulations subject to conditions limiting the use of the vehicle (other than a restriction limiting the use of the vehicle to a particular road or roads or class of roads).

**SCHEDULE 2**

*Classification of driver's licences*

**Classification of licences**

1. (1) For the purposes of section 72(1) of the Act, the classifications appearing in column 1 of the table below are prescribed.

(2) Subject to this clause, a licence that is endorsed with a classification appearing in column 1 of the table authorises the holder of the licence to drive a motor vehicle of the description appearing opposite that classification in column 2.

(3) A reference in column 3 of the table to a driver's licence or a particular class of licence includes a reference to an interstate licence.

(4) Subject to this clause, the Registrar may not endorse a licence with a particular classification unless the Registrar is satisfied that the applicant—

- (a) fulfils the criteria specified in column 3 of the table; and
- (b) has passed a practical driving test approved by the Registrar,

in respect of that classification.

(5) Despite subclause (2), the holder of a licence endorsed with the classification MR may drive a motor vehicle with 3 axles and a gross vehicle mass not exceeding 15 tonnes until 31 January 1999 if, immediately before 1 November 1998, he or she held a licence endorsed with the classification LT.

(6) Despite subclause (2), the holder of a licence endorsed with a classification other than R or R-DATE may drive a motor trike until 31 January 1999.

(7) The Registrar may endorse a licence with a particular classification despite the fact that the applicant does not fulfil the criteria specified in column 3 of the table in respect of that classification if—

- (a) the applicant is of or over the age of 17 years and six months; and
- (b) the Registrar is satisfied that special circumstances exist for doing so.

<i>1 - Licence class</i>	<i>2 - Motor vehicles authorised to be driven</i>	<i>3 - Minimum driving experience</i>
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C . . . . .	<p>1.1 A motor vehicle with a GVM not greater than 4.5 tonnes but not including—</p> <ul style="list-style-type: none"> <li>(a) a bus; or</li> <li>(b) a motor cycle or motor trike.</li> </ul> <p>1.2 A motor vehicle included in 1.1 towing a single trailer, subject to the combination mass limits fixed under the <i>Road Traffic Act 1961</i>.</p>	Nil.
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<i>1 - Licence class</i>	<i>2 - Motor vehicles authorised to be driven</i>	<i>3 - Minimum driving experience</i>
LR . . . . .	<p>2.1 A motor vehicle authorised to be driven by a licence of the preceding class.</p> <p>2.2 A motor vehicle with a GVM greater than 4.5 tonnes but not greater than 8 tonnes.</p> <p>2.3 A bus with a GVM not greater than 8 tonnes.</p> <p>2.4 A motor vehicle included in 2.2 or 2.3 towing a single trailer, subject to the combination mass limits fixed under the <i>Road Traffic Act 1961</i>.</p>	<p>The applicant must have held a driver's licence endorsed with the classification C for at least one year.</p>
MR . . . . .	<p>3.1 A motor vehicle authorised to be driven by a licence of a preceding class.</p> <p>3.2 A motor vehicle with 2 axles and a GVM greater than 8 tonnes.</p> <p>3.3 A motor vehicle included in 3.2 towing a single trailer (other than a semi-trailer) with a GVM not greater than 9 tonnes, subject to the combination mass limits fixed under the <i>Road Traffic Act 1961</i>.</p> <p>3.4 A special purpose vehicle with a GVM not greater than 15 tonnes.</p>	<p>The applicant must have held a driver's licence endorsed with the classification C for at least one year.</p>
HR . . . . .	<p>4.1 A motor vehicle authorised to be driven by a licence of a preceding class.</p> <p>4.2 A motor vehicle (including an articulated bus but not including any other articulated motor vehicle) with 3 or more axles and a GVM greater than 8 tonnes.</p> <p>4.3 A motor vehicle included in 4.2 towing a single trailer (other than a semi-trailer) with a GVM not greater than 9 tonnes, subject to the combination mass limits fixed under the <i>Road Traffic Act 1961</i>.</p>	<p>The applicant must have held—</p> <p>(a) a driver's licence endorsed with the classification C for at least two years; or</p> <p>(b) a driver's licence endorsed with the classification LR or MR for at least one year.</p>

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<i>1 - Licence class</i>	<i>2 - Motor vehicles authorised to be driven</i>	<i>3 - Minimum driving experience</i>
HC . . . . .	5.1 A motor vehicle authorised to be driven by a licence of a preceding class.  5.2 A prime mover to which is attached a single semi-trailer (whether or not any unladen converter dolly is also attached).  5.3 A rigid motor vehicle to which is attached a single trailer with a GVM greater than 9 tonnes (whether or not any unladen converter dolly is also attached).	The applicant must have held a driver's licence endorsed with the classification MR or HR for at least one year.
MC . . . . .	6. Any motor vehicle or combination of motor vehicles except a motor cycle or motor trike.	The applicant must have held a driver's licence endorsed with the classification HC or HR for at least one year.
R-DATE* . . . . .	7.1 A motor cycle the engine capacity of which does not exceed 250 millilitres.  7.2 A motor trike the engine capacity of which does not exceed 250 millilitres.	Nil.
R . . . . .	8. Any motor cycle or motor trike.	The applicant must have held a driver's licence endorsed with the classification R-DATE* for at least one year.

\*R-DATE: In the case of a learner's permit, the date is the expiry date of the permit. In any other case the date is the date falling one year after the first endorsement of the licence with that classification and indicates the date on which the holder may apply for a licence endorsed R. The holder of a driver's licence endorsed R-DATE remains restricted to a motor cycle the engine capacity of which does not exceed 250 millilitres until he or she is granted a licence endorsed R despite the fact that the date included in the classification has passed.

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**Transitional provision**

2. (1) A licence in force immediately before 1 November 1998 that is endorsed with one or more of the classifications set out in column 1 of the table below will be taken for all purposes to be a licence endorsed with the corresponding classification or classifications appearing opposite in column 2.

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1 - Old classification	2 - Corresponding new classification
CAR .....	C
LT .....	MR
HT .....	HR
LA .....	HC
HA .....	HC
DA .....	MC
RT .....	MC
BIKE-DATE .....	R-DATE
BIKE .....	R
SB .....	LR
LB .....	MR
HB .....	HR
AB .....	HR

(2) The Registrar is required to remove each endorsement on a licence in force immediately before 1 November 1998 relating to any of the classifications set out in column 1 of the table above and to substitute, in each case, the appropriate endorsement relating to the corresponding new classification as set out in column 2 of that table.

(3) The Registrar may comply with the obligation imposed by subclause (2) over such period of time as the Registrar considers practicable.

**SCHEDULE 3**

*Conditions of driver's licences and learner's permits*

**Conditions of driver's licences and learner's permits**

1. (1) Where a provision of the Act requires a condition imposed on a licence or learner's permit to be endorsed on the licence or permit, the condition is sufficiently endorsed if—

- (a) full particulars of the condition are endorsed on the front of the licence or permit; or
- (b) in the case of a condition set out in column 1 of the table below—the front of the licence or permit is endorsed with the letter appearing opposite in column 2; or
- (c) in the case of a condition recorded on the Register and advised in writing by the Registrar to the holder of the licence or permit—the front of the licence or permit is endorsed with the letter "X"; or
- (d) in the case of a condition imposed by a court—the front of the licence or permit is endorsed with the letter "Y".

