South Australia

Motor Vehicles Regulations 2010

under the *Motor Vehicles Act 1959*

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Legislative history

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Motor Vehicles Regulations 2010*.

3—Interpretation

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

Act means the *Motor Vehicles Act 1959*;

articulated bus means a bus consisting of more than 1 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 bike or motor trike); and

(b) is designed or adapted for the carriage of 1 or more pedal cycles, motor bikes, 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 1 axle group or single axle and a fifth wheel coupling designed to convert a semi-trailer into a dog trailer;

current registration details certificate, in relation to a motor vehicle, means—

(a) the most recent registration details certificate issued on the Registrar's own initiative in relation to the motor vehicle; or

(b) a registration details certificate issued on application by the owner of the motor vehicle since the registration of the vehicle was last renewed;

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

(a) 1 axle group or single axle at the front that is steered by connection to the towing vehicle by a drawbar; and

(b) 1 axle group or single axle at the rear;

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;

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) 2 golf courses that are adjacent to one another and are managed by the same club or authority;

government-registered motor vehicle means a motor vehicle in respect of which the Registrar has issued number plates of the class established by the Registrar under section 47A of the Act as *Class 8—Government Vehicle Number Plates*;

high powered vehicle exemption means an exemption from section 81A(16) of the Act granted to the holder of a P1 or P2 licence under section 81A(17) of the Act;

low loader means a gooseneck semi-trailer with a loading deck no more than 1 metre above the ground;

low loader dolly means a mass distributing device that—

(a) is usually coupled between a prime mover and a low loader; and

(b) consists of a gooseneck rigid frame; and

(c) does not carry any load directly on itself; and

(d) is equipped with 1 or more axles, a kingpin and a fifth wheel coupling;

L plate—see regulation 50;

Metropolitan Adelaide has the same meaning as in the *Development Act 1993*;

moped means a 2 or 3 wheeled motor vehicle (other than a power-assisted pedal cycle) that—

(a) is propelled by—

(i) an internal combustion engine with a capacity not exceeding 50 millilitres; or

(ii) a motor other than an internal combustion engine; and

(b) is capable of a speed not exceeding 50 kilometres per hour;

motor trike means a motor vehicle with 3 wheels, but does not include—

(a) a 2 wheeled motor vehicle with a sidecar attached to it and supported by a third wheel; or

(b) a motor vehicle with 3 wheels that has a body type commonly known as, or similar to, a sedan, station wagon, coupe, convertible, roadster, utility, tray top or van;

notifiable vehicle—see Part 7;

power-assisted pedal cycle means a pedal cycle that has 1 or more auxiliary propulsion motors with a combined power output not exceeding 200 watts;

prescribed event means—

(a) the annual Royal Adelaide Show; or

(b) a country field day event; or

(c) a boat or motor show; or

(d) any other exhibition, fair or show;

P plate—see regulation 51;

registered number, in relation to a motor vehicle, means the number allotted to the motor vehicle under section 46 of the Act;

registration details certificate means a certificate issued by the Registrar under regulation 35A;

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 2 trailers (counting as 1 trailer a converter dolly supporting a semi-trailer);

special purpose vehicle has the same meaning as in the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*;

Transport Department means the administrative unit that, under the Minister, is responsible for the administration of the Act;

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

(2) In these regulations, unless the contrary intention appears, ***engine number***, ***vehicle identification number*** and ***vehicle identification plate*** have the same respective meanings as in Part 3A of the *Road Traffic Act 1961*.

(3) For the purposes of these regulations—

(a) the ***power to weight ratio*** of a motor bike or motor trike is to be calculated by dividing its engine power by the sum of its tare weight and 90 kilograms, and multiplying the product of that division by 1 000; and

(b) the ***engine power*** of a motor bike or motor trike is the engine power stated in the Road Vehicle Descriptor for that vehicle's make and model published by the Commonwealth Department of Infrastructure, Transport, Regional Development and Local Government; and

(c) the ***tare weight*** of a motor bike or motor trike is the tare weight as stated in the Road Vehicle Descriptor for that vehicle's make or model.

3A—Meaning of high powered vehicle

The following classes of vehicles are prescribed as high powered vehicles for the purposes of the Act (see definition of ***high powered vehicle*** in section 5(1) of the Act):

(a) vehicles (other than vehicles with a GVM exceeding 4.5 tonnes) that have 8 or more cylinders;

(b) vehicles (other than vehicles with a GVM exceeding 4.5 tonnes or diesel powered vehicles that have less than 8 cylinders) that are turbocharged or supercharged;

(c) vehicles (other than vehicles with a GVM exceeding 4.5 tonnes) that have been modified to increase engine performance other than a modification by the manufacturer in the course of the manufacture of the vehicle.

4—Meaning of interstate non-provisional licence, interstate provisional licence and unconditional licence

(1) For the purposes of the definition of ***interstate non-provisional licence*** in section 5(1) of the Act, the following types of licences are prescribed:

(a) a licence to drive a motor vehicle (other than a permit licence or a provisional licence) issued under the *Motor Vehicles Act* of the Northern Territory;

(b) a driver licence (other than a learner permit or probationary licence) issued under the *Road Safety Act 1986* of Victoria;

(c) a driver's licence (other than a learners' permit or probationary licence) issued under the *Road Traffic Act 1974* of Western Australia;

(d) a driver licence (other than a learner licence or a provisional licence) issued under the *Road Transport (Driver Licensing) Act 1998* of New South Wales;

(e) a driver licence (other than a learner licence or a provisional licence) issued under the *Road Transport (Driver Licensing) Act 1999* of the Australian Capital Territory;

(f) a driver licence (other than a learner licence or a provisional licence) issued under the *Transport Operations (Road Use Management) Act 1995* of Queensland;

(g) a driver licence (other than a learner licence or a provisional licence) issued under the *Vehicle and Traffic Act 1999* of Tasmania.

(2) For the purposes of the definition of ***interstate provisional licence*** in section 5(1) of the Act, the following types of licences are prescribed:

(a) a provisional licence issued under the *Motor Vehicles Act* of the Northern Territory;

(b) a probationary licence issued under the *Road Safety Act 1986* of Victoria;

(c) a probationary licence issued under the *Road Traffic Act 1974* of Western Australia;

(d) a provisional licence issued under the *Road Transport (Driver Licensing) Act 1998* of New South Wales;

(e) a provisional licence issued under the *Road Transport (Driver Licensing) Act 1999* of the Australian Capital Territory;

(f) a provisional licence issued under the *Transport Operations (Road Use Management) Act 1995* of Queensland;

(g) a provisional licence issued under the *Vehicle and Traffic Act 1999* of Tasmania.

(3) For the purposes of paragraph (b) of the definition of ***unconditional licence*** in section 5(1) of the Act, an interstate non-provisional licence that is not subject to 1 or more conditions the same as or similar to prescribed conditions is prescribed.

(4) A reference in this regulation to a ***licence*** or ***permit*** of a particular type issued by a specified State or Territory includes a reference to a licence or permit of a type issued by that State or Territory that is the same in substance as that licence or permit.

Part 2—Registration of motor vehicles

Division 1—Exemptions and permits

5—Exemption from registration and insurance for certain vehicles used by disabled persons

A motor vehicle (other than a motor car) is prescribed for the purposes of section 12A(1) of the Act 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 1 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.

6—Exemption from registration and insurance for certain vehicles driven by or at direction of police officer etc

(1) A motor vehicle may be driven on roads without registration or insurance if the vehicle is being driven by, or at the direction of, a person of a class prescribed by subregulation (2) acting pursuant to powers conferred on the person, or in the discharge of duties imposed on the person, in relation to the vehicle (whether under the Act or any other Act or law).

(2) For the purposes of subregulation (1), the following classes of persons are prescribed:

(a) police officers;

(b) authorised officers;

(c) persons authorised to examine motor vehicles under section 139 of the Act.

7—Exemptions from registration and insurance for certain motor vehicles being towed or on display at prescribed events

(1) The following motor vehicles may be used on roads without registration and insurance:

(a) a motor vehicle (other than a trailer) that is being towed by a towtruck;

(b) subject to subregulation (2)—an agricultural implement, agricultural machine or any other motor vehicle that is on static display at a prescribed event.

(2) The exemption set out in subregulation (1)(b) is subject to the condition that there must be in force a policy of insurance indemnifying the owner of the agricultural implement, agricultural machine or other motor vehicle (as the case may be) in the amount of at least $20 000 000 in relation to death or bodily injury caused by, or arising out of, the static display of the agricultural implement, agricultural machine or other motor vehicle at the prescribed event.

8—Exemption from registration and insurance for golf carts and mopeds

A golf cart or moped may be driven on roads without registration or insurance subject to the following conditions:

(a) the vehicle must not be driven on a road that does not form part of a golf course except to travel by the shortest available route from one part of a golf course to another part of the golf course;

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

(c) the vehicle must not be driven except by the owner of the vehicle or a person authorised by the owner of the vehicle;

(d) a policy of public liability insurance indemnifying the owner and any authorised driver of the vehicle in an amount of at least $10 000 000 in relation to death or bodily injury caused by, or arising out of, the use of the vehicle must be in force.

9—Exemption from registration and insurance for self-propelled elevating work platforms

(1) A self-propelled elevating work platform may be driven on roads without registration or insurance subject to the following conditions:

(a) the vehicle must not be driven on roads for a distance exceeding 500 metres;

(b) the vehicle must not be driven on roads except—

(i) to use it for a purpose for which it was manufactured; or

(ii) to do any of the following:

(A) load the vehicle onto another vehicle;

(B) unload the vehicle from another vehicle;

(C) reposition the vehicle at a work site;

(c) the vehicle must not be driven on roads except by the owner of the vehicle or a person authorised by the owner of the vehicle;

(d) a policy of public liability insurance indemnifying the owner and any authorised driver of the vehicle in an amount of at least $20 000 000 in relation to death or bodily injury caused by, or arising out of, the use of the vehicle must be in force.

(2) A person who drives a self-propelled elevating work platform on a road without registration or insurance as authorised by this regulation must, at the request of a police officer, produce evidence of the person's public liability insurance either—

(a) forthwith to the police officer who made the request; or

(b) within 48 hours after the making of the request, at a police station conveniently located for the driver, specified by the police officer at the time of making the request.

Maximum penalty: $250.

(3) In this regulation—

self-propelled elevating work platform means a self-propelled motor vehicle that—

(a) is used for construction, maintenance or warehouse operations; and

(b) is designed mainly for use outside roads; and

(c) is not capable of travelling at a speed exceeding 10 kilometres per hour.

10—Exemption from registration and insurance for power-assisted pedal cycles

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

11—Permit to drive unregistered vehicle in prescribed circumstances

A permit under section 16(1)(c)(ii) of the Act may authorise a motor vehicle to be driven on roads without registration in the following prescribed circumstances:

(a) to enable the vehicle to be driven in a street procession, motor club rally or other similar activity;

(b) to enable the vehicle to be moved to another location;

(c) to enable the vehicle to be towed by another motor vehicle (other than a towtruck);

(d) to enable the vehicle to be driven for a limited number of short journeys.

11A—Cessation of permit when registration information publicly available

For the purposes of section 16(7)(a)(ii) and (b)(ii) of the Act, the prescribed manner in which information becomes publicly available is by publication of the information on a website maintained by the Registrar for the purpose.

12—Cancellation of permit to drive unregistered vehicle

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.

12A—Exemption relating to vehicles registered etc interstate or overseas

A person who drives a motor vehicle, or causes a motor vehicle to stand, on a road is exempt from the operation of section 19A(1)(c) of the Act insofar as that paragraph imposes requirements relating to the visibility and legibility of number plates, if the motor vehicle—

(a) is approved by the Minister for Tourism as a motor vehicle that may be driven, or caused to stand, on a road in relation to an event specified in a notice under regulation 25(4); and

(b) is being so driven or caused to stand during the period, and in accordance with the conditions, specified in the notice.

Division 2—Registration procedure

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

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

(a) be completed by a police officer, an authorised officer or a person authorised by a delegation under section 7 of the Act; and

(b) contain the following particulars:

(i) the name of the person who completed the report;

(ii) the vehicle identification number of the vehicle;

(iii) the month and year of manufacture of the vehicle;

(iv) the make of the vehicle;

(v) in the case of a motor vehicle other than a caravan or trailer—the body type and engine number of the vehicle.

14—Classes of vehicles Registrar may refuse to register

For the purposes of section 24(3)(ca) of the Act, the following classes of vehicles are prescribed:

(a) written-off vehicles, within the meaning of Part 7 of these regulations;

(b) interstate written-off vehicles, within the meaning of Part 7 of these regulations.

Division 3—Conditional registration

Subdivision 1—Interpretation

15—Interpretation

In this Division—

ambulance means a motor vehicle driven by—

(a) a person engaged in the provision of emergency ambulance services under section 57(1) of the *Health Care Act 2008* on behalf of—

(i) SA Ambulance Service Inc; or

(ii) St Johns Ambulance Australia South Australia Incorporated; or

(b) any other person engaged in the provision of emergency ambulance services under section 57(1) of the *Health Care Act 2008*;

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.

Subdivision 2—Prescribed classes of vehicles

16—Historic and left hand drive motor vehicles

(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 condition that 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 regulation;

(b) a condition that 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 an authorised officer or police officer;

(c) a condition that 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 in the Gazette—

(a) recognise a motor vehicle club for the purposes of this regulation;

(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).

17—Vehicles used between farm blocks

(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 2 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 subregulation (1).

18—Vehicles used to tow commercial fishing boats

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

(a) is owned by the holder of a fishery authority under the *Fisheries Management Act 2007*; and

(b) is used solely for the purpose of towing a registered boat within the meaning of that Act,

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 subregulation (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.

19—Other prescribed classes of vehicles

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;

(d) a road train;

(e) a B-double;

(f) 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) an exemption granted by the Minister under regulation 46 of the *Road Traffic (Miscellaneous) Regulations 1999* 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).

Subdivision 3—Miscellaneous

20—Exemption from stamp duty

An application to register a motor vehicle under section 25 of the Act (other than an application to register a road train, B-double or vehicle of a class referred to in regulation 19(f)) is declared to be exempt from stamp duty.

Note—

See the *Stamp Duties Act 1923* (Schedule 2 clause 2(2) exemption 10A).

21—Duration of registration

The period of registration of a motor vehicle registered under section 25 of the Act 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.

22—Transfer of registration

The registration of a motor vehicle under section 25 of the Act may be transferred if—

(a) the vehicle is a road train or B-double; or

(b) the vehicle is a special purpose vehicle and the transferee undertakes that the conditions of registration of the vehicle under that section will be complied with.

Division 4—Duty to notify alterations or additions to vehicles

23—Duty to notify alterations or additions to vehicles

(1) For the purposes of section 44(1) of the Act, the following alterations and additions are prescribed:

(a) an alteration of, or addition to, a motor vehicle by which the vehicle's mass is increased;

(b) an alteration of, or addition to, the specifications or tyres of a motor vehicle by which the GCM or GVM of the vehicle is varied;

(c) an alteration of the configuration of a heavy vehicle by which the configuration becomes an unregistered configuration within the meaning of section 43A of the Act;

(d) an alteration of, 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, but for the alteration or addition, drive the vehicle;

(e) the removal of the engine by which a motor vehicle is driven and the substitution of another engine;

(f) the removal of a pneumatic tyre from a motor vehicle having only pneumatic tyres, and the substitution of a tyre other than a pneumatic tyre;

(g) the removal of a tyre from a vehicle having no metal tyres, and the substitution of a metal tyre;

(h) the attachment of a sidecar to a motor bike not having a sidecar;

(i) an alteration or addition by which a motor vehicle that is not a commercial motor vehicle is converted into a commercial motor vehicle;

(j) an alteration or addition by which a commercial motor vehicle ceases to be a commercial motor vehicle;

(k) the wrecking or disassembling of a motor vehicle (other than a notifiable 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;

(l) the removal, alteration, defacement or obliteration of—

(i) a vehicle identification plate or vehicle identification number (other than a plate or number of a notifiable vehicle); or

(ii) an engine number,

except where, in relation to the removal of a vehicle identification plate (or a plate bearing a vehicle identification number or engine number), the plate is put back into place on the vehicle;

(m) 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.

(2) A registered owner or registered operator 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;

(b) the date on which the alteration or addition was made;

(c) if the engine by which the vehicle is driven has been removed and substituted by another engine—

(i) 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;

(d) if an alteration has been made to the construction of the vehicle—a weighbridge note;

(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;

(f) details of any equipment that has been altered or added to the vehicle.

