

South Australia

Road Traffic (Miscellaneous) Regulations 1999

under the *Road Traffic Act 1961*

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Legislative history

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Road Traffic (Miscellaneous) Regulations 1999*.

4—Interpretation

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

the Act means the *Road Traffic Act 1961*;

ADR (Australian Design Rule) means a national standard under the *Motor Vehicle Standards Act 1989* of the Commonwealth, as in force from time to time;

approved courier means a person approved by the Commissioner of Police as a courier for the purposes of Schedule 1 of the Act;

average speed, in relation to a vehicle travelling between 2 average speed camera locations, means the average speed of the vehicle between those locations calculated in accordance with section 175A(4)(b)(ii) of the Act;

average speed camera—see regulation 19AB(3)(a);

average speed camera location has the same meaning as in section 175A of the Act;

average speed camera location offence means—

- (a) an offence against rule 132(2) (Keeping to the left of a dividing line) or rule 150(1) (Driving on or across a continuous white edge line) of the *Australian Road Rules*; or
- (b) an offence against regulation 44(1) of these regulations constituted of a contravention of or failure to comply with regulation 19AD of these regulations (Evasive action in relation to average speed camera); or
- (c) an offence against section 164A(1) of the *Road Traffic Act 1961* constituted of a contravention of or failure to comply with section 110 of the Act (Driving on sealed surface);

B-double means a combination consisting of a prime mover towing 2 semi-trailers where the first semi-trailer is connected to the prime mover by a fifth wheel coupling and the second semi-trailer is connected to the first semi-trailer by a fifth wheel coupling;

bicycle trailer means a trailer built for being towed by a bicycle;

car means a motor vehicle built mainly to carry people that—

- (a) seats not over 9 adults (including the driver); and
- (b) has a body commonly known as a sedan, station wagon, coupe, convertible or roadster; and
- (c) has 4 or more wheels;

car-type utility or *car-type panel van* means a motor vehicle of the kind commonly known as a utility or panel van of the same make as a factory produced car and in which the forward part of the body and the greater part of the mechanical equipment are the same as those in the car;

Central Inspection Authority means the Central Inspection Authority established by Part 4A of the Act;

converter dolly means a trailer with 1 tandem axle group or single axle and a fifth wheel coupling, designed to convert a semi-trailer into a dog trailer;

expiation notice means an expiation notice under the *Expiation of Offences Act 1996*;

expiation reminder notice means an expiation reminder notice under the *Expiation of Offences Act 1996*;

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;

GTM (gross trailer mass) means the maximum loaded mass transmitted to the ground by the axles of a trailer when it is connected to a towing vehicle—

- (a) as specified by the manufacturer; or
- (b) as specified by an Australian Authority if—
 - (i) the manufacturer has not specified a maximum loaded mass transmitted to the ground by the axles of the trailer when connected to a towing vehicle; or
 - (ii) the manufacturer cannot be identified; or
 - (iii) the trailer has been modified to the extent that the manufacturer's specification is no longer appropriate;

prescribed certification mark means the certification mark of—

- (a) Standards Australia; or
- (b) a body accredited under the system established by Australia and New Zealand known as the Joint Accreditation System of Australia and New Zealand;

prescribed part, of a photographic detection device, means—

- (a) a closed-circuit television camera; or
- (b) an induction loop vehicle detector; or
- (c) a piezoelectric traffic sensor; or
- (d) a Variable Speed Limit Sign,

that forms part of the device;

reckless or dangerous driving offence means an offence against section 46(1) of the Act;

recording media—

- (a) in relation to a wet film camera—means a film magazine;
- (b) in relation to a digital or other electronic camera—means any disk, card or other thing used to store electronic records made by the camera;

red light offence means—

- (a) an offence against rule 56(1), 56(2), 59(1) or 60 of the *Australian Road Rules*; or
- (b) an offence against rule 123(a) of the *Australian Road Rules* constituted of entering a level crossing while twin red lights are operating;

registration offence has the same meaning as in Schedule 1 of the *Motor Vehicles Act 1959*;

road train means a combination, other than a B-double, consisting of a motor vehicle towing at least 2 trailers (counting as a single trailer a converter dolly supporting a semi-trailer);

Safe-T-Cam photographic detection device means a photographic detection device of a kind referred to in regulation 14(1)(d) that includes a camera that, when activated, makes an electronic record of a vehicle at one of 2 points on a road, which electronic record, when used in conjunction with an electronic record of the vehicle made by another such camera at the other point, may be used for the purposes of calculating the time taken for the vehicle to travel, or the speed of the vehicle, between the 2 points;

speeding offence means—

- (aa) an offence against section 45A of the Act; or
- (a) an offence against a provision of Part 3 of the *Australian Road Rules*; or
- (b) an offence against regulation 9A(1) or 9A(2) of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999*;

stub line—see regulation 19AB;

tractor does not include a prime mover;

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

Variable Speed Limit Sign means a variable illuminated message device that displays or is designed to display a speed limit sign.

- (2) In these regulations, **intersection**, **level crossing**, **marked foot crossing**, **speed limit sign**, **stop line**, **traffic lights**, **twin red lights** and **variable illuminated message device** have the same respective meanings as in the *Australian Road Rules*.
- (2a) In these regulations, a reference to a prescribed part of a photographic detection device—
 - (a) includes a reference to more than 1 such prescribed part; and
 - (b) if more than 1 such prescribed part forms part of a photographic detection device, is a reference to any such part.
- (3) For the purposes of paragraph (b) of the definition of **corresponding Authority** in section 5(1) of the Act—
 - (a) the Authority as defined in the *Road Transport (General) Act 2005* of New South Wales is declared to be the corresponding Authority for that State;

- (ab) the chief executive for the purposes of the *Transport Operations (Road Use Management) Act 1995* of Queensland is declared to be the corresponding Authority for that State;
 - (b) the Corporation as defined in the *Road Safety Act 1986* of Victoria is declared to be the corresponding Authority for that State.
- (4) For the purposes of the definition of **corresponding law** in section 5(1) of the Act, the following are declared to be corresponding laws:
- (a) the *Road Transport (General) Act 2005* of New South Wales;
 - (ab) the *Transport Operations (Road Use Management) Act 1995* of Queensland;
 - (b) the *Road Safety Act 1986* of Victoria;
 - (c) the *Road Traffic (Administration) Act 2008* of Western Australia and the *Road Traffic (Vehicles) Act 2012* of Western Australia.
- (5) For the purposes of paragraph (a) of the definition of **corresponding road law** in section 5(1) of the Act—
- (a) the *Road Transport (General) Act 2005* of New South Wales is declared to be a corresponding road law for that State;
 - (ab) the *Transport Operations (Road Use Management) Act 1995* of Queensland is declared to be a corresponding road law for that State;
 - (b) the *Road Safety Act 1986* of Victoria is declared to be a corresponding road law for that State;
 - (c) the following Acts are declared to be a corresponding road law for Western Australia:
 - (i) the *Road Traffic (Administration) Act 2008* of Western Australia;
 - (ii) the *Road Traffic (Vehicles) Act 2012* of Western Australia.
- (6) For the purposes of these regulations, each edition of—
- (a) an Australian Standard (or AS) of a specified number; and
 - (b) an Australian/New Zealand Standard (or AS/NZS) of the same number,
- will be taken to be an edition of the same standard.

6—Meaning of unladen mass

- (1) For the purposes of the definition of **unladen mass** in section 5(1) of the Act, the following accessories or equipment carried (either habitually or intermittently) on the vehicle are prescribed accessories or prescribed equipment:
- (a) stock hurdles, stock crates, sheep gates, cages and other similar equipment used to contain animals;
 - (b) containers and tanks used to carry solid, liquid or gaseous loads;
 - (c) stake sides, drop sides, canopies, frames, tarpaulins and other similar equipment used to contain or protect a load;
 - (d) cranes, hoists, platforms and other similar equipment for the purpose of loading or unloading goods;

- (e) air-conditioners, sleeping and cooking equipment, refrigeration units, radios and tape recorders and similar equipment;
 - (f) tools, tool boxes, towbars, spare tyres, roof racks and other similar spare equipment;
 - (g) any other equipment that is not part of a load and is usually carried on the vehicle.
- (2) However, paragraphs (a), (b) and (c) of subregulation (1) do not apply in relation to vehicles registered at concessional registration fee rates for primary producers under section 34 of the *Motor Vehicles Act 1959*.

Part 1A—Road closure

6A—Definitions for Part 1A

In this Part—

council area means a municipality or district council district;

event means an event—

- (a) to which section 33 of the Act has been declared to apply; or
- (b) in relation to which application has been made to the Minister for a declaration that section 33 is to apply.

6B—Event management plan

- (1) For the purposes of section 33(1) of the Act, the Minister may require an applicant seeking an order for either or both of the following:
 - (a) closure of a road;
 - (b) exemption of persons from the duty to observe an enactment, regulation or by-law,to provide the Minister with an *event management plan*.
- (2) The event management plan must be prepared in consultation with—
 - (a) the Commissioner of Police; or
 - (b) the Commissioner of Highways; or
 - (c) each council within whose area the event is to take place,as the Minister directs.
- (3) The event management plan must specify the person with primary responsibility for the following tasks, and the time at which the tasks are to be carried out or completed, as may be necessary:
 - (a) the provision, placement, erection and dismantling of traffic control devices;
 - (b) the placement of advance warning signs;
 - (c) the provision and distribution of written material advising of the road closure, as well as any necessary additional information, to members of the public likely to be affected by the closure, including—
 - (i) local residents; and
 - (ii) proprietors of local businesses; and
 - (iii) persons who pay council rates on local property but do not use the property as a principal place of residence;
 - (d) the fulfilment of other conditions the Minister thinks fit to impose under section 33(4) of the Act.

6C—Advertisements

- (1) For the purposes of section 33(3) of the Act, an order to close a road must be advertised at least 2 clear days before the order takes effect in the following manner:
 - (a) if the Minister is of the opinion that closure of the road will not substantially affect road users—
 - (i) in another council area adjoining the council area within which the road to be closed is situated; or
 - (ii) on a road under the care, control and management of the Commissioner of Highways,
notice of the order is to be placed in a newspaper circulated in the vicinity of the road that is to be closed;
 - (b) if the Minister is of the opinion that closure of the road will substantially affect road users—
 - (i) in another council area adjoining the council area within which the road to be closed is situated; or
 - (ii) on a road under the care, control and management of the Commissioner of Highways,
notice of the order is to be placed in one or more newspapers as determined by the Minister after the applicant has engaged in the required consultations.
- (2) For the purposes of subregulation (1)(b), the required consultations are—
 - (a) consultations with the councils for the council areas within which the road to be closed is situated; and
 - (b) consultations with the councils for any other council areas within which road users will be substantially affected by the closure; and
 - (c) if road users on a road under the care, control and management of the Commissioner of Highways will be substantially affected by the closure, consultations with the Commissioner of Highways; and
 - (d) where the Minister directs, consultations with the Commissioner of Police.
- (3) A notice in accordance with subregulation (1) must—
 - (a) identify the name of the road to be closed and the council area or council areas within which the road is situated; and
 - (b) if the road closure order applies to only part of a road, identify the section of the road to be closed; and
 - (c) specify the date on which the road is to be closed; and
 - (d) specify the period of time during which the road is to be closed; and
 - (e) identify all roads that will be inaccessible by vehicle as a result of the closure; and
 - (f) include the name and telephone number of a person (where possible) or body from whom further details regarding the road closure can be obtained; and
 - (g) include, where possible—

- (i) the email address of a person from whom further information regarding the road closure can be obtained; or
 - (ii) the address of a website from which further information regarding the road closure can be obtained; and
- (h) include advice of any order that has been made under section 33(1)(b) of the Act exempting persons from the duty to observe an enactment, regulation or by-law.

6D—Information to be available from council

The Minister must ensure that every council within whose area a road to be closed is situated is provided with the following information, which is to be kept available for inspection by members of the public at the office of the council until the event has taken place:

- (a) the name of every road that will be inaccessible by vehicle as a result of the closure;
- (b) the duration of the closure;
- (c) if an order has been made under section 33(1)(b) of the Act exempting persons from the duty to observe an enactment, regulation or by-law, particulars of the order;
- (d) a copy of the road closure order;
- (e) if a traffic management plan has been prepared in relation to the road closure, a copy of that plan;
- (f) if an event management plan has been prepared, a copy of that plan;
- (g) other relevant documentation.

Part 1B—Notices relating to licence disqualification or suspension

6E—Prescribed particulars of notice of licence disqualification or suspension—section 45B

- (1) For the purposes of section 45B(3) of the Act, the prescribed particulars of a notice of licence disqualification or suspension given to a person that must be forwarded to the Registrar of Motor Vehicles are as follows:
 - (a) the person's name;
 - (b) the person's address;
 - (c) the person's date of birth;
 - (d) if the person produces his or her licence—the person's licence number;
 - (e) the date and time of the offence to which the notice relates;
 - (f) whether the notice relates to—
 - (i) an offence against section 45A of the Act; or
 - (ii) an offence against section 79B of the Act constituted of 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 an offence against section 45A of the Act;
 - (g) the date and time of the issue of the notice;
 - (h) an indication as to when the disqualification or suspension of licence should commence.
- (2) For the purposes of section 45B(4) of the Act, the prescribed particulars that must be included in a notice of licence disqualification or suspension sent, by post, to a person by the Registrar of Motor Vehicles are as follows:
 - (a) the person's name;
 - (b) the person's address;
 - (c) the person's date of birth;
 - (d) the person's licence number;
 - (e) the date and time of the offence to which the notice relates;
 - (f) whether the notice relates to—
 - (i) an offence against section 45A of the Act; or
 - (ii) an offence against section 79B of the Act constituted of 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 an offence against section 45A of the Act;
 - (g) the date and time of the issue of the notice;
 - (h) the date and time of the commencement of the disqualification or suspension of licence.

6F—Prescribed particulars of notice of immediate licence disqualification or suspension—section 47IAA

- (1) For the purposes of section 47IAA(5) of the Act, the prescribed particulars of a notice of immediate licence disqualification or suspension given to a person that must be forwarded to the Registrar of Motor Vehicles are as follows:
- (a) the person's name;
 - (b) the person's address;
 - (c) the person's date of birth;
 - (d) if the person produces his or her licence—the person's licence number;
 - (e) the date and time of the offence to which the notice relates;
 - (f) whether the notice relates to—
 - (i) a category 2 offence; or
 - (ii) a category 3 offence; or
 - (iii) an offence against section 47E(3) of the Act; or
 - (iiia) an offence against section 47EAA(9) of the Act; or
 - (iv) an offence against section 47I(14) committed by a person who was the driver of a motor vehicle involved in the accident;
 - (g) the date and time of the issue of the notice;
 - (h) an indication as to when the disqualification or suspension of licence should commence.
- (2) For the purposes of section 47IAA(6) of the Act, the prescribed particulars that must be included in a notice of licence disqualification or suspension sent, by post, to a person by the Registrar of Motor Vehicles are as follows:
- (a) the person's name;
 - (b) the person's address;
 - (c) the person's date of birth;
 - (d) the person's licence number;
 - (e) the date and time of the offence to which the notice relates;
 - (f) whether the notice relates to—
 - (i) a category 2 offence; or
 - (ii) a category 3 offence; or
 - (iii) an offence against section 47E(3) of the Act; or
 - (iiia) an offence against section 47EAA(9) of the Act; or
 - (iv) an offence against section 47I(14) committed by a person who was the driver of a motor vehicle involved in the accident;
 - (g) the date and time of the issue of the notice;

- (h) the date and time of the commencement of the disqualification or suspension of licence.

6G—Prescribed form of notice of licence disqualification or suspension

For the purposes of section 45B(1) and section 47IAA(2) of the Act, the prescribed form for the notice of licence disqualification or suspension, or notice of immediate licence disqualification or suspension, (as the case may be) is the form set out in Schedule 1AAA.