<i>1 - Condition</i>	<i>2 - Letter</i>
The holder of the licence or permit is permitted to drive only a motor vehicle that is fitted with automatic transmission.	A
The holder of the licence or permit is permitted to drive only a motor vehicle that is fitted with automatic or synchromesh transmission.	B
The holder of the licence or permit is permitted to drive only a motor cycle the engine capacity of which does not exceed 250 millilitres.	E
The holder of the licence or permit is permitted to drive only a motor vehicle fitted with a breath alcohol interlock device.	I
The holder of the licence or permit must, at all times while driving, wear glasses or contact lenses prescribed by a medical practitioner or optometrist.	S
The holder of the licence or permit is permitted to drive only a bus or truck that is fitted with automatic transmission.	T
The holder of the licence or permit is permitted to drive only a motor vehicle that is modified as recorded on the Register and advised in writing by the Registrar to the holder.	V
The holder of the licence or permit is permitted to drive a motor vehicle only if the concentration of alcohol present in the holder's blood is 0.	Z

**Interpretation**

2. In this schedule—

"**breath alcohol interlock device**" means a device fitted to a motor vehicle that is capable of—

- (a) analysing a breath sample for the presence of alcohol; and
- (b) interacting with a motor vehicle in such a way that a positive result at a designated blood alcohol level will inhibit the use of the motor vehicle.

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**Transitional provision**

3. (1) A licence or learner's permit in force immediately before 1 November 1998 that is endorsed with one or more of the conditions set out in column 1 of the table below will be taken for all purposes to be a licence or learner's permit endorsed with the corresponding condition or conditions appearing opposite in column 2.

1 - Old condition	2 - Corresponding new condition
B .....	A
C .....	V
F .....	V
G .....	V
K .....	V
M .....	X
P .....	No new condition
Q .....	X
S .....	S
T .....	T
V .....	T
W .....	B
Z .....	Y

(2) The Registrar is required to remove each endorsement on a licence or learner's permit in force immediately before 1 November 1998 relating to any of the conditions set out in column 1 of the table above and to substitute, in each case, the appropriate endorsement relating to the corresponding new condition as set out in column 2 of that table.

(3) The Registrar may comply with the obligation imposed by subclause (2) over such period of time as the Registrar considers practicable.

**SCHEDULE 4***Powers and duties of authorised agents***Prescribed powers and duties**

1. (1) The powers and duties conferred or imposed by each of the provisions of the Act specified in the table below (a brief description of which is set out alongside that provision for convenience of reference only) are prescribed for the purposes of section 7(3) of the Act.

<i>Section of the Act conferring power or imposing duty</i>	<i>Brief description of power or duty</i>
16(1) . . . . .	Power of the Registrar to issue a permit authorising a motor vehicle to be driven on roads without registration.
16(2) . . . . .	Power of a member of the police force to issue a permit authorising a motor vehicle to be driven on roads without registration.
16(13) . . . . .	Power of a member of the police force to issue a duplicate permit.
24 . . . . .	Duty of the Registrar to register motor vehicles.
46(1) . . . . .	Duty of the Registrar to allot a number to a motor vehicle on registration of the vehicle.
47B(1) . . . . .	Duty of the Registrar to issue number plates.
50(1) . . . . .	Power of a member of the police force to issue a permit authorising a motor vehicle to be driven on roads without carrying a registration label.
54(1) . . . . .	Duty of the Registrar to cancel the registration of a motor vehicle.
75(1) . . . . .	Duty of the Registrar to issue or renew a driver's licence.
75A(1) . . . . .	Duty of the Registrar to issue a learner's permit.
75A(1a) . . . . .	Power of the Registrar to renew a learner's permit.
77(1) . . . . .	Power of the Registrar to issue a duplicate driver's licence or learner's permit.
77B(1) . . . . .	Power of the Registrar to require a person to attend at a specified place for the purpose of having the person's photograph taken or to supply to the Registrar one or more photographs of the person as specified by the Registrar.
77C(1) . . . . .	Power of the Registrar to issue a temporary driver's licence or learner's permit.
139(1) . . . . .	Power of the Registrar, an inspector, a member of the police force or a person authorised by the Registrar to examine motor vehicles.

(2) The powers and duties conferred or imposed by each of the provisions of these regulations specified in the table below (a brief description of which is set out alongside that provision for convenience of reference only) are prescribed for the purposes of section 7(3) of the Act.

<i>Regulation conferring power or imposing duty</i>	<i>Brief description of power or duty</i>
23A . . . . .	Power to complete a report in relation to a new motor vehicle.
53(2)(f) . . . . .	Duty of the Registrar to issue written-off vehicle notices.

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**SCHEDULE 5**

*Fees*

**Interpretation**

1. In this schedule—

"level 1 fee" means an administration fee of \$6.00;

"level 2 fee" means an administration fee of \$10.00;

"level 3 fee" means an administration fee of \$20.00.

**Registration**

2. (1) For registration of—

(a) a heavy vehicle—

(i) for one or more quarters—a fee equal to the product of the number of quarters for which the vehicle is to be registered multiplied by one quarter of the amount that would be the annual registration charge determined in accordance with the Commonwealth Road Transport Charges Act for registration of the vehicle in the Australian Capital Territory; or

(ii) in any other case—a fee equal to the product of the number of days for which the vehicle is to be registered multiplied by one-three hundred and sixty-fifth of the fee that would be payable for registration of the vehicle for 12 months;

(b) a vehicle that is not a heavy vehicle—

(i) a motor cycle . . . . . \$25.00

(ii) a trailer . . . . . \$43.00

(iii) a motor vehicle propelled other than by an internal combustion engine . . . . . \$72.00

(iv) a commercial motor vehicle—

(A) if the unladen mass of the vehicle does not exceed 1 000 kg and the vehicle is propelled by an internal combustion engine—

· having 4 cylinders or less . . . . . \$72.00

· having 5 or 6 cylinders . . . . . \$146.00

· having 7 or more cylinders . . . . . \$212.00

(B) if the unladen mass of the vehicle exceeds 1 000 kg but does not exceed 1 500 kg . . . . . \$160.00

(C) if the unladen mass of the vehicle exceeds 1 500 kg . . . . . \$271.00

(v) any motor vehicle (other than a vehicle referred to in subparagraphs (i) to (iv)) propelled by an internal combustion engine—

(A) having 4 cylinders or less . . . . . \$72.00

(B) having 5 or 6 cylinders . . . . . \$146.00

(C) having 7 or more cylinders . . . . . \$212.00

(2) The registration fees prescribed in subclause (1)(b) are those payable for registration for 12 months.

(3) The registration fee payable for the registration of a motor vehicle for a period of less than 12 months is as follows:

- (a) in the case of a registration for one, two or three quarters—a fee equal to the product of the number of quarters for which the vehicle is to be registered multiplied by one quarter of the fee that would be payable for registration of the vehicle for 12 months;
- (b) in any other case—a fee equal to the product of the number of days for which the vehicle is to be registered multiplied by one-three hundred and sixty-fifth of the fee that would be payable for registration of the vehicle for 12 months.

(4) Administration fee (payable in addition to the registration fee) for—

- (a) initial registration or re-registration of a motor vehicle . . . . . level 3 fee
- (b) renewal of registration of a motor vehicle . . . . . level 1 fee

(5) Surcharge (payable in addition to the registration fee and administration fee) for registration or renewal of registration of a motor vehicle for—

- (a) less than 6 months—a fee equal to 5.625 per cent of the registration fee;
- (b) 6 months or more but less than 9 months—a fee equal to 3.75 per cent of the registration fee;
- (c) 9 months or more but less than 12 months—a fee equal to 1.875 per cent of the registration fee.

(6) Subject to clause 3, the fees prescribed in this clause do not apply in relation to the registration of a motor vehicle under section 25 of the Act.