Division 5—Numbers and number plates

24—Carriage of number plates

For the purposes of section 47(1) 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 bike or trailer—1 number plate at the rear;

(ii) in the case of a tractor or agricultural machine—1 number plate;

(iii) in any other case—1 number plate at the front and 1 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;

(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;

(c) a number plate must be rectangular.

25—Exemptions from duty to carry number plates

(1) A person who drives a motor vehicle, the front and rear of which is marked with its 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.

(2) An officer or employee of the South Australian Police Department or the Transport Department who drives a motor vehicle on a road, or causes a motor vehicle to stand on a road, is exempt from the operation of section 47(1) of the Act if—

(a) the vehicle is being used for the purpose of testing the legibility of number plates; and

(b) the vehicle displays a sign bearing the word "test".

(3) A person who drives a motor vehicle, or causes a motor vehicle to stand, on a road is exempt from the operation of section 47(1) of the Act insofar as that section imposes requirements relating to the visibility and legibility of number plates, if the motor vehicle—

(a) is approved by the Minister for Tourism as a motor vehicle that may be driven, or caused to stand, on a road in relation to an event specified in a notice under subregulation (4); and

(b) is being so driven or caused to stand during the period, and in accordance with the conditions, specified in the notice.

(4) The Minister for Tourism may, with the concurrence of the Minister responsible for the administration of the Act, publish a notice in the Gazette—

(a) specifying an event; and

(b) specifying a period during which motor vehicles approved by the Minister for Tourism may be driven, or caused to stand, on a road in relation to the event; and

(c) specifying the conditions applicable to driving such a motor vehicle, or causing such a motor vehicle to stand, on a road in relation to the event.

(5) In any proceedings, a document purporting to be a certificate signed by the Minister for Tourism and certifying that, on a specified day, a specified motor vehicle was or was not approved as a motor vehicle that may be driven, or caused to stand, on a road in relation to an event specified in a notice under subregulation (4), is proof of the matter so certified in the absence of proof to the contrary.

26—Return or recovery of number plates—exceptions

(1) The Registrar is not required to give a person a direction under section 47C(2) of the Act requiring the return of number plates issued for a motor vehicle if—

(a) the Registrar is satisfied that—

(i) the vehicle is, or is to be, periodically registered for terms of less than 12 months on each occasion; or

(ii) the number plates are the subject of an agreement between the Registrar and the person under section 47A of the Act under which the person has acquired a right to attach the plates to any motor vehicle registered in the person's name from time to time; or

(iii) the vehicle has been purchased by a motor vehicle dealer or auctioneer; or

(b) the Registrar considers that there are reasonable grounds for not requiring the person to return the plates.

(2) If the Registrar is not required to give a direction under section 47C(2) of the Act requiring the return of number plates, the Registrar, a police officer or an authorised officer is not empowered to seize the plates under section 47C(4) of the Act unless—

(a) the Registrar has given a person such a direction in relation to the plates; and

(b) the person has failed to comply with the direction; and

(c) the person has no reasonable excuse for failing to comply.

27—Exemptions from section 47D of Act

(1) A police officer who, in the course of official duties, drives on a road, or causes to stand on a road, a government-registered motor bike at the front of which is attached a label or sticker that bears the number allotted to the motor bike under the Act is exempt from the operation of section 47D(1)(c) of the Act if—

(a) the label or sticker is made of silver reflective decal material; and

(b) the label or sticker is 220 millimetres wide and 93 millimetres high; and

(c) every letter and figure on the label or sticker is printed in blue on a white background and in upper case; and

(d) the label or sticker bears the slogan "SA Government".

(2) An officer or employee of the South Australian Police Department or the Transport Department who drives a motor vehicle on a road, or causes a motor vehicle to stand on a road, is exempt from the operation of section 47D(1)(a), (b) and (c) of the Act if—

(a) the vehicle is being used for the purpose of testing the legibility of number plates; and

(b) the vehicle displays a sign bearing the word "test".

(3) A person who drives a motor vehicle, or causes a motor vehicle to stand, on a road in circumstances referred to in regulation 25(3) is exempt from the operation of section 47D(1)(c) of the Act.

Division 6—Suspension, cancellation and transfer of registration

28—Exemption from section 56(b)(ii) of Act where motor vehicle dealer etc acting as delegate of Registrar, transfers registration of vehicle sold by dealer

If—

(a) a motor vehicle dealer or auctioneer sells a motor vehicle in the course of his or her business; and

(b) the Registrar has delegated to the dealer or auctioneer the Registrar's function under section 58(1) of the Act; and

(c) the dealer or auctioneer, acting under that delegation, registers the vehicle in the name of the purchaser,

the dealer or auctioneer is exempt from the operation of section 56(b)(ii) of the Act in respect of the transfer of ownership of that vehicle.

Division 7—Trade plates

29—Purposes for which trade plates may be issued and used

(1) 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 2 separate journeys by the same prospective purchaser and each journey is completed within 3 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);

(h) in the case of a motor vehicle that—

(i) is sold by a motor vehicle dealer who is not authorised by a delegation under section 7 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;

(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.

(2) For the purposes of sections 62(1) and 66 of the Act, the following purposes are prescribed in relation to a commercial motor vehicle or trailer:

(a) delivery to the site of a prescribed event of—

(i) an agricultural implement, agricultural machine or any other motor vehicle that is to be on display at that site during the prescribed event; and

(ii) any equipment to be used for the purposes of, or in conjunction with, the display of the agricultural implement, agricultural machine or other motor vehicle during the prescribed event; and

(iii) any equipment, accessories or consumables for or associated with the agricultural implement, agricultural machine or other motor vehicle;

(b) return from the site of a prescribed event of—

(i) an agricultural implement, agricultural machine or any other motor vehicle that has been on display at that site during the prescribed event; and

(ii) any equipment used for the purposes of, or in conjunction with, the display of the agricultural implement, agricultural machine or other motor vehicle during the prescribed event; and

(iii) any equipment, accessories or consumables for or associated with the agricultural implement, agricultural machine or other motor vehicle.

(3) For the purposes of sections 62(1) and 66 of the Act, the following purposes are prescribed in relation to a trailer designed to carry a boat:

(a) delivery of a boat from the premises of the manufacturer of the boat to a place for storage or to business premises of a dealer or distributor of boats;

(b) delivery of a boat from business premises of a distributor of boats to business premises of a dealer of boats;

(c) delivery of a boat to or from waters for demonstration to a prospective purchaser of the boat of the performance of the boat on waters;

(d) delivery of a boat sold by a dealer of boats to a place nominated by the purchaser of the boat (whether within or outside the State);

(e) delivery of a boat to a workshop, boat yard or other place for repair or servicing of the boat or the making of alterations or additions to the boat;

(f) return of a boat from a workshop, boat yard or other place at which the boat has been repaired or serviced or at which alterations or additions have been made to the boat;

(g) delivery of a boat to the site of a prescribed event at which the boat is to be on display;

(h) return of a boat from the site of a prescribed event at which the boat has been on display.

30—Trade plate label and certificate of issue of trade plate

(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.

31—Carriage of trade plate and trade plate label

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.

32—Offences

(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

(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.

Maximum penalty: $1 250.

(2) A person must not sell or supply trade plates without the approval of the Minister.

Maximum penalty: $1 250.

33—Replacement of lost trade plate

(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 police officer; 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 1 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.

Division 8—Registration labels

34—Heavy vehicles for which a registration label is not required to be issued

For the purposes of section 48(1), (2) and (3) of the Act, a government-registered motor vehicle that is a heavy vehicle is a heavy vehicle of a prescribed class.

35—Carriage of registration labels and permits

(1) A registration label or permit under section 16 or 50 of the Act—

(a) must—

(i) if issued in respect of a motor vehicle that has a windscreen (other than a motor bike)—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 bike 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 bike—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 bike; 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 2 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—be displayed at a height not exceeding 2 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 4 metres from the label or permit.

(2) For the purposes of section 48(2) and (3) of the Act, a registration label must be affixed to and carried on a heavy vehicle in accordance with subregulation (1).

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

(a) if—

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

(ii) 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; or

(b) if—

(i) the label has been destroyed; and

(ii) 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

(iii) 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; or

(c) if—

(i) payment of the fees payable for registration of the vehicle was made by mail, telephone or the Internet; and

(ii) the registration label has not been received by the registered owner or the registered operator of the vehicle or his or her agent; and

(iii) not more than 30 days have elapsed from the date the payment was made.

(4) For the purposes of section 53(1aa) of the Act, a motor vehicle on which is affixed a registration label or in which is carried a permit that has ceased to be in force may be driven, or caused to stand, on a road if—

(a) payment of the fees payable for registration of the vehicle was made by mail, telephone or the Internet; and

(b) the registration label has not yet been received by the registered owner or the registered operator of the vehicle or his or her agent; and

(c) not more than 30 days have elapsed from the date on which the payment was made.

Division 9—Miscellaneous

35A—Registration details certificate

The Registrar may—

(a) on his or her own initiative; or

(b) on application by the owner of a registered motor vehicle (other than a heavy vehicle) and payment of the prescribed fee,

issue to the owner a certificate setting out the registered particulars of the motor vehicle and such other matters as the Registrar thinks fit.

35B—Prescribed documents

(1) For the purposes of sections 56, 57(2) and 58(1) of the Act, the prescribed documents are—

(a) in the case of a heavy vehicle—the current certificate of registration or a current duplicate certificate of registration issued to the transferor; or

(b) in any other case—a current registration details certificate issued to the transferor.

(2) For the purposes of sections 71A and 71B of the Act, the prescribed documents are registration certificates and registration details certificates.

36—Offences

(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.

Maximum penalty: $1 250.

(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 25.

(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.

Maximum penalty: $1 250.

Part 3—Heavy vehicles speeding control scheme

37—Interpretation

In this Part—

road train means a road train that, including its load (if any), is over 19 metres long.

38—Corresponding laws declared for purposes of scheme

For the purposes of Part 2A of the Act, the following laws are declared to be corresponding laws:

(a) the *Motor Vehicles Act* of the Northern Territory;

(b) the *Road Safety Act 1986* of Victoria;

(c) the *Road Traffic Act 1974* of Western Australia;

(d) the *Road Transport (Vehicle Registration) Act 1997* of New South Wales;

(e) the *Road Transport (Vehicle Registration) Act 1999* of the Australian Capital Territory;

(f) the *Transport Operations (Road Use Management) Act 1995* of Queensland;

(g) the *Vehicle and Traffic Act 1999* of Tasmania.

39—Prescribed classes of heavy vehicles

For the purposes of paragraph (c) of the definition of ***heavy vehicle*** in section 71C(1) of the Act, a road train is a prescribed class of motor vehicle.

40—Prescribed speeds for different classes of heavy vehicles

For the purposes of the definition of ***prescribed speed*** in section 71C(1) of the Act, the following speeds are prescribed:

(a) in relation to a road train—100 kilometres per hour;

(b) in relation to any other class of heavy vehicle—100 kilometres per hour.

41—Speeding offences not to be registered under section 71D of Act

(1) Pursuant to section 71D(3)(b) of the Act—

(a) a relevant speeding offence must not be registered in relation to a heavy vehicle unless it is an offence against a law of this State or another State or a Territory of the Commonwealth involving the driving of the vehicle at a speed 15 kilometres per hour or more over the highest speed limit over which the vehicle must not be driven on roads under that law; and

(b) a relevant speeding offence must not be registered in relation to a heavy vehicle if—

(i) the offence was committed before 9 July 2001; or

(ii) the offence was committed within 14 days after service on the registered owner of the vehicle of a written notice under section 71E of the Act in relation to the vehicle.

(2) In this regulation—

(a) a reference to ***an offence committed by a person*** includes a reference to an offence allegedly committed by a person that the person has expiated;

(b) ***expiate*** includes pay the amount payable in connection with an infringement notice or penalty notice issued under a law of another State or Territory of the Commonwealth in respect of an alleged offence.

Part 4—Driver's licences and learner's permits

Division 1—Classification of licences

42—Classification of licences

For the purposes of section 72(1) of the Act, the classifications appearing in column 1 of the table in Schedule 2 are prescribed.

Division 2—Driver's licences and learner's permits

43—Exemption from certain requirements for qualified supervising drivers

(1) A person to whom this regulation applies is exempted from the requirement specified in section 72A(1)(b) of the Act that the person must, in order to act as a qualified supervising driver for the holder of a licence or permit, have held a licence referred to in that paragraph during the whole of the immediately preceding 2 year period.

(2) This regulation applies to a person if the person—

(a) has not held the relevant licence during the whole of the immediately preceding 2 year period only because the licence expired during that period; and

(b) renewed the licence within 3 months of that expiry; and

(c) has held the relevant licence for periods totalling at least 2 years (excluding any period between the expiry of the licence and the date of its renewal).

44—Duty of applicant for licence or permit to supply specimen signature etc

(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 1 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 1 or more photographs of the person,

the person must, at the time of supplying the photographs to the Registrar, also supply the Registrar with 1 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.

45—Exemptions from duty to hold licence, learner's permit or particular class of licence

(1) A police officer 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 moped on roads in this State without holding a licence endorsed with the classification R-DATE.

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

(4) A person may drive a self-propelled wheelchair or a motor vehicle of a class prescribed by regulation 5 for the purposes of section 12A(1) 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.

(5) A person may drive a motor home on roads in this State without holding a driver's licence under the Act if—

(a) the person holds a foreign licence, written in English or accompanied by an English translation, authorising the person to drive a motor vehicle with a GVM not exceeding 3.5 tonnes; or

(b) the person holds—

(i) a foreign licence authorising the person to drive a motor vehicle with a GVM not exceeding 3.5 tonnes; and

(ii) an international driving permit.

(6) However, subregulation (5) does not apply if—

(a) the person is disqualified from holding or obtaining an interstate licence in any State or Territory of the Commonwealth; or

(b) the person is disqualified from holding or obtaining a foreign licence in any country; or

(c) the person has resided in this State for a continuous period of more than 3 months and is a permanent resident or citizen of Australia; or

(d) the person's foreign licence only authorises the person to drive a motor bike, motor trike, moped, motorised wheelchair or other vehicle that is not a motor car; or

(e) a notice under subregulation (7) is in force in relation to the person.

(7) If the Registrar is of the opinion that—

(a) a person to whom subregulation (5) applies is not suitable to drive a motor home in this State; or

(b) the ability of a person to whom subregulation (5) applies to drive a motor home safely is impaired due to a permanent or long term injury or illness,

the Registrar may give the person notice in writing—

(c) prohibiting the person from driving a motor home on roads in this State without holding a driver's licence issued under the Act while the notice is in force; and

(d) stating the reasons for the giving of the notice; and

(e) specifying any action that may be taken by the person to regain the benefit of subregulation (5).

(8) The Registrar may revoke a notice under subregulation (7) by further notice to the person.

(9) A person must, while driving a motor home on roads in this State under subregulation (5)—

(a) carry his or her—

(i) foreign licence (together with any accompanying English translation of the licence); and

(ii) international driving permit (if any); and

(b) produce those documents if requested to do so by a police officer or authorised officer.

Maximum penalty: $1 250.

(10) If a person drives a motor home in this State under subregulation (5), the person's foreign licence will—

(a) for the purposes of section 74 of the Act and any law prescribed for the purposes of section 97A(4)(a) of the Act, be taken to be a licence under the Act; and

(b) for the purposes of a contract or policy of insurance relating to the vehicle, be taken to be a licence under the Act.

(11) In this regulation—

(a) ***international driving permit***, ***interstate licence*** and ***permanent resident*** have the same respective meanings as in section 97A of the Act;

(b) ***motor home*** means a motor vehicle with a GVM not exceeding 4.5 tonnes that is designed and constructed for the primary purpose of providing a temporary dwelling for persons using the vehicle for recreational travel.

46—Examination of applicant for licence or learner's permit

(1) For the purposes of section 79(1) and (1a) of the Act—

(a) a theoretical examination will consist of questions determined by the Registrar from time to time as to—

(i) the rules required by law to be observed by drivers of motor vehicles; and

(ii) the causes of motor vehicle accidents; and

(iii) safe driving behaviour and safe driving practices; and

(iv) the effects of alcohol and drugs on driving skills and driving behaviour; and

(v) the effects of speeding; and

(vi) the stopping distances of motor vehicles; and

(vii) the effects of road surfaces and weather conditions on the driving of motor vehicles; and

(viii) such other matters as are determined by the Registrar from time to time; and

(b) a theoretical examination will be taken by a person—

(i) in writing in the English language; or

(ii) if the person is, by reason of impairment, unable to take the examination in writing—orally in the English language; or

(iii) if the person's principal language is not English and the person's understanding of English is not adequate to enable the person to take the examination in writing in English—orally in the person's principal language.