Part 2—Drink driving and drug driving

7—Approved blood test kit

For the purposes of the definition of *approved blood test kit* in section 47A of the Act (Interpretation), the following is an approved blood test kit:

the "APPROVED 'BLOOD TEST KIT' Section 47K(2a)(b) *Road Traffic Act 1961*", produced by Disposable Products Pty. Ltd. or by Sarstedt Australia Pty. Ltd.

8—Offences included in prescribed circumstances

For the purposes of paragraph (a) of the definition of *prescribed circumstances* in section 47A(1) of the Act (Interpretation), each of the following is an offence of a prescribed class:

- (a) an offence against section 40H, 40I, 40J or 40K of the Act;
- (b) an offence against section 40V, 40W or 40X of the Act committed by a person who was, at the time of the offence, the driver or other person in charge of a vehicle;
- (c) an offence against a provision of Part 3 of the Act;
- (d) an offence against a provision of the *Australian Road Rules* (other than an offence against a provision of Part 12 (Restrictions on stopping and parking));
- (e) an offence against regulation 9A, 10A, 23A or 33(1) of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999*.

8AA—Prescribed drugs

For the purposes of the definition of *prescribed drug* in section 47A(1) of the Act (Interpretation), the following are declared to be prescribed drugs:

- (a) delta-9-tetrahydrocannabinol;
- (b) methylamphetamine;
- (c) 3, 4-methylenedioxymethamphetamine (MDMA).

8A—Conduct of breath analysis

(1) Pursuant to section 47E(2e) of the Act (Police may require alcotest or breath analysis), where a person submits to a breath analysis, the breath analysis must be conducted in the following manner:

- (a) the person must provide two separate samples of breath for analysis; and
- (b) each sample must be provided in accordance with the directions of the operator of the breath analysing instrument and must consist of not less than one litre of breath; and
- (c) there must be an interval of not less than two minutes and not more than 10 minutes between the provision of the samples.

- (2) Despite subregulation (1)—
- (a) if, on analysing a sample of breath, the breath analysing instrument indicates an error in the analysis of the sample—
 - (i) that sample, or, if that sample was the second sample provided, both samples, must be disregarded; and
 - (ii) the person may be required to provide two further samples of breath for analysis using a different instrument (and such samples must be provided in accordance with subregulation (1)(b) and (c)); or
 - (b) if, on analysing a sample of breath, the breath analysing instrument indicates the presence of alcohol in the mouth of the person—
 - (i) that sample, or, if that sample was the second sample provided, both samples, must be disregarded; and
 - (ii) the person may be required to provide two further samples of breath for analysis (and such samples must be provided in accordance with subregulation (1)(b) and (c)); or
 - (c) if, on analysing two samples of breath, the breath analysing instrument indicates that the reading obtained on analysis of the second sample was more than 15% higher or lower than the reading obtained on analysis of the first sample—
 - (i) those samples must be disregarded; and
 - (ii) the person may be required to provide two further samples of breath for analysis (and such samples must be provided in accordance with subregulation (1)(b) and (c)); or
 - (d) if, for any reason, a second sample of breath is not provided within 10 minutes of the provision of the first sample—
 - (i) the first sample is to be disregarded; and
 - (ii) the person may be required to provide two further samples of breath for analysis (and such samples must be provided in accordance with subregulation (1)(b) and (c)).
- (3) Where a person submits to a breath analysis, the result of the breath analysis will, for the purposes of the *Road Traffic Act 1961* and any other Act, be taken to be the reading produced by the breath analysing instrument, on analysis of the samples of breath provided by the person in accordance with this regulation, that indicates the lower concentration of alcohol in the person's breath (not taking into account any samples that, in accordance with this regulation, are to be disregarded).

8B—Oral advice on refusal or failure to comply with alcotest or breath analysis direction

The prescribed oral advice for the purposes of section 47E(4)(ab) of the Act (Police may require alcotest or breath analysis) is set out in Schedule 1AA.

8C—Oral advice on refusal or failure to comply with drug screening test, oral fluid analysis or blood test direction

The prescribed oral advice for the purposes of section 47EAA(10)(b) of the Act (Police may require drug screening test, oral fluid analysis and blood test) is set out in Schedule 1A.

9—Oral advice and written notice on recording of positive breath analysis reading

- (1) The oral advice required to be given for the purposes of section 47K(2a)(a) of the Act (Evidence) must be as set out in Part A of Schedule 1.
- (2) The written notice required to be delivered for the purposes of section 47K(2a)(a) of the Act (Evidence) must be as set out in Part B of Schedule 1.

10—Request for approved blood test kit

- (1) For the purposes of section 47K(2a)(b) of the Act (Evidence), a request for an approved blood test kit must be made in accordance with the following provisions:
 - (a) the request may, in the first instance, be made orally to the person operating the breath analysing instrument (*operator*);
 - (b) on such a request having been made by the person, the operator or any other police officer present at the scene must complete a written request form in the form set out in Schedule 2 by inserting the particulars required by the form;
 - (c) the person making the request must then sign the request form in the presence of the operator or other police officer and the person's signature must be attested to by the signature of the operator or other police officer;
 - (d) the original of the signed request form may be retained by the person making the request;
 - (e) a copy of the signed request form must be delivered to the operator or other police officer.
- (2) The copy of the request form delivered to the operator or other police officer must be delivered to the Minister or retained on the Minister's behalf for 12 months from the day on which the request form was signed by the person making the request.

11—Procedures for voluntary blood test

The following are the prescribed procedures in accordance with which a sample of a person's blood must be taken and dealt with for the purposes of section 47K(1a) of the Act (Evidence):

- (a) the person must cause the sample to be taken by a medical practitioner of the person's choice and must deliver the blood test kit supplied to the person under section 47K(2a)(b) of the Act (Evidence) to the medical practitioner for use for that purpose;
- (b) the medical practitioner by whom the sample of the person's blood is taken must place the sample, in approximately equal proportions, in 2 containers (being the containers provided as part of the blood test kit);

- (c) each container must contain a sufficient quantity of blood to enable an accurate evaluation to be made of any concentration of alcohol present in the blood and the sample of blood taken by the medical practitioner must be such as to furnish 2 such quantities of blood;
- (d) the medical practitioner must seal each container by application of the adhesive seal (bearing an identifying number) provided as part of the blood test kit;
- (e) it is the duty of the medical practitioner to take such measures as are reasonably practicable in the circumstances to ensure that the blood is not adulterated and does not deteriorate so as to prevent a proper assessment of the concentration of alcohol present in the blood of the person from whom the sample was taken;
- (f) the medical practitioner must then complete a certificate in the form set out in Schedule 3 (being a form provided as part of the blood test kit) by inserting the particulars required by the form;
- (g) the certificate must be signed by the medical practitioner certifying as to the matters set out in the form;
- (h) the certificate must also bear the signature of the person from whom the blood sample was taken, attested to by the signature of the medical practitioner;
- (i) the original of the signed certificate must then be delivered to the person from whom the blood sample was taken together with 1 of the sealed containers containing part of the blood sample;
- (j) a copy of the signed certificate must be delivered by the medical practitioner together with the other sealed container containing part of the blood sample to a police officer or an approved courier;
- (ja) a police officer to whom a copy of the signed certificate and the other sealed container is delivered under paragraph (j) must deliver the copy and container to Forensic Science SA or to an approved courier;
- (jb) an approved courier to whom a copy of the signed certificate and the other sealed container is delivered under this regulation must deliver the copy and container to Forensic Science SA;
- (k) the blood sample container and copy of the certificate referred to in paragraph (j) must not be delivered into the possession of the person from whom the sample was taken;
- (l) on receipt of the blood sample container and certificate at Forensic Science SA, the blood in the container must be analysed as soon as reasonably practicable by or under the supervision of an analyst to determine the concentration of alcohol present in the blood expressed in grams in 100 millilitres of blood;
- (m) the analyst must then complete and sign a certificate certifying as to the following matters:
 - (i) the date of receipt at Forensic Science SA of the blood sample container and the certificate accompanying the blood sample container;

- (ii) the identifying number appearing on the adhesive seal used to seal the blood sample container;
 - (iii) the name and professional qualifications of the analyst;
 - (iv) the concentration of alcohol found to be present in the blood expressed in grams in 100 millilitres of blood;
 - (v) any factors relating to the blood sample or the analysis that might, in the opinion of the analyst, adversely affect the accuracy or validity of the analysis;
 - (vi) any other information relating to the blood sample or analysis or both that the analyst thinks fit to include;
- (n) the analyst's certificate must be sent by post to the person from whom the blood sample was taken at the address shown as the person's address on the certificate accompanying the blood sample container;
 - (o) a copy of the analyst's certificate must be sent to or retained on behalf of the Minister;
 - (p) a copy of the analyst's certificate must also be sent to the Commissioner of Police;
 - (q) the person from whom the blood sample was taken may cause the sample of blood as contained in the blood sample container delivered to that person to be analysed to determine the concentration of alcohol present in the blood.

12—Prescribed period for keeping blood samples and oral fluid samples

For the purposes of clauses 2(e)(ii) and 7(e)(ii) of Schedule 1 of the Act, the prescribed period for which a container containing a sample of a person's blood or oral fluid (as the case requires) must be kept available for collection by or on behalf of that person is 12 months from the day on which the sample was taken from the person.

12A—Information to be included on analyst's certificate

For the purposes of clause 7(f)(iv) of Schedule 1 of the Act, the required information in relation to any prescribed drug or drugs found to be present in the sample is information identifying the drug or drugs.

13—Declaration of hospitals for compulsory blood testing

The institutions declared to be hospitals for the purposes of section 47I(19) of the Act are—

- (a) Ardrossan Community Hospital Incorporated; and
- (b) Ashford Hospital; and
- (c) the following hospital facilities of Central Adelaide Local Health Network Incorporated:
 - The Queen Elizabeth Hospital;
 - Royal Adelaide Hospital; and
- (d) the following hospital facilities of Country Health SA Local Health Network Incorporated:

- Angaston District Hospital;
- Balaklava Soldiers' Memorial District Hospital;
- Riverland Regional Health Service—Barmera Hospital;
- Riverland Regional Health Service—Berri Hospital;
- Booleroo Centre District Hospital and Health Service;
- Bordertown Memorial Hospital;
- Lower North Health—Burra Hospital;
- Ceduna District Health Services;
- Lower North Health—Clare Hospital;
- Eastern Eyre Health & Aged Care—Cleve Campus;
- Eastern Eyre Health & Aged Care—Cowell Campus;
- Crystal Brook and District Hospital;
- Cummins and District Memorial Hospital;
- Coober Pedy Hospital and Health Services;
- Elliston District Hospital;
- Eudunda Hospital;
- Gawler Health Service;
- Gumeracha District Soldiers' Memorial Hospital;
- Hawker Memorial Hospital;
- Jamestown Hospital & Health Service;
- Kangaroo Island Health Service;
- Kapunda Hospital;
- Karoonda and Districts Soldiers' Memorial Hospital;
- Eastern Eyre Health & Aged Care—Kimba Campus;
- Kingston Soldiers' Memorial Hospital;
- Lameroo District Health Services;
- Laura and District Hospital;
- Leigh Creek Health Services;
- Loxton Hospital Complex;
- Central Yorke Peninsula Hospital (Maitland);
- The Mannum District Hospital;
- Meningie & Districts Memorial Hospital and Health Services;
- Millicent and District Hospital and Health Services;
- Minlaton Health Centre;
- Mt Barker District Soldiers' Memorial Hospital;

- Mt Gambier and Districts Health Service;
 - Mount Pleasant District Hospital;
 - The Murray Bridge Soldiers' Memorial Hospital;
 - Naracoorte Health Service;
 - Oodnadatta Health Service;
 - Orroroo and District Health Service;
 - Penola War Memorial Hospital;
 - Peterborough Soldiers' Memorial Hospital and Health Service;
 - Pinnaroo Soldiers' Memorial Hospital;
 - Port Augusta Hospital and Regional Health Service;
 - Port Broughton District Hospital & Health Service;
 - Port Lincoln Health Services;
 - Port Pirie Regional Health Service;
 - Quorn Health Services;
 - Renmark Paringa District Hospital;
 - Riverton District Soldiers' Memorial Hospital;
 - Roxby Downs Health Service;
 - Lower North Health—Snowtown Hospital;
 - Strathalbyn & Districts Health Service;
 - Streaky Bay District Hospital;
 - Tailem Bend District Hospital;
 - Tanunda War Memorial Hospital;
 - Tumby Bay Hospital and Health Services;
 - South Coast District Hospital (Victor Harbor);
 - Waikerie Health Services;
 - Northern Yorke Peninsula Health Service (Wallaroo);
 - The Whyalla Hospital & Health Service;
 - Woomera Hospital;
 - Central Eyre Peninsula Hospital (Wudinna);
 - Southern Yorke Peninsula Hospital (Yorketown); and
- (e) Keith and District Hospital Incorporated; and
- (f) McLaren Vale & Districts War Memorial Hospital Incorporated; and
- (g) Moonta Health and Aged Care Service Incorporated; and
- (h) the following hospital facilities of Northern Adelaide Local Health Network Incorporated:

- Lyell McEwin Hospital;
 - Modbury Hospital; and
- (i) the following hospital facilities of Southern Adelaide Local Health Network Incorporated:
- Flinders Medical Centre;
 - Noarlunga Hospital;
 - Repatriation General Hospital; and
- (j) St. Andrew's Hospital Incorporated; and
- (k) Stirling District Hospital Incorporated; and
- (l) Wakefield Hospital; and
- (m) The Women's and Children's Hospital facility of the Women's and Children's Health Network Incorporated.

13A—Recurrent offenders—prescribed day

For the purposes of section 47J of the Act, the prescribed day is 1 February 2010.

Part 2A—Traffic speed analysers

13B—Apparatus approved as traffic speed analysers

Pursuant to section 53A of the Act, the following are approved as traffic speed analysers:

- (a) Genesis-VP Directional Traffic Safety Radar;
- (b) Kustom hand-held radar traffic speed analyser;
- (c) Kustom mobile radar traffic speed analyser;
- (d) Kustom Prolaser II infrared light detection and ranging system manufactured by Kustom Signals Inc;
- (da) Laser Technology Inc. LTI 20/20 TruSpeed laser;
- (db) REDFLEXpoint-to-point camera system manufactured by Redflex Traffic Systems Pty Ltd, linked to and used in conjunction with an induction loop vehicle detector;
- (e) REDFLEXred-speed HDX system manufactured by Redflex Traffic Systems Pty Ltd, linked to and used in conjunction with an induction loop vehicle detector;
- (ea) REDFLEXred-speed HDX system manufactured by Redflex Traffic Systems Pty Ltd, linked to and used in conjunction with an induction loop vehicle detector, a Variable Speed Limit Sign and a closed-circuit television camera;
- (eb) REDFLEXred-speed HDX system manufactured by Redflex Traffic Systems Pty Ltd, linked to and used in conjunction with an induction loop vehicle detector, a piezoelectric traffic sensor, a Variable Speed Limit Sign and a closed-circuit television camera;
- (f) REDFLEXradarcam mobile digital camera system (with or without tripod mounting) manufactured by Redflex Traffic Systems Pty Ltd of Australia;
- (g) Traffipax Speedophot II;
- (h) Traffipax Traffiphot III-SR manufactured by Robot Visual Systems GmbH of Germany, linked to and used in conjunction with an induction loop vehicle detector;
- (i) Traffipax Traffiphot III-SRD manufactured by Robot Visual Systems GmbH of Germany, linked to and used in conjunction with an induction loop vehicle detector;
- (j) Traffistar SR520 manufactured by Robot Visual Systems GmbH of Germany, linked to and used in conjunction with an induction loop vehicle detector;
- (k) UltraLyte 100 LR Laser Speed Gun.