**Conditional registration**

3. (1) For registration of a motor vehicle under section 25 of the Act—

- (a) in the case of a special purpose vehicle (type 2)—a fee equal to the product of the number of quarters for which the vehicle is to be registered multiplied by one quarter of the amount that would be the annual registration charge determined in accordance with the Commonwealth Road Transport Charges Act for registration of the vehicle in the Australian Capital Territory;
- (b) in the case of a road train, B double or a vehicle referred to in clause 6(g) of schedule 1—the registration fee prescribed by clause 2 of this schedule;
- (c) in any other case—no fee.

(2) Administration fee (payable whether or not a registration fee is payable under subclause (1)) for registration of a motor vehicle under section 25 of the Act—

- (a) initial registration or re-registration of a motor vehicle . . . . . level 3 fee
- (b) renewal of registration of a motor vehicle . . . . . level 1 fee

(3) If a registration fee is payable for the registration of a motor vehicle under section 25 of the Act and the period of registration is less than 12 months, a surcharge of the amount prescribed in clause 2(5) is payable in addition to the registration fee and administration fee.

(4) An application for the registration of a motor vehicle under section 25 of the Act is exempt from stamp duty if the motor vehicle to which the application relates is of any of the classes of vehicles prescribed for the purposes of that section in schedule 1 (other than a road train, B double or a vehicle referred to in clause 6(g) of that schedule).

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(5) In this clause—

"special purpose vehicle (type 2)" has the same meaning as in the schedule of the Commonwealth Road Transport Charges Act.

**Transfer of registration**

4. (1) Administration fee for transfer of the registration of a motor vehicle . . . . . level 3 fee

(2) Additional fee for late payment of the fee prescribed in subclause (1) . . . . . \$50.00

**Cancellation of registration**

5. Administration fee for cancellation of the registration of a motor vehicle . . . . . level 2 fee

**Duplicate certificates of registration and registration labels**

6. Administration fee for the issue of a duplicate certificate of registration or duplicate registration label . . . . . level 2 fee

**Permit to drive an unregistered motor vehicle**

7. Administration fee for the issue of—

(a) a permit under section 16(1)(c)(i) of the Act . . . . . level 1 fee

(b) a permit under section 16(1)(c)(ii) of the Act . . . . . level 3 fee

**Duplicate permit to drive an unregistered motor vehicle**

8. Administration fee for the issue of a duplicate permit under section 16(12) of the Act . . . . level 2 fee

**Permit to drive a motor vehicle without carrying the registration label**

9. Administration fee for the issue of a permit under section 51 of the Act . . . . . level 2 fee

**Temporary configuration certificate for heavy vehicle**

10. Administration fee for the issue of a temporary configuration certificate for a heavy vehicle . . . . . level 3 fee

**Duplicate temporary configuration certificate for heavy vehicle**

11. Administration fee for the issue of a duplicate temporary configuration certificate for a heavy vehicle . . . . . level 2 fee

**Number allotment**

12. Administration fee for variation or amendment of the number allotted to a motor vehicle (per vehicle) . . . . . level 3 fee

**Number plates**

13. (1) Administration fee for the issue or replacement of a single number plate, a pair of number plates or a supplementary number plate for a bike rack . . . . . level 3 fee

(2) Administration fee (payable in addition to the fee prescribed in subclause (1)) for postal delivery of a number plate or plates . . . . . level 2 fee

**Issue or reissue of trade plate**

14. (1) For the issue or reissue of a trade plate—

(a) in respect of a motor vehicle that has a gross vehicle mass exceeding 4 500 kg (other than a special purpose vehicle) (**Category A**)—an annual fee of an amount equal to the fee that would be payable for registration for 12 months of a heavy vehicle that is a truck (type 1) with 2 axles and a gross vehicle mass exceeding 4 500 kg but not exceeding 12 000 kg;

(b) in respect of a motor vehicle that has a gross vehicle mass not exceeding 4 500 kg (other than a motor cycle, trailer or special purpose vehicle) (**Category B**)—an annual fee of an amount equal to the fee that would be payable for registration for 12 months of a motor vehicle referred to in clause 2(1)(b)(iv)(A) or 2(1)(b)(v) that has 7 or more cylinders;

- (c) in respect of a motor cycle (**Category C**)—an annual fee of an amount equal to the fee that would be payable for registration for 12 months of a motor cycle;
- (d) in respect of a trailer that has a gross vehicle mass not exceeding 4 500 kg (**Category D**)—an annual fee of an amount equal to the fee that would be payable for registration for 12 months of a trailer;
- (e) in respect of a special purpose vehicle (**Category E**)—no fee.

If an application for the issue or reissue of a trade plate relates to more than one category of vehicle such that more than one fee becomes payable, then only the highest fee must be paid.

(2) Administration fees (payable in addition to the fee prescribed in subclause (1))—

- (a) on application for the issue of a trade plate . . . . . level 3 fee
- (b) for allocation of a trade plate number on the issue of a trade plate (per plate) . . . . . level 2 fee

(3) Administration fee (payable in addition to the fee prescribed in subclause (1))  
on application for the reissue of a trade plate . . . . . level 1 fee

(4) In this clause—

"truck (type 1)" has the same meaning as in the schedule of the Commonwealth Road Transport Charges Act.

**Supply of trade plate by Registrar**

15. Administration fee for the supply of a trade plate by the Registrar . . . . . level 3 fee

**Issue of replacement trade plate**

16. Administration fee on application for the issue of a new trade plate in lieu of a lost trade plate . . . . . level 2 fee

**Duplicate trade plate label or certificate of issue of trade plate**

17. Administration fee for the issue of a duplicate trade plate label or duplicate certificate of issue of a trade plate . . . . . level 2 fee

**Trade plate transfer**

17A. Administration fee payable on application for the transfer of a trade plate . . . . . level 3 fee

**Trade plate surrender**

17B. Administration fee payable on surrender of a trade plate under section 70(5) of the Act . . . . . level 2 fee

**Driver's licences**

18. (1) For the issue or renewal of a driver's licence—

- (a) where the applicant is a person who as a result of his or her service in a naval, military or air force of Her Majesty—
  - (i) is totally or permanently incapacitated; or
  - (ii) has lost a leg or foot; or
  - (iii) receives under the law of the Commonwealth relating to repatriation a pension at the rate for total incapacity or a pension granted by reason of impairment of his or her power of locomotion at the rate of not less than 75 per cent of the rate for total incapacity (per annum) . . . . . \$11.00

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- (b) where the applicant is a person who is entitled, as the holder of—
  - (i) State Concession Card issued by the Department for Family and Community Services; or
  - (ii) a pensioner entitlement card issued under a law of the Commonwealth,
 to travel on public transport in this State at reduced fares (per annum) . . . . . \$11.00
- (c) in any other case (per annum) . . . . . \$22.00

(2) The licence fee for a driver’s licence issued or renewed for a period other than for full years is one-quarter of the annual licence fee for each complete three months of the period for which the licence is issued or renewed.