(2) For the purposes of section 79(2) of the Act, the number of questions in the examination that a person must answer correctly is a number that equals 80% of the questions asked in the examination.

47—Prescribed matters for the purposes of section 79A of Act

(1) For the purposes of section 79A(1)(a)(ii)(B) of the Act, the prescribed requirements are that the applicant has driven a motor vehicle of a class for which the licence is sought for periods totalling not less than 75 hours, at least 15 hours of which must have occurred at night.

(2) For the purposes of section 79A(2)(b) of the Act, licence classes R-DATE and R are prescribed.

(3) In this regulation—

night means the period between sunset on one day and sunrise on the next day.

47A—Exemption from section 79B of Act

An applicant for the issue of a licence is exempt from section 79B of the Act if the applicant would, if granted a licence, be required, in accordance with section 81E of the Act, to be issued with a licence that is subject to the mandatory alcohol interlock scheme conditions.

48—Power to refuse practical driving test where undue danger to any person

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.

49—Certain practical driving tests not to be taken again within 13 day period

(1) A person who fails a Vehicle on Road Test taken for the purpose of enabling the person to qualify for the issue of a provisional licence endorsed with the classification C cannot take a subsequent Vehicle on Road Test for that purpose unless 13 days have elapsed since the day on which the person failed the test.

(2) In subregulation (1)—

Vehicle on Road Test means a practical driving test consisting of a single test during which the person taking the test drives a motor vehicle on roads in the company of an examiner who assesses the person's ability to drive safely and according to the rules required by law to be observed by drivers of motor vehicles.

50—Learner's permits—display of L plates

(1) For the purposes of section 75A(15) of the Act—

(a) —

(i) in the case of a motor vehicle other than a motor bike—plates bearing the letter "L" (***L plates***) 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 bike—a L plate must be displayed at, and be clearly visible from, the rear of the motor bike; 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;

(ii) the letter "L" must be displayed in black on a yellow background and be clearly legible;

(iii) the letter "L" must be not less than 10.5 centimetres in height and 8 centimetres in width;

(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 a L plate in accordance with this regulation.

Maximum penalty: $1 250.

(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.

51—Display of P plates

(1) For the purposes of sections 81A(15) and 81AB(3a)(a) of the Act—

(a) —

(i) in the case of a motor vehicle other than a motor bike—plates bearing the letter "P" (***P plates***) 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 bike—a P plate must be displayed at, and be clearly visible from, the rear of the motor bike; 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;

(ii) the letter "P" must be displayed in red on a white background and be clearly legible;

(iii) the letter "P" must be not less than 10.5 centimetres in height and 8 centimetres in width;

(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 or a probationary licence issued subject to alcohol interlock scheme conditions must not drive a motor vehicle on a road while there is affixed to the vehicle a P plate in accordance with this regulation.

Maximum penalty: $1 250.

52—Exemptions for police officer or police cadet with provisional licence

A police officer or police cadet who holds a provisional licence is, while engaged in official duties or training, exempt from the operation of section 81A(3)(b), (14), (15) and (16) of the Act.

54—Exemption from requirement to undertake hazard perception test

An applicant for a P2 licence who resides—

(a) more than 100 kilometres from the nearest place at which hazard perception tests are conducted; or

(b) on Kangaroo Island,

is exempt from the requirement in section 81A(5)(a)(iii) of the Act.

55—Prescribed classes of applicants

(1) For the purposes of section 81A(11)(b) of the Act, the following classes of applicants are prescribed:

(a) applicants who have held a non-provisional licence or interstate non-provisional licence but not during the period of 5 years immediately preceding the application;

(b) applicants who hold an interstate non-provisional licence but who are under the age of 19 years;

(c) applicants who hold an interstate provisional licence;

(d) subject to subregulation (2), applicants who have, during the period of 5 years immediately preceding the application, held a provisional licence issued under Part 3 of the Act as in force before 31 October 2005 (provided that the application is made before 31 October 2010).

(2) Subregulation (1)(d) does not include an applicant who—

(a) has, during the period of 5 years immediately preceding the application, held a provisional licence of a kind referred to in that paragraph; and

(b) was, during that period, disqualified from holding or obtaining a permit or licence; and

(c) has not held a licence issued under the Act since the end of the period of disqualification.

55A—Application for high powered vehicle exemption

An application for a high powered vehicle exemption must be made to the Registrar in writing and must include such evidence in support of the application as the Registrar may require.

55AB—Issue of certificate of high powered vehicle exemption

The Registrar must, on granting a high powered vehicle exemption to the holder of a P1 or P2 licence, issue the holder of the licence with a certificate of exemption.

55B—Issue of duplicate certificate of high powered vehicle exemption

On application by the holder of a high powered vehicle exemption and payment of the prescribed fee, the Registrar may, if satisfied that the certificate of exemption has been lost, stolen, or destroyed, or on the surrender of the certificate to the Registrar, issue to the holder a duplicate certificate.

55C—Surrender of high powered vehicle certificate on surrender of licence

If a P1 or P2 licence to which a high powered vehicle exemption relates is surrendered, the person surrendering the licence must, at the same time, surrender the certificate of exemption.

Maximum penalty: $1 250.

55D—Requirement to produce certificate of high powered vehicle exemption

(1) If the holder of a high powered vehicle exemption is required to produce his or her licence under section 96, 97 or 139BA of the Act, the court, person or body imposing the requirement may also require the holder to produce the certificate of exemption at the same time.

(2) A person must comply with a requirement for production of a certificate imposed under this regulation.

Maximum penalty: $1 250.

(3) If a certificate is produced under this regulation and the licence to which it relates is to be cancelled or suspended or has become void, or a disqualification is imposed on the holder of the licence, the court, person or body to whom it is produced, or, in any case, the Registrar, may retain the certificate.

55E—Duty to carry certificate of high powered vehicle exemption

The holder of a high powered vehicle exemption must carry the certificate of exemption at all times while driving a high powered vehicle and must produce the certificate immediately if requested to do so by a police officer.

Maximum penalty: $1 250.

55F—Cancellation of high powered vehicle exemption granted in error

(1) If the Registrar is satisfied that a high powered vehicle exemption has been granted in error, the Registrar may cancel the exemption.

(2) If the Registrar decides to exercise a power to cancel a high powered vehicle exemption, the Registrar must give the person notice in writing requiring the person to produce the certificate of exemption to the Registrar within a specified period and setting out—

(a) the reasons for the cancellation; and

(b) the date on which the exemption is cancelled; and

(c) the right to apply for a review of the decision.

(3) A person must comply with a requirement to produce a certificate under this regulation.

Maximum penalty: $1 250.

(4) A certificate produced under this regulation may be retained by the Registrar.

55G—High powered vehicle exemption falsely obtained is void

(1) A high powered vehicle exemption that is granted by the Registrar on the basis of a false or misleading statement of the applicant or false or misleading evidence produced by the applicant is void and of no effect.

(2) A person must not, without lawful excuse, have possession of a certificate of a high powered vehicle exemption if the exemption was granted by the Registrar on the basis of a false or misleading statement of the applicant or false or misleading evidence produced by the applicant.

Maximum penalty: $1 250.

55H—Certificate of high powered vehicle exemption unlawfully altered or damaged is void

(1) If a person, without lawful authority, wilfully alters, defaces or otherwise damages a certificate of a high powered vehicle exemption, the certificate is void and of no effect.

(2) A person who, without lawful authority, possesses a certificate of a high powered vehicle exemption that has been wilfully altered, defaced or damaged is guilty of an offence.

Maximum penalty: $1 250.

56—Attendance at lectures by holder of learner's permit etc who contravenes probationary conditions or incurs 4 or more demerit points

(1) For the purposes of section 81B(2) 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(14), 81A(13) or 81AB(5) of the Act is exempt from the operation of section 81B(2) and 81B(3) of the Act if the person resides outside Metropolitan Adelaide.

56A—Manner of giving Registrar notice of decision to enter into Safer Driver Agreement

(1) If a notice of disqualification is given to a person by post, notice of a decision to enter into a Safer Driver Agreement under section 81BA(2) of the Act is to be given by the person lodging with the Registrar, at a place of a kind prescribed for the purposes of section 139BD(3)(a)(i) of the Act, the following documents signed by the person and completed in accordance with the instructions contained in the documents:

(a) the notice of disqualification;

(b) an application to enter into a Safer Driver Agreement in a form approved by the Minister.

(2) If a notice of disqualification is given to a person by personal service, notice of a decision to enter into a Safer Driver Agreement under section 81BA(2) of the Act is to be given by the person lodging with the Registrar, at a place of a kind prescribed for the purposes of section 139BD(3)(a)(i) of the Act, an application to enter into a Safer Driver Agreement in a form approved by the Minister, signed by the person and completed in accordance with the instructions contained in the form.

57—Exemption from section 81BB(7)(a) of Act

(1) If the Magistrates Court allows an appeal by a person against a disqualification under section 81B of the Act and the person holds a licence immediately before the determination of the appeal, the person is exempt from the operation of section 81BB(7)(a) of the Act—

(a) until the expiration of 2 business days after the day on which the appeal is determined; or

(b) until the person applies for a licence in accordance with section 81BB(7)(b) of the Act,

whichever occurs first.

(2) In this regulation—

business day means any day except—

(a) a Saturday, Sunday or public holiday; or

(b) a day which falls between 25 December and 1 January in the following year.

58—Exemption from duty to carry and produce probationary licence or provisional licence for police officers and police cadets

A police officer or police cadet who holds a probationary licence or provisional licence is, while engaged in official duties or training, exempt from the operation of section 98AAB of the Act.

59—Cancellation of motor driving instructor's licence on surrender

The Registrar may cancel a motor driving instructor's licence if—

(a) the holder of the licence gives the Registrar written notice of the holder's wish to surrender the licence; and

(b) the Registrar is satisfied that the licence, or any duplicate of the licence, has been returned or has been lost or destroyed.

60—Endorsement of conditions on driver's licences and learner's permits

Conditions of driver's licences and learner's permits must be endorsed in accordance with Schedule 3.

Division 3—Alcohol interlock schemes

61—Circumstances in which licence not subject to mandatory alcohol interlock scheme conditions

For the purposes of section 81E(4) of the Act, the prescribed circumstances are that—

(a) the applicant for a licence is unable to operate an alcohol interlock by reason of some physical or medical condition of the applicant; and

(b) it is not reasonably practicable for an alcohol interlock to be modified so as to enable the applicant to operate the device.

62—Testing of alcohol interlocks

For the purposes of section 81H(5) and Schedule 6 clause 7(7) of the Act, an alcohol interlock fitted to a vehicle must have been tested not more than 60 days before, and not more than 60 days after, the time of the vehicle's operation specified in the relevant certificate.

63—Counselling requirements applicable to holders of licence subject to voluntary alcohol interlock scheme conditions

(1) For the purposes of Schedule 6 clause 5(1)(h) of the Act, the holder of a licence subject to the voluntary alcohol interlock scheme conditions must attend the following counselling sessions with DASSA at times and in places determined by DASSA and notified to the holder in writing:

(a) an initial counselling session, to be held not more than 2 weeks before, and no later than 4 weeks after, the commencement of the required period for which the person's licence is subject to the voluntary alcohol interlock scheme conditions;

(b) at least 1 session of any further counselling that DASSA may recommend that the person undertake;

(c) a final counselling session, to be held before the end of the required period for which the person's licence is subject to the voluntary alcohol interlock scheme conditions.

(2) In this regulation—

DASSA means Drug and Alcohol Services South Australia.

Part 5—Motor driving instructors' licences

64—Applicant for licence to supply photographs to Registrar

An applicant for a motor driving instructor's licence must supply to the Registrar 2 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.

65—Applicant for licence to pay fees before proficiency tests

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 to the Registrar the appropriate fees set out in Schedule 1 Part 1.

66—Exemption from duty to hold motor driving instructor's licence for approved motor bike training courses

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

Part 6—Demerit points scheme

67—Demerit points for offences

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

(a) the offences specified in Schedule 4 are prescribed; and

(b) the number of demerit points incurred by a person on conviction or expiation of an offence specified in Schedule 4 is the number set out alongside that offence.

(2) For the purposes of section 98BC(2) of the Act, the offences specified in Schedule 4 Part 2 are prescribed.

(3) Text set out in italic type under a heading and 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.

68—Demerit points for offences interstate—corresponding laws

For the purposes of Part 3B of the Act, the following laws are declared to be corresponding laws:

(a) the *Motor Vehicles Act* of the Northern Territory and regulations made under that Act;

(b) the *Road Safety Act 1986* of Victoria and regulations made under that Act;

(c) the *Road Traffic Act 1974* of Western Australia and regulations made under that Act;

(d) the *Road Transport (Driver Licensing) Act 1998* of New South Wales and regulations made under that Act;

(e) the *Road Transport (Driver Licensing) Act 1999* of the Australian Capital Territory and regulations made under that Act;

(f) the *Transport Operations (Road Use Management) Act 1995* of Queensland and regulations made under that Act;

(g) the *Vehicle and Traffic Act 1999* of Tasmania and regulations made under that Act.

69—Manner of giving Registrar notice of election under section 98BE of Act

(1) If a notice of disqualification is given to a person by post, notice of an election under section 98BE(2) of the Act is to be given by the person lodging with the Registrar, at a place of a kind prescribed for the purposes of section 139BD(3)(a)(i) of the Act, the notice of disqualification signed by the person and completed in accordance with the instructions contained in the notice.

(2) If a notice of disqualification is given to a person by personal service, notice of an election under section 98BE(2) of the Act is to be given by the person lodging with the Registrar, at a place of a kind prescribed for the purposes of section 139BD(3)(a)(i) of the Act, a notice of election in a form approved by the Registrar, signed by the person and completed in accordance with the instructions contained in the notice.

70—Notification of demerit points to interstate licensing authorities

For the purposes of section 98BI(1) of the Act, the offences specified in Schedule 4 Part 1 are prescribed.

Part 7—Written-off vehicles

71—Interpretation

(1) In this Part, unless the contrary intention appears—

corresponding law means a law of another State or a Territory of the Commonwealth that corresponds to the provisions of this Part;

interstate written-off vehicle means a motor vehicle that, for the purposes of a corresponding law, is recorded in a register maintained by the vehicle registration authority of another State or a Territory of the Commonwealth as a written-off vehicle, statutory write-off, repairable write-off or wrecked vehicle (as defined in that corresponding law);

notifiable vehicle means—

(a) a written-off vehicle that is less than 15 years of age (determined from its date of manufacture) and is—

(i) a motor vehicle (other than a motor bike or trailer) with a GVM not greater than 4.5 tonnes; or

(ii) a motor bike; or

(iii) a caravan; or

(iv) a trailer with a GVM greater than 4.5 tonnes; or

(b) an interstate written-off vehicle; or

(c) where a vehicle referred to in paragraph (a) or (b) is wrecked or wholly or partly disassembled, any part of the vehicle that bears a vehicle identification plate or vehicle identification number;

repairable write-off means a motor vehicle that is written-off and is not a statutory write-off;

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

statutory write-off means a motor vehicle that is written-off and is—

(a) a motor vehicle (other than a motor bike or a trailer) that has been—

(i) immersed in salt water above the door sill level for any period; or

(ii) immersed in fresh water up to the dashboard or steering wheel for more than 48 hours; or

(b) a motor bike that has been—

(i) fully immersed in salt water for any period; or

(ii) fully immersed in fresh water for more than 48 hours; or

(c) a motor vehicle that is burnt to such an extent that it is fit only for wrecking or scrap; or

(d) a motor vehicle that is stripped of all, or a combination of most, interior and exterior body parts, panels and components (such as, for example, the engine, wheels, bonnet, guards, doors, boot lid); or

(e) a motor vehicle (other than a motor bike or a trailer) that is damaged by at least 3 of the following impact damage indicators:

(i) damage to an area of the roof equal to or exceeding 300 millimetres by 300 millimetres in size;

(ii) damage to an area of the cabin floor pan equal to or exceeding 300 millimetres by 300 millimetres in size;

(iii) damage to an area of the firewall equal to or exceeding 300 millimetres by 300 millimetres in size;

(iv) any damage to the suspension;

(v) damage to a major mechanical component such as the engine block or transmission casings (for example, where the component is cracked or broken); or

(f) a motor bike that has impact damage (excluding scratching) to the suspension and at least 2 areas of structural frame damage;

total loss means a motor vehicle damaged by accident, collision, demolition, dismantling, fire, flood, trespass or other event to the extent that its fair salvage value, when added to the cost of repairing it for use on a road or road related area, would be more than its fair market value immediately before the event that caused the damage;

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

vehicle registration authority, in relation to another State or a Territory of the Commonwealth, means the person or body responsible for registering vehicles in that State or Territory;

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

written-off—see subregulation (2);

written-off vehicle means—

(a) a statutory write-off; or

(b) a repairable write-off;

written-off vehicle notices means notices (including labels) issued by the Registrar for the purpose of being affixed to written-off vehicles or vehicle parts in accordance with regulation 74.