Part 3—Photographic detection devices

Division 1—Preliminary

13C—Interpretation

For the purposes of this Part—

- (a) a requirement in this Part relating to the installation or setting up of a photographic detection device of a kind referred to in regulation 14(1)(a), (b) or (e) to provide evidence of offences will be taken to also apply to the removal of such a device (or portion of such a device) with recording media in place to a new location from another location at which it was previously being used to provide evidence of offences; and
- (b) an average speed camera location is, in relation to 2 average speed camera locations whose location and shortest distance from each other along a particular route are specified in a notice under section 175A(3) of the Act—
 - (i) a *start location* if it is the first of the locations that is reached by a vehicle travelling along that route in the general direction of travel specified in the notice; and
 - (ii) an *end location* if it is the second of the locations reached by such a vehicle.

14—Apparatus approved as photographic detection devices

- (1) The following are approved as photographic detection devices for the purposes of the Act and the *Motor Vehicles Act 1959*:
 - (a) in relation to a reckless or dangerous driving offence, a registration offence, a red light offence, a speeding offence or a red light offence and a speeding offence arising out of the same incident—
 - (i) a Traffipax Traffiphot III-SR manufactured by Robot Visual Systems GmbH of Germany, linked to and used in conjunction with an induction loop vehicle detector;
 - (ii) a Traffipax Traffiphot III-SRD manufactured by Robot Visual Systems GmbH of Germany, linked to and used in conjunction with an induction loop vehicle detector;
 - (iii) a Traffistar SR520 manufactured by Robot Visual Systems GmbH of Germany, linked to and used in conjunction with an induction loop vehicle detector;
 - (iv) a REDFLEXred-speed HDX system manufactured by Redflex Traffic Systems Pty Ltd, linked to and used in conjunction with an induction loop vehicle detector;
 - (b) in relation to a reckless or dangerous driving offence, a registration offence or a speeding offence (other than a speeding offence arising out of the same incident as a red light offence)—

- (i) a REDFLEXred-speed HDX system manufactured by Redflex Traffic Systems Pty Ltd, linked to and used in conjunction with an induction loop vehicle detector, a Variable Speed Limit Sign and a closed-circuit television camera;
 - (ii) a REDFLEXred-speed HDX system manufactured by Redflex Traffic Systems Pty Ltd, linked to and used in conjunction with an induction loop vehicle detector, a piezoelectric traffic sensor, a Variable Speed Limit Sign and a closed-circuit television camera;
 - (iii) a REDFLEXpoint-to-point camera system manufactured by Redflex Traffic Systems Pty Ltd, linked to and used in conjunction with an induction loop vehicle detector;
- (c) in relation to a reckless or dangerous driving offence, a registration offence or a speeding offence (other than a speeding offence arising out of the same incident as a red light offence)—
 - (ia) a REDFLEXradarcam mobile digital camera system (with or without tripod mounting) manufactured by Redflex Traffic Systems Pty Ltd of Australia;
 - (ii) a device (other than a device referred to in paragraph (a) or (b)) consisting of a camera that forms part of or is linked to a traffic speed analyser, where the camera is designed to operate as part of or in conjunction with, and is used as part of or in conjunction with, the traffic speed analyser;
- (d) in relation to a reckless or dangerous driving offence, a registration offence, a speeding offence or prescribed heavy vehicle driving offence—
 - (i) a system incorporating 1 or more of each of the following modules:
 - (A) a Model P359 visual scene camera manufactured by PIPS Technology Inc;
 - (B) a Model P358 infrared flash unit manufactured by PIPS Technology Inc;
 - (C) a Model P357 roadside processor manufactured by PIPS Technology Inc;
 - (D) a Model P366 vehicle detection camera manufactured by PIPS Technology Inc or such a camera (or more than 1 such camera) together with a TIRTL (The Infra-Red Traffic Logger) manufactured by CEOS Industrial Pty Ltd or an induction loop vehicle detector;
 - (iii) a system incorporating 1 or more of each of the following modules:
 - (A) a Kodak Digital Traffic Camera MegaPlus KDTC 2.0;
 - (B) a HYMOD roadside processor manufactured by CSIRO;
- (e) in relation to a reckless or dangerous driving offence, a registration offence, a speeding offence or an average speed camera location offence—a system incorporating—

- (i) a module comprising a REDFLEXpoint-to-point camera system manufactured by Redflex Traffic Systems Pty Ltd, linked to and used in conjunction with an induction loop vehicle detector (or more than 1 such module) situated at an average speed camera location; and
- (ii) such a module (or more than 1 such module) situated at another average speed camera location,

that are linked to and used in conjunction with each other for the purpose of enabling the average speed of vehicles travelling between the 2 locations to be calculated from electronic records of the vehicles made at each location by those modules.

- (2) In this regulation—

prescribed heavy vehicle driving offence means—

- (a) an offence against regulation 19B; or
- (b) an offence against a provision of Part 3, 4 or 5 of the *Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008*.

15—Prescribed offences for the purposes of section 79B

- (1) For the purposes of paragraph (b) of the definition of *prescribed offence* in section 79B(1) of the Act, the offences in subregulation (2) are prescribed.
- (2) An offence against—
 - (a) section 46(1) of the Act (Reckless and dangerous driving);
 - (ab) section 164A(1) of the Act constituted of a contravention of or failure to comply with section 110 of the Act (Driving on sealed surface);
 - (b) a provision of Part 3 of the *Australian Road Rules* (Speed limits);
 - (c) rule 56(1) of the *Australian Road Rules* (Stopping for a red traffic light);
 - (d) rule 56(2) of the *Australian Road Rules* (Stopping for a red traffic arrow);
 - (e) rule 59(1) of the *Australian Road Rules* (Proceeding through a red traffic light);
 - (f) rule 60 of the *Australian Road Rules* (Proceeding through a red traffic arrow);
 - (g) rule 123(a) of the *Australian Road Rules* (Entering a level crossing when a train or tram is approaching etc) constituted of entering a level crossing while twin red lights are operating;
 - (ga) rule 132(2) of the *Australian Road Rules* (Keeping to the left of a dividing line);
 - (gb) rule 150(1) of the *Australian Road Rules* (Driving on or across a continuous white edge line);
 - (h) regulation 9A(1) of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999* (Speed limits applying to driving of road trains);

- (i) regulation 9A(2) of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999* (Speed limits applying to driving of road trains);
- (j) regulation 44(1) of these regulations constituted of a contravention of or failure to comply with—
 - (i) regulation 19AD of these regulations (Evasive action in relation to average speed camera); or
 - (ii) regulation 19B(1) of these regulations (Heavy vehicles and minimum allowable travel time);
- (k) a provision of Part 3, 4 or 5 of the *Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008*.

Division 2—Notices

16—Notices for purposes of section 79B(5) and (6)

For the purposes of section 79B(5) and (6) 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 and contain the information and instructions set out in that form.

Division 3—Operation and testing of photographic detection devices

17—Operation and testing of photographic detection devices referred to in regulation 14(1)(a) for offences committed at intersections, marked foot crossings or level crossings

- (1) In this regulation—
 - red traffic light* means a red traffic light or red traffic arrow as defined in the *Australian Road Rules*;
 - relevant offence* means—
 - (a) a red light offence; or
 - (b) a speeding offence; or
 - (c) a red light offence and a speeding offence arising out of the same incident, committed at an intersection, marked foot crossing or level crossing.
- (2) Where a photographic detection device referred to in regulation 14(1)(a) is used to provide evidence of relevant offences, the following provisions must be complied with:
 - (a) the camera or cameras forming part of the device must be positioned and aimed so that when vehicles are proceeding into the intersection, or over the marked foot crossing or level crossing, as the case may be, a photograph or series of photographs may be taken of the vehicles from the rear, at least 1 of which will depict the traffic lights or twin red lights towards which the vehicles are facing when proceeding towards the intersection or crossing;
 - (b) the induction loop vehicle detector (*induction loop*) must be installed—

- (i) in the case of an intersection or marked foot crossing—under the road surface on the intersection or crossing side of the stop line before which vehicles must stop if the traffic lights referred to in paragraph (a) are showing a red traffic light; or
 - (ii) in the case of a level crossing—under the road surface on the crossing side of the entrance to the crossing;
- (c) if the device is used to provide evidence of speeding offences, the device must be programmed and set to operate, and the induction loop and the traffic lights or twin red lights referred to in paragraph (a) must be linked up with the device, so that if a vehicle is detected by the device passing over the induction loop at a speed equal to or greater than a speed set on the device, at least 2 exposures are taken, or at least 2 electronic records are made, of that vehicle from the rear—
 - (i) at least 1 of which is taken or made following a programmed delay after the first is taken or made; and
 - (ii) on at least 1 of which is recorded the speed of the vehicle as detected by the device; and
 - (iii) on each of which is recorded the date, time and code for the location at which the exposure or record is taken or made, together with the lane in which the vehicle is travelling;
- (d) if the device is used to provide evidence of red light offences, the device must be programmed and set to operate, and the induction loop and the traffic lights or twin red lights referred to in paragraph (a) must be linked up with the device, so that, following a programmed delay after the traffic lights commence showing a red traffic light, or the twin red lights commence operating, as the case may be, if a vehicle is detected by the device passing over the induction loop while the red traffic light is showing, or the twin red lights are operating, as the case may be, at least 2 exposures are taken, or at least 2 electronic records are made, of that vehicle from the rear—
 - (i) the first of which is taken or made following the detection of the vehicle by the device; and
 - (ii) at least 1 of which is taken or made (as that vehicle or both that vehicle and other vehicles proceed over the intersection or crossing) following a programmed delay after the first is taken or made; and
 - (iii) on each of which is recorded the date, time and code for the location at which the exposure or record is taken or made, together with the lane in which the vehicle is travelling;

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- (e) if the device is used to provide evidence of red light offences and speeding offences arising out of the same incidents, the device must be programmed and set to operate, and the induction loop and the traffic lights or twin red lights referred to in paragraph (a) must be linked up with the device, so that, following a programmed delay after the traffic lights commence showing a red traffic light, or the twin red lights commence operating, as the case may be, if a vehicle is detected by the device passing over the induction loop while the red traffic light is showing, or the twin red lights are operating, as the case may be, at least 2 exposures are taken, or at least 2 electronic records are made, of that vehicle from the rear—
 - (i) the first of which is taken or made following the detection of the vehicle by the device; and
 - (ii) at least 1 of which is taken or made (as that vehicle or both that vehicle and other vehicles proceed over the intersection or crossing) following a programmed delay after the first is taken or made; and
 - (iii) on at least 1 of which is recorded the speed of the vehicle as detected by the device; and
 - (iv) on each of which is recorded the date, time and code for the location at which the exposure or record is taken or made, together with the lane in which the vehicle is travelling;
- (f) once in every 28 days while the device is being used to provide evidence of speeding offences—
 - (i) a test must be carried out (by reference to speeds not exceeding the speed limit applying to drivers driving vehicles through the intersection or crossing) to ensure that the device detects vehicles passing over the induction loop and accurately indicates the speed of any vehicle so detected and the lane in which the vehicle is travelling; and
 - (ii) the device must be checked to ensure that the device—
 - (A) indicates the correct date, time and code for the location at which exposures or electronic records are taken or made by the device; and
 - (B) is set to operate in accordance with paragraph (c) or (e); and
 - (iii) if a fault is indicated by the test referred to in subparagraph (i), corrective action must be taken and the test must be repeated until no fault is indicated; and
 - (iv) if a fault is indicated by the check referred to in subparagraph (ii), corrective action must be taken until no fault is indicated;
- (h) once in every 28 days while the device is being used to provide evidence of red light offences—
 - (i) a test must be carried out to ensure that the device detects and takes exposures, or makes electronic records, of vehicles passing over the induction loop and accurately indicates the lane in which any such vehicle is travelling; and

- (ii) the device must be checked to ensure that the device—
 - (A) indicates the correct date, time and code for the location at which exposures or electronic records are taken or made by the device; and
 - (B) is set to operate in accordance with paragraph (d) or (e); and
 - (iii) if a fault is indicated by the test referred to in subparagraph (i), corrective action must be taken and the test must be repeated until no fault is indicated; and
 - (iv) if a fault is indicated by the check referred to in subparagraph (ii), corrective action must be taken until no fault is indicated;
- (ha) if that part of the road surface under which the induction loop is installed has 2 or more lanes for vehicles travelling in the same direction, a test referred to in paragraph (f)(i) or (h)(i) is not required to be carried out in relation to each such lane in the same 28 day period provided that, once in every 28 days, the test is carried out in relation to 1 of those lanes and the lane in relation to which the test is carried out is not the same as the lane in relation to which the previous test was carried out;
- (j) if—
 - (i) a test or check; or
 - (ii) in the case of a wet film camera—the film when developed; or
 - (iii) in the case of a digital or other electronic camera—any electronic record made by the camera,indicates a fault that has affected the proper operation of the device as required by these regulations, that part of the film affected by the fault, or those electronic records affected by the fault, (as the case may be), must be rejected for evidentiary purposes;
- (k) the accuracy with which the device detects vehicle speeds must be tested on the day on which it is used (or on a day within the period of 27 days immediately preceding that day) with a view to the issuing of a certificate under section 175(3)(ba) of the Act.
- (3) Where a photographic detection device referred to in regulation 14(1)(a) is used to provide evidence of reckless or dangerous driving offences or registration offences committed at an intersection, marked foot crossing or level crossing, the provisions of subregulation (2) must be complied with.

18—Operation and testing of photographic detection devices referred to in regulation 14(1)(a) or (b)(iii) for offences committed other than at intersections, marked foot crossings or level crossings

- (1) Where a photographic detection device referred to in regulation 14(1)(a) or (b)(iii) is used to provide evidence of speeding offences committed other than at an intersection, marked foot crossing or level crossing (not being evidence of the average speed of vehicles between 2 average speed camera locations), the following provisions must be complied with:
- (a) the induction loop vehicle detector (*induction loop*) must be installed under the surface of the road;
 - (b) the camera or cameras forming part of the device must be positioned and aimed, and the induction loop linked up, so that when vehicles proceed over or continue past that part of the road under which the induction loop is installed, a photograph or series of photographs may be taken of the vehicles from the front or from the rear;
 - (c) the device must be programmed and set to operate so that if a vehicle is detected by the device passing over the induction loop at a speed equal to or greater than a speed set on the device, at least 2 exposures are taken, or at least 2 electronic records are made, of that vehicle from the front or from the rear—
 - (i) at least 1 of which is taken or made following a programmed delay after the first is taken or made; and
 - (ii) on at least 1 of which is recorded the speed of the vehicle as detected by the device; and
 - (iii) on each of which is recorded the date, time and code for the location at which the exposure or record is taken or made, together with the lane in which the vehicle is travelling;
 - (d) subject to paragraph (e), once in every 28 days—
 - (i) a test must be carried out (by reference to speeds not exceeding the speed limit applying to drivers driving vehicles on the length of road under which the induction loop is installed) to ensure that the device detects vehicles passing over the induction loop and accurately indicates the speed of any vehicle so detected and the lane in which the vehicle is travelling; and
 - (ii) the device must be checked to ensure that the device—
 - (A) indicates the correct date, time and code for the location at which exposures or electronic records are taken or made by the device; and
 - (B) is set to operate in accordance with paragraph (c); and
 - (iii) if a fault is indicated by the test referred to in subparagraph (i), corrective action must be taken and the test must be repeated until no fault is indicated; and
 - (iv) if a fault is indicated by the check referred to in subparagraph (ii), corrective action must be taken until no fault is indicated;

- (e) if that part of the road surface under which the induction loop is installed has 2 or more lanes for vehicles travelling in the same direction, the test referred to in paragraph (d)(i) is not required to be carried out in relation to each such lane in the same 28 day period provided that, once in every 28 days, the test is carried out in relation to 1 of those lanes and the lane in relation to which the test is carried out is not the same as the lane in relation to which the previous test was carried out;
- (h) if—
- (i) a test or check; or
 - (ii) in the case of a wet film camera—the film when developed; or
 - (iii) in the case of a digital or other electronic camera—any electronic record made by the camera,

indicates a fault that has affected the proper operation of the device as required by these regulations, that part of the film affected by the fault, or those electronic records affected by the fault, (as the case may be), must be rejected for evidentiary purposes;

- (i) the accuracy with which the device detects vehicle speeds must be tested on the day on which it is used (or on a day within the period of 27 days immediately preceding that day) with a view to the issuing of a certificate under section 175(3)(ba) of the Act.
- (2) Where a photographic detection device referred to in regulation 14(1)(a) or (b)(iii) is used to provide evidence of reckless or dangerous driving offences or registration offences committed other than at an intersection, marked foot crossing or level crossing, the provisions of subregulation (1) must be complied with.