(3) Administration fee (payable in addition to the licence fee) for the issue or renewal of a driver’s licence . . . . . level 2 fee

(4) Administration fee (payable in addition to the fee prescribed in subclause (3)) where application for the issue of a driver’s licence is made more than 90 days after the expiry of a previously held licence and the applicant was not, during the whole of the period of 90 days after the expiry of the previously held licence, disqualified from holding or obtaining a driver’s licence . . . . . level 3 fee

**Duplicate driver’s licence**

19. Administration fee for the issue of a duplicate driver’s licence that bears a photograph of the holder . . . . . level 2 fee

**Learner’s permit**

20. Administration fee for the issue or renewal of a learner’s permit . . . . . level 3 fee

**Duplicate learner’s permit**

21. Administration fee for the issue of a duplicate learner’s permit . . . . . level 2 fee

**Examination in rules to be observed by drivers**

22. Administration fee for an examination, under section 79 of the Act, in the rules required by law to be observed by drivers of motor vehicles . . . . . level 3 fee

**Practical driving tests**

23. For a practical driving test—

- (a) booking fee . . . . . level 2 fee
- (b) test fee—
  - (i) for a test of up to, but not exceeding, 40 minutes’ duration . . . . . \$31.00
  - (ii) for a test exceeding 40 minutes’ duration . . . . . \$70.00
- (c) administration fee (payable in addition to the test fee) . . . . . level 2 fee

**Motor cycle training courses**

24. For a motor cycle training course undertaken in accordance with the directions of the Registrar—

- (a) training course fee—
  - (i) for basic motor cycle training preparatory to obtaining a motor cycle learner’s permit . . . . . \$73.00
  - (ii) for advanced motor cycle training preparatory to obtaining a motor cycle driver’s licence . . . . . \$64.00

(b) administration fee (payable in addition to the training course fee) . . . . . \$11.00

**Proficiency test for motor driving instructor's licence**

**25.** For a proficiency test of an applicant for a driving instructor's licence—

(a) for a theory test—

(i) test fee . . . . . \$42.00

(ii) administration fee (payable in addition to the test fee) . . . . . level 2 fee

(b) for a practical training course test—

(i) test fee . . . . . \$3 613.00

(ii) administration fee (payable in addition to the test fee) . . . . . level 2 fee

**Motor driving instructor's licence**

**26.** For the issue of a motor driving instructor's licence . . . . . \$278.00

**Duplicate motor driving instructor's licence**

**27.** Administration fee for the issue of a duplicate motor driving instructor's licence . . . . . level 2 fee

**Proficiency tests for authorised examiners**

**28.** For a proficiency test of an applicant for appointment as an authorised examiner—

(a) for a 3-day practical training course test—

(i) test fee . . . . . \$310.00

(ii) administration fee (payable in addition to the test fee) . . . . . \$11.00

(b) for a 5-day practical training course test—

(i) test fee . . . . . \$460.00

(ii) administration fee (payable in addition to the test fee) . . . . . \$11.00

**Lectures as to motor vehicle accidents and their causes**

**29.** For attendance at a lecture conducted pursuant to reg. 32 . . . . . \$29.00

**Disabled person's parking permit**

**30.** For the issue of a disabled person's parking permit—

(a) permit fee—

(i) for 1 year or less . . . . . \$3.00

(ii) for 2 years . . . . . \$5.00

(iii) for 3 years . . . . . \$7.00

(iv) for 4 years . . . . . \$9.00

(v) for 5 years . . . . . \$11.00

(b) administration fee (payable in addition to the permit fee) . . . . . level 1 fee

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**Register searches, etc.**

**31.** (1) Administration fee for searching the register and supplying information—

- (a) for manual search of archived information (per search) . . . . . level 3 fee
  - (b) for manual search of current information (per search) . . . . . level 3 fee
  - (c) for multiple searches where separate extracts of entries are not required . . . . . level 2 fee
  - (d) where the applicant prepares computer input data in a form acceptable to the Registrar (per search) . . . . . level 1 fee
- (2) Administration fee for an extract of an entry in the register . . . . . level 3 fee

**Dishonoured cheque or debit card or credit card transactions**

**31A.** Administration fee payable under s. 138B of the Act . . . . . level 3 fee

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**Fees payable by insurer for emergency treatment**

**33.** For the purposes of section 110(1) of the Act—

- (a) the fee payable to a medical practitioner who renders emergency treatment is a fee equal to a level 3 fee;
- (b) the fee payable to a nurse who renders emergency treatment is a fee equal to a level 2 fee;
- (c) the amount payable to a person who conveys an injured person is an amount equal to one-tenth of a level 1 fee for every kilometre that the person is conveyed.

**SCHEDULE 6**

*Expiation Fees (regs. 54 & 55)*

**Alleged offence against Act**

s. 16(9)	\$64
s. 16(11)	\$53
s. 47(1)	\$53
s. 47A(7)	\$62
s. 48(3)	\$64
s. 53(1)	\$62
s. 66(2)	\$62
s. 74(1)	\$188
s. 75A(5):	
· contravention of condition requiring licensed driver to accompany learner	\$121
· contravention of condition requiring one "L" plate to be affixed to vehicle	\$114
· in any other case	\$49
s. 75A(5aaa)	\$43
s. 75A(7):	
· contravention involving less than .08 grams of alcohol in 100 millilitres of blood	\$122
s. 81(4)	\$49
s. 81A(5):	
· contravention of condition requiring one "P" plate to be affixed to vehicle	\$108
· in any other case	\$49
s. 81A(5a)	\$56
s. 81B(3a)	
· failure to comply with a requirement made under s. 81B(3)(a) to attend lecture	\$55
s. 97A(3)	\$62
s. 98AAA(1)	\$55
s. 98AAB(1) or (2)	\$55
s. 102(2)(a)	\$17
s. 136(1), (1a) or (2)	\$78
s. 143:	
· offence of causing or permitting the commission of an expiable offence against the Act or these regulations	\$38

**Alleged offence against reg. 54 arising from alleged contravention of, or failure to comply with—**

reg. 22(1) or (4)	\$239
reg. 27(1) or (3)	\$49

**Motor Vehicles Regulations 1996****SCHEDULE 7***Demerit Points***PART 1****DEMERIT POINTS WITHIN THE NATIONAL SCHEME****DIVISION 1—OFFENCES AGAINST THE ROAD TRAFFIC ACT 1961**

<b>Section</b>	<b>Description of offence against Road Traffic Act 1961</b>	<b>Demerit points</b>
164A(1)	<i>Contravening or failing to comply with provision of Act</i>	
	Contravention of or failure to comply with—	
	s. 45 <i>Driving without due care or attention, etc.</i> . . . . .	3
	s. 160(6) <i>Driving contrary to terms of defect notice</i> . . . . .	3

**DIVISION 2—OFFENCES AGAINST THE AUSTRALIAN ROAD RULES**

<b>Rule</b>	<b>Description of offence against Australian Road Rules</b>	<b>Demerit points</b>
20	<i>Speeding</i>	
	Exceeding applicable speed-limit on length of road—	
	by less than 15 kph . . . . .	1
	by 15 kph or more but less than 30 kph . . . . .	3
	by 30 kph or more but less than 45 kph . . . . .	4
	by 45 kph or more . . . . .	6
27(1)	<i>Failing to keep left when starting left turn (from other than multi-lane road)</i> . . . . .	2
28(1)	<i>Failing to keep within left lane when starting left turn on multi-lane road</i> . . . . .	2
29	<i>Failing to make left turn as indicated by road marking</i> . . . . .	2
31(1)	<i>Starting right turn incorrectly (from other than multi-lane road)</i> . . . . .	2
32(1)	<i>Failing to keep within right lane when starting right turn on multi-lane road</i> . . . . .	2
33(1)	<i>Making right turn at intersection incorrectly (other than at T-intersection)</i> . . . . .	2
34(1)	<i>Making hook turn at "hook turn only" sign incorrectly</i> . . . . .	2
37	<i>Starting U-turn without clear view, etc.</i> . . . . .	2
38	<i>Failing to give way when making U-turn</i> . . . . .	3
39(1)	<i>Making U-turn contrary to "no U-turn sign" at break in dividing strip</i> . . . . .	2
39(2)	<i>Making U-turn contrary to "no U-turn sign" on length of road</i> . . . . .	2
40	<i>Making U-turn at intersection with traffic lights and "no U-turn permitted" sign</i> . . . . .	2
41	<i>Making U-turn at intersection without traffic lights and without "U-turn permitted" sign</i> . . . . .	2
42	<i>Starting U-turn at intersection from incorrect position</i> . . . . .	2
43(1)	<i>Starting and making left turn incorrectly</i> . . . . .	2
43(2)	<i>Starting and making right turn incorrectly</i> . . . . .	2
46(1)	<i>Failing to give left change of direction signal before turning left</i> . . . . .	2
48(1)	<i>Failing to give right change of direction signal before turning right</i> . . . . .	2
53(1)	<i>Failing to give stop signal before stopping or suddenly slowing</i> . . . . .	2
53(2)	<i>Failing to give sufficient warning of stopping</i> . . . . .	2
53(3)	<i>Failing to give stop signal while slowing</i> . . . . .	2
56(1)	<i>Failing to stop for red traffic light</i> . . . . .	3
56(2)	<i>Failing to stop for red traffic arrow</i> . . . . .	3
57(2)	<i>Failing to stop for yellow traffic light or arrow</i> . . . . .	3
57(3)	<i>Failing to leave intersection showing yellow traffic light or arrow</i> . . . . .	3
59(1)	<i>Proceeding through red traffic light</i> . . . . .	3