(2) For the purposes of this Part, a motor vehicle is ***written-off*** if the vehicle—

(a) is a total loss; or

(b) is to be, or has been, wrecked or wholly or partly disassembled for salvage; or

(c) is to be, or has been, sold or acquired for wrecking or disassembling for salvage.

72—Meaning of written-off motor vehicle for purposes of section 145(8) of Act

For the purposes of section 145(8) of the Act, the following classes of motor vehicles are written-off vehicles:

(a) written-off vehicles within the meaning of this Part;

(b) interstate written-off vehicles within the meaning of this Part.

73—Application of Part

(1) This Part 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) Despite subregulation (1), this Part does not apply to a golf cart or moped.

74—Registrar to be given notice of, and notices to be affixed to, written-off vehicles

(1) Subject to this regulation—

(a) an insurer who makes a determination that a motor vehicle is a total loss for insurance purposes must, if the vehicle is a notifiable vehicle—

(i) as soon as practicable after making the determination, 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 7 days after making the determination, give notice in relation to the vehicle to the Registrar in accordance with this regulation;

(b) a person who brings a notifiable vehicle into the State from another State or a Territory of the Commonwealth 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 7 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 notifiable 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 7 days after coming into possession of the vehicle, give notice in relation to the vehicle to the Registrar in accordance with this regulation;

(d) a vehicle wrecker who acquires a notifiable vehicle must—

(i) as soon as practicable after acquiring the vehicle, but before commencing to dismantle the vehicle, or selling or otherwise disposing of the vehicle, affix written-off vehicle notices to the vehicle in accordance with this regulation; and

(ii) within 7 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) who is in possession of a notifiable vehicle must, before selling or otherwise disposing of the vehicle—

(i) affix written-off vehicle notices to the vehicle in accordance with this regulation; and

(ii) give notice in relation to the vehicle to the Registrar in accordance with this regulation.

(2) A person is not required to affix written-off vehicle notices to a notifiable vehicle under subregulation (1) if—

(a) such notices are already affixed to the vehicle in accordance with this regulation and (except where the person is a person referred to in subregulation (1)(d) or (e)) any identification of the vehicle as a statutory write-off or repairable write-off by the notices is correct; or

(b) in the case of an interstate written-off vehicle, the notices required to be affixed under the corresponding law of the relevant State or Territory are so affixed.

(3) A person is not required to give notice in relation to a notifiable vehicle to the Registrar under subregulation (1) if—

(a) notice has already been given in relation to the vehicle to the Registrar in accordance with this regulation and (except where the person is a person referred to in subregulation (1)(d) or (e)) the previous notification correctly identifies whether the vehicle is a statutory write-off or a repairable write-off; or

(b) the vehicle is an interstate written-off vehicle.

(4) Written-off vehicle notices must be affixed to a notifiable vehicle in the manner determined by the Minister and specified on the notices or on accompanying material.

(5) A notice required to be given to the Registrar in accordance with this regulation—

(a) must be given in the manner and form determined by the Minister; and

(b) must—

(i) (except in the case of a notice given by a person referred to in subregulation (1)(e)) specify whether the notifiable vehicle is a statutory write-off or a repairable write-off; and

(ii) contain particulars of such other matters as may be determined by the Minister.

(6) Written-off vehicle notices affixed to a notifiable vehicle in accordance with this regulation (or, in the case of an interstate written-off vehicle, notices affixed in accordance with the relevant corresponding law) must not be defaced, altered or removed from the vehicle except—

(a) at a time or in a manner determined by the Minister and (except in the case of notices affixed in accordance with a corresponding law) specified in the notice; or

(b) by or with the approval of an authorised officer.

(7) A person who contravenes or fails to comply with a requirement of this regulation is guilty of an offence.

Maximum penalty:

(a) in the case of an offence committed in the course of a trade or business—$2 500;

(b) in any other case—$750.

(8) Without limiting the circumstances in which an insurer referred to in subregulation (1)(a) may be taken to have determined that a motor vehicle is a total loss, an insurer will for the purposes of that subregulation be taken to have made such a determination if the insurer—

(a) allows a claim for the full insured value of the vehicle; or

(b) sells or otherwise disposes of the vehicle to a third party.

(9) A reference in this regulation to ***commencing to dismantle***, ***selling or otherwise disposing of***, ***affixing written-off vehicle notices to*** or ***removing written-off vehicle notices from***, a vehicle, includes a reference to dismantling, selling or otherwise disposing of, affixing notices to or removing notices from, a part of the vehicle.

75—Offence to drive written-off vehicle on road

(1) A person must not drive a notified 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 authorised officer.

Maximum penalty:

(a) in the case of an offence committed in the course of a trade or business—$2 500;

(b) in any other case—$750.

(2) In this regulation—

notified written-off vehicle means—

(a) a motor vehicle recorded as a written-off vehicle by the Registrar following notification under this Part; or

(b) an interstate written-off vehicle.

Part 8—Fees

76—Fees

(1) For the purposes of the Act and these regulations, the fees set out in Schedule 1 Part 1 are prescribed.

(2) For the purposes of section 81BC(3) of the Act, the fee payable for the issue of a P2 licence under that section is an amount equal to the fee that would be payable for the issue of a licence under section 75 of the Act.

(2a) The fees prescribed by Schedule 1 Part 1 for searching the register and supplying information or supplying an extract of an entry in the register do not apply in relation to—

(a) the provision of information for which fees are payable under a contract of a kind referred to in regulation 98(8); or

(b) the provision of information as to whether or not a particular motor vehicle is registered under the Act if the information is provided by means of a telephone enquiry service or website maintained by the Registrar for that purpose.

(3) For the purposes of the *Interstate Road Transport Act 1985* of the Commonwealth, the fees set out in Schedule 1 Part 2 are prescribed.[1]

(4) A fee set out in Schedule 1 must be paid to—

(a) the payee specified for that fee; or

(b) if no payee is specified—the Registrar.

(5) The Registrar may, by written notice given to a person who is liable to pay the fee prescribed by clause 19(3) of Schedule 1 Part 1, require the person to pay the fee within the time specified in the notice (being a period of not less than 14 days from the day on which the notice is given).

(6) If a fee is not paid as required by a notice given under subregulation (5), the Registrar may recover the fee in a court of competent jurisdiction as debt due to the Registrar.

Note—

1 For fees not prescribed by Schedule 1 Part 2 see the *Interstate Road Transport Regulations 1986* of the Commonwealth.

77—Reduced registration fees—prescribed amounts

(1) For the purposes of sections 34(1) and 37(2) of the Act, the prescribed amount is—

(a) in the case of a heavy vehicle other than a special purpose vehicle, truck (type 1) or truck (type 2)—40% of the prescribed registration fee;

(b) in the case of a motor vehicle that is not a heavy vehicle—50% of the prescribed registration fee.

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

(4) In this regulation—

truck (type 1) and ***truck (type 2)*** have the same respective meanings as in the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*.

78—Concession card holders

For the purposes of section 38A(1)(a)(i) and 38AB(1)(a)(i) of the Act, a State Concession Card issued by the administrative unit of the Public Service that is, under a Minister, responsible for the administration of the *Family and Community Services Act 1972* is a State concession card of a prescribed class.

79—Exemption from section 41(2) of Act

(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 the operation of 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 coordinating the sporting activities of its members.

79A—Reduction of fee—temporary configuration certificate

(1) This regulation applies to an application under section 43A(4) of the Act for a temporary configuration certificate in respect of a registered heavy vehicle—

(a) that is a convertible B-double lead trailer; and

(b) that is to be used pursuant to the certificate as a B-double lead trailer.

(2) Pursuant to section 145(1)(g) of the Act, the fee payable under section 43A(4)(b) of the Act in relation to an application to which this regulation applies is reduced to—

(a) a fee equal to the product obtained by multiplying the number of days in the period for which the certificate is to be in force or 28 days (whichever is the greater) by one-three hundred and sixty fifth of the difference between—

(i) the prescribed registration fee that would be payable for registration of the vehicle for 12 months if the configuration being applied for were nominated in an application for such registration; and

(ii) the prescribed registration fee that would be payable for registration of the vehicle for 12 months if its registered configuration were nominated in an application for such registration,

(a fraction of 1 dollar being counted as 1 dollar); and

(b) the prescribed administration fee (being the fee prescribed for the purposes of section 43A(4)(b)(ii) of the Act).

(3) In this regulation—

B-double combination has the same meaning as in the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*;

B-double lead trailer means a semi-trailer used as the lead trailer in a B-double combination;

convertible B-double lead trailer means a trailer, the registered configuration of which is as a semi-trailer, that is capable of being used as a B-double lead trailer;

semi-trailer has the same meaning as in the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*.

80—Additional amount payable where certain vehicles are altered or added to

(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) of the Act 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 bike, trailer or motor vehicle that is not propelled by an internal combustion engine.

81—Refund on cancellation of registration

(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 or the registered operator 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.

82—Refund on surrender of trade plate

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.

83—Refund on surrender of licence

For the purposes of sections 75AAA(11)(b) and 98A(4) of the Act, the amount to be refunded on the surrender of a driver's licence or motor driving instructor's licence is an amount equal to the product obtained by multiplying one quarter of the annual licence fee paid for the issue of the licence by the number of complete 3 month periods in the unexpired portion of the period for which the licence was issued.

84—Refund of part of licence fee on eligibility for reduced fee

If—

(a) a driver's licence has been issued or renewed on payment of the licence fee prescribed in clause 19(1)(c) of Schedule 1 Part 1; 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.

85—No refund of administration fees

Administration fees are not refundable.

86—Registrar not required to make certain refunds or recover certain unpaid fees

The Registrar is not required—

(a) to refund a fee paid under the Act if the amount of the refund payable does not exceed $3 (indexed); or

(b) to recover a fee payable under the Act if the amount unpaid does not exceed $3 (indexed).

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

(1) Subject to subregulation (2), in calculating a fee or refund payable under the Act a fraction of 10 cents not exceeding 5 cents must be excluded and a fraction of 10 cents exceeding 5 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 probationary licence or provisional licence,

a fraction of 1 dollar is to count as 1 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.

88—Exemption from practical driving test fees

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 72(10) or 79A of the Act, is exempt from the requirement that he or she pay the prescribed practical driving test fee.

89—Administration fee for licence subject to alcohol interlock scheme conditions

The administration fee prescribed by clause 35 of Schedule 1 Part 1 for the issue of a licence subject to alcohol interlock scheme conditions—

(a) is payable in addition to any other fee prescribed by Schedule 1 Part 1 for the issue of a licence; and

(b) must be paid—

(i) in the case of a licence that is to be subject to alcohol interlock scheme conditions for a period of 12 months or less—before the issue of the licence; or

(ii) in any other case—on or before 1 or more dates determined by the Registrar.

90—Remission and reduction of fees

(1) 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;

(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;

(c) a fee payable for the issue of a driver's licence following the surrender of a current interstate licence;

(d) a fee payable for the issue or renewal of a learner's permit;

(e) a fee payable for an examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act or regulation 13.

(2) The Registrar may, for reasonable cause, reduce a fee payable under section 139BD of the Act for personal service of a notice of disqualification.

Part 9—Miscellaneous

90A—Proof by statutory declaration and prescribed circumstances

(1) A statutory declaration furnished by a person to the Commissioner of Police under section 9(1b) or 102(1b) of the Act (or both of those sections) must comply with the following prescribed requirements:

(a) the statutory declaration must include—

(i) the person's full name and address; and

(ii) if it relates to an expiation notice—the expiation notice number; and

(iii) the motor vehicle registration number; and

(iv) details that establish that—

(A) if the statutory declaration is furnished under section 9(1b) of the Act—section 9(1a) of the Act applies; or

(B) if the statutory declaration is furnished under section 102(1b) of the Act—section 102(1a) of the Act applies; or

(C) if the statutory declaration is furnished under both sections 9(1b) and 102(1b) of the Act—sections 9(1a) and 102(1a) of the Act apply;

(b) the statutory declaration must be furnished—

(i) if it relates to an expiation notice—before the due date for payment specified in the expiation notice or expiation reminder notice; or

(ii) in any other case—within 21 days after the date of issue of the summons.

(2) The following circumstances are declared to be prescribed circumstances in accordance with section 9(6b)(b) and section 102(3d)(b) of the Act:

(a) circumstances where the person is not an owner or the registered operator of the vehicle and he or she is required by another person to whom he or she is answerable in working as a volunteer to drive the vehicle, or to cause the vehicle to stand, in the course of such work;

(b) circumstances where the person is not an owner or the registered operator of the vehicle and he or she is reasonably required to drive the vehicle, or to cause the vehicle to stand, in the course of undertaking work required by a contract of service as a self-employed person.

91—Offence to alter, deface etc permits, labels or certificates

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

Maximum penalty: $1 250.

92—Forms determined by the Minister

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

(a) an application for a permit under section 16 or 50 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 of the Act;

(f) a motor driving instructor's licence.

93—Appointment of authorised examiners

(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 Transport Department) 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 1 Part 1.

93A—Exemption from requirements as to display of disabled person's parking permit

(1) A holder of a disabled person's parking permit under Part 3D of the Act who has been issued with a prescribed Australian Disability Parking Permit is exempt from the operation of section 98T(1b)(b) and (1c) of the Act if that prescribed Australian Disability Parking Permit is hung from the rear vision mirror on the inside of the windscreen of the vehicle so that the permit number and the expiry date of the permit are easily legible to a person standing in front of the vehicle.

(2) In this regulation—

Australian Disability Parking Permit means a disabled person's parking permit that includes the following:

(a) the words "Australian Disability Parking Permit";

(b) a people with disabilities symbol as defined in the *Australian Road Rules*;

(c) a permit number;

(d) an expiry date;

prescribed Australian Disability Parking Permit means an Australian Disability Parking Permit that is designed to be hung from a rear vision mirror.

94—Application for review under Part 3E of Act

For the purposes of section 98Z(2) of the Act, an application for a review must—

(a) be in writing; and

(b) set out the decision to which the application relates; and

(c) set out the grounds on which the applicant seeks the review and the decision sought on the review; and

(d) be accompanied by any information that the applicant considers should be taken into account on the review; and

(e) be accompanied by the appropriate fee prescribed by Schedule 1 Part 1; and

(f) be lodged with the Registrar.

94A—Prescribed documents

For the purposes of section 124(5) of the Act the prescribed documents relating to a motor vehicle are a current certificate of registration (or current duplicate certificate of registration), a current permit or a current registration details certificate for the vehicle.

95—Manner of giving Registrar notice of change of name, address etc under section 136 of Act

Notice under section 136 of the Act is to be given by a person to the Registrar in a following manner:

(a) in writing;

(b) by telephone to a telephone number nominated by the Registrar for the purposes of giving notice;

(c) by fax to a fax number nominated by the Registrar for the purpose of giving notice by fax;

(d) by other telephonic or electronic means made available by the Registrar to members of the public for the purpose of giving notice in such manner.

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

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.

97—Places at which receipt of notice of disqualification may be personally acknowledged

For the purposes of section 139BD(3)(a)(i) of the Act, places of the following kinds are prescribed:

(a) offices known as Service SA Customer Service Centres;

(b) Australia Post outlets that have electronic point of sale (EPOS) systems.

98—Guidelines for disclosure of information

(1) In this regulation—

Australian jurisdiction means the Commonwealth or a State or Territory of the Commonwealth;

confidential information means information obtained in the administration of the Act or the *Road Traffic Act 1961*;

personal information means information pertaining to a natural person or body corporate;

person concerned—

(a) in relation to personal information, means the natural person to whom the information pertains, or the body corporate to which the information pertains, as the case may be;

(b) in relation to information relating to a motor vehicle, means the owner of the vehicle.