18A—Operation and testing of photographic detection devices referred to in regulation 14(1)(b)(i) or (ii) for offences committed other than at intersections, marked foot crossings or level crossings

- (1) Where a photographic detection device referred to in regulation 14(1)(b)(i) or (ii) is used to provide evidence of speeding offences committed other than at an intersection, marked foot crossing or level crossing, the following provisions must be complied with:
- (a) the induction loop vehicle detector (*induction loop*) must be installed under the surface of the road;
 - (b) if a piezoelectric traffic sensor (*piezo strip*) forms part of the device, the piezo strip must be installed under the surface of the road together with the induction loop;
 - (c) the camera or cameras forming part of the device (other than a closed-circuit television camera) must be positioned and aimed, and the induction loop and the piezo strip (if any) linked up with the other parts of the device, so that when vehicles proceed over or continue past the part of the road under the surface of which the induction loop and the piezo strip (if any) is (or are) installed, a photograph or series of photographs may be taken of the vehicles;
 - (d) the Variable Speed Limit Sign (*VSLs*) must be—

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- (i) installed so that a speed limit sign displayed by the VSLS applies for the purposes of the *Australian Road Rules* (whether some or all of the time) to the length of road under the surface of which the induction loop and the piezo strip (if any) is (or are) installed; and
 - (ii) linked up with the other parts of the device so that the speed limit (if any) indicated by the VSLS, and any changes in that speed limit, may be noted by, and used for the purposes of the operation of, the device;
- (e) the closed-circuit television camera must be positioned and aimed, and linked up with the other parts of the device, so that a video recording directed at the speed limit (if any) indicated by the VSLS referred to in paragraph (d) may be made;
- (f) the device must be programmed and set to operate so that if a vehicle is detected by the device passing over the induction loop and the piezo strip (if any) at a speed equal to or greater than a speed set on the device (being a speed set for all vehicles or for vehicles of a class, whether determined according to the number of axles of a vehicle or otherwise, that includes the detected vehicle)—
 - (i) at least 2 electronic records are made of the vehicle—
 - (A) at least 1 of which is made following a programmed delay after the first is made; and
 - (B) on at least 1 of which is recorded—
 - the speed of the vehicle as detected by the device; and
 - the speed limit (if any) indicated at that time by the VSLS referred to in paragraph (d) as noted by the device and the period for which that noted speed limit has remained constant; and
 - (C) on each of which is recorded the date, time and code for the location at which the record is made, together with the lane in which the vehicle is travelling; and
 - (ii) the following additional electronic records are made:
 - (A) a record containing a portion of the video recording referred to in paragraph (e), being a portion of that recording for a programmed period preceding the detection of the vehicle, on which is recorded the date and start and end times for the video recording;
 - (B) a record containing a still image taken from that portion of video recording, on which is recorded the information referred to in paragraph (f)(i)(C);
- (g) subject to paragraph (h), once in every 28 days—

- (i) a test must be carried out (by reference to speeds not exceeding the speed limit applying to drivers driving vehicles on the length of road under the surface of which the induction loop and the piezo strip (if any) is (or are) installed, and by reference to vehicles of any number of axles) to ensure that the device detects vehicles passing over the induction loop and the piezo strip (if any) and—
 - (A) accurately indicates the speed and (if a piezo strip forms part of the device) number of axles of any vehicle so detected and the lane in which the vehicle is travelling; and
 - (B) makes the video recording and still image referred to in paragraph (f)(ii); and
 - (ii) the device must be checked to ensure that the device—
 - (A) indicates the correct date, time and code for the location at which electronic records are made by the device; and
 - (B) correctly notes the speed limit (if any) indicated by the VSLs referred to in paragraph (d); and
 - (C) is set to operate in accordance with paragraph (f); and
 - (iii) if a fault is indicated by the test referred to in subparagraph (i), corrective action must be taken and the test must be repeated until no fault is indicated; and
 - (iv) if a fault is indicated by the check referred to in subparagraph (ii), corrective action must be taken until no fault is indicated;
- (h) if that part of the road surface under which the induction loop and the piezo strip (if any) is (or are) installed has 2 or more lanes for vehicles travelling in the same direction, the test referred to in paragraph (g)(i) is not required to be carried out in relation to each such lane in the same 28 day period provided that, once in every 28 days, the test is carried out in relation to 1 of those lanes and the lane in relation to which the test is carried out is not the same as the lane in relation to which the previous test was carried out;
- (i) if—
 - (i) a test or check; or
 - (ii) any electronic record referred to in paragraph (f) made by the device, indicates a fault that has affected the proper operation of the device as required by these regulations, the part of those electronic records affected by the fault must be rejected for evidentiary purposes;
 - (j) the accuracy with which the device detects vehicle speeds must be tested on the day on which it is used (or on a day within the period of 27 days immediately preceding that day) with a view to the issuing of a certificate under section 175(3)(ba) of the Act.
- (2) Where a photographic detection device referred to in regulation 14(1)(b)(i) or (ii) is used to provide evidence of reckless or dangerous driving offences or registration offences committed other than at an intersection, marked foot crossing or level crossing, the provisions of subregulation (1) must be complied with.

19—Operation and testing of photographic detection devices referred to in regulation 14(1)(c)

- (1) Where a photographic detection device referred to in regulation 14(1)(c) is used to provide evidence of speeding offences, the following provisions must be complied with:
- (a) the device must be programmed, positioned and set to operate so that when the device registers a vehicle as proceeding at a speed equal to or greater than a speed set on the device—
 - (i) the camera forming part of or linked to the device takes an exposure, or makes an electronic record, of that vehicle from the front or from the rear; and
 - (ii) the date, time and code for the location at which the exposure is taken, or the electronic record is made, together with the speed and direction of travel of the vehicle as registered by the device, are recorded on the exposure or electronic record;
 - (b) after a person—
 - (i) sets up the device at a given location; or
 - (ii) inserts recording media into the camera at that location; or
 - (iii) relocates the device with recording media in place,the person must make a check to ensure that the device—
 - (iv) correctly indicates on an electronic display the date, time and code for the location where exposures are taken, or electronic records are made, by the camera; and
 - (v) is set to operate in accordance with the provisions of paragraph (a);
 - (c) the checks referred to in paragraph (b) must be repeated immediately before the device is removed from a given location;
 - (d) if—
 - (i) a check; or
 - (ii) in the case of a wet film camera—the film when developed; or
 - (iii) in the case of a digital or other electronic camera—any electronic record made by the camera,indicates a fault that has affected the proper operation of the device as required by this regulation, that part of the film affected by the fault, or those electronic records affected by the fault, (as the case may be), must be rejected for evidentiary purposes;
 - (e) if a photograph produced from an exposure or electronic record obtained in accordance with the provisions of paragraph (a) depicts the whole or part of more than 1 vehicle—
 - (i) in the portion of the photograph specified by the device's manufacturer as the portion that should depict the vehicle whose speed is being registered; and

- (ii) travelling in the direction recorded on the exposure or electronic record as the direction of travel of the vehicle whose speed is being registered,
 - that photograph must be rejected for evidentiary purposes;
 - (f) the accuracy with which the device registers vehicle speeds must be tested on the day on which it is used (or on the day immediately preceding that day) with a view to the issuing of a certificate under section 175(3)(ba) of the Act.
- (2) Where a photographic detection device referred to in regulation 14(1)(c) is used to provide evidence of reckless or dangerous driving offences or registration offences, the provisions of subregulation (1) must be complied with.

19AA—Operation and testing of average speed cameras

- (1) Where a photographic detection device that is an average speed camera is used to provide evidence of speeding offences (being evidence of the average speed of vehicles between 2 average speed camera locations), the following provisions must be complied with:
- (a) the induction loop vehicle detector (*induction loop*) must be installed under the surface of the road;
 - (b) the camera or cameras forming part of the device at a given location must be positioned and aimed, and the induction loop linked up with the other parts of the device, so that when vehicles approach or pass the stub line at the average speed camera location, a photograph or series of photographs may be taken of the vehicles from the front or from the rear;
 - (c) the device must be programmed and set to operate so that—
 - (i) if a vehicle is detected by the device passing over the induction loop at or near a start location, at least 1 electronic record containing a photograph of that vehicle on which is recorded the date, time and code for the location is made from the front or from the rear before the whole of the vehicle passes the stub line at that location; and
 - (ii) if a vehicle is detected by the device passing over the induction loop at or near an end location, at least 1 electronic record containing a photograph of that vehicle on which is recorded the date, time and code for the location is made from the front or from the rear when or after any part of the vehicle reaches the stub line at that location;
 - (d) when the device is set up at a given start location and end location, the device must be checked (either on-site or from a remote location) to ensure—
 - (i) that—
 - (A) the correct date; and
 - (B) the correct time (being Australian Central Standard Time or Australian Central Daylight Time determined with the accuracy specified in regulation 19AB(1)(c)); and
 - (C) the correct codes for the start and end locations,
- are set on the device; and

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- (ii) that the device is set to operate in accordance with paragraph (c), and thereafter the same checks must be carried out—
 - (iii) in the case of the check to ensure that the correct date and time are set on the device—at least once in relation to each day (either on the day or else subsequently by reference to records created on the day by the device); and
 - (iv) in every other case—once in every 28 days, and if a fault is indicated by a check referred to above, corrective action must be taken until no fault is indicated;
- (e) if—
- (i) a check; or
 - (ii) any electronic record made by the device,
- indicates a fault that has affected the proper operation of the device as required by these regulations, those electronic records affected by the fault must be rejected for evidentiary purposes.
- (2) Where a photographic detection device that is an average speed camera is used to provide evidence of reckless or dangerous driving offences, registration offences or average speed camera location offences, the provisions of subregulation (1) must be complied with.

19A—Operation and testing of Safe-T-Cam photographic detection devices

Where a Safe-T-Cam photographic detection device is used to provide evidence of an offence, the following provisions must be complied with:

- (a) the camera forming part of the device must be positioned and aimed so that, when activated, an electronic record is made of the number plate of the vehicle activating it;
- (b) the date, time and code for the location at which the electronic record of a vehicle is made must be recorded on the electronic record;
- (c) when the device is set up at a given location or temporarily moved or repaired, a person must make a check to ensure that the device is correctly positioned and aimed as referred to in paragraph (a) and correctly indicates on an electronic display the date, time and code for the location where the electronic records are made by the camera;
- (d) if—
 - (i) a check; or
 - (ii) an electronic record made by the camera,indicates a fault that has affected the proper operation of the device as required by this regulation, those electronic records affected by the fault must be rejected for evidentiary purposes.

Division 3A—Special provisions relating to average speed cameras

19AB—Average speed evidence (section 175A of Act)—identification of average speed cameras, average speed camera locations etc

- (1) For the purposes of section 175A of the Act—
- (a) a notice under section 175A(3) of the Act must identify an average speed camera location by specifying—
 - (i) the road on which vehicles will be photographed by the average speed camera; and
 - (ii) the place on that road at which vehicles will be photographed, identified by reference to—
 - (A) a stub line at that place; and
 - (B) the approximate coordinates of the point at which that stub line meets the centre of the road; and
 - (iii) whether the average speed camera location is a start location or end location; and
 - (iv) the general direction of travel (for example, north bound) of vehicles moving between the 2 average speed camera locations for which this is the start or end location; and
 - (b) the shortest distance between 2 average speed camera locations along a route specified in a notice under section 175A(3) must be measured between the stub line at the start location and the stub line at the end location; and
 - (c) the time taken for a vehicle to travel between 2 average speed camera locations must be determined by reference to the total period elapsed between—
 - (i) a time before which the whole of the vehicle passes the stub line at the start location; and
 - (ii) a time at or after which any part of the vehicle reaches the stub line at the end location,

where the time at each location is determined according to Australian Central Standard Time, or according to Australian Central Daylight Time, with an accuracy equal to or better than plus or minus 1 second.

- (2) A notice under section 175A(3) of the Act may, for the purposes of identifying an average speed camera location, include a reference to—
- (a) a nearby landmark or other feature; or
 - (b) the approximate distance along the road between the location and a specified town or intersection (or, if the location is at an intersection, by reference to that intersection),

but such a notice will not be regarded as defective on the basis of anything included or not included under this subregulation.

- (3) For the purposes of the definitions in section 175A(10) of the Act—
- (a) a photographic detection device of a kind referred to in regulation 14(1)(e) is an *average speed camera*;
 - (b) a *prescribed road law speeding offence* means—
 - (i) a speeding offence; or
 - (ii) a reckless or dangerous driving offence comprised of driving a vehicle at a speed which is dangerous to the public.

- (4) In this regulation—

coordinates means coordinates expressed in terms of either the Geocentric Datum of Australia 1994 or the World Geodetic System 1984;

dividing line, marked lane and *median strip* have the same respective meanings as in the *Australian Road Rules*;

short white line means a straight white line approximately 100 millimetres wide and 400 millimetres long;

stub line means a short white line, or series of short white lines, marked in a straight line on the sealed surface of 1 or both sides of a two-way road at right angles to a boundary of the road, with each short white line positioned—

- (a) if a side of the road has 1 or more marked lanes for vehicles travelling in the same direction—
 - (i) at or near the centre of each lane; or
 - (ii) at or near the left-hand side and at or near the right-hand side of each lane; or
- (b) if a side of the road has no marked lanes for vehicles travelling in the same direction—
 - (i) at or near the centre of the sealed portion of that side of the road; or
 - (ii) at or near the left-hand side and at or near the right-hand side of the sealed portion of that side of the road,

and includes the whole of the straight line formed by the short white line or series of short white lines as well as the extension of that straight line—

- (c) to each boundary of the road; or
- (d) where the short white line or lines is or are marked on 1 side of the road only, to the boundary on that side of the road and to the centre of the road;

two-way road means a road divided by a dividing line or median strip into 2 sides, 1 of which is for vehicles travelling in 1 direction and the other of which is for vehicles travelling in the opposite direction.

19AC—Expiation fee for certain offences at average speed camera locations

Despite regulation 45 and Schedule 9, the expiation fee for—

- (a) an alleged offence constituted of a contravention of or failure to comply with—

- (i) rule 132(2) of the *Australian Road Rules* (Keeping to the left of a dividing line); or
 - (ii) rule 150(1) of the *Australian Road Rules* (Driving on or across a continuous white edge line); or
- (b) an alleged offence against section 164A(1) of the *Road Traffic Act 1961* constituted of a contravention of or failure to comply with section 110 of the Act (Driving on sealed surface),
- is \$824 if the contravention or failure to comply takes place within 100 metres of a stub line at an average speed camera location.

19AD—Evasive action in relation to average speed camera

The driver of a vehicle must not take any action, other than a contravention referred to in regulation 19AC, that is designed to avoid an electronic record being made of the vehicle through the operation of an average speed camera as the vehicle is driven towards, through or away from an average speed camera location.

Division 4—Special provisions relating to Safe-T-Cam photographic detection devices

19B—Heavy vehicles and minimum allowable travel time

- (1) The driver of a heavy vehicle must not take a shorter length of time than the minimum allowable travel time when driving the vehicle between 2 Safe-T-Cam photographic detection devices.
- (2) The minimum allowable travel time between 2 particular Safe-T-Cam photographic detection devices is the time determined in respect of those devices by the Minister from time to time and notified in the Gazette.
- (3) For the purposes of calculating a driver's travel time between 2 Safe-T-Cam photographic detection devices, any rest time recorded in the driver's work diary under the *Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008* as having been taken between the devices may be deducted from the driver's travel time.