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60	<i>Proceeding through red traffic arrow . . . . .</i>	3
61(2)	<i>Failing to stop at intersection when traffic lights or arrows change to yellow or red . . . . .</i>	3
61(5)	<i>Failing to leave intersection when traffic lights or arrows change to yellow or red . . . . .</i>	3
62	<i>Failing to give way when turning at intersection with traffic lights . . . . .</i>	3
63(2)	<i>Failing to give way at intersection with traffic lights not operating or only partly operating—where traffic light-stop sign . . . . .</i>	3
63(3)	<i>Failing to give way at intersection with traffic lights not operating or only partly operating—where no traffic light-stop sign . . . . .</i>	3
64	<i>Failing to give way at flashing yellow traffic arrow at intersection . . . . .</i>	3
65(2)	<i>Failing to give way at marked foot crossing (except at intersection) with flashing yellow traffic light . . . . .</i>	3
66(1)	<i>Failing to stop for twin red lights (except at level crossing) . . . . .</i>	3
66(4)	<i>Proceeding after stopping for twin red lights (except at level crossing) . . . . .</i>	3
67(1)	<i>Failing to stop and give way at stop sign or stop line at intersection without traffic lights . . . . .</i>	3
68(1)	<i>Failing to stop and give way at stop sign or stop line at other place . . . . .</i>	3
69(1)	<i>Failing to give way at give way sign or give way line at intersection . . . . .</i>	3
70	<i>Failing to give way at give way sign at bridge or length of narrow road . . . . .</i>	3
71(1)	<i>Failing to give way at give way sign or give way line at other place . . . . .</i>	3
72(1)	<i>Failing to give way at intersection (except T-intersection or roundabout) . . . . .</i>	3
73(1)	<i>Failing to give way at T-intersection . . . . .</i>	3
74(1)	<i>Failing to give way when entering road from road-related area or adjacent land . . . . .</i>	3
75(1)	<i>Failing to give way when entering road-related area or adjacent land from road . . . . .</i>	3
76(1)	<i>Moving into path of tram travelling in tram lane, etc. . . . .</i>	3
76(2)	<i>Failing to move out of path of tram travelling in tram lane, etc. . . . .</i>	3
77(1)	<i>Failing to give way to bus . . . . .</i>	3
78(1)	<i>Moving into path of police or emergency vehicle . . . . .</i>	3
78(2)	<i>Failing to move out of path of police or emergency vehicle . . . . .</i>	3
79(1)	<i>Failing to give way to police or emergency vehicle . . . . .</i>	3
80(1)	<i>Driving near children's crossing at speed at which driver cannot stop safely . . . . .</i>	3
80(2)	<i>Failing to stop at children's crossing . . . . .</i>	3
80(3)	<i>Failing to obey hand-held stop sign at children's crossing . . . . .</i>	3
80(4)	<i>Proceeding while pedestrian on children's crossing . . . . .</i>	3
81(1)	<i>Driving near pedestrian crossing at speed at which driver cannot stop safely . . . . .</i>	3
81(2)	<i>Failing to give way at pedestrian crossing . . . . .</i>	3
82	<i>Overtaking or passing vehicle at children's crossing or pedestrian crossing . . . . .</i>	3
83	<i>Failing to give way to pedestrian in shared zone . . . . .</i>	3
84(1)	<i>Failing to give way when driving through break in dividing strip . . . . .</i>	3
85	<i>Failing to give way on painted island . . . . .</i>	3
86(1)	<i>Failing to give way in median turning bays . . . . .</i>	3
87(1)	<i>Failing to give way when moving from side or shoulder of road . . . . .</i>	3
88(1)	<i>Failing to turn left at intersection with "left turn only" sign . . . . .</i>	2
88(2)	<i>Failing to turn left when in left lane at intersection with "left lane must turn left" sign . . . . .</i>	2
89(1)	<i>Failing to turn right at intersection with "right turn only" sign . . . . .</i>	2
89(2)	<i>Failing to turn right when in right lane at intersection with "right lane must turn right" sign . . . . .</i>	2
90	<i>Turning at intersection with "no turn" sign . . . . .</i>	2
91(1)	<i>Turning left at intersection with "no left turn" sign . . . . .</i>	2
91(2)	<i>Turning at intersection with "no right turn" sign . . . . .</i>	2
93(1)	<i>Driving or overtaking on bridge or length of road where "no overtaking or passing" sign applies . . . . .</i>	2
94	<i>Overtaking on bridge with "no overtaking on bridge" sign . . . . .</i>	2
101(1)	<i>Failing to stop before hand-held stop sign . . . . .</i>	3
101(2)	<i>Proceeding after stopping for hand-held stop sign . . . . .</i>	3
112(2)	<i>Failing to give left change of direction signal when entering roundabout . . . . .</i>	2
112(3)	<i>Failing to continue left change of direction signal while on roundabout . . . . .</i>	2
113(2)	<i>Failing to give right change of direction signal when entering roundabout . . . . .</i>	2
113(3)	<i>Failing to continue right change of direction signal while in roundabout . . . . .</i>	2