(2) Pursuant to section 139D(1)(f) of the Act, confidential information the disclosure of which is not authorised by a preceding paragraph of section 139D(1) may, subject to such conditions as the Registrar thinks fit, be disclosed in accordance with this regulation.

(3) Personal information or information relating to a motor vehicle may be disclosed to a person other than the person concerned if the person concerned has been made aware, or is reasonably likely to be aware, that—

(a) the information is generally used for the purpose for which it is to be released; or

(b) the information is generally passed on to those persons or bodies to whom it is to be released.

(4) Personal information or information relating to a motor vehicle may be disclosed to a person other than the person concerned if—

(a) the person making the disclosure believes on reasonable grounds that the disclosure is necessary to prevent or lessen a serious threat to the life or health of the person concerned or some other person; or

(b) the disclosure is reasonably necessary to protect the public revenue; or

(c) the disclosure is reasonably necessary to protect the interests of the Crown as an employer; or

(d) the disclosure is made to a public authority responsible under the law of another Australian jurisdiction for the registration of motor vehicles or the licensing of drivers of motor vehicles; or

(e) the disclosure is made to a public authority of an Australian jurisdiction—

(i) authorised under a law of that jurisdiction to obtain the information directly from the person concerned; or

(ii) under an arrangement providing for the exchange of personal information; or

(iii) to enable the authority to ascertain whether a motor vehicle has been abandoned; or

(iv) to enable the authority to exercise or perform statutory powers or functions in relation to a motor vehicle that has been abandoned; or

(v) in connection with the administration of either of the following Acts:

(A) the *Harbors and Navigation Act 1993*;

(B) the *Passenger Transport Act 1994*; or

(f) the disclosure is made to Austroads Ltd; or

(g) the disclosure is made to a person or body engaged in research related to road transport and the disclosure is made for the purposes of the research; or

(h) the disclosure—

(i) consists of information other than medical information about the person concerned or information about that person's history of driving or driving-related offences; and

(ii) is made to—

(A) a person acting under a power of attorney granted by the person concerned; or

(B) a person acting under an authorisation signed by the person concerned; or

(C) a legal practitioner acting on behalf of the person concerned; or

(D) where the person is deceased—an executor or administrator of the deceased estate; or

(E) where the person becomes bankrupt—the registered trustee of the bankrupt estate.

(5) If a health professional has furnished information about a person to the Registrar in pursuance of section 148(1) of the Act, the health professional may be informed of the action taken (if any) by the Registrar as a result of the information.

(6) Any of the following information may be disclosed to any person:

(a) information comprised of statistical data that could not reasonably be expected to lead to the identification of any person to whom it pertains;

(b) whether a particular motor vehicle is registered;

(ba) the date on which the registration of a particular motor vehicle is due to expire;

(c) whether the registration of a particular motor vehicle has expired;

(ca) the date on which the registration of a particular motor vehicle expired;

(d) whether the registration of a particular motor vehicle has been suspended or cancelled;

(e) whether a particular motor vehicle is, or has been, a written-off vehicle;

(f) whether a particular motor vehicle that is, or has been, a written-off vehicle, is eligible for registration in the future;

(g) whether a particular motor vehicle is recorded as stolen;

(h) whether a particular motor vehicle is the subject of a current defect notice under section 145 of the *Road Traffic Act 1961*;

(i) whether a particular number or number plate is the subject of an agreement under section 47A(4) of the Act and the commencement and expiry dates of any such agreement;

(j) whether an agreement under section 47A(4) of the Act relating to a particular number or number plate of a particular class provides for the assignment of rights conferred under the agreement and, if so, the nature of the assignment and details of any conditions imposed on the assignment.

Example—

An agreement under section 47A(4) may permit a particular number or number plate of a particular class to be transferred or sold to a person not party to the agreement. Such an assignment of the rights conferred under the agreement may, however, be subject to such conditions as may be specified by the Registrar in the agreement.

(7) The name and address of the registered owner of a motor vehicle may be disclosed—

(a) to the manufacturer of the vehicle for the purposes of a safety-related recall of vehicles; or

(b) to a legal practitioner or insurer, or an investigation agent acting on behalf of a legal practitioner or insurer, where the information is required to identify the registered owner of a vehicle involved in an accident; or

(c) to a person, or the agent of a person, registered under the *Personal Property Securities Act 2009* of the Commonwealth as a secured party in relation to a security interest for which the vehicle is collateral; or

(d) to a person who has obtained a judgment in a court, or a legal practitioner acting on behalf of such a person, where the information is reasonably required to enforce the judgment and the judgment contains reference to property in the ownership or possession of the registered owner of the vehicle.

(8) Information relating to a motor vehicle (not including personal information) may be disclosed in accordance with a contract entered into by the Minister under which the Minister agrees to provide such information for commercial use by a person or body that is a party to that contract.

(9) Information sufficient to confirm the identity of a motor vehicle (such as the make, model and colour of the vehicle) may be disclosed to a person who is seeking disclosure of confidential information relating to that vehicle.

99—Corresponding laws declared for purposes of section 141(2) of Act

For the purposes of section 141(2) of the Act, the following laws are declared to be corresponding laws:

(a) the *Motor Vehicles Act* of the Northern Territory;

(b) the *Road Safety Act 1986* of Victoria;

(c) the *Road Traffic Act 1974* of Western Australia;

(d) the *Road Transport (Driver Licensing) Act 1998* of New South Wales;

(e) the *Road Transport (Driver Licensing) Act 1999* of the Australian Capital Territory;

(f) the *Road Transport (Vehicle Registration) Act 1997* of New South Wales;

(g) the *Road Transport (Vehicle Registration) Act 1999* of the Australian Capital Territory;

(h) the *Transport Operations (Road Use Management) Act 1995* of Queensland;

(i) the *Vehicle and Traffic Act 1999* of Tasmania.

99A—Prescribed form of notice for Schedule 1 clause 3

For the purposes of Schedule 1 clause 3 of the Act, a notice that accompanies an expiation notice, expiation reminder notice or summons must be in the form set out in Schedule 4 of the *Road Traffic (Miscellaneous) Regulations 1999* and contain the information and instructions set out in that form.

100—Expiation of alleged offences

(1) The expiation fees set out in Schedule 5 are fixed for alleged offences against the Act or these regulations specified in that Schedule.

(2) Text set out in italic type under a heading in Schedule 5 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 amount is fixed as the expiation fee.

Schedule 1—Fees

Part 1—Fees under *Motor Vehicles Act 1959* and these regulations

1—Interpretation

In this Part—

emergency response vehicle has the same meaning as in regulation 15;

government authorised examiner means an authorised examiner who is—

(a) a police officer; or

(b) an employee in the Transport Department; or

(c) a person appointed as an authorised examiner by some public authority and approved by the Registrar;

level 1 fee means an administration fee of $7.00;

level 2 fee means an administration fee of $17.00;

level 3 fee means an administration fee of $22.00;

special purpose vehicle (type O) has the same meaning as in the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*;

special purpose vehicle (type T) has the same meaning as in the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*;

Transport Department premises, in relation to an examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act, includes a place specified under section 139(1)(d) of the Act at which the motor vehicle is required to be produced for the purpose of the examination;

truck (type 1) has the same meaning as in the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*.

2—Registration (section 24 of Act)

(1) For registration of a heavy vehicle under section 24 of the Act for a period of 12 months—the fee prescribed by, or determined in accordance with, the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*.

(2) For registration of a motor vehicle (other than a heavy vehicle) under section 24 of the Act for a period of 12 months—

(a)	a motor bike	$35.00
(b)	a trailer	$62.00
(c)	a motor vehicle propelled other than by an internal combustion engine	$106.00
(d)	a commercial motor vehicle—	
(i)	if the unladen mass of the vehicle does not exceed 1 000 kg and the vehicle is propelled by an internal combustion engine—	
(A)	having 4 cylinders or less	$106.00
(B)	having 5 or 6 cylinders	$217.00
(C)	having 7 or more cylinders	$314.00

(ii)	if the unladen mass of the vehicle exceeds 1 000 kg but does not exceed 1 500 kg	$234.00
(iii)	if the unladen mass of the vehicle exceeds 1 500 kg	$400.00
(e)	a motor vehicle (other than a vehicle referred to in paragraphs (a) to (d)) propelled by an internal combustion engine—	
(i)	having 4 cylinders or less	$106.00
(ii)	having 5 or 6 cylinders	$217.00
(iii)	having 7 or more cylinders	$314.00

(3) The registration fee payable for the registration of a motor vehicle under section 24 of the Act for a period of less than 12 months is as follows:

(a) in the case of a registration for 1, 2 or 3 quarters—a fee equal to the product of the number of quarters for which the vehicle is to be registered multiplied by 1 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 under section 24 of the Act	level 3 fee
(b)	renewal of registration of a motor vehicle under section 24 of the Act	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 under section 24 of the Act for—

(a) less than 6 months—a fee equal to 5.625% of the registration fee;

(b) 6 months or more but less than 9 months—a fee equal to 3.75% of the registration fee;

(c) 9 months or more but less than 12 months—a fee equal to 1.875% of the registration fee.

3—Conditional registration (section 25 of Act)

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

(a) in the case of—

(i) a heavy vehicle that is a special purpose vehicle (type O); or

(ii) a heavy vehicle that is a special purpose vehicle (type T) (other than an emergency response vehicle or a vehicle that is used principally for the purpose of fire fighting and is fitted with fire fighting equipment),

a fee equal to the product of the number of quarters for which the vehicle is to be registered multiplied by 1 quarter of the amount that would be the registration fee for registration of the vehicle under section 24 of the Act for the financial year in which the registration is to take effect;

(b) in the case of a heavy vehicle that is a road train, B-double or a vehicle of a class referred to in regulation 19(f)—a fee equal to the registration fee that would be payable for registration of the vehicle under section 24 of the Act;

(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—Transfer of registration

(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) — $73.00

5—Cancellation of registration

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

6—Duplicate certificates of registration and registration labels

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

6A—Registration details certificate

Administration fee for the issue of a registration details certificate (when issued on application by the owner of the motor vehicle) — level 2 fee

7—Permit to drive an unregistered motor vehicle

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

8—Duplicate permit to drive an unregistered motor vehicle

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

9—Temporary configuration certificate for heavy vehicle

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

10—Duplicate temporary configuration certificate for heavy vehicle

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

11—Number allotment

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

12—Number plates

(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

13—Issue or reissue of trade plate

(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 bike, 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(2)(d)(i) or 2(2)(e) that has 7 or more cylinders;

(c) in respect of a motor bike (***Category C***)—an annual fee of an amount equal to the fee that would be payable for registration for 12 months of a motor bike;

(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 1 category of vehicle such that more than 1 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

14—Supply of trade plate by Registrar

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

15—Issue of replacement trade plate

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

16—Duplicate trade plate label or certificate of issue of trade plate

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

17—Trade plate transfer

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

18—Trade plate surrender

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

19—Driver's licences

(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—	$18.50
	(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 70% of the rate for total incapacity (per year);	
(b)	where the applicant is a concession card holder (per year)	$18.50
(c)	in any other case (per year)	$37.00

(2) The licence fee for a driver's licence issued or renewed for a period other than for full years is 1 quarter of the annual licence fee for each complete 3 months of the period for which the licence is issued or renewed.

(3) If—

(a) a person ceases to be a concession card holder; and

(b) the person holds a driver's licence that was issued or renewed on payment of a reduced fee,

the person must pay an additional fee of an amount that is equal to the difference between—

(c) the amount obtained by multiplying the number of complete 3 month periods in the unexpired period of the licence by 1 quarter of the annual fee paid for the issue or renewal of the licence; and

(d) the amount obtained by multiplying the number of complete 3 month periods in the unexpired period of the licence by 1 quarter of the annual fee that would have been payable for the issue or renewal of the licence if the person had not been a concession card holder.

(4) For the purposes of subclause (3), the unexpired period of the licence commences on the day on which the person ceases to be a concession card holder.

(5)	Administration fee (payable in addition to the licence fee) for the issue or renewal of a driver's licence	level 2 fee
(6)	Administration fee (payable in addition to the fee prescribed in subclause (5)) where application for the issue of a driver's licence is made more than 6 months after the expiry of a previously held licence and the applicant was not, during the whole of the period of 6 months after the expiry of the previously held licence, disqualified from holding or obtaining a driver's licence	level 3 fee

(7) In this clause—

concession card holder means a person who—

(a) holds—

(i) a State Concession Card issued by the Department for Families and Communities; or

(ii) a pensioner entitlement card issued under a law of the Commonwealth; and

(b) is entitled, as the holder of such a card, to travel on public transport in this State at reduced fares;

reduced fee means the fee payable for the issue or renewal of a driver's licence where the applicant is a concession card holder.

20—Duplicate driver's licence

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

21—Learner's permit

(1)	For the issue or renewal of a learner's permit	$38.00
(2)	Administration fee for the issue or renewal of a learner's permit (payable in addition to the permit fee)	level 2 fee

22—Duplicate learner's permit

Administration fee for the issue of a duplicate learner's permit	level 2 fee

23—Duplicate certificate of high powered vehicle exemption

Administration fee for the issue of a duplicate certificate of a high powered vehicle exemption	level 2 fee

24—Theoretical examination

For a theoretical examination prescribed for the purposes of section 79 of the Act—

(a)	examination fee	$16.00
(b)	administration fee (payable in addition to the examination fee)	level 2 fee

25—Practical driving tests conducted by government authorised examiners

For a practical driving test conducted by a government authorised examiner—

(a)	booking fee	level 2 fee
(b)	test fee—	
(i)	for a test of up to, but not exceeding, 40 min duration	$44.00
(ii)	for a test exceeding 40 min duration	$100.00
(c)	administration fee (payable in addition to the test fee)	level 2 fee

26—Other practical driving tests; final assessments

Booking fee, for notice to the Registrar of— $30.00

(a) a practical driving test; or

(b) a final assessment in a competence based training course for drivers of motor vehicles (other than motor bikes) undertaken in accordance with the directions of the Registrar,

to be conducted by an authorised examiner other than a government authorised examiner

27—Hazard perception tests

For a hazard perception test—

(a)	test fee	$12.00
(b)	administration fee (payable in addition to the test fee)	level 2 fee

28—Motor bike training courses

For a motor bike training course undertaken in accordance with the directions of the Registrar—

(a)	training course fee—		
	(i)	for basic motor bike training preparatory to obtaining a motor bike learner's permit	$347.00
	(ii)	for advanced motor bike training preparatory to obtaining a motor bike driver's licence	$307.00
(b)	administration fee (payable in addition to the training course fee)		$17.00

29—Proficiency test for motor driving instructor's licence

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

(a)	for a theory test—		
	(i)	test fee	$61.00
	(ii)	administration fee (payable in addition to the test fee)	level 2 fee
(b)	for a practical training course test—		
	(i)	test fee	$5 337.00
	(ii)	administration fee (payable in addition to the test fee)	level 2 fee

30—Motor driving instructor's licence

For the issue of a motor driving instructor's licence (per year)	$85.00

31—Duplicate motor driving instructor's licence

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

32—Appointment as authorised examiner

For appointment as an authorised examiner (other than a government authorised examiner) (per year)	$125.00

33—Proficiency tests for authorised examiners

(1) For a proficiency test, required by the Registrar, of an applicant for appointment as an authorised examiner in relation to the driving of motor vehicles with a gross vehicle mass not exceeding 4.5 t—

(a)	practical training course test (per day)	$218.00
(b)	administration fee (payable in addition to test fee)	$19.00

(2) For a proficiency test, required by the Registrar, of an applicant for appointment as an authorised examiner in relation to the driving of motor vehicles with a gross vehicle mass exceeding 4.5 t—

(a)	practical training course test (per day)	$367.00

(b)	administration fee (payable in addition to test fee)	$19.00

34—Lectures as to motor vehicle accidents and their causes

For attendance at a lecture conducted under regulation 56	$36.00

35—Counselling sessions with DASSA

For attendance at a counselling session conducted under regulation 63—

(a)	for the initial counselling session	$55.00
(b)	for the final counselling session	$55.00

36—Administration fee for issue of alcohol interlock scheme licence

Administration fee for the issue of a licence subject to mandatory alcohol interlock scheme conditions or voluntary alcohol interlock scheme conditions—for each month in the period for which the licence will be subject to alcohol interlock provisions (a part of a month being treated as a whole month)	$15.00

37—Disabled person's parking permit

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	$13.00
(b)	administration fee (payable in addition to the permit fee)		level 1 fee

38—Register searches etc

(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

39—Motor vehicle examinations

(1)	For an examination of a motor vehicle for the purposes of completion of a report under regulation 13	$14.00
(2)	A fee for an examination referred to in subclause (1) must be paid—	
	(a) in the case of an examination to be carried out by an authorised officer—on the registration of the vehicle; or	
	(b) in the case of an examination to be carried out by a police officer—prior to the examination.	
(3)	For a basic examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act to be carried out by a person authorised by the Registrar under section 139(1) of the Act	$32.00

(4)	For a basic examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act to be carried out by a police officer	$56.00
(5)	For a basic examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act to be carried out by an authorised officer at Transport Department premises	$56.00
(6)	For a basic examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act to be carried out by an authorised officer at a site other than Transport Department premises—	
	(a) fee for call out (per site visit)—$184.00; plus	
	(b) fee for examination (per vehicle)—$56.00.	
(7)	For a comprehensive examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act to be carried out by an authorised officer	$253.00 plus a booking fee of $22.00
(8)	For a further examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act following a comprehensive examination referred to in subclause (7), to be carried out by an authorised officer	$32.00 plus a booking fee of $22.00
(9)	A fee for an examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act must be paid—	
	(a) in the case of a fee specified in subclause (3), (5) or (6)(b)—on the registration of the vehicle; or	
	(b) in the case of a fee specified in subclause (4), (6)(a), (7) or (8)—prior to the examination.	
(10)	If more than 1 fee becomes payable under subclauses (1) to (7) (inclusive) in respect of the examination of the same motor vehicle, only the higher or highest fee (as the case may be) must be paid.	
(11)	A fee for an examination referred to in this clause to be carried out by a police officer must be paid to the South Australian Police Department.	