19C—Same person not liable for more than one offence evidenced by same electronic record

- (1) A person may not be found guilty of a relevant offence relating to a vehicle on the basis of evidence of an electronic record, produced through the operation of a Safe-T-Cam photographic detection device, of the number plate of the vehicle if—
 - (a) the person has been found guilty of another relevant offence on the basis of evidence of the same electronic record; or
 - (b) the person has expiated another relevant offence and the allegation relating to that other relevant offence was based on evidence of the same electronic record.
- (2) In this regulation—

relevant offence means a speeding offence or an offence against regulation 19B.

19D—Expiation fee for certain Road Rules contraventions within 100 metres of Safe-T-Cam photographic detection device

Despite regulation 45 and Schedule 9, the expiation fee for an alleged offence constituted of contravention by the driver of a heavy vehicle of any of the following provisions of the *Australian Road Rules* is \$506 if the contravention takes place within 100 metres of a Safe-T-Cam photographic detection device:

- (a) rule 95 (1) (Driving in emergency stopping lane);
- (b) rule 126 (Failing to keep safe distance behind other vehicles);
- (c) rule 127 (1) (Failing to keep required minimum distance behind long vehicle);
- (d) rule 132 (2) (Failing to keep to left of dividing line);
- (e) rule 146 (1) (Failing to drive within single marked lane);
- (f) rule 147 (Moving from one marked lane to another marked lane across continuous line);
- (g) rule 150 (1) (Driving on or across continuous white line);
- (h) rule 215 (1) (Using lights when driving at night or in hazardous weather conditions).

19E—Evasive action in relation to Safe-T-Cam photographic detection device

The driver of a heavy vehicle must not take any action, other than a contravention referred to in regulation 19D, designed to avoid an electronic record being made through the operation of a Safe-T-Cam photographic detection device of the number plate of the vehicle as the vehicle is driven towards or away from the photographic detection device.

19F—Evidentiary

In proceedings for a speeding offence, a document produced by the prosecution, purporting to be signed by the Minister and certifying the shortest distance, expressed in metres, that would be travelled by a vehicle on a road between 2 points, will be accepted as proof, in the absence of proof to the contrary, of the distance so certified.

Part 3A—Mass, dimension and load restraint requirements— categorisation of breaches

19FA—Purpose of Part

This Part makes provision for the categorisation of breaches of mass, dimension or load restraint requirements as—

- (a) minor risk breaches; or
- (b) substantial risk breaches; or
- (c) severe risk breaches,

for the purposes of section 120 of the Act.

19FB—Interpretation

- (1) In this Part—

declared route means a road, or part of a road, declared under subregulation (4) to be a declared route for the purposes of this Part;

dimension requirement means a mass, dimension or load restraint requirement relating to dimensions;

legislatively specified mass limit means a mass limit specified in a law, under the authority of a law or by a sign erected or displayed under a law, whether a law of this State or another jurisdiction;

load restraint requirement means a mass, dimension or load restraint requirement relating to the restraint or positioning of loads on vehicles;

mass requirement means a mass, dimension or load restraint requirement relating to mass limits.

- (2) For the purposes of this Part, the loss or shifting of the load of a vehicle is ***imminent*** if it is assessed by the officer or court concerned to be likely to occur during the journey being or about to be undertaken by which the load is being or is to be transported, having regard to—
 - (a) the nature and condition of the vehicle; and
 - (b) the nature, condition, placement and securing of the load; and
 - (c) the length of the journey; and
 - (d) the nature and condition of the route of the journey; and
 - (e) any other relevant factors.
- (3) For the purposes of this Part, the disembarkation of persons from, or the movement of persons on, a vehicle does not constitute a loss or shifting of the load of the vehicle.
- (4) The Minister may, by notice published in the Gazette—
 - (a) declare a road, or part of a road, to be a declared route for the purposes of this Part; and
 - (b) vary or revoke a declaration under this subregulation.

19FC—Categories of mass requirement breaches

- (1) This regulation applies to a mass requirement imposed by reference to—
 - (a) a legislatively specified mass limit; or
 - (b) a manufacturer’s mass rating; or
 - (c) the lower of—
 - (i) a legislatively specified mass limit; and
 - (ii) a manufacturer’s mass rating.
- (2) A breach of a mass requirement to which this regulation applies is a minor risk breach if the subject-matter of the breach is less than the lower limit for a substantial risk breach of the requirement.
- (3) A breach of a mass requirement to which this regulation applies is a substantial risk breach if the subject-matter of the breach—
 - (a) is equal to or greater than the lower limit for a substantial risk breach of the requirement; and
 - (b) is less than the lower limit for a severe risk breach of the requirement.
- (4) A breach of a mass requirement to which this regulation applies is a severe risk breach if the subject-matter of the breach is equal to or greater than the lower limit for a severe risk breach of the requirement.
- (5) The lower limit for a substantial risk breach of a mass requirement to which this regulation applies is—
 - (a) in the case of a mass requirement that relates to the gross mass of a vehicle—
 - (i) if the vehicle is a heavy vehicle—
 - (A) 105% of the maximum permissible mass, rounded up to the nearest 0.1 tonne; or
 - (B) 0.5 tonne,whichever is the greater; or
 - (ii) if the vehicle is not a heavy vehicle—105% of the maximum permissible mass;
 - (b) in any other case—
 - (i) if the vehicle is a heavy vehicle—105% of the maximum permissible mass, rounded up to the nearest 0.1 tonne; or
 - (ii) if the vehicle is not a heavy vehicle—105% of the maximum permissible mass.
- (6) The lower limit for a severe risk breach of a mass requirement to which this regulation applies is—
 - (a) if the vehicle is a heavy vehicle—120% of the maximum permissible mass, rounded up to the nearest 0.1 tonne; or
 - (b) if the vehicle is not a heavy vehicle—120% of the maximum permissible mass.

19FD—Categories of dimension requirement breaches

- (1) Subject to regulation 19FE, a breach of a dimension requirement is a minor risk breach if the subject-matter of the breach is less than the lower limit for a substantial risk breach of the requirement.
- (2) A breach of a dimension requirement is a substantial risk breach if the subject-matter of the breach—
 - (a) is equal to or greater than the lower limit for a substantial risk breach of the requirement; and
 - (b) is less than the lower limit for a severe risk breach of the requirement.
- (3) A breach of a dimension requirement is a severe risk breach if the subject-matter of the breach is equal to or greater than the lower limit for a severe risk breach of the requirement.
- (4) If a dimension requirement is imposed by reference to the length of a projection of a load from either side of a vehicle—
 - (a) the lower limit for a substantial risk breach of the dimension requirement is 40 millimetres over the maximum permissible dimension limit;
 - (b) the lower limit for a severe risk breach of the dimension requirement is 80 millimetres over the maximum permissible dimension limit.
- (5) If a dimension requirement is imposed by reference to the overall width of a vehicle together with a load and the load is a factor in determining the overall width—
 - (a) a breach of the dimension requirement is categorised by reference to the length of the projection of the load from a side of the vehicle; and
 - (b) —
 - (i) the lower limit for a substantial risk breach of the dimension requirement is 40 millimetres measured from a side of the vehicle;
 - (ii) the lower limit for a severe risk breach of the dimension requirement is 80 millimetres measured from a side of the vehicle.
- (6) For the purposes of subregulation (5), if the load projects from both sides and the length of the projection from one side is greater than the length of the projection from the other side, the breach is to be categorised by reference to the longer projection.
- (7) If a dimension requirement is imposed by reference to the overall height of a vehicle together with a load and the load is a factor in determining the overall height—
 - (a) the lower limit for a substantial risk breach of the dimension requirement is 150 millimetres over the maximum permissible dimension limit;
 - (b) the lower limit for a severe risk breach of the dimension requirement is 300 millimetres over the maximum permissible dimension limit.
- (8) If a dimension requirement is imposed by reference to the overall length of a vehicle together with a load and the load is a factor in determining the overall length—
 - (a) the lower limit for a substantial risk breach of the dimension requirement is 0.35 metre over the maximum permissible dimension limit;

- (b) the lower limit for a severe risk breach of the dimension requirement is 0.60 metre over the maximum permissible dimension limit.

19FE—Recategorisation of certain dimension requirement breaches

- (1) Circumstances exist for recategorisation of a breach of a dimension requirement if—
 - (a) in the case of a breach of a dimension requirement imposed by reference to the length of a projection of a load from either side of a vehicle or by reference to the overall width of a vehicle together with a load, the breach is committed—
 - (i) at night; or
 - (ii) in hazardous weather conditions causing reduced visibility; or
 - (iii) on a declared route; or
 - (b) in the case of a breach of a dimension requirement imposed by reference to the overall length of a vehicle together with a load, the rear of the load on the vehicle concerned fails to carry a required warning signal; or
 - (c) the load on the vehicle concerned projects from the vehicle in a way that is dangerous to persons or property.
- (2) If circumstances exist for recategorisation of a breach of a dimension requirement and the breach would, apart from this regulation, be a minor risk breach, the breach is recategorised as a substantial risk breach.
- (3) If circumstances exist for recategorisation of a breach of a dimension requirement and the breach would, apart from this regulation, be a substantial risk breach, the breach is recategorised as a severe risk breach.

19FF—Categories of load restraint requirement breaches

- (1) A breach of a load restraint requirement is a minor risk breach if the loss or shifting of the load concerned—
 - (a) has not occurred and is not imminent; and
 - (b) is assessed by the officer or court concerned not to involve (if it were to occur) an appreciable risk of harm to public safety, the environment, road infrastructure or public amenity.
- (2) A breach of a load restraint requirement is a substantial risk breach if—
 - (a) the loss or shifting of the load concerned—
 - (i) has already occurred or is imminent; and
 - (ii) is assessed by the officer or court concerned not to involve an appreciable risk of harm to public safety, the environment or road infrastructure; or
 - (b) the loss or shifting of the load concerned—
 - (i) has not occurred and is not imminent; and
 - (ii) is assessed by the officer or court concerned to be likely to occur (though not imminent) and to involve an appreciable risk of harm to public safety, the environment, road infrastructure or public amenity.

- (3) A breach of a load restraint requirement is a severe risk breach if the loss or shifting of the load concerned—
- (a) has already occurred or is imminent; and
 - (b) is assessed by the officer or court concerned to involve an appreciable risk of harm to public safety, the environment, road infrastructure or public amenity.

19FG—Special categorisation of breaches of requirements relating to dangerous projections

- (1) This regulation applies to a breach of a requirement of an Australian road law to the effect that a load on a vehicle must not project in a way that is dangerous to a person or property, even if all dimension, warning or other requirements are met.
- (2) A breach to which this regulation applies is taken to be—
- (a) a breach of a dimension requirement; and
 - (b) a minor risk breach of that requirement, unless subregulation (3) applies.
- (3) The breach is taken to be a substantial risk breach if the breach is committed—
- (a) at night; or
 - (b) in hazardous weather conditions causing reduced visibility.

19FH—Default category

If a breach of a mass, dimension or load restraint requirement is not categorised under another provision of this Part, the breach is a minor risk breach.

Part 4—Miscellaneous

19FI—Emergency workers and employing authorities (sections 45 and 46)

- (1) For the purposes of the definition of *emergency workers* in sections 45(5) and 46(6) of the Act, the following persons are emergency workers for the purposes of those sections:
 - (a) members of an emergency services organisation within the meaning of the *Fire and Emergency Services Act 2005*;
 - (b) persons engaged in the provision of emergency ambulance services under section 57(1) of the *Health Care Act 2008* on behalf of SA Ambulance Service Inc.
- (2) For the purposes of paragraph (b) of the definition of *employing authority* in sections 45(5) and 46(6) of the Act, the employing authority for a person who is an emergency worker for the purposes of the relevant section is—
 - (a) in relation to an emergency worker referred to in subregulation (1)(a)—
 - (i) if the emergency worker is a member of the South Australian Metropolitan Fire Service—the Chief Officer of SAMFS; or
 - (ii) if the emergency worker is a member of the South Australian Country Fire Service—the Chief Officer of SACFS; or
 - (iii) if the emergency worker is a member of the South Australian State Emergency Service—the Chief Officer of SASES; or
 - (b) in relation to an emergency worker referred to in subregulation (1)(b)—the Chief Executive Officer of SA Ambulance Service Inc.

19G—Emergency workers (sections 83 and 110AAAA)

For the purposes of the definition of *emergency vehicle* in section 83(3) or 110AAAA(3) of the Act, *emergency worker* has the meaning defined in regulation 39 of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999* for the purposes of the *Australian Road Rules*.

19H—Exemption from section 20 of Act for short term low impact works

- (1) A public authority, or a contractor engaged by a public authority, is exempt from section 20(2) of the Act in relation to a work area or work site where workers are engaged at the direction of that authority or contractor to carry out short term low impact works provided that the public authority or contractor complies with Section 8.2 of the *SA Standards for Workzone Traffic Management* published by the Department of Planning, Transport and Infrastructure in August 2012, as in force from time to time.
- (2) In this regulation—

short term low impact works means works that involve the occupation of a road for not more than 20 minutes;

work area and *work site* have the same respective meanings as in section 20 of the Act.

20—Prohibition of vehicles carrying dangerous substances on certain roads

- (1) A vehicle must not be driven or towed on a portion of a road to which this regulation applies if the vehicle contains or is otherwise transporting a dangerous substance.
- (2) Subregulation (1) does not apply if the substance—
 - (a) is in liquid form and does not exceed 25 litres in volume; or
 - (b) is in solid or gaseous form and does not exceed 45 kg in mass; or
 - (c) is fuel for the motor of the vehicle.
- (3) If a vehicle is driven or towed in contravention of subregulation (1), the driver and the owner and the operator of the vehicle are each guilty of an offence.
- (4) In this regulation—

dangerous substance has the meaning given to *dangerous goods* by the *Dangerous Substances (Dangerous Goods Transport) Regulations 2008*.
- (5) This regulation applies to—
 - (a) the portion of the Bordertown-Port MacDonnell Main Road No. 19 known as Bay Road, Mount Gambier, that lies between an imaginary line formed by the prolongation of the western boundary of section 391, Waterworks Reserve, Hundred of Blanche across the road and an imaginary line 30 metres south of and parallel to an imaginary line formed by the prolongation of the southern boundary of allotment 22 Filed Plan 321 across the road;
 - (b) the portion of John Watson Drive, Mount Gambier that lies between an imaginary line formed by the prolongation of the northern boundary of section 415, Hundred of Blanche, across the road and an imaginary line formed by the prolongation of the northern-most boundary of section 414, corporation reserve, Hundred of Blanche across the road;
 - (c) the portion of Ocean Boulevard, City of Marion that lies between an imaginary line formed by the prolongation of the northern boundary of Majors Road across the road, and an imaginary line formed by the prolongation of the eastern boundary of Brighton Road across the road.

20A—Prohibition of towing more than one vehicle

- (1) Subject to this regulation, a motor vehicle towing more than one vehicle must not be driven on a road.
- (2) If a motor vehicle is driven in contravention of subregulation (1), the driver and the owner and the operator of the motor vehicle are each guilty of an offence.
- (3) Subregulation (1) does not apply in the case of—
 - (a) a tractor towing two vehicles; or
 - (b) an articulated motor vehicle, with a prime mover that has a GVM over 4.5 tonnes, towing one other vehicle; or
 - (c) a motor vehicle (other than an articulated motor vehicle or a bus) that has a GVM over 4.5 tonnes, towing two vehicles.

21—Prohibition of parking in certain public places

- (1) A person must not park a vehicle (other than a bicycle) in a public place owned by or under the care, control or management of a council or parking authority except in an area specifically set aside for parking by the council or parking authority.

Maximum penalty: \$1 250.

- (2) Subregulation (1) is a prescribed provision for the purposes of the following provisions of the Act:
 - (a) section 35 (Authorised officers);
 - (b) section 174A (Liability of vehicle owners and expiation of certain offences);
 - (c) section 174B (Further offence for continued parking contravention);
 - (d) section 174C (Council may grant exemptions from certain provisions);
 - (e) section 174D (Proceedings for certain offences may only be taken by certain officers or with certain approvals).

- (3) In this regulation—

parking authority means a road authority (other than the Commissioner of Highways or a council) that has the care, control or management of a road on, above or near which the road authority has, with the approval of the Minister under section 17 of the Act, installed, maintained, altered or operated, or caused to be installed, maintained, altered or operated, traffic control devices for the purposes of Part 12 of the *Australian Road Rules*.