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114(1)	<i>Failing to give way when entering roundabout</i> . . . . .	3
114(2)	<i>Failing to give way to tram when driving in roundabout</i> . . . . .	3
117(1)	<i>Failing to give left change of direction signal when changing marked lanes or lines of traffic in roundabout</i> . . . . .	2
117(2)	<i>Failing to give right change of direction signal when changing marked lanes or lines of traffic in roundabout</i> . . . . .	2
118(1)	<i>Failing to give left change of direction signal when leaving roundabout</i> . . . . .	2
118(2)	<i>Failing to stop left change of direction signal after leaving roundabout</i> . . . . .	2
121	<i>Failing to stop and give way at stop sign at level crossing</i> . . . . .	3
122	<i>Failing to give way at give way sign or give way line at level crossing</i> . . . . .	3
123	<i>Entering level crossing when train or tram approaching, etc.</i> . . . . .	3
126	<i>Failing to keep safe distance behind other vehicle</i> . . . . .	1
127(1)	<i>Failing to keep required minimum distance behind long vehicle</i> . . . . .	1
129(1)	<i>Failing to keep to far left side of road</i> . . . . .	2
130(2)	<i>Driving in right lane on certain multi-lane roads</i> . . . . .	2
131	<i>Failing to keep to left of oncoming vehicle</i> . . . . .	2
132(1)	<i>Failing to keep to left of centre of road</i> . . . . .	2
132(2)	<i>Failing to keep to left of dividing line—dividing line formed by 2 parallel continuous lines</i> . . . . .	3
132(2)	<i>Failing to keep to left of dividing line—any other dividing line</i> . . . . .	2
135(1)	<i>Failing to keep to left of median strip</i> . . . . .	3
136	<i>Driving in wrong direction on one-way service road</i> . . . . .	2
140	<i>Overtaking when not safe to do so</i> . . . . .	2
141(1)	<i>Driver overtaking to left of other vehicle</i> . . . . .	2
141(2)	<i>Bicycle rider overtaking to left of vehicle turning left</i> . . . . .	2
142(1)	<i>Overtaking to right of vehicle turning right</i> . . . . .	2
143(1)	<i>Passing or overtaking to left of turning left vehicle displaying "do not overtake turning vehicle" sign</i> . . . . .	2
143(2)	<i>Passing or overtaking to right of turning right vehicle displaying "do not overtake turning vehicle" sign</i> . . . . .	2
144	<i>Failing to keep safe distance when overtaking</i> . . . . .	2
148(1)	<i>Failing to give way when moving from one marked lane to another marked lane</i> . . . . .	3
148(2)	<i>Failing to give way when moving from one line of traffic to another line of traffic</i> . . . . .	3
149	<i>Failing to give way when lines of traffic merge into single line of traffic</i> . . . . .	3
152(1)	<i>Driving in marked lane to which overhead lane control device applies—failing to comply with rule</i> . . . . .	3
155(1)	<i>Driving in tram lane</i> . . . . .	3
160(2)	<i>Passing or overtaking to right of tram not at or near far left side of road</i> . . . . .	2
160(3)	<i>Passing or overtaking left turning, etc. tram not at or near far left side of road</i> . . . . .	2
161(2)	<i>Passing or overtaking to left of tram at or near the left side of road</i> . . . . .	2
161(3)	<i>Passing or overtaking tram turning right or giving right change of direction signal</i> . . . . .	2
162(1)	<i>Driving past safety zone</i> . . . . .	3
163(1)	<i>Driving past rear of stopped tram</i> . . . . .	3
164(1)	<i>Failing to give way to pedestrians crossing road near stopped tram</i> . . . . .	3
215(1)	<i>Failing to use lights when driving at night or in hazardous weather conditions</i> . . . . .	1
216(1)	<i>Failing to use lights when towing vehicle at night or in hazardous weather conditions</i> . . . . .	1
218(1)	<i>Using headlights on high-beam</i> . . . . .	1
219	<i>Using lights to dazzle other road users</i> . . . . .	1
264(1)	<i>Failing to wear seatbelt—driver</i> . . . . .	3
265(1)	<i>Failing to wear seatbelt—passenger 16 years old, or older</i> . . . . .	3
266(1)	<i>Failing to ensure passenger under 16 years old is wearing seatbelt</i> . . . . .	3
270(1)	<i>Riding motor bike without wearing helmet or with passenger not wearing helmet</i> . . . . .	3
270(2)	<i>Passenger on motor bike failing to wear helmet</i> . . . . .	3
288(4)	<i>Driving on path—failing to give way</i> . . . . .	3
289(2)	<i>Driving on nature strip—failing to give way</i> . . . . .	3
304(1)	<i>Failing to obey direction of police officer or authorised person</i> . . . . .	3

**PART 2**  
**DEMERIT POINTS PECULIAR TO SOUTH AUSTRALIA**

**DIVISION 1—OFFENCES AGAINST THE ROAD TRAFFIC ACT 1961**

Section	Description of offence against Road Traffic Act 1961	Demerit points
43(1)	<i>Failing to stop and give assistance immediately after accident involving injury or death</i> . . . . .	5
46(1)	<i>Driving recklessly or at speed or in manner dangerous to public</i> . . . . .	6
47(1)	<i>Driving or attempting to put vehicle in motion while under influence of liquor or drug</i> . . . . .	6
47B(1)	<i>Driving whilst having prescribed concentration of alcohol in blood</i> Contravention involving less than 0.08 grams of alcohol in 100 millilitres of blood . . . . .	3
	Contravention involving 0.08 grams or more but less than 0.15 grams of alcohol in 100 millilitres of blood . . . . .	5
	Contravention involving 0.15 grams or more of alcohol in 100 millilitres of blood . . . . .	6
47E(3)	<i>Refusing or failing to comply with direction of member of police force in relation to alcotest or breath analysis</i> . . . . .	6
47I(14)	<i>Refusing or failing to comply with request to submit to taking of sample of blood</i> . . . . .	6
91(3)	<i>Failing to comply with direction of ferry operator</i> . . . . .	3
164A(1)	Contravening or failing to comply with provision of Act Contravention of or failure to comply with—	
	s. 41(2) <i>Failing to comply with direction of member of police force</i> . . . . .	3
	s. 42(2) <i>Failing to comply with request by member of police force or inspector to stop vehicle</i> . . . . .	3
	s. 110 <i>Failing to keep whole of vehicle on sealed surface when driving on sealed road</i> . . . . .	3

**DIVISION 2—OFFENCES AGAINST THE AUSTRALIAN ROAD RULES**

Rule	Description of offence against Australian Road Rules	Demerit points
46(4)	<i>Failing to stop giving left change of direction signal after turning left</i> . . . . .	2
48(4)	<i>Failing to stop giving right change of direction signal after turning right</i> . . . . .	2
51	<i>Using direction indicator lights when not permitted</i> . . . . .	2
87(3)	<i>Failing to give way when moving from median strip parking area</i> . . . . .	3
92(1)	<i>Failing to drive in direction indicated by traffic lane arrows</i> . . . . .	3
95(1)	<i>Driving in emergency stopping lane</i> . . . . .	3
96(1)	<i>Stopping on area of road marked with keep clear marking</i> . . . . .	3
97(1)	<i>Driving on length of road where "road access" sign applies</i> . . . . .	3
98(1)	<i>Driving in wrong direction on length of road where "one-way" sign applies</i> . . . . .	3
99(1)	<i>Failing to drive to left of "keep left" sign</i> . . . . .	3
99(2)	<i>Failing to drive to right of "keep right" sign</i> . . . . .	3
100	<i>Driving past "no entry" sign</i> . . . . .	3
102(1)	<i>Driving past "clearance" or "low clearance" sign</i> . . . . .	3
103(1)	<i>Driving past "bridge load limit (gross mass)" or "gross load limit" sign—vehicle exceeding gross mass indicated by sign</i> . . . . .	3