40—Application for review of decision of Registrar

Administration fee payable on application for a review under section 98Z of the Act	level 3 fee

41—Dishonoured cheque or debit card or credit card transactions

Administration fee payable under section 138B of the Act	level 3 fee

42—Fees payable by insurer for emergency treatment

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.

43—Fees payable in connection with service of notices of disqualification

(1)	Administration fee payable under section 139BD of the Act	$27.00
(2)	Service fee payable under section 139BD of the Act	$100.00

Part 2—Fees under Commonwealth *Interstate Road Transport Act 1985*

44—Interpretation

In this Part—

level 1 fee means an administration fee of $7.00;

level 2 fee means an administration fee of $17.00;

level 3 fee means an administration fee of $22.00.

45—Administration fees

(1)	Administration fee (payable in addition to the registration charge imposed by Commonwealth law) (section 9(1)(a))—		
	(a)	for registration	level 3 fee
	(b)	for renewal of registration	level 1 fee
(2)	Administration fee to accompany notice surrendering registration (section 12(2))		level 2 fee

Schedule 2—Classification of driver's licences

1—Classification of licences

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

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

(3) 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 below; and

(b) has passed a practical driving test approved by the Registrar,

in respect of that classification.

(4) 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 below in respect of that classification if—

(a) the applicant is of or over the age of 17 years and 6 months; and

(b) the Registrar is satisfied that—

(i) by reason of the applicant having undertaken the driver training course known as the "Training In Lieu of Experience" ("TILE") course or some other driver training course approved by the Registrar; or

(ii) for some other reason,

special circumstances exist for doing so.

1—Licence class	2—Motor vehicles authorised to be driven		3—Minimum driving experience
C	1	A motor vehicle with a GVM not greater than 4.5 t but not including— (a) a bus; or (b) a motor bike or motor trike.	Nil.
	2	A motor vehicle included in 1 towing a single trailer, subject to the combination mass limits fixed under the *Road Traffic Act 1961*.	

1—Licence class	2—Motor vehicles authorised to be driven		3—Minimum driving experience
LR	1	A motor vehicle authorised to be driven by a licence of the preceding class.	The applicant must have held a driver's licence endorsed with the classification C for at least 1 year.
	2	A motor vehicle with a GVM greater than 4.5 t but not greater than 8 t.	
	3	A bus with a GVM not greater than 8 t.	
	4	A motor vehicle included in 2 or 3 towing a single trailer, subject to the combination mass limits fixed under the *Road Traffic Act 1961*.	
MR	1	A motor vehicle authorised to be driven by a licence of a preceding class.	The applicant must have held a driver's licence endorsed with the classification C for at least 1 year.
	2	A motor vehicle with 2 axles and a GVM greater than 8 t.	
	3	A motor vehicle included in 2 towing a single trailer (other than a semi-trailer) with a GVM not greater than 9 t, subject to the combination mass limits fixed under the *Road Traffic Act 1961*.	
	4	A special purpose vehicle with a GVM not greater than 15 t.	
HR	1	A motor vehicle authorised to be driven by a licence of a preceding class.	The applicant must have held— (a) a driver's licence endorsed with the classification C for at least 2 years; or (b) a driver's licence endorsed with the classification LR or MR for at least 1 year.
	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 t.	
	3	A motor vehicle included in 2 towing a single trailer (other than a semi-trailer) with a GVM not greater than 9 t, subject to the combination mass limits fixed under the *Road Traffic Act 1961*.	
HC	1	A motor vehicle authorised to be driven by a licence of a preceding class.	The applicant must have held a driver's licence endorsed with the classification MR or HR for at least 1 year.
	2	A prime mover to which is attached a single semi-trailer (whether or not any unladen converter dolly or low loader dolly is also attached).	
	3	A rigid motor vehicle to which is attached a single trailer with a GVM greater than 9 t (whether or not any unladen converter dolly or low loader dolly is also attached).	
MC	1	Any motor vehicle or combination of motor vehicles except a motor bike or motor trike.	The applicant must have held a driver's licence endorsed with the classification HC or HR for at least 1 year.

1—Licence class	2—Motor vehicles authorised to be driven		3—Minimum driving experience
R-DATE	1	A motor bike or motor trike that— (a) has an engine capacity not exceeding 660 mL and a power to weight ratio not exceeding 150 kW per tonne; and (b) is of a kind approved from time to time by the Registrar by notice in the Gazette.	Nil.
R	1	Any motor bike or motor trike.	The applicant must have held a driver's licence endorsed with the classification R-DATE for at least 1 year.

Schedule 3—Conditions of driver's licences and learner's permits

1—Endorsement of conditions of licences and permits

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".

1—Condition	2—Letter
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 is permitted to drive only a motor bike or motor trike that— (a) has an engine capacity not exceeding 660 mL and a power to weight ratio not exceeding 150 kW per tonne; and (b) is of a kind approved from time to time by the Registrar by notice in the Gazette.	E
The holder of the permit is permitted to drive only a motor bike or motor trike that— (a) has an engine capacity not exceeding 660 mL and a power to weight ratio not exceeding 150 kW per tonne; and (b) is of a kind approved from time to time by the Registrar by notice in the Gazette.	R-DATE
The holder of the licence or permit is permitted to drive only a motor vehicle fitted with an alcohol interlock.	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

1—Condition	2—Letter
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

Schedule 4—Demerit points

Part 1—Demerit points within the national scheme

1—Offences against *Road Traffic Act 1961*

Section	Description of offence against *Road Traffic Act 1961*	Demerit points
40I(2)	*Engaging in conduct in contravention of direction of authorised officer or police officer to move vehicle to specified location*	3
40J(3)	*Engaging in conduct in contravention of direction of authorised officer or police officer to move vehicle or do anything else reasonably required by officer to avoid causing harm or obstruction*	3
79B(2)	*Being the owner of a vehicle that appears from evidence obtained through the operation of a photographic detection device to have been involved in the commission of a prescribed offence*	
	Contravention where the owner is a natural person and the prescribed offence in which the vehicle appears to have been involved is an offence against 1 of the following *Australian Road Rules*:	
	r 20—*Speeding*	
	Exceeding applicable speed limit on length of road—	
	by less than 15 km/h	1
	by 15 km/h or more but less than 30 km/h	3
	by 30 km/h or more	4
	r 56(1)—*Failing to stop for red traffic light*	3
	r 56(2)—*Failing to stop for red traffic arrow*	3
	r 59(1)—*Proceeding through red traffic light*	3
	r 60—*Proceeding through red traffic arrow*	3
	r 123(a)—*Entering level crossing while warning lights are operating*	3
82(1)	*Speeding*	
	Exceeding speed limit while passing school bus—	
	by less than 15 km/h	1
	by 15 km/h or more but less than 30 km/h	3
	by 30 km/h or more	4
91(3)	*Failing to comply with direction of ferry operator*	3
164A(1)	*Contravening or failing to comply with provision of Act*	
	Contravention of or failure to comply with—	
	s 45—*Driving without due care or attention etc*	3
	s 83(1)(a)—*Speeding while passing emergency vehicle*	
	Exceeding 40 km/h while passing an emergency vehicle—	
	by less than 15 km/h	1
	by 15 km/h or more but less than 30 km/h	3

Section	Description of offence against *Road Traffic Act 1961*	Demerit points
	by 30 km/h or more	4
	s 83(1)(b)—*Speeding while passing emergency vehicle*	
	Exceeding lesser speed required to avoid endangering person while passing an emergency vehicle	3
	s 145(6)—*Driving contrary to terms of defect notice*	3

2—Offences against *Australian Road Rules*

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

Rule	Description of offence against *Australian Road Rules*	Demerit points
57(2)	*Failing to stop for yellow traffic arrow*	3
59(1)	*Proceeding through red traffic light*	3
60	*Proceeding through red traffic arrow*	3
61(2)	*Failing to stop at intersection when traffic lights or arrows change to yellow or red*	3
62(1)	*Failing to give way when turning at intersection with traffic lights*	3
63(2)	*Failing to give way at intersection with traffic lights not operating or only partly operating—where traffic light-stop sign*	3
63(3)	*Failing to give way at intersection with traffic lights not operating or only partly operating—where no traffic light-stop sign*	3
64	*Failing to give way at flashing yellow traffic arrow at intersection*	3
65(2)	*Failing to give way at marked foot crossing (except at intersection) with flashing yellow traffic light*	3
66(1)	*Failing to stop for twin red lights (except at level crossing)*	3
66(4)	*Proceeding after stopping for twin red lights (except at level crossing)*	3
67(1)	*Failing to stop and give way at stop sign or stop line at intersection without traffic lights*	3
68(1)	*Failing to stop and give way at stop sign or stop line at other place*	3
69(1)	*Failing to give way at give way sign or give way line at intersection (except roundabout)*	3
70	*Failing to give way at give way sign at bridge or length of narrow road*	3
71(1)	*Failing to give way at give way sign or give way line at other place*	3
72(1)	*Failing to give way at intersection (except T-intersection or roundabout)*	3
73(1)	*Failing to give way at T-intersection*	3
74(1)	*Failing to give way when entering road from road-related area or adjacent land*	3
75(1)	*Failing to give way when entering road-related area or adjacent land from road*	3
76(1)	*Moving into path of tram travelling in tram lane etc*	3
76(2)	*Failing to move out of path of tram travelling in tram lane etc*	3
77(1)	*Failing to give way to bus*	3
78(1)	*Moving into path of police or emergency vehicle*	3
78(2)	*Failing to move out of path of police or emergency vehicle*	3
79(1)	*Failing to give way to police or emergency vehicle*	3
80(1)	*Driving near children's crossing at speed at which driver cannot stop safely*	3
80(2)	*Failing to stop at children's crossing*	3
80(3)	*Failing to obey hand-held stop sign at children's crossing*	3
80(4)	*Proceeding while pedestrian on children's crossing*	3
81(1)	*Driving near pedestrian crossing at speed at which driver cannot stop safely*	3

Rule	Description of offence against *Australian Road Rules*	Demerit points
81(2)	*Failing to give way at pedestrian crossing*	3
82	*Overtaking or passing vehicle at children's crossing or pedestrian crossing*	3
83	*Failing to give way to pedestrian in shared zone*	3
84(1)	*Failing to give way when driving through break in dividing strip*	3
85	*Failing to give way on painted island*	3
86(1)	*Failing to give way in median turning bays*	3
87(1)	*Failing to give way when moving from side of road*	3
87(3)	*Failing to give way when moving from median strip parking area*	3
88(1)	*Failing to turn left at intersection with "left turn only" sign*	2
88(2)	*Failing to turn left when in left lane at intersection with "left lane must turn left" sign*	2
89(1)	*Failing to turn right at intersection with "right turn only" sign*	2
89(2)	*Failing to turn right when in right lane at intersection with "right lane must turn right" sign*	2
90	*Turning at intersection with "no turn" sign*	2
91(1)	*Turning left at intersection or other place with "no left turn" sign*	2
91(2)	*Turning at intersection or other place with "no right turn" sign*	2
93(1)	*Driving or overtaking on bridge or length of road where "no overtaking or passing" sign applies*	2
94	*Overtaking on bridge with "no overtaking on bridge" sign*	2
101(1)	*Failing to stop before hand-held stop sign*	3
101(2)	*Proceeding after stopping for hand-held stop sign*	3
112(2)	*Failing to give required left change of direction signal before entering roundabout*	2
112(3)	*Failing to continue left change of direction signal while on roundabout*	2
113(2)	*Failing to give required right change of direction signal before entering roundabout*	2
113(3)	*Failing to continue right change of direction signal while in roundabout*	2
114(1)	*Failing to give way when entering roundabout*	3
114(2)	*Failing to give way to tram when driving in roundabout*	3
115(1)	*Failing to drive in roundabout to left of central traffic island*	2
117(1)	*Failing to give left change of direction signal when changing marked lanes or lines of traffic in roundabout*	2
117(2)	*Failing to give right change of direction signal when changing marked lanes or lines of traffic in roundabout*	2
118(1)	*Failing to give left change of direction signal when leaving roundabout*	2
121	*Failing to stop and give way at stop sign at level crossing*	3
122	*Failing to give way at give way sign or give way line at level crossing*	3
123	*Entering level crossing when train or tram approaching etc*	3

Rule	Description of offence against *Australian Road Rules*	Demerit points
126	*Failing to keep safe distance behind other vehicle*	1
127(1)	*Failing to keep required minimum distance behind long vehicle*	1
129(1)	*Failing to keep to far left side of road*	2
130(2)	*Driving in right lane on certain multi-lane roads*	2
131	*Failing to keep to left of oncoming vehicle*	2
132(1)	*Failing to keep to left of centre of road*	2
132(2)	*Failing to keep to left of dividing line—*	
	if dividing line is formed by 2 parallel continuous lines	3
	if dividing line is any other dividing line	2
135(1)	*Failing to keep to left of median strip*	3
140	*Overtaking when not safe to do so*	2
141(1)	*Driver overtaking to left of other vehicle*	2
142(1)	*Overtaking to right of vehicle turning right*	2
143(1)	*Passing or overtaking to left of turning left vehicle displaying "do not overtake turning vehicle" sign*	2
143(1A)	*Passing or overtaking to left of vehicle displaying "do not overtake turning vehicle" sign*	2
143(2)	*Passing or overtaking to right of turning right vehicle displaying "do not overtake turning vehicle" sign*	2
144	*Failing to keep safe distance when overtaking*	2
148(1)	*Failing to give way when moving from one marked lane to another marked lane*	3
148(2)	*Failing to give way when moving from one line of traffic to another line of traffic*	3
149	*Failing to give way when lines of traffic merge into single line of traffic*	3
152(1)	*Driving in marked lane to which overhead lane control device applies—failing to comply with rule*	3
155(1)	*Driving in tram lane*	3
160(2)	*Passing or overtaking to right of tram not at or near far left side of road*	2
160(3)	*Passing or overtaking left turning etc tram not at or near far left side of road*	2
161(2)	*Passing or overtaking to left of tram at or near the left side of road*	2
161(3)	*Passing or overtaking tram turning right or giving right change of direction signal*	2
162(1)	*Driving past safety zone*	3
163(1)	*Driving past rear of stopped tram*	3
164(1)	*Failing to give way to pedestrians crossing road near stopped tram*	3
215(1)	*Failing to use lights when driving at night or in hazardous weather conditions*	1