22—Prohibition of fishing etc from certain bridges

- (1) The Minister may, if of the opinion that it is appropriate to do so in the interests of road safety, by notice published in the Gazette, prohibit fishing or other specified activities from a specified bridge or causeway.
- (2) The Minister may, by notice published in the Gazette, vary or revoke a notice under this regulation.
- (3) A person must not contravene a notice under this regulation.

Maximum penalty: \$750.

23—Prohibition of dogs on certain bicycle paths

- (1) A person who owns or has possession or control of a dog must ensure that the dog does not enter or remain on a bicycle path to which this regulation applies.
Maximum penalty: \$750.
- (2) In proceedings for an offence of contravening subregulation (1), an allegation in the complaint that a specified person was the owner or had possession or control of a specified dog at a specified time will be accepted as proved in the absence of proof to the contrary.

- (3) This regulation applies to the bicycle path adjacent to the Southern Expressway that commences at Darlington Street at Bedford Park and proceeds generally southerly on the eastern side of the carriageway of the Expressway to a point approximately 250 metres north of the intersection of the Expressway, South Road and Panalatinga Road at Trott Park, then generally southerly on the western side of the carriageway of the Expressway to the intersection of Panalatinga Road and Old South Road at Old Reynella.
- (4) In this regulation—
- Southern Expressway*** means Road Number 6780 Southern Expressway between—
- (a) its intersection with Road Number 6726 Panalatinga Road and Road Number 6203 Main South Road at Trott Park; and
 - (b) its junction with Road Number 6203 Main South Road at Bedford Park.

23A—Warrants

- (1) An application for a warrant under section 41B of the Act may be made by facsimile.
- (2) An application for a warrant made personally or by facsimile must be in a form approved by the Chief Magistrate.
- (3) An application for a warrant may be made by telephone or facsimile only if, in the opinion of the applicant, the warrant is urgently required and there is not enough time to lodge a written application and appear before a magistrate.
- (4) If an application for a warrant is made by telephone, the following provisions apply:
 - (a) the applicant must inform the magistrate of the applicant's name and identify himself or herself as an authorised officer or police officer and the magistrate, on receiving that information, is entitled to assume its accuracy without further inquiry;
 - (b) the applicant must inform the magistrate of the purpose for which the warrant is required and the grounds on which it is sought;
 - (c) the magistrate may, on being satisfied as to the grounds for the issue of the warrant, inform the applicant of the facts on which the magistrate relies as grounds for the issue of the warrant, and must not proceed to issue the warrant unless the applicant undertakes to make an affidavit verifying those facts;
 - (d) the magistrate must inform the applicant of the terms of the warrant;
 - (e) the applicant must fill out and sign a warrant form (the ***duplicate warrant***) that specifies—
 - (i) the name of the magistrate issuing the warrant; and
 - (ii) the person authorised to exercise the powers conferred by the warrant; and
 - (iii) the period for which the warrant will be in force;
 - (f) the applicant must, as soon as practicable after the issue of the warrant, forward to the magistrate an affidavit verifying the facts referred to in paragraph (c) and a copy of the duplicate warrant.

- (5) If an application for the issue of a warrant is made by facsimile, the following provisions apply:
- (a) the applicant must be available to speak to the magistrate by telephone;
 - (b) the magistrate is entitled to assume, without further inquiry, that a person who identifies himself or herself as the applicant acting in the capacity of an authorised officer or police officer during a telephone conversation with the magistrate is indeed the applicant acting in that capacity;
 - (c) the magistrate must forward the warrant to the applicant by facsimile transmission.

23B—Embargo notices

An embargo notice under section 41G of the Act must set out the following particulars:

- (a) the full name, residential address and date of birth of the occupier of the vehicle or premises concerned;
- (b) the registration number of the vehicle concerned (if any) and the State or Territory in which it is registered;
- (c) the address of the premises concerned (if any);
- (d) a description of the record, device or other thing to which the notice applies and the address at which it is located.

23C—Administrative actions under corresponding road laws

- (1) For the purposes of the definition of *administrative authority* in section 41P(1) of the Act, a person holding an office, or a body, constituted by or under a corresponding road law who is authorised under that law to take administrative action of a kind prescribed in subregulation (2) is an administrative authority in relation to that administrative action.
- (2) Section 41P of the Act applies to the following kinds of administrative actions:
- (a) the giving of directions and authorisations under—
 - (i) Part 3.3 Division 3 (Enforcement powers) of the *Road Transport (General) Act 2005* of New South Wales; or
 - (ia) Chapter 3 Part 3 Division 2 Subdivision 5 (Further powers in relation to heavy vehicles concerning mass, dimension or loading requirements) of the *Transport Operations (Road Use Management) Act 1995* of Queensland; or
 - (ii) Part 10 Division 3 (Enforcement Powers Concerning Mass, Dimension or Load Restraint Breaches) of the *Road Safety Act 1986* of Victoria;
 - (b) an administrative action under—
 - (i) Part 3.5 Division 2 (Improvement notices) of the *Road Transport (General) Act 2005* of New South Wales; or

- (ia) Chapter 3 Part 3 Division 2 Subdivision 7 (Other powers in relation to heavy vehicles—improvement notices and formal warnings) of the *Transport Operations (Road Use Management) Act 1995* of Queensland, but excluding section 39V (Formal warning) and section 39W (Withdrawal of formal warning); or
- (ii) Part 11 Division 5 (Improvement notices) of the *Road Safety Act 1986* of Victoria.

23D—Court orders under corresponding road laws

Section 41Q of the Act applies to the following kinds of orders:

- (a) an order under any of the following provisions of the *Road Transport (General) Act 2005* of New South Wales:
 - (i) Part 3.5 Division 6 (Supervisory intervention orders);
 - (ii) Part 3.5 Division 7 (Prohibition orders);
- (ab) an order under Chapter 6, Part 3, Division 5 (Supervisory intervention orders) of the *Transport Operations (Road Use Management) Act 1995* of Queensland;
- (b) an order under any of the following provisions of the *Road Safety Act 1986* of Victoria:
 - (i) section 205 (Supervisory intervention orders);
 - (ii) section 207 (Prohibition orders).

24—Vehicle identification plates and numbers

- (1) For the purposes of section 110C(8) of the Act (Offences), a vehicle identification plate or plate bearing a vehicle identification number on a motor vehicle or trailer may be removed only—
 - (a) if it is essential to do so in order to effect necessary repairs to the vehicle or trailer and the plate is put back in the same place on the vehicle as soon as is practicable; or
 - (b) with the approval of an authorised officer.
- (2) An authorised officer may issue a South Australian State identification plate to replace the vehicle identification plate for a motor vehicle or trailer, and may approve its placement on the vehicle or trailer, if the vehicle identification plate has been destroyed, removed from the vehicle or trailer or damaged and, in the opinion of the authorised officer, it is appropriate that a replacement plate be issued and placed on the vehicle or trailer.
- (3) An authorised officer may allot a number for placement on a motor vehicle or trailer as the vehicle identification number for the vehicle or trailer, and may approve its placement on the vehicle or trailer, if the previous vehicle identification number for the vehicle or trailer has been altered, defaced or obliterated and it is, in the opinion of the authorised officer, appropriate that a replacement number be allotted and placed on the vehicle or trailer.

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- (4) An authorised officer may allot a number for placement on the engine block of a motor vehicle as the engine number for the vehicle's engine, and may approve its placement on the engine block, if the previous engine number for the engine has been altered, defaced or obliterated and it is, in the opinion of the authorised officer, appropriate that a replacement number be allotted and placed on the engine block.
 - (5) A plate or number removed from a motor vehicle or trailer by a police officer or an authorised officer under section 110C(7) of the Act must be destroyed by the police officer or authorised officer.

25—Modification of motor vehicles

- (1) A motor vehicle must not be driven or towed on a road if it does not comply with the requirements of this regulation.
- (2) If a motor vehicle is driven or towed in contravention of subregulation (1), the driver and the owner and the operator of the vehicle are each guilty of an offence.
- (3) A car, car-type utility or car-type panel van must not be altered from its specification as originally manufactured in any of the following respects:
 - (a) fitting of an engine of greater displacement volume, or of greater power or torque output, than an engine available as an option for the vehicle so as to exceed the efficient functioning capacity of the braking system provided for the vehicle;
 - (b) fitting of an engine of greater displacement volume, or of greater power or torque output, than an engine available as an option for the vehicle with the braking system provided at the time of manufacture of the vehicle;
 - (c) modification to a braking system—
 - (i) that consists of fitting of a smaller diameter brake drum, or narrower brake drum or brake shoe that reduces the swept area of braking surface; or
 - (ii) that reduces the mass of a brake drum or disc;
 - (d) widening of the wheel track of front or rear wheels by more than 26 millimetres beyond the maximum specified by the vehicle manufacturer;
 - (e) fitting of spacers between wheels and hubs additional to any provided by the vehicle manufacturer;
 - (f) fitting of wheel nuts that do not engage the thread of the wheel studs for at least the same length as the nuts provided by the vehicle manufacturer, or wheel nuts that do not match with the taper on the wheel;
 - (g) modifications to axles or suspension (including axle housings or supporting structures but not including springs, dampers, bushes or ball joints) that reduce the available suspension travel from static conditions to full bump position by more than one-third of that provided by the vehicle manufacturer;
 - (h) modifications to axles or suspension such that any part of the vehicle other than the tyre or rim will contact a road surface in the case of the deflation of any tyre;
 - (i) welding or heating of axles, stub axles, steering arms or steering knuckle supports;

- (j) lengthening or shortening of the chassis frame or of a mono-construction (chassis-less) body structure;
 - (k) alterations affecting any steering components or the steering geometry.
- (4) A motor vehicle with a GVM of 4.5 tonnes or less (not being a car, car-type utility, car-type panel van or motor bike) must not be altered from its specification as originally manufactured in any of the following respects:
- (a) fitting of an engine of greater displacement volume, or of greater power or torque output, than an engine available as an option for the vehicle;
 - (b) alterations to a braking system;
 - (c) widening of the wheel track of the front or rear wheels by more than 26 millimetres beyond the maximum specified by the vehicle manufacturer;
 - (d) fitting of spacers between wheels and between wheels and hubs additional to any provided by the vehicle manufacturer;
 - (e) fitting of wheel nuts that do not engage the thread of the wheel studs for at least the same length as the nuts provided by the vehicle manufacturer, or wheel nuts that do not match with the taper on the wheels;
 - (f) alterations to the wheelbase;
 - (g) alterations to the number of axles;
 - (h) alterations affecting any steering components or the steering geometry;
 - (i) replacement of any axle with another axle other than an axle available as an option provided by the vehicle manufacturer for the vehicle.
- (5) A motor vehicle (not being a bus) with a GVM over 4.5 tonnes must not be modified from its specification when first registered in any of the following respects:
- (a) fitting of an engine with a maximum power or torque output outside the range of engines available for the vehicle from the original manufacturer of the vehicle at the time of its manufacture;
 - (b) alteration of the steering components from those provided in the vehicle or available as options for the vehicle from the original manufacturer of the vehicle at the time of its manufacture;
 - (c) alteration of the steering geometry from that designed for the vehicle by the original manufacturer of the vehicle;
 - (d) alteration of the braking system so that the braking efficiency of the vehicle is reduced;
 - (e) alteration of the wheelbase;
 - (f) alteration of the number of axles;
 - (g) alteration of the suspension system.

26—Wheels and tyres

- (1) A vehicle must not be driven or towed on a road if it does not comply with the requirements of this regulation.

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- (2) If a vehicle is driven or towed in contravention of subregulation (1), the driver and the owner and the operator of the vehicle are each guilty of an offence.
- (3) Every road wheel fitted to an axle of a motor vehicle or trailer must—
- (a) conform to one of the dimensional standards for wheel rims set down in the Tyre and Rim Standards Manual issued by the Tyre and Rim Association of Australia; and
 - (b) not have a circumferential weld other than one that attaches the rim to the wheel centre; and
 - (c) be of the same rim width and have the same offset of the rim relative to the mounting face; and
 - (d) if fitted to a motor vehicle manufactured on or after 1 July 1985 (other than a motor vehicle with a GVM over 4.5 tonnes or a trailer), be either—
 - (i) provided as original equipment or as original equipment replacement by the vehicle manufacturer; or
 - (ii) indelibly marked with the wheel's nominal diameter, width and offset and with identification of the manufacturer of the wheel and the standard to which the wheel was manufactured.
- (4) The tyres and wheels fitted to a motor vehicle or trailer must be such that—
- (a) sufficient clearance is provided so that none of the tyres or wheels will touch any part of the vehicle, other than at the point of attachment, under operating conditions; and
 - (b) none of the tyres protrudes beyond the mudguard or body structure when viewed from above with the wheels in a straight ahead position; and
 - (c) in the case of a vehicle (other than a vehicle with a GVM over 4.5 tonnes), tyres fitted to the same axle are all of the same tyre size designation.
- (5) Despite the requirements of any other regulation or rule under the Act, a motor vehicle that is required to comply with ADR 24 or the tyre and rim selection requirements of ADR 42 may be—
- (a) equipped with tyres other than those listed on the tyre placard fitted to the vehicle, provided that—
 - (i) the load of a tyre fitted is not less than the lowest load listed on the tyre placard; and
 - (ii) the overall diameter of a wheel and tyre fitted is not more than 15 millimetres greater than that advised in the Tyre and Rim Standards Manual (issued by the Tyre and Rim Association of Australia) for the largest tyre size listed on the placard and not more than 15 millimetres less than that advised in the Manual for the smallest tyre size listed on the placard; or
 - (b) equipped with wheels wider than those listed on the tyre placard; or
 - (c) equipped with wheels with a rim diameter other than a rim diameter (if any) listed on the tyre placard.

- (6) Despite the requirements of any other regulation or rule under the Act (including subregulation (5)), a motor vehicle with a GVM of 4.5 tonnes or less that has 3 or more wheels may be fitted with a wheel or tyre that does not comply with those requirements if—
- (a) the wheel or tyre is being used in an emergency as part of a temporary replacement wheel and tyre combination that complies with the requirements of this subregulation; and
 - (b) the wheel and tyre combination is recommended by the vehicle manufacturer as suitable for use on the vehicle; and
 - (c) any conditions specified by the vehicle manufacturer in relation to the use of the wheel and tyre combination are complied with; and
 - (d) the vehicle is not driven at a speed exceeding 80 kilometres per hour; and
 - (e) only one temporary replacement wheel and tyre combination is fitted to the vehicle at any one time.

27—Sprocket drive vehicles

A motor vehicle (not being a motor bike or motor trike) fitted with a chain and sprocket drive must not be driven on a road unless it is so constructed that every chain and sprocket of the drive is fitted with a cover, guard or screen in such a manner as to remove any risk of any person accidentally coming into contact with the chain or sprocket.

29—Bicycle trailers

- (1) A person who rides a bicycle—
- (a) must not tow another vehicle on a road unless that other vehicle is a bicycle trailer that complies with the requirements of this regulation; and
 - (b) must not tow more than one vehicle.
- (2) A bicycle trailer, when towed at night, or in hazardous weather conditions causing reduced visibility, must be fitted with either one or two lighted lamps displaying a red light that is clearly visible for at least 200 metres from the rear and affixed to the rear of the trailer as follows:
- (a) in the case of 1 lamp—in the centre or on the right hand side of the centre of the trailer;
 - (b) in the case of 2 lamps—an even distance in the same horizontal plane on either side of the centre of the trailer;
 - (c) in either case—with the centre of the lamp not less than 330 millimetres and not more than 1 metre above the ground.
- (3) A bicycle trailer must be fitted with two red reflectors in accordance with the following requirements:
- (a) each reflector must be such as to be clearly visible at night for at least 50 metres from the rear when light is projected onto it by a vehicle's headlight on low-beam;
 - (b) the reflectors must be fitted symmetrically to the rear of the trailer, with one on each side;

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- (c) the centre of each reflector must be not less than 330 millimetres and not more than 1 metre above the ground.
 - (4) A bicycle trailer, and any equipment or load on the trailer, must not exceed 850 millimetres in width.
 - (5) A bicycle trailer must be attached to the bicycle by—
 - (a) a coupling constructed and fitted so that—
 - (i) it will permit an adequate amount of angular movement between the alignment of the bicycle and the trailer; and
 - (ii) the strength of the coupling (and of any brackets or other means of securing the coupling to the bicycle and the trailer) is sufficient to prevent the trailer and its equipment and load from becoming separated; and
 - (b) a safety connection consisting of a chain, cable or other non-rigid connection affixed to a substantial portion of the trailer and constructed and fitted so that—
 - (i) it will hold the trailer in tow in the event of the failure or detachment of the coupling; and
 - (ii) it is not liable to accidental disconnection and permits all normal angular movements of the coupling without more slack than is necessary for that purpose.