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103(2)	<i>Driving past "bridge load limit (mass per axle group)" sign—vehicle axle group carrying mass exceeding mass indicated by sign . . . . .</i>	3
104(1)	<i>Driving past "no trucks" sign—vehicle GMV exceeding permitted mass . . . . .</i>	3
104(2)	<i>Driving truck past "no trucks" sign—vehicle or combination exceeding permitted length . . . . .</i>	3
104(3)	<i>Driving truck past "no trucks" sign where no mass or length indicated . . . . .</i>	3
105	<i>Failing to enter area indicated by "trucks must enter" sign . . . . .</i>	3
106(1)	<i>Driving bus past "no buses" sign—bus exceeding mass indicated by sign . . . . .</i>	3
106(2)	<i>Driving bus past "no buses" sign—bus exceeding length indicated by sign . . . . .</i>	3
106(3)	<i>Driving bus past "no buses sign" where no mass or length indicated . . . . .</i>	3
107	<i>Failing to enter area indicated by "buses must enter" sign . . . . .</i>	3
108(1)	<i>Failing to drive truck or bus in low gear on length of road where "trucks and buses low gear" sign applies . . . . .</i>	3
111(1)	<i>Failing to enter roundabout from multi-lane road or road with 2 or more lines of traffic travelling in same direction correctly . . . . .</i>	3
115(1)	<i>Failing to drive in roundabout to left of central traffic island . . . . .</i>	2
116	<i>Failing to obey traffic lane arrows when driving in or leaving roundabout . . . . .</i>	3
119	<i>Failing to give way by rider of bicycle or animal to vehicle leaving roundabout . . . . .</i>	3
124	<i>Failing to leave level crossing as soon as safe to do so . . . . .</i>	3
128	<i>Entering blocked intersection . . . . .</i>	3
145	<i>Increasing speed while being overtaken . . . . .</i>	2
146(1)	<i>Failing to drive within single marked lane . . . . .</i>	3
146(2)	<i>Failing to drive within single line of traffic . . . . .</i>	3
149	<i>Failing to give way when lines of traffic merge into single line of traffic . . . . .</i>	3
151(1)	<i>Riding motor bike or bicycle alongside more than 1 other rider on non multi-lane road . . . . .</i>	3
151(2)	<i>Riding motor bike or bicycle alongside more than 1 other rider in marked lane . . . . .</i>	3
151(4)	<i>Riding motor bike or bicycle more than 1.5 metres from another rider . . . . .</i>	3
260(1)	<i>Failing to stop bicycle for red bicycle crossing light . . . . .</i>	3
260(2)	<i>Proceeding after stopping for red bicycle crossing light—proceeding before light changes, etc. . . . .</i>	3
261(1)	<i>Failing to stop bicycle for yellow bicycle crossing light . . . . .</i>	3
262(1)	<i>Proceeding at intersection when bicycle crossing lights change to yellow from red—failing to finish crossing . . . . .</i>	3
262(2)	<i>Proceeding on road when bicycle crossing lights change to yellow from red—failing to cross road . . . . .</i>	3
268(1)	<i>Travelling in or on part of motor vehicle not designed primarily for carriage of passengers or goods . . . . .</i>	3
268(2)	<i>Travelling in or on part of motor vehicle designed primarily for carriage of goods . . . . .</i>	3
268(3)	<i>Travelling in or on motor vehicle with part of body outside window or door . . . . .</i>	3
268(4)	<i>Driving motor vehicle with part of passenger's body outside window or door . . . . .</i>	3
269(3)	<i>Creating hazard by opening door of vehicle, leaving door open, etc. . . . .</i>	3
274	<i>Failing to stop for red T light—tram driver . . . . .</i>	3
275	<i>Failing to stop for yellow T light—tram driver . . . . .</i>	3
277	<i>Proceeding after stopping for red or yellow T light—tram driver . . . . .</i>	3
279(2)	<i>Proceeding when white T light or white traffic arrow no longer showing—tram driver proceeding before entering intersection . . . . .</i>	3
279(3)	<i>Proceeding when white T light or white traffic arrow no longer showing—tram driver failing to leave intersection . . . . .</i>	3
281	<i>Failing to stop for red B light—bus driver . . . . .</i>	3
282	<i>Failing to stop for yellow B light—bus driver . . . . .</i>	3
284	<i>Proceeding after stopping for red or yellow B light—bus driver . . . . .</i>	3
286(2)	<i>Proceeding when white B light or white traffic arrow no longer showing—bus driver proceeding before entering intersection . . . . .</i>	3
286(3)	<i>Proceeding when white B light or white traffic arrow no longer showing—bus driver failing to leave intersection . . . . .</i>	3
287(1)	<i>Driver involved in crash failing to give required particulars . . . . .</i>	3
288(1)	<i>Driving on path . . . . .</i>	3
289(1)	<i>Driving on nature strip . . . . .</i>	3

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292	<i>Driving or towing vehicle carrying insecure or overhanging load . . . . .</i>	3
298	<i>Driving motor vehicle towing trailer with person in trailer . . . . .</i>	3

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**APPENDIX**

**LEGISLATIVE HISTORY**

**Transitional Provisions**

*(Transitional provision from Regulation No. 259 of 1996, reg. 4)*

4. A regulation varied or revoked by these regulations will continue to apply (as in force immediately prior to the variation or revocation coming into operation) to an expiration notice issued under the varied or revoked regulations.

*(Transitional provision from Regulation No. 101 of 1997, reg. 4)*

4. (1) The fees prescribed in respect of the issue or renewal of registration of a motor vehicle by schedule 5 of the principal regulations, as varied by these regulations, apply where the issue or renewal is to take effect on or after 1 July 1997.

(2) All other fees prescribed by schedule 5 of the principal regulations, as varied by these regulations, apply from 1 July 1997.

(3) Despite regulation 3—

(a) the fees prescribed in relation to the issue or renewal of registration of a motor vehicle by schedule 5 of the principal regulations, as in force immediately before the commencement of these regulations, continue to apply where the issue or renewal is to take effect before 1 July 1997; and

(b) all other fees prescribed by schedule 5 of the principal regulations, as in force immediately before the commencement of these regulations, continue to apply until 1 July 1997.

*(Transitional provisions from Regulation No. 92 of 1998, reg. 5)*

5. (1) The fees prescribed in respect of the issue or renewal of a driver's licence or registration of a motor vehicle by schedule 5 of the principal regulations, as varied by these regulations, apply where the issue or renewal is to take effect on or after 1 July 1998.

(2) All other fees prescribed by schedule 5 of the principal regulations, as varied by these regulations, apply from 1 July 1998.

(3) Despite regulation 3—

(a) the fees prescribed in relation to the issue or renewal of a driver's licence or registration of a motor vehicle by schedule 5 of the principal regulations, as in force immediately before the commencement of these regulations, continue to apply where the issue or renewal is to take effect before 1 July 1998; and

(b) all other fees prescribed by schedule 5 of the principal regulations, as in force immediately before the commencement of these regulations, continue to apply until 1 July 1998.

*(Transitional provision from Regulation No. 94 of 1999, reg. 5)*

5. (1) The fees prescribed in respect of the issue or renewal of a driver's licence or registration of a motor vehicle by Schedule 5 of the principal regulations, as varied by these regulations, apply where the issue or renewal is to take effect on or after 1 July 1999.

(2) All other fees prescribed by Schedule 5 of the principal regulations, as varied by these regulations, apply from 1 July 1999.

(3) Despite regulation 4—

- (a) the fees prescribed in relation to the issue or renewal of a driver's licence or registration of a motor vehicle by Schedule 5 of the principal regulations, as in force immediately before the commencement of these regulations, continue to apply where the issue or renewal is to take effect before 1 July 1999; and
- (b) all other fees prescribed by Schedule 5 of the principal regulations, as in force immediately before the commencement of these regulations, continue to apply until 1 July 1999.