Rule	Description of offence against *Australian Road Rules*	Demerit points
216(1)	*Failing to use lights when towing vehicle at night or in hazardous weather conditions*	1
218(1)	*Using headlights on high-beam*	1
219	*Using lights to dazzle other road users*	1
264(1)	*Failing to wear seatbelt—driver*	3
266(1)	*Failing to ensure passengers under 16 years old are restrained and seated in accordance with rule—*	
	(a) driver who is a person referred to in section 98BI(1)(a)(i) or (ii) of the *Motor Vehicles Act 1959*	3
	(b) all other drivers	see clause 5
270(1)	*Riding motor bike without wearing helmet or with passenger not wearing helmet*	3
281	*Failing to stop for red B light—bus driver*	3
282	*Failing to stop for yellow B light—bus driver*	3
284	*Proceeding after stopping for red or yellow B light—bus driver*	3
286(2)	*Proceeding when white B light or white traffic arrow no longer showing—bus driver proceeding before entering intersection*	3
286(3)	*Proceeding when white B light or white traffic arrow no longer showing—bus driver failing to leave intersection*	3
288(4)	*Driving on path—failing to give way*	3
289(2)	*Driving on nature strip—failing to give way*	3
300(1)	*Using mobile phone while driving vehicle*	3
304(1)	*Failing to obey direction of police officer or authorised person*	3

3—Offences against *Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008*

Regulation	Description of offence against *Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008*	Demerit points
6(1)	*Driving while fatigued*	3
16(3)	*Failing to comply with regulation 16(3)—standard hours for solo drivers*:	
	severe risk offence	3
	critical risk offence	4
17(3)	*Failing to comply with regulation 17(3)—standard hours for solo drivers (buses)*:	
	severe risk offence	3
	critical risk offence	4
19(3)	*Failing to comply with regulation 19(3)—standard hours for two-up drivers*:	
	severe risk offence	3
	critical risk offence	4

Regulation	Description of offence against *Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008*	Demerit points
21(3)	*Failing to comply with regulation 21(3)—solo drivers under BFM accreditation*:	
	severe risk offence	3
	critical risk offence	4
23(3)	*Failing to comply with regulation 23(3)—two-up drivers under BFM accreditation*:	
	severe risk offence	3
	critical risk offence	4
24(3)	*Failing to comply with regulation 24(3)—drivers under AFM accreditation*:	
	severe risk offence	3
	critical risk offence	4
25(3)	*Failing to comply with regulation 25(3)—offences related to AFM outer limits*:	
	severe risk offence	3
	critical risk offence	4
62(2)	*Failing to comply with regulation 62(2)—offences relating to work time and rest time under work/rest hours exemption*:	
	severe risk offence	3
	critical risk offence	4

Part 2—Demerit points peculiar to South Australia

4—Offences against *Road Traffic Act 1961*

Section	Description of offence against *Road Traffic Act 1961*	Demerit points
40H(5)	*Engaging in conduct in contravention of direction of authorised officer or police officer to stop vehicle, or not move it, or not interfere with vehicle or its equipment or load*	3
43(1)	*Failing to stop and give assistance immediately after accident involving injury or death*	5
44B(3)	*Misuse of motor vehicle*	4
45A	*Excessive speed*	6
46(1)	*Driving recklessly or at speed or in manner dangerous to public*	6
47(1)	*Driving or attempting to put vehicle in motion while under influence of liquor or drug*	6
47B(1)	*Driving whilst having prescribed concentration of alcohol in blood*:	
	Contravention involving less than 0.08 g of alcohol in 100 mL of blood	4
	Contravention involving 0.08 g or more but less than 0.15 g of alcohol in 100 mL of blood	5
	Contravention involving 0.15 g or more of alcohol in 100 mL of blood	6
47BA(1)	*Driving while a prescribed drug is in oral fluid or blood*	4

Section	Description of offence against *Road Traffic Act 1961*	Demerit points
47E(3)	*Refusing or failing to comply with direction of police officer in relation to alcotest or breath analysis*	6
47EAA(9)	*Refusing or failing to comply with direction of police officer in relation to drug screening test, oral fluid analysis or blood test*	6
47I(14)	*Refusing or failing to comply with request to submit to taking of sample of blood*	6
79B(2)	*Being the owner of a vehicle that appears from evidence obtained through the operation of a photographic detection device to have been involved in the commission of a prescribed offence*	
	Contravention where the owner is a natural person and the prescribed offence in which the vehicle appears to have been involved is an offence against 1 of the following provisions of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999*:	
	r 9A(1)—*Speeding while driving road train*	
	Exceeding prescribed speed limit (road trains)—	
	by less than 15 km/h	1
	by 15 km/h or more but less than 30 km/h	3
	by 30 km/h or more	4
	r 9A(2)—*Speeding while driving road train*	
	Exceeding 40 km/h speed limit—	
	by less than 15 km/h	1
	by 15 km/h or more but less than 30 km/h	3
	by 30 km/h or more	4
164A(1)	*Contravening or failing to comply with provision of Act*	
	Contravention of or failure to comply with—	
	s 110—*Failing to keep whole of vehicle on sealed surface when driving on sealed road*	3

5—Offences against *Australian Road Rules*

Rule	Description of offence against *Australian Road Rules*	Demerit points
28(1A)	*Failing to use slip lane when starting left turn on multi-lane road*	2
28(2A)	*Bicycle rider starting left turn on multi-lane road from incorrect position in bicycle storage area*	2
32(2A)	*Bicycle rider starting right turn on multi-lane road from incorrect position in bicycle storage area*	2
46(4)	*Failing to stop giving left change of direction signal after turning left*	2
48(4)	*Failing to stop giving right change of direction signal after turning right*	2
51	*Using direction indicator lights when not permitted*	2
57(3)	*Failing to leave intersection showing yellow traffic light or arrow*	3
60A(1)	*Proceeding through bicycle storage area before red traffic light*	3

Rule	Description of offence against *Australian Road Rules*	Demerit points
60A(2)	*Proceeding through bicycle storage area before red traffic arrow*	3
61(5)	*Failing to leave intersection when traffic lights or arrows change to yellow or red*	3
92(1)	*Failing to drive in direction indicated by traffic lane arrows*	3
95(1)	*Driving in emergency stopping lane*	3
96(1)	*Stopping on area of road marked with keep clear marking*	3
97(1)	*Driving on length of road where "road access" sign applies*	3
98(1)	*Driving in wrong direction on length of road where "one-way" sign applies*	3
99(1)	*Failing to drive to left of "keep left" sign*	3
99(2)	*Failing to drive to right of "keep right" sign*	3
100	*Driving past "no entry" sign*	3
101A(1)	*Driving on safety ramp or arrester bed*	3
102(1)	*Driving past "clearance" or "low clearance" sign*	3
103(1)	*Driving past "bridge load limit (gross mass)" or "gross load limit" sign—vehicle exceeding gross mass indicated by sign*	3
103(2)	*Driving past "bridge load limit (mass per axle group)" sign—vehicle axle group carrying mass exceeding mass indicated by sign*	3
104(1)	*Driving past "no trucks" sign—vehicle GVM exceeding permitted mass*	3
104(2)	*Driving truck past "no trucks" sign—vehicle or combination exceeding permitted length*	3
104(3)	*Driving truck past "no trucks" sign where no mass or length indicated*	3
105	*Failing to enter area indicated by "trucks must enter" sign*	3
106(1)	*Driving bus past "no buses" sign—bus exceeding mass indicated by sign*	3
106(2)	*Driving bus past "no buses" sign—bus exceeding length indicated by sign*	3
106(3)	*Driving bus past "no buses sign" where no mass or length indicated*	3
107	*Failing to enter area indicated by "buses must enter" sign*	3
108(1)	*Failing to drive truck or bus in low gear on length of road where "trucks and buses low gear" sign applies*	3
111(1)	*Failing to enter roundabout from multi-lane road or road with 2 or more lines of traffic travelling in same direction correctly*	3
116	*Failing to obey traffic lane arrows when driving in or leaving roundabout*	3
118(2)	*Failing to stop left change of direction signal after leaving roundabout*	2
119	*Failing to give way by rider of bicycle or animal to vehicle leaving roundabout*	3
124	*Failing to leave level crossing as soon as safe to do so*	3
128	*Entering blocked intersection*	3
128A	*Entering blocked crossing*	3
132(2A)	*Making U-turn across certain dividing lines*	3
136	*Driving in wrong direction on one-way service road*	2

Rule	Description of offence against *Australian Road Rules*	Demerit points
141(2)	*Bicycle rider overtaking to left of vehicle turning left*	2
145	*Increasing speed while being overtaken*	2
146(1)	*Failing to drive within single marked lane*	3
146(2)	*Failing to drive within single line of traffic*	3
148A	*Failing to give way when diverging left or right within marked lane*	3
151(1)	*Riding motor bike or bicycle alongside more than 1 other rider on non multi-lane road*	3
151(2)	*Riding motor bike or bicycle alongside more than 1 other rider in marked lane*	3
151(4)	*Riding motor bike or bicycle more than 1.5 m from another rider*	3
155A(1)	*Driving in tramway*	3
247A(1)	*Bicycle rider failing to enter bicycle storage area correctly at intersection with red traffic light or arrow*	2
247B(1)	*Bicycle rider failing to give way when entering bicycle storage area*	3
247B(2)	*Bicycle rider in bicycle storage area on multi-lane road failing to give way to motor vehicles in certain lanes when traffic lights are green or yellow*	3
260(1)	*Failing to stop bicycle for red bicycle crossing light*	3
260(2)	*Proceeding after stopping for red bicycle crossing light—proceeding before light changes etc*	3
261(1)	*Failing to stop bicycle for yellow bicycle crossing light*	3
262(1)	*Bicycle rider proceeding when bicycle crossing lights change—failing to cross in accordance with rule*	3
265(1)	*Failing to wear seatbelt, and be seated, in accordance with rule—passenger 16 years old, or older*	3
265(3)	*Failing to ensure passengers 16 years old or older are wearing seatbelts, and are seated, in accordance with rule—*	
	failure in relation to 1 such passenger	3
	failure in relation to more than 1 such passenger	5
266(1)	*Failing to ensure passengers under 16 years old are restrained and seated in accordance with rule—*	
	driver who is a person referred to in section 98BI(1)(a)(i) or (ii) of the *Motor Vehicles Act 1959*	see clause 2
	all other drivers—	
	(a) failure in relation to 1 such passenger	3
	(b) failure in relation to more than 1 such passenger	5
268(1)	*Travelling in or on part of motor vehicle not designed primarily for carriage of passengers or goods*	3
268(2)	*Travelling in or on part of motor vehicle designed primarily for carriage of goods unless enclosed and seatbelt fitted*	3
268(3)	*Travelling in or on motor vehicle with part of body outside window or door*	3

Rule	Description of offence against *Australian Road Rules*	Demerit points
268(4)	*Driving motor vehicle with part of passenger's body outside window or door*	3
268(4A)	*Driving motor vehicle with passenger in or on part of vehicle not designed primarily for carriage of passengers or goods*	3
268(4B)	*Driving motor vehicle with passenger in or on part of vehicle designed primarily for carriage of goods unless enclosed and seatbelt fitted*	3
269(3)	*Creating hazard by opening door of vehicle, leaving door open etc*	3
270(2)	*Passenger on motor bike failing to wear helmet*	3
274	*Failing to stop for red T light—tram driver*	3
275	*Failing to stop for yellow T light—tram driver*	3
277	*Proceeding after stopping for red or yellow T light—tram driver*	3
279(2)	*Proceeding when white T light or white traffic arrow no longer showing—tram driver proceeding before entering intersection*	3
279(3)	*Proceeding when white T light or white traffic arrow no longer showing—tram driver failing to leave intersection*	3
287(1)	*Driver involved in crash failing to give required particulars*	3
288(1)	*Driving on path*	3
289(1)	*Driving on nature strip*	3
292	*Driving or towing vehicle carrying insecure or overhanging load*	3
298	*Driving motor vehicle towing trailer with person in trailer*	3

6—Offences against *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999*

Regulation	Description of offence against *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999*	Demerit points
9A(1)	*Speeding while driving road train*	
	Exceeding prescribed speed limit (road trains)—	
	by less than 15 km/h	1
	by 15 km/h or more but less than 30 km/h	3
	by 30 km/h or more	4
9A(2)	*Speeding while driving road train*	
	Exceeding 40 km/h speed limit—	
	by less than 15 km/h	1
	by 15 km/h or more but less than 30 km/h	3
	by 30 km/h or more	4
33(1)	*Learner or P1 driver using mobile phone while driving vehicle*	3

7—Offences against *Motor Vehicles Act 1959*

Section	Description of offence against *Motor Vehicles Act 1959*	Demerit points
75A(15)(a)	*Holder of learner's permit driving motor bike on road while no L plate affixed to bike in accordance with regulations*	2
75A(15)(b)	*Holder of learner's permit driving motor vehicle (other than motor bike) on road while L plates not affixed to vehicle in accordance with regulations*	
	no L plates affixed to vehicle in accordance with regulations	2
81A(15)(a)	*Holder of P1 licence driving motor bike on road while no P plate affixed to bike in accordance with regulations*	2
81A(15)(b)	*Holder of P1 licence driving motor vehicle (other than motor bike) on road while P plates not affixed to vehicle in accordance with regulations*	
	no P plates affixed to vehicle in accordance with regulations	2
81A(16)	*Holder of P1 or P2 licence under the age of 25 years driving high powered vehicle*	3

Schedule 5—Expiation fees

1—Offences against *Motor Vehicles Act 1959*

Section	Description of offence against *Motor Vehicles Act 1959*	Fee
9(1)	*Driving unregistered motor vehicle on road or causing unregistered motor vehicle to stand on road*	$315
9(3)	*Being owner of unregistered motor vehicle driven or found standing on road*	$315
16(9)	*Driving motor vehicle without carrying permit under section 16 of Act*	$115
16(11)	*Contravening condition of permit under section 16 of Act*	$96
43A(3)	*Causing or permitting unregistered heavy vehicle to be driven on road*	$315
43A(7)	*Failing to carry temporary configuration certificate in vehicle or to produce it for inspection by police officer or authorised officer*	$47
47(1)	*Driving, or causing to stand, motor vehicle not bearing number plates*	$582
47(1a)	*Being registered owner or registered operator of motor vehicle driven, or caused to stand, in contravention of section 47(1) of Act*	$582
47A(7)	*Driving motor vehicle to which is attached number plates in respect of which a declaration under section 47A(2) of Act has been made without relevant agreement under section 47A(4)*	$582
47B(2)	*Selling or supplying number plates without approval of Minister*	$582
47C(3)	*Failing to comply with direction of Registrar under section 47C(2) of Act to return number plates*	$263
47D(1)(a)	*Driving, or causing to stand, motor vehicle to which is attached number plate bearing number other than number allotted to vehicle*	$582
47D(1)(b)	*Driving, or causing to stand, motor vehicle to which is attached number plate altered, defaced, mutilated or added to*	$582
47D(1)(c)	*Driving, or causing to stand, motor vehicle to which is attached colourable imitation of number plate*	$582
47D(1)(d)	*Without lawful excuse, having in possession number plate or article resembling number plate*	$582
47D(2)	*Being registered owner or registered operator of motor vehicle driven, or caused to stand, in contravention of section 47D(1) of Act*	$582
48(3)	*Driving, or causing to stand, registered heavy vehicle not carrying registration label (or amended registration label) issued for vehicle or carrying registration label not in conformity with section 48 of Act or these regulations*	$115
48(3a)	*Being registered owner or registered operator of heavy vehicle driven, or caused to stand, in contravention of section 48(3) of Act*	$115

Section	Description of offence against *Motor Vehicles Act 1959*	Fee
53(1)(a)	*Driving, or causing to stand, motor vehicle on which is affixed registration label, or in which is carried permit, no longer in force or issued in respect of another vehicle*	$112
53(1)(b)	*Driving, or causing to stand, motor vehicle on which is affixed registration label, or in which is carried permit, that has been altered, defaced, mutilated or added to*	$112
53(1)(c)	*Driving, or causing to stand, motor vehicle on which is affixed colourable imitation of registration label or in which is carried colourable imitation of permit*	$112
53(1)(d)	*Without lawful excuse, having in possession registration label, permit or article resembling registration label or permit*	$112
53(1a)	*Being registered owner or registered operator of motor vehicle driven, or caused to stand, in contravention of section 53(1) of Act*	$112
56(b)(ii)	*Failing to lodge notice of transfer of ownership of motor vehicle within 14 days after transfer*	$220
66(2)	*If motor vehicle to which trade plates are affixed is driven other than for a prescribed purpose stated in application for issue of the plates, being driver or person to whom plates were issued*	$112
71B(2)	*Failure by person to whom replacement number plate, trade plate or prescribed document or duplicate registration label issued to return found or recovered original plate, document or label to Registrar*	$112
72A(2)	*Acting as qualified supervising driver while having prescribed concentration of alcohol in blood or prescribed drug in oral fluid or blood*	$228
74(1)	*Driving motor vehicle without currently holding appropriate licence or learner's permit*	$400
75A(14)	*Contravening condition of learner's permit*	$307
75A(15)(a)	*Holder of learner's permit driving motor bike on road while no L plate affixed to bike in accordance with regulations*	$307
75A(15)(b)	*Holder of learner's permit driving motor vehicle (other than motor bike) on road while L plates not affixed to vehicle in accordance with regulations—*	
	only 1 L plate affixed to vehicle in accordance with regulations	$179
	no L plates affixed to vehicle in accordance with regulations	$307
81(4)	*Contravening condition endorsed on licence or permit under section 81 of Act*	$307
81A(13)	*Contravening condition of provisional licence*	$307
81A(15)(a)	*Holder of P1 licence driving motor bike on road while no P plate affixed to bike in accordance with regulations*	$307