30—Determination of mass

- (1) For the purposes of determining the mass of a vehicle—
 - (a) a weighbridge—
 - (i) must have a steel or concrete platform or, if a wooden platform, must be verified, re-verified or certified, and marked with an inspector's mark or licensee's mark, in accordance with the *National Measurement Act 1960* of the Commonwealth; and
 - (ii) must be so situated as to have sufficient space for vehicles usually weighed on the weighbridge to be driven or drawn on and off without turning on the platform; and
 - (iii) must have a level surface so that no point on the surface on which the mass to be measured bears is more than 15 millimetres above or below any other point on that surface; and
 - (iv) must operate within the appropriate limits of error for that type of weighbridge that may be tolerated under the *National Measurement Act 1960* of the Commonwealth; and

- (b) in order to determine the mass of a vehicle with or without its load and the mass carried on any two or more axles of a vehicle on a weighbridge, it is not necessary to measure the mass carried on all the relevant axles simultaneously, but the mass may be determined by aggregating the measurements of mass taken separately in relation to the axles in question, provided that in determining the mass carried on a vehicle having an axle group or axle groups, the axles within each group must be measured as a whole; and
- (c) when an approved instrument for determining mass is used in order to determine the mass of a vehicle with or without its load and the mass carried on any two or more axles of a vehicle, the mass may be determined by aggregating the measurements of mass taken simultaneously or separately in relation to the axles in question, provided that, in determining the mass carried on individual axles of an axle group, all of the axles within that group must be measured simultaneously and must, as far as possible in the circumstances, be in the same plane.

(2) In this regulation—

approved instrument for determining mass means an instrument for determining mass approved in writing by the Minister for the purposes of this regulation.

32—Prescribed classes of vehicles for purposes of section 145(1b)

For the purposes of section 145(1b) of the Act (Defect notices), the following are vehicles of a prescribed class:

- (a) prime movers;
- (b) commercial motor vehicles;
- (c) trailers.

33—Formal written warnings, defect notices etc

- (1) A formal written warning, defect notice or defective vehicle label issued under section 145 of the Act must be in a form approved by the Minister.

34—Authorisation under section 145(8)

- (1) The Minister may, on application by a person in a form approved by the Minister, authorise the applicant to exercise any of the powers of an authorised officer under section 145 of the Act, if satisfied (on the basis of evidence provided by the applicant) that the applicant—
 - (a) is fully qualified in one or more of the following trades:
 - (i) Motor Mechanic; or
 - (ii) Motor Mechanic, Diesel; or
 - (iii) Brake Mechanic; or
 - (iv) Motor Cycle Mechanic; or
 - (v) any other trade that provides skills equivalent to the skills of a trade referred to above; and

- (b) has successfully completed any training courses approved by the Minister for the purposes of section 145 of the Act; and
 - (c) is the holder of an appropriate driver's licence granted and in force under Part 3 of the *Motor Vehicles Act 1959* or an appropriate interstate licence within the meaning of that Act; and
 - (d) has an adequate knowledge of the requirements of the Act relating to motor vehicles; and
 - (e) is a fit and proper person to be authorised to exercise any of the powers of an authorised officer under section 145 of the Act.
- (1a) The Minister may authorise a person in another State or a Territory of the Commonwealth who has similar powers under the laws of that State or Territory to those of an authorised officer under section 145 of the Act to exercise a power of an authorised officer under that section to—
- (a) examine a vehicle for the purpose of determining whether the repairs required by a defect notice issued in relation to the vehicle have been made; or
 - (b) issue a clearance certificate in relation to a vehicle; or
 - (c) cause a defective vehicle label affixed to a vehicle to be defaced or removed from the vehicle.
- (2) The Minister must maintain a record of authorisations issued under section 145(8) of the Act and must make that record available for public inspection.

34A—Withdrawal of formal warnings

For the purposes of section 147(1) of the Act, a formal warning may be withdrawn by—

- (a) the Minister; or
- (b) a police officer of or above the rank of sergeant.

35—Prescribed classes of vehicles for purposes of section 161A

- (1) For the purposes of section 161A of the Act (Driving of certain vehicles subject to Ministerial approval), the following vehicles (*restricted access vehicles*) are classes of vehicles to which that section applies:
- (a) vehicles that, including their loads (if any), are over 4.3 metres high;
 - (b) vehicles that, including their loads (if any), are over 19 metres long;
 - (c) vehicles that, including their loads (if any), have a total mass over 42.5 tonnes;
 - (d) controlled access buses.
- (2) For the purposes of section 161A of the Act, wind-powered vehicles commonly known as land yachts are a class of vehicles to which that section applies.
- (3) In this regulation—
- controlled access bus* means a bus, except an articulated bus, over 12.5 metres long;
- vehicle* includes a combination.

36—Seat belts and seat belt anchorages

- (1) Subject to subregulation (7), vehicles manufactured on or after 1 January 1969 are exempt from the provisions of section 162A of the Act (Seat belts and child restraints) and this regulation.
- (2) The provisions of this regulation apply for the purposes of section 162A of the Act.
- (3) A car, car-type utility or car-type panel van first registered after 30 June 1964 must be fitted with—
 - (a) anchorages for a seat belt suitably placed for use by the driver; and
 - (b) anchorages for a seat belt suitably placed for use by a person sitting alongside of and on the same seat as the driver or on a separate seat by the side of the driver's seat.
- (4) An anchorage required to be fitted in accordance with subregulation (3) must—
 - (a) in the case of a vehicle first registered after 30 June 1964 but before 10 November 1966, comply with the specification for anchorages published in the Gazette of 28 May 1964, page 1180; or
 - (b) in the case of a vehicle first registered on or after 10 November 1966 but before 8 February 1968, comply with the specification for anchorages published in the Gazette of 10 November 1966, page 1927; or
 - (c) in the case of a vehicle first registered on or after 8 February 1968 but before 15 January 1970, comply with the specification for anchorages published in the Gazette of 8 February 1968, page 346; or
 - (d) in the case of a vehicle first registered on or after 15 January 1970, comply with the *Australian Standards Specification for Seat Belt Anchorage Points*—(A.S.D. 11–1967).
- (5) A car, car-type utility or car-type panel van first registered on or after 1 January 1967 must be fitted with—
 - (a) a seat belt suitably placed for use by the driver; and
 - (b) at least 1 other seat belt placed for use by a person sitting alongside of and on the same seat as the driver or on a separate seat by the side of the driver's seat.
- (6) A seat belt required to be fitted in accordance with subregulation (5) must—
 - (a) comply with—
 - (i) *Australian Standards Specification for Seat Belt Assemblies for Motor Vehicles*—(A.S. E35—1965); or
 - (ii) in the case of a retractor seat belt—*Australian Standards Specification for Seat Belt Assemblies (including Retractors) for Motor Vehicles*—(A.S. E35 Part II—1970); or
 - (iii) *Australian Standard for Seat Belt Assemblies for Motor Vehicles* (A.S. 2596—1983); and
 - (b) be clearly and permanently marked with a prescribed certification mark.

- (7) The following provisions apply to a motor vehicle whenever manufactured:
- (a) seat belts and anchorages for seat belts must be maintained in sound condition and good working order;
 - (b) a person must not sell, or offer for sale, for use in a motor vehicle a seat belt or part of a seat belt—
 - (i) that fails to comply with the requirements of an Australian Standard or Australian Standards Specification referred to in subregulation (6)(a); or
 - (ii) that has been removed from a motor vehicle in which it has previously been used.

Note—

The *Road Traffic (Vehicle Standards) Rules 1999* apply certain ADRs to vehicles. The ADRs do not cover vehicles manufactured before 1 January 1969.

37—Child restraints, safety harnesses, booster seats etc

- (1) The following devices are approved as child restraints:
- (a) a device that complies with the *Australian Standard Specification for Child Restraining Devices for Passenger Cars* (AS E46) and is clearly marked with a prescribed certification mark certifying compliance with the standard;
 - (b) a device that complies with Australian/New Zealand Standard (AS/NZS) 1754—*Child restraint systems for use in motor vehicles* and is clearly marked with a prescribed certification mark certifying compliance with the standard.
- (1a) A booster seat or booster cushion—
- (a) that is an approved child restraint under subregulation (1); or
 - (b) that—
 - (i) is an integrated part of a motor vehicle; and
 - (ii) was installed by the manufacturer of the motor vehicle to enable an existing adult lap and sash type seatbelt to become suitable for use by a child; and
 - (iii) complies with the relevant ADR for child restraints of the type concerned,is an approved booster seat.
- (1b) A child safety harness that is an approved child restraint under subregulation (1) is an approved child safety harness.
- (2) For the purposes of section 162A of the Act, a child restraint fitted to a motor vehicle must—
- (a) only be used in accordance with the manufacturer's specifications; and
 - (b) be securely attached to an anchorage for a child restraint fitted to that vehicle and to such other anchorages for seat belts fitted to that vehicle as are specified by the manufacturer of the child restraint; and
 - (c) be maintained in sound condition and good working order.

- (3) A person must not sell, or offer for sale, for use in a motor vehicle as a child restraint, child safety harness, booster seat or booster cushion, or part of such a device, a device or part that is not approved under subregulation (1).
- (4) For the purposes of this regulation, a device complies with a standard if it complies with the edition of the standard that was in force at the time of its manufacture in Australia or its importation into Australia (as the case may be) or with any later edition of the standard.
- (5) In this regulation—
relevant ADR, in relation to an integrated booster seat or cushion in a motor vehicle, means the ADR that was in force at the time the vehicle was manufactured in Australia or imported into Australia (as the case may be) or with any later version of the ADR.

38—Safety helmets

- (1) Helmets are approved for motor bike riders if—
 - (a) manufactured, tested and marked in accordance with the requirements of the Standards Association of Australia contained in—
 - (i) Australian Standard E33/1959—*Protective Helmets for Motor Cyclists*; or
 - (ii) Australian Standard E33/1968—*Protective Helmets for Motor Cyclists*; or
 - (iii) Australian Standard E43/1968—*Protective Helmets for Racing Motor Cyclists*; or
 - (iv) Australian Standard 1698/1974—*Protective Helmets for Vehicle Users*; or
 - (v) Australian Standard 1698/1988—*Protective Helmets for Vehicle Users*; or
 - (vi) Australian/New Zealand Standard 1698:1992—*Protective Helmets for Vehicle Users*; or
 - (vii) Australian/New Zealand Standard 1698:2006—*Protective Helmets for Vehicle Users*,and, if manufactured on or after 1 January 1972, bearing the certification mark of the Standards Association of Australia; or
 - (b) manufactured, tested and marked in accordance with the requirements of the British Standards Institution contained in—
 - (i) British Standard 2001/1972—*Protective Helmets for Motor Cyclists*; or
 - (ii) British Standard 1869/1960—*Protective Helmets for Racing Motor Cyclists*; or
 - (iii) British Standard 2495/1960—*Protective Helmets and Peaks for Racing Car Drivers*; or

- (iv) British Standard 6658:1985—*Specification for Protective Helmets for Vehicle Users*,
and bearing the certification mark of the British Standards Institution; or
 - (c) manufactured by Arai Hirotake Limited and marked as model SP-21, SP-22, TX-7, X-7, S-70, R-6m, or XR.
- (2) A person must not sell, or offer for sale, a helmet for use by a motor bike rider or passenger on a motor bike unless—
- (a) the helmet, if manufactured before 1 January 1976, complies with 1 or more of the standards contained in subregulation (1); and
 - (b) the helmet, if manufactured on or after 1 January 1976, complies with—
 - (i) Australian Standard 1698/1974—*Protective Helmets for Vehicle Users*; or
 - (ii) Australian Standard 1698/1988—*Protective Helmets for Vehicle Users*; or
 - (iii) Australian/New Zealand Standard 1698:1992—*Protective Helmets for Vehicle Users*; or
 - (iv) Australian/New Zealand Standard 1698:2006—*Protective Helmets for Vehicle Users*.
- (3) Helmets are approved for bicycle riders if they meet the impact attenuation requirement of Australian Standard 2063.
- (4) For the purposes of section 162C of the Act (Safety helmets and riders of wheeled recreational devices and wheeled toys), safety helmets must meet the impact attenuation requirement of Australian Standard 2063.
- (5) A person must not sell, or offer for sale, a helmet for use by a bicycle rider or a rider of a wheeled recreational device or wheeled toy unless the helmet meets the impact attenuation requirement of Australian Standard 2063.
- (6) Despite the other provisions of this regulation and the *Australian Road Rules*, a helmet approved for bicycle riders may be used by a passenger on a motor bike who is under 6 years old and may be sold, or offered for sale, for such use.

39—Prescribed class of vehicles for purposes of section 163C(1)

For the purposes of section 163C(1) of the Act (Application of Part 4A), buses are vehicles of a prescribed class, other than buses that are used to provide passenger transport services within the meaning of the *Passenger Transport Act 1994*.

40—Prescribed period for purposes of section 163D(1a)

For the purposes of section 163D(1a) of the Act (Inspection of vehicles and issue of certificates of inspection), a period of 12 months commencing on 1 July is a prescribed period.

41—Certificate of inspection

- (1) For the purposes of section 163D(2) of the Act, a certificate of inspection must be in the form set out in Schedule 8.

- (2) A certificate of inspection must be issued by the Authority on the condition that, during the currency of the certificate, an inspection label supplied by the Authority is firmly affixed in an upright position to the vehicle—
- (a) to the inside surface of the front 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 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.

42—Design, maintenance etc requirements for vehicles to which Part 4A of Act applies

- (1) For the purposes of sections 163D(3)(b) and 163F of the Act, the prescribed requirements relating to design, construction and safety are the requirements relating to design, construction and safety contained in the Code of Practice for Buses (July 1985), stipulated by the Central Inspection Authority, as amended, varied or substituted from time to time (the *Code of Practice*), to the extent to which those requirements are consistent with the vehicle standards.
- (2) For the purposes of sections 163D(3a), 163F and 163GA of the Act, the prescribed scheme of maintenance is the scheme specified in section 15 of the Code of Practice.
- (3) For the purposes of section 163GA(1)(a)(i) of the Act, the particulars of prescribed maintenance and repair work carried out on a vehicle are the particulars of maintenance and repair work specified in section 15 of the Code of Practice.
- (4) For the purposes of section 163GA(1)(a) of the Act, the prescribed form is the appropriate form set out in the First Schedule of the Code of Practice.
- (5) For the purposes of section 163GA(1)(b) of the Act, the records in the form of Part 1 of the First Schedule of the Code of Practice must be retained for a period of not less than 6 months and those in the form of Part 2 of the First Schedule of the Code of Practice must be retained for a period of not less than 12 months.

43—Fees for inspections

- (1) In this regulation—

Central Inspection Authority inspection means an inspection or examination of a vehicle by the Central Inspection Authority for the purposes of section 163D of the Act;

further inspection means an inspection undertaken to determine if faults or defects identified by a previous inspection have been corrected;

heavy vehicle means a vehicle that has a GVM greater than 4.5 tonnes or, in the case of a trailer, that has a GTM greater than 4.5 tonnes;

LPG means liquefied petroleum gas;

Transport Department inspection means an inspection or examination of a vehicle by the Transport Department for the purposes of—

- (a) section 145, 161A or 163AA of the Act; or

- (b) regulation 46; or
- (c) section 139(1)(ab)(i) or (ii) of the *Motor Vehicles Act 1959*; or
- (d) the *Dangerous Substances Act 1979* where the vehicle has been converted to use liquefied petroleum gas,

other than an inspection or examination for the purposes of an application for a vehicle permit to which regulation 43A(2) applies;

written-off vehicle has the same meaning as in Part 7 of the *Motor Vehicles Regulations 2010*.

- (2) The following fees are payable for a Transport Department inspection of a vehicle (other than a bus) for the purposes of an approval under section 161A of the Act or an exemption under section 163AA of the Act where the approval or exemption is in relation to the use of the vehicle—
 - (a) as part of a road train or B-double; or
 - (b) as part of a combination that, including its load (if any), is over 19 metres long or has a total mass over 42.5 tonnes:

Type of vehicle and inspection	Fee
First inspection of a motor vehicle	\$322.00
First inspection of a trailer (other than a converter dolly)	\$162.00
First inspection of a converter dolly	\$81.00
Further inspection of a vehicle	\$81.00

- (2a) The following fees are payable for a Transport Department inspection or Central Inspection Authority inspection of a vehicle (or, where a particular inspection is specified, for a Transport Department inspection or Central Inspection Authority inspection of that kind), other than an inspection referred to in subregulation (2):

Type of vehicle and inspection	Fee
1. Heavy vehicles and buses	
(1) First inspection of a motor vehicle (other than a bus)	\$241.00
(2) First inspection of a trailer	\$162.00
(3) First inspection of a bus	\$241.00
(4) Further inspection of a vehicle	\$81.00
2. Vehicles other than heavy vehicles or buses	
(1) First inspection of a vehicle for the purposes of an exemption under section 163AA of the Act or regulation 46	\$241.00
(2) First inspection of a written-off vehicle for the purposes of section 139(1)(ab)(i) or (ii) of the <i>Motor Vehicles Act 1959</i>	\$241.00
(3) First inspection of LPG-converted vehicle for the purposes of the <i>Dangerous Substances Act 1979</i>	\$241.00
(4) Any other first inspection of a vehicle	\$162.00
(5) Further inspection of a vehicle	\$81.00

- (3) A further fee of \$10.00 is payable for the issue of each "type approval" plate in connection with an inspection referred to in subregulation (2) or (2a).
- (3a) An additional fee of \$24.00 is payable to book an inspection (whether a first or further inspection) referred to in subregulation (2) or (2a).
- (4) Where, pursuant to section 145 of the Act, a vehicle is produced for examination by a police officer at a police station, a fee of \$56.00 is payable to the Police Department on certification that the required repairs have been made to the vehicle.
- (9) If more than one fee becomes payable under this regulation in respect of an inspection or examination, only the higher or highest fee (as the case may be) must be paid.
- (10) A fee payable under this regulation for an inspection—
 - (a) must, except where otherwise specified, be paid to the Transport Department; and
 - (b) must be paid prior to that inspection.
- (11) A fee payable under this regulation for booking an inspection—
 - (a) must be paid to the Transport Department; and
 - (b) must be paid when the booking is made.

43A—Fees for vehicle permits etc

- (1) In this regulation—

heavy vehicle means a vehicle that has a GVM greater than 4.5 tonnes or, in the case of a trailer, that has a GTM greater than 4.5 tonnes;

oversize or overmass vehicle exemption means an exemption granted by the Minister by instrument in writing under section 163AA of the Act in respect of a heavy vehicle, from—

- (a) a dimension limit in the vehicle standards; or
- (b) a mass or dimension limit in the mass and loading requirements;

restricted access vehicle approval means an approval granted under section 161A of the Act by the Minister in respect of a restricted access vehicle referred to in regulation 35(1);

supplied vehicle specifications, in relation to an application for assessment, means details of a vehicle's dimensions and mechanical and other specifications supplied to the Transport Department by the applicant;

vehicle permit means an oversize or overmass vehicle exemption, a restricted access vehicle approval, or both.

- (2) A fee of \$71.00 is payable to the Transport Department on application for the issue or renewal of a vehicle permit for a vehicle or combination.
- (3) A fee of \$47.00 per vehicle is payable to the Transport Department on application for an assessment of supplied vehicle specifications for the purposes of a vehicle permit or for other purposes.

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- (4) A fee under subregulation (3) is payable for each vehicle whose specifications are to be assessed (including each vehicle forming part of a combination) and, where the assessment is for the purposes of a vehicle permit, is payable in addition to any fee payable under subregulation (2).
 - (5) Where a more detailed or complex assessment is required in relation to an application referred to in subregulation (2), involving the detailed inspection (or inspection other than at Transport Department premises) of a vehicle, the survey or inspection of proposed routes, the examination of bridges or other transport infrastructure, the determination of road work or other work required to enable the use of a proposed route, the consideration of special conditions that may be applicable to the permit, or any other exceptional action or costs—an additional fee of the Minister's estimate of the reasonable cost of providing that more detailed and complex assessment is payable.
 - (6) A fee referred to in subregulation (5) is payable to the Transport Department prior to the making of that more detailed or complex assessment.

44—Offence and penalty

- (1) A person who contravenes or fails to comply with a provision of these regulations is guilty of an offence.
- (2) A person who is guilty of an offence against these regulations for which no penalty is specifically provided is liable to a penalty not exceeding \$2 500.

45—Expiation of alleged offences

- (1) The expiation fees set out in Schedule 9 are fixed for alleged offences against the Act or the rules or regulations specified in the Schedule.
- (2) Text set out in italic type under a heading in Schedule 9 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.

46—Power of exemption

- (1) The Minister may, by instrument in writing or notice published in the Gazette, exempt—
 - (a) a person or class of persons; or
 - (b) a vehicle or class of vehicles,from a specified provision of these regulations, unconditionally or subject to specified conditions.
- (2) The Minister may, by instrument in writing or notice published in the Gazette, vary or revoke an exemption under this regulation.

47—Proof of GTM

In proceedings for an offence against the *Road Traffic Act 1961* involving a breach of a regulation or rule made under that Act, an allegation in a complaint that a specified mass was the GTM of a specified vehicle is proof of the matter so alleged in the absence of proof to the contrary.

Schedule 1AAA—Notice of licence disqualification or suspension

(section 45B and section 47IAA of Act)



Schedule 1AAA Road Traffic (Miscellaneous) Regulations 1999

NOTICE OF LICENCE DISQUALIFICATION OR SUSPENSION under section 47IAA or section 45B Road Traffic Act 1961

NOTICE NUMBER:
AP/TIN REF:

FAMILY NAME: LICENCE NUMBER: STATE OF ISSUE: PHONE:

GIVEN NAMES: DATE OF BIRTH: [][][][][][][][][] SEX: M / F

ADDRESS: SUBURB / TOWN: POST CODE:

Notice under section 47IAA Road Traffic Act 1961 (category 2 or 3 offences and refuse/fail to comply offences)

It is alleged that at about am/pm on [][][][][][][][][] at (location) you committed the offence of:

<input type="checkbox"/> category 2 offence - blood alcohol concentration of 0.08 to 0.149 (Section 47B(1) Road Traffic Act 1961) <input type="checkbox"/> refuse/fail to comply with directions in relation to drug screening test, oral fluid analysis or blood sample (Section 47EAA(9) Road Traffic Act 1961)	<input type="checkbox"/> category 3 offence - blood alcohol concentration of or above 0.15 (Section 47B(1) Road Traffic Act 1961) <input type="checkbox"/> refuse/fail to comply with directions in relation to alcotest or breath analysis (Section 47E(3) Road Traffic Act 1961) <input type="checkbox"/> refuse/fail to comply with request for blood sample (Section 47I(14) Road Traffic Act 1961, as a driver of a motor vehicle involved in an accident)
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As a result of this allegation, your driver's licence is suspended or you are disqualified from holding or obtaining a driver's licence for the relevant period as defined in section 47IAA of the Act, being a period of up to:

6 months 12 months

The licence suspension or disqualification commences:

forthwith - at the time the notice is given to you

48 hours after the notice is given to you

If your driver's licence is already suspended or you are already disqualified from holding or obtaining a driver's licence, this notice will take effect at the conclusion of that suspension or disqualification.

Notice under section 45B Road Traffic Act 1961 (excessive speed offences)

At about am/pm on [][][][][][][][][] at (location) an offence was allegedly committed in respect of which you have been given an expiration notice for an offence against:

<input type="checkbox"/> Section 45A of the Road Traffic Act 1961 (Excessive speed) As a result of this allegation, your driver's licence is suspended or you are disqualified from holding or obtaining a driver's licence for a period of up to 6 months . <input type="checkbox"/> The licence suspension or disqualification commences 24 hours after this notice is given to you <input type="checkbox"/> If your driver's licence is already suspended or you are already disqualified from holding or obtaining a driver's licence, this notice will take effect at the conclusion of that suspension or disqualification.	<input type="checkbox"/> Section 79B of the Road Traffic Act 1961 (Being owner of a vehicle that appears from evidence obtained by a photographic detection device to have been involved in an offence against section 45A of that Act) As a result of this allegation, your driver's licence is suspended or you are disqualified from holding or obtaining a driver's licence for the relevant period as defined in section 45B of the Act being a period of up to 6 months . <input type="checkbox"/> The licence suspension or disqualification commences 28 days after this notice is given to you <input type="checkbox"/> If your driver's licence is already suspended or you are already disqualified from holding or obtaining a driver's licence, this notice will take effect at the conclusion of that suspension or disqualification.
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It is an offence punishable by imprisonment to drive a motor vehicle whilst your licence is suspended or you are disqualified.

TIME AND DATE NOTICE GIVEN:

This notice was given at am / pm on [][][][][][][][][]

Issuing Officer's Signature Name: Rank: ID [0][][][][][][][][]

ACKNOWLEDGEMENT OF RECEIPT OF NOTICE:

I acknowledge receipt of this notice at the time and date recorded above.

Signature Name:

Witness's Signature Name: Rank: ID [0][][][][][][][][]

DRIVER / OCCUPANT OF VEHICLE REFUSED / UNABLE TO SIGN / ACCEPT ORDER (delete as applicable)

CHECKED BY RANK: ID [0][][][][][][][][] DATE/...../.....

ADVICE TO NOTICE RECIPIENT

CATEGORY 2 OR 3 OFFENCE OR REFUSE/FAIL TO COMPLY (Alcohol or Drug) – Section 47IAA of the Road Traffic Act 1961

Review of Licence Suspension / Disqualification - Road Traffic Act 1961, Section 47IAB

- (1) A person who has been given a notice of immediate licence disqualification or suspension under section 47IAA or who has been sent particulars of such a notice by the Registrar of Motor Vehicles may apply to the Magistrates Court for an order—
 - (a) that the person is not disqualified, or the person's driver's licence is not suspended, by the notice; or
 - (b) reducing the period of disqualification or suspension applicable under the notice.
- (2) The Magistrates Court may, on an application under subsection (1), make an order—
 - (a) that the person is not disqualified, or the person's driver's licence is not suspended, by the notice if—
 - (i) the Court is satisfied, on the basis of oral evidence given on oath by the applicant that there is a reasonable prospect that the applicant would, in proceedings for the offence to which the notice relates, be acquitted of the offence and the evidence before the Court does not suggest that the applicant may be guilty of another offence to which section 47IAA applies; or
 - (ii) the Court is satisfied that the person has not been charged with any offence to which section 47IAA applies and that the prosecution authorities have had a reasonable time, in the circumstances, within which to make a determination as to the laying of charges against the person; or
 - (b) reducing the period of disqualification or suspension applicable under the notice if—
 - (i) the offence to which the notice relates is a category 2 or category 3 offence that is a first offence and the Court is satisfied, on the basis of oral evidence given on oath by the applicant, that there is a reasonable prospect that the applicant might, in proceedings for the offence to which the notice relates, successfully argue that the offence was trifling (in which case the Court must order that the period of disqualification or suspension be reduced to a period of 1 month); or
 - (ii) the offence to which the notice relates is a category 3 offence and the Court is satisfied, on the basis of oral evidence given on oath by the applicant, that there is a reasonable prospect that the applicant would, in proceedings for the offence to which the notice relates, be acquitted of the offence but the evidence before the Court suggests that the applicant may be guilty of a category 2 offence (in which case the Court must order that the period be reduced to a period of 6 months).
- (3) The application must be commenced by lodging written application with the Magistrates Court, in the form prescribed by rules of the Court, setting out the grounds on which the application is made and particulars of the evidence that will be relied on by the applicant.
- (4) The Commissioner of Police—
 - (a) must be served, by an applicant for an order under this section, with a copy of the application as soon as practicable after the application is made; and
 - (b) is a party to the application; and
 - (c) may (but is not required to) appear at the hearing represented by legal counsel or a police officer.

To apply for a review go to website www.courts.sa.gov.au, Magistrates Court section, obtain an application form and information on how to lodge your application or contact the Magistrates Court Call Centre on 8204 2444 between 8.30 am and 5.30 pm Monday to Friday.

EXCEED SPEED BY 45 KM/H OR MORE - Section 45B of the Road Traffic Act 1961

Cancellation of Licence Suspension / Disqualification - Road Traffic Act 1961, Section 45B

- (6) If a person is given a notice of licence disqualification or suspension in accordance with subsection (1) and the expiation notice referred to in that subsection is withdrawn or the person elects to be prosecuted in accordance with the *Expiation of Offences Act 1996*—
 - (a) the notice of licence disqualification or suspension is cancelled (and, if the relevant period has commenced, any licence held by the person at the commencement of the relevant period is taken to be in force again);

If you seek a **withdrawal** of the expiation notice, please provide evidence verified by statutory declaration and forward to Manager, Expiation Notice Branch, GPO Box 2029, Adelaide 5001. The evidence must be received by the Expiation Notice Branch before the due date for payment specified in the expiation notice or expiation reminder notice.

If you wish to **elect to be prosecuted**, please complete, sign and post the appropriate portion of the expiation notice to the Manager, Expiation Notice Branch, GPO Box 2029, Adelaide, 5001. The election form must be received by the Expiation Notice Branch before the due date for payment specified in the expiation notice or expiation reminder notice.

The notice of suspension or disqualification will remain in force unless the expiation notice is withdrawn or until a correctly completed election to be prosecuted form is received at Expiation Notice Branch.

For exceed speed enquiries contact the Expiation Notice Branch between 8.30 am and 4.00 pm Monday to Friday, on the telephone number accessible at website www.police.sa.gov.au or write to the Manager, Expiation Notice Branch, South Australia Police, GPO Box 2029, Adelaide SA 5001.

Schedule 1AA—Prescribed oral advice

(Section 47E(4)(ab))

Road Traffic Act 1961

Oral advice on refusal or failure to comply with alcotest or breath analysis direction: section 47E(4)(ab)

It is a criminal offence to refuse or fail to provide a breath sample without good cause. You could be fined and lose your licence for 12 months or more.

It is a defence if you have some physical or medical condition that prevents you from providing a breath sample, but only if you ask for a sample of your blood to be taken instead or can show that your condition also prevents the taking of blood.

If you want a blood sample taken because of your condition, you should ask for that and the police will help you to have the sample taken at Government expense.

Schedule 1A—Prescribed oral advice

(Section 47EAA(10)(b))

Road Traffic Act 1961

Oral advice on refusal or failure to comply with drug screening test, oral fluid analysis or blood test direction: section 47EAA(10)(b)

It is a criminal offence to refuse or fail to provide a sample of oral fluid or blood without good cause. You could be fined and lose your licence for 6 months or more.

It is a defence if you have some physical or medical condition that prevents you from providing a sample of oral fluid or blood [whichever is applicable], but only if you ask for a sample of your blood or oral fluid [whichever is applicable] to be taken instead.

If you want a sample of blood or oral fluid [whichever is applicable] taken because of your condition, you should ask for that and the police will help you to have the sample taken at