*(Transitional provision from Regulation No. 100 of 2000, reg. 4)*

**4. (1) The fees prescribed in respect of the issue or renewal of a driver's licence or registration of a motor vehicle by Schedule 5 of the principal regulations, as varied by these regulations, apply where the issue or renewal is to take effect on or after 1 July 2000.**

**(2) All other fees prescribed by Schedule 5 of the principal regulations, as varied by these regulations, apply from 1 July 2000.**

(3) Despite regulation 3—

- (a) **the fees prescribed in relation to the issue or renewal of a driver's licence or registration of a motor vehicle by Schedule 5 of the principal regulations, as in force immediately before the commencement of these regulations, continue to apply where the issue or renewal is to take effect before 1 July 2000; and**
- (b) **all other fees prescribed by Schedule 5 of the principal regulations, as in force immediately before the commencement of these regulations, continue to apply until 1 July 2000.**

#### Legislative History

*(entries in bold type indicate amendments incorporated since the last reprint)*

Regulation 4(1):	definition of "articulated bus" substituted by 191, 1998, reg. 3(a) definition of "bike rack" inserted by 25, 1997, reg. 3 definitions of "converter dolly", "dog trailer" and "fifth wheel coupling" inserted by 191, 1998, reg. 3(b) definition of "engine number" inserted by 177, 1999, reg. 3(a) definition of "gross vehicle mass" substituted by 191, 1998, reg. 3(c) definition of "heavy trailer combination" revoked by 191, 1998, reg. 3(d) definition of "motor trike" inserted by 191, 1998, reg. 3(d) definition of "power-assisted pedal cycle" inserted by 233, 1997, reg. 3 definition of "rigid" inserted by 191, 1998, reg. 3(e) definition of "road train" substituted by 191, 1998, reg. 3(e) definition of "special purpose vehicle" inserted by 31, 1999, reg. 3 definition of "unladen mass" inserted by 191, 1998, reg. 3(e) definitions of "vehicle identification number" and "vehicle identification plate" inserted by 177, 1999, reg. 3(b)
Regulations 5 and 6:	revoked by 230, 1999, reg. 3
Regulation 7:	substituted by 164, 1997, reg. 3
Regulation 9A:	inserted by 50, 1997, reg. 3
Regulation 9A(5):	definition of "prescribed motor vehicle" varied by 191, 1998, reg. 4
Regulation 9B:	inserted by 233, 1997, reg. 4
Regulation 11(1):	varied by 177, 1999, reg. 4(a)-(d)
Regulation 11(2):	varied by 177, 1999, reg. 4(e)
Regulation 12:	varied by 3, 1998, reg. 3; 230, 1999, reg. 4
	Division 4 of Part 2 comprising regs. 14 - 19 and heading repealed and regs. 14 - 18 and heading inserted in its place by 224, 1997, reg. 3
Regulation 14:	varied by 165, 1998, reg. 3; 31, 1999, reg. 4

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Regulation 14(m)(v):	revoked by 94, 1999, reg. 3
Regulation 14(m)(iv):	repealed by 31, 1999, reg. 4
Regulation 22(1):	varied by 224, 1997, reg. 4
Regulation 22(3) and (4):	inserted by 25, 1997, reg. 4
Regulation 23A:	inserted by 164, 1997, reg. 4
Regulation 25(2):	varied by 191, 1998, reg. 5(a), (b)
Regulation 25(3) and (4):	revoked by 191, 1998, reg. 5(c)
Regulation 25(5):	inserted by 233, 1997, reg. 5
Regulation 25(6):	inserted by 40, 1998, reg. 3
Regulation 29(2):	varied by 40, 1998, reg. 4
Regulation 30:	varied by 40, 1998, reg. 5
Regulation 31:	varied by 40, 1998, reg. 6
Regulation 33:	varied by 40, 1998, reg. 7
Regulation 39A:	inserted by 229, 1999, reg. 3
Regulation 41A:	inserted by 224, 1997, reg. 5
Regulation 42(1):	varied by 40, 1998, reg. 8(a)
Regulation 42(2):	varied by 40, 1998, reg. 8(b)
Regulation 45(2):	varied by 224, 1997, reg. 6; 40, 1998, reg. 9
Regulation 45(2)(e):	revoked by 49, 1998, reg. 3
Regulation 47(d):	revoked by 49, 1998, reg. 4
Regulation 49:	varied by 224, 1997, reg. 7
Regulation 51A:	inserted by 239, 1997, reg. 3
Regulation 53:	substituted by 177, 1999, reg. 5
Regulation 54:	varied by 259, 1996, reg. 3 (Schd. cl. 17); substituted by 177, 1999, reg. 5
Regulation 55:	inserted by 259, 1996, reg. 3 (Schd. cl. 17)
Regulations 56 and 57:	inserted by 230, 1999, reg. 5
Schedule 1	
Clause 1:	definition of "historic vehicle" inserted by 44, 1998, reg. 3(a) definition of "special purpose vehicle" revoked by 31, 1999, reg. 5
Clause 2:	varied by 44, 1998, reg. 3(b)
Clause 3(1):	varied by 239, 1996, reg. 3; 44, 1998, reg. 3(c)
Clause 3(2):	varied by 44, 1998, reg. 3(d), (e)
Clause 3(2)(d):	revoked by 44, 1998, reg. 3(e)
Clause 3(4) - (6):	revoked by 44, 1998, reg. 3(f)
Clause 4(1):	varied by 3, 1998, reg. 4; 230, 1999, reg. 6
Schedule 2:	varied by 40, 1998, reg. 10; substituted by 191, 1998, reg. 6
Schedule 3:	substituted by 191, 1998, reg. 6
Schedule 4	
Clause 1:	varied and redesignated as clause 1(1) by 164, 1997, reg. 5
Clause 1(2):	inserted by 164, 1997, reg. 5(c); varied by 177, 1999, reg. 6
<b>Schedule 5</b>	
Clause 1:	varied by 35, 1998, reg. 3(a)
<b>Clause 2(1):</b>	<b>varied by 101, 1997, reg. 3(a)-(i); 211, 1997, reg. 3; 92, 1998, reg. 3(a); 94, 1999, reg. 4(a); 100, 2000, reg. 3(a)</b>
Clause 2(4):	varied by 35, 1998, reg. 3(b); 94, 1999, reg. 4(b)
Clause 3(2):	varied by 35, 1998, reg. 3(c); 94, 1999, reg. 4(c)
<b>Clause 4(2):</b>	<b>varied by 100, 2000, reg. 3(b)</b>
Clause 13:	substituted by 25, 1997, reg. 5
Clause 14:	substituted by 224, 1997, reg. 8
Clause 14(1):	varied by 165, 1998, reg. 4
Clauses 15 - 17:	substituted by 224, 1997, reg. 8
Clauses 17A and 17B:	inserted by 224, 1997, reg. 8
<b>Clause 18(1):</b>	<b>varied by 92, 1998, reg. 3(b)-(d); 100, 2000, reg. 3(c)-(e)</b>
Clause 18(3) and (4):	substituted by 40, 1998, reg. 11
Clause 23:	varied by 101, 1997, reg. 3(j); 92, 1998, reg. 3(e); 94, 1999, reg. 4(d)
<b>Clause 24:</b>	<b>varied by 101, 1997, reg. 3(k), (l); 92, 1998, reg. 3(f); 94, 1999, reg. 4(e); 100, 2000, reg. 3(f)</b>
<b>Clause 25:</b>	<b>varied by 101, 1997, reg. 3(m), (n); 92, 1998, reg. 3(g), (h); 94, 1999, reg. 4(f), (g); 100, 2000, reg. 3(g), (h)</b>

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<b>Clause 26:</b>	varied by 92, 1998, reg. 3(i); 94, 1999, reg. 4(h); <b>substituted by 100, 2000, reg. 3(i)</b>
<b>Clause 28:</b>	<b>varied by</b> 101, 1997, reg. 3(o), (p); 92, 1998, reg. 3(j), (k); 94, 1999, reg. 4(i), (j); <b>100, 2000, reg. 3(j)-(m)</b>
<b>Clause 29:</b>	<b>varied by</b> 94, 1999, reg. 4(k); <b>100, 2000, reg. 3(n)</b>
Clause 30:	varied by 49, 1998, reg. 5
Clause 31A:	inserted by 196, 1998, reg. 3
Clause 32:	revoked by 31, 1999, reg. 6
Schedule 6:	varied by 224, 1996, reg. 3; substituted by 259, 1996, reg. 3 (Sched. cl. 17); varied by 25, 1997, reg. 6; substituted by 153, 1997, reg. 4; 92, 1998, reg. 4; 51, 1999, reg. 3; varied by 26, 2000, reg. 3
Schedule 7:	inserted by 230, 1999, reg. 7