Section	Description of offence against *Motor Vehicles Act 1959*	Fee
81A(15)(b)	*Holder of P1 licence driving motor vehicle (other than motor bike) on road while P plates not affixed to vehicle in accordance with regulations—*	
	only 1 P plate affixed to vehicle in accordance with regulations	$179
	no P plates affixed to vehicle in accordance with regulations	$307
81A(16)	*Holder of P1 or P2 licence under the age of 25 years driving a high powered vehicle*	$307
81AB(5)	*Contravening condition of probationary licence*	$307
81B(3)	*Failing to comply with requirement made by Registrar*	
	failure to attend lecture	$98
96(1)	*Failing to produce licence or learner's permit on request of police officer*	$165
97A(3)	*Failing to carry or produce licence while driving under section 97A of Act*	$165
98AAA(1)	*Failing to carry or produce licence while driving heavy vehicle*	$165
98AAB	*Failing to carry or produce probationary licence, provisional licence or learner's permit while driving*	$165
102(1)	*Driving uninsured motor vehicle on road or causing uninsured motor vehicle to stand on road*	$582
102(2)	*Being owner of uninsured motor vehicle driven or found standing on road*	$582
136(1)	*Failing to notify Registrar of change of name or residence of natural person who is registered owner or registered operator of motor vehicle or holds licence or learner's permit*	$162
136(2)	*Failing to notify Registrar of change of name or principal place of business of natural person who holds trade plates*	$162
136(2a)	*Failing to notify Registrar of change of principal place of business of body corporate that is registered owner or registered operator of motor vehicle or holds trade plates*	$162
136(2b)	*Failing to notify Registrar of change of garage address of motor vehicle*	$162
136(2c)	*Failing to notify Registrar of change of registered operator of motor vehicle*	$162
136(2d)	*Failing to notify Registrar of change of postal address*	$162
143(1)	*Causing or permitting another person to do or omit to do anything in contravention of Act or regulations*	
	causing or permitting commission of expiable offence	the expiation fee prescribed for the expiable offence

2—Offences against these regulations

Regulation	Description of offence against these regulations	Fee
36(1)	*Driving motor vehicle on road while number plate or trade plate obscured or distorted by device or substance*	$400
36(4)	*Driving motor vehicle on road while number plate on bike rack obscured or distorted by device or substance*	$400
55E	*Failing to carry or produce certificate of exemption while driving a high powered vehicle*	$179
74(7)	*Contravening or failing to comply with requirements of regulation concerning written-off vehicle notices or notification*	
	alleged offence not committed in the course of a trade or business	$266
75(1)	*Driving written-off vehicle to or from place other than place specified in regulation*	
	alleged offence not committed in the course of a trade or business	$266

Schedule 6—Transitional provisions

Part 2—Transitional provisions

2—Transitional provision relating to licence classifications

(1) A licence in force immediately before 1 November 1998 that is endorsed with 1 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.

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.

3—Transitional provision relating to licence conditions

(1) A licence or learner's permit in force immediately before 1 November 1998 that is endorsed with 1 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

1—Old condition	2—Corresponding new condition
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.

4—Transitional provisions relating to certain licences

(1) A person who, immediately before 14 November 2005, was the holder of a driver's licence endorsed with the classification R-DATE is authorised, while the holder of that licence, to drive—

(a) a motor bike or motor trike that has an engine capacity not exceeding 250 millilitres; or

(b) a motor bike or motor trike that—

(i) has an engine capacity not exceeding 660 millilitres and a power to weight ratio not exceeding 150 kilowatts per tonne; and

(ii) is of a kind approved from time to time by the Registrar by notice in the Gazette.

(2) A person who, immediately before 14 November 2005, was the holder of a learner's permit endorsed with the letters "R-DATE" is authorised, while the holder of a driver's licence endorsed with the classification R-DATE, to drive a motor bike or motor trike of a kind referred to in subclause (1).

(3) A person who, immediately before 14 November 2005, was the holder of a driver's licence subject to a condition endorsed on the licence with the letter "E", is authorised, while the holder of that licence, to drive a motor bike or motor trike of a kind referred to in subclause (1).

(4) A person who, immediately before 14 November 2005, was the holder of a learner's permit endorsed with the letters "R-DATE", is authorised, while the holder of that permit, to drive a motor bike or motor trike of a kind referred to in subclause (1).

Legislative history

Notes

- This version is comprised of the following:

Part 1	1.7.2011
Part 2	1.12.2011
Part 3	1.8.2011
Part 4	14.7.2011
Part 5	10.6.2010
Part 6	14.7.2011
Part 7	1.7.2010
Part 8	1.7.2011
Part 9	30.1.2012
Schedule 1	1.7.2011
Schedule 2	10.6.2010
Schedule 3	10.6.2010
Schedule 4	1.8.2011
Schedule 5	1.7.2011
Schedule 6	14.7.2011

- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of these regulations (historical versions) are listed at the end of the legislative history.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Legislation revoked by principal regulations

The *Motor Vehicles Regulations 2010* revoked the following:

Motor Vehicles Regulations 1996

Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
2010	30	*Gazette 6.5.2010 p1727*	15.5.2010 except Sch 4 cl 5 item relating to r 265(3) of *Australian Road Rules*—1.7.2010: r 2
2010	92	*Gazette 10.6.2010 p2786*	1.7.2010: r 2
2010	94	*Gazette 10.6.2010 p2823*	10.6.2010: r 2
2010	151	*Gazette 17.6.2010 p3098*	1.7.2010: r 2

2010	159	*Gazette 24.6.2010 p3224*	1.7.2010 (r 21(1) comes into operation 1.7.2010 immediately after Sch 4 cl 5 item relating to rule 265(3) of *Australian Road Rules*); rr 4—20, 21(2) & 22—4.9.2010: r 2
2010	202	*Gazette 26.8.2010 p4605*	1.9.2010: r 2
2010	230	*Gazette 25.11.2010 p5406*	25.11.2010: r 2
2010	233	*Gazette 25.11.2010 p5412*	25.11.2010: r 2
2010	254	*Gazette 9.12.2010 p5588*	9.12.2010: r 2
2011	5	*Gazette 27.1.2011 p303*	27.5.2011: r 2
2011	10	*Gazette 27.1.2011 p314*	27.1.2011: r 2
2011	31	*Gazette 29.4.2011 p1292*	1.7.2011: r 2
2011	102	*Gazette 9.6.2011 p2164*	1.7.2011 immediately after 31/2011: r 2
2011	121	*Gazette 9.6.2011 p2273*	9.6.2011: r 2
2011	185	*Gazette 14.7.2011 p3079*	1.8.2011: r 2
2011	186	*Gazette 14.7.2011 p3081*	14.7.2011: r 2
2011	244	*Gazette 1.12.2011 p4763*	1.12.2011: r 2
2011	**277**	***Gazette 15.12.2011 p5054***	**30.1.2012: r 2**

Provisions varied

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
Pt 1		
r 2	*omitted under Legislation Revision and Publication Act 2002*	*25.11.2010*
r 3		
r 3(1)		
current registration details certificate	inserted by 31/2011 r 4(1)	1.7.2011
high powered vehicle exemption	inserted by 159/2010 r 4(1)	4.9.2010
L plate	inserted by 159/2010 r 4(2)	4.9.2010
prescribed event	inserted by 233/2010 r 4	25.11.2010
P plate	inserted by 159/2010 r 4(3)	4.9.2010
registration details certificate	inserted by 31/2011 r 4(2)	1.7.2011
r 3A	inserted by 159/2010 r 5	4.9.2010
Pt 2		
r 7	substituted by 233/2010 r 5	25.11.2010
r 11A	inserted by 31/2011 r 5	1.7.2011
r 12A	inserted by 244/2011 r 4	1.12.2011
r 25		
r 25(3)—(5)	inserted by 244/2011 r 5	1.12.2011

r 27		
r 27(3)	inserted by 244/2011 r 6	1.12.2011
r 29		
r 29(1)	r 29 redesignated as r 29(1) by 233/2010 r 6	25.11.2010
r 29(2) and (3)	inserted by 233/2010 r 6	25.11.2010
r 34	substituted by 31/2011 r 6	1.7.2011
r 35		
r 35(2) and (3)	varied by 31/2011 r 7	1.7.2011
r 35(4)	inserted by 159/2010 r 6	4.9.2010
rr 35A and 35B	inserted by 31/2011 r 8	1.7.2011
r 36		
r 36(1)	varied by 92/2010 r 4(1)	1.7.2010
r 36(4)	varied by 92/2010 r 4(2)	1.7.2010
Pt 3		
r 40	varied by 185/2011 r 4	1.8.2011
Pt 4		
r 47		
r 47(1)	varied by 159/2010 r 7	4.9.2010
r 47A	inserted by 254/2010 r 4	9.12.2010
r 50		
r 50(1)	varied by 159/2010 r 8	4.9.2010
r 51		
r 51(1)	varied by 159/2010 r 9	4.9.2010
r 52	substituted by 159/2010 r 10	4.9.2010
r 53	*deleted by 159/2010 r 10*	*4.9.2010*
r 54	varied by 159/2010 r 11	4.9.2010
r 55		
r 55(1)	varied by 159/2010 r 12	4.9.2010
r 55A	inserted by 159/2010 r 13	4.9.2010
r 55AB	inserted by 254/2010 r 5	9.12.2010
rr 55B—55D	inserted by 159/2010 r 13	4.9.2010
rr 55E—55H	inserted by 254/2010 r 6	9.12.2010
r 56		
r 56(1)	varied by 159/2010 r 14(1)	4.9.2010
r 56(2)	substituted by 159/2010 r 14(2)	4.9.2010
r 56A	inserted by 159/2010 r 15	4.9.2010
	substituted by 186/2011 r 4	14.7.2011
r 57		
r 57(1)	varied by 159/2010 r 16(1), (2)	4.9.2010
r 59	varied by 159/2010 r 17	4.9.2010
Pt 6		
r 69	substituted by 186/2011 r 5	14.7.2011
Pt 7		

r 74		
r 74(7)	varied by 92/2010 r 5	1.7.2010
r 75		
r 75(1)	varied by 92/2010 r 6	1.7.2010
Pt 8		
r 76		
r 76(2)	varied by 159/2010 r 18	4.9.2010
r 76(2a)	inserted by 10/2011 r 4(1)	27.1.2011
	substituted by 31/2011 r 9	1.7.2011
r 76(4)	substituted by 10/2011 r 4(2)	27.1.2011
r 79A	inserted by 151/2010 r 4	1.7.2010
r 83	varied by 159/2010 r 19	4.9.2010
Pt 9		
r 90A	inserted by 31/2011 r 10	1.7.2011
r 93A	inserted by 230/2010 r 4	25.11.2010
r 94A	inserted by 31/2011 r 11	1.7.2011
r 98		
r 98(1)		
registered security interest	***deleted by 277/2011 r 4(1)***	***30.1.2012***
r 98(6)	varied by 10/2011 r 5(1), (2)	27.1.2011
r 98(7)	**varied by 277/2011 r 4(2)**	**30.1.2012**
r 98(8) and (9)	inserted by 10/2011 r 5(3)	27.1.2011
r 99A	inserted by 31/2011 r 12	1.7.2011
r 100		
r 100(1)	varied by 92/2010 r 7	1.7.2010
Sch 1 before substitution by 121/2011	*substituted by 94/2010 r 4*	*10.6.2010*
cl 22A	*inserted by 159/2010 r 20*	*4.9.2010*
cl 42		
cl 42(2)	*varied by 202/2010 r 4*	*1.9.2010*
Sch 1	substituted by 121/2011 r 4	9.6.2011
Sch 1		
cl 6A	inserted by 31/2011 r 13	1.7.2011
Sch 4		
cl 2	varied by 5/2011 r 4(1)—(5)	27.5.2011
cl 4	varied by 185/2011 r 5(1)	1.8.2011
cl 5	varied by 159/2010 r 21(1)	1.7.2010
	varied by 5/2011 r 4(6), (7)	27.5.2011
cl 6	varied by 5/2011 r 4(8)	27.5.2011
	varied by 185/2011 r 5(2)	1.8.2011
cl 7	inserted by 159/2010 r 21(2)	4.9.2010
Sch 5 before substitution by 102/2011	*substituted by 92/2010 r 8*	*1.7.2010*

cl 1	*varied by 159/2010 r 22(1), (2)*	*4.9.2010*
	varied by 254/2010 r 7(1)	*9.12.2010*
	varied by 31/2011 r 14(1)—(5)	*1.7.2011*
cl 2	*varied by 254/2010 r 7(2)*	*9.12.2010*
Sch 5	substituted by 102/2011 r 4	1.7.2011
Sch 6		
Pt 1	*omitted under Legislation Revision and Publication Act 2002*	*14.7.2011*
Pt 2		
cl 4	inserted by 186/2011 r 6	14.7.2011

Transitional etc provisions associated with regulations or variations

Motor Vehicles (Fees) Variation Regulations 2010 (No 94 of 2010)

5—Transitional provision

(1) The fees prescribed in respect of the issue or renewal of a driver's licence or registration of a motor vehicle by Schedule 1 of the *Motor Vehicles Regulations 2010*, as substituted by these regulations, apply where the issue or renewal is to take effect on or after 1 July 2010.

(2) All other fees prescribed in Schedule 1 of the *Motor Vehicles Regulations 2010*, as substituted by these regulations, apply from 1 July 2010.

(3) Despite regulation 4—

(a) the fees prescribed in respect of the issue or renewal of a driver's licence or registration of a motor vehicle by Schedule 1 of the *Motor Vehicles Regulations 2010*, 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 2010; and

(b) all other fees prescribed by Schedule 1 of the *Motor Vehicles Regulations 2010*, as in force immediately before the commencement of these regulations, continue to apply until 1 July 2010.

Motor Vehicles (Fees) Variation Regulations 2011 (No 121 of 2011)

5—Transitional provision

(1) The fees prescribed in respect of the issue or renewal of a driver's licence or registration of a motor vehicle by Schedule 1 of the *Motor Vehicles Regulations 2010*, as substituted by these regulations, apply where the issue or renewal is to take effect on or after 1 July 2011.

(2) All other fees prescribed in Schedule 1 of the *Motor Vehicles Regulations 2010*, as substituted by these regulations, apply from 1 July 2011.

(3) Despite regulation 4—

(a) the fees prescribed in respect of the issue or renewal of a driver's licence or registration of a motor vehicle by Schedule 1 of the *Motor Vehicles Regulations 2010*, 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 2011; and

(b) all other fees prescribed by Schedule 1 of the *Motor Vehicles Regulations 2010*, as in force immediately before the commencement of these regulations, continue to apply until 1 July 2011.

Motor Vehicles Variation Regulations 2011 (No 31 of 2011), Sch 1—Transitional provision

Despite regulation 35B(1)(b) of the *Motor Vehicles Regulations 2010* as inserted by these regulations, during the period of 12 months immediately following the commencement of these regulations, the prescribed documents for the purposes of sections 56, 57(2) and 58(1) of the Act for a motor vehicle other than a heavy vehicle are:

(a) a current certificate of registration or current duplicate certificate of registration issued to the transferor; or

(b) a current registration details certificate issued to the transferor.

Historical versions

10.6.2010

1.7.2010

1.9.2010 (electronic only)

4.9.2010

25.11.2010

9.12.2010

27.1.2011

27.5.2011

9.6.2011

1.7.2011

14.7.2011

1.8.2011

1.12.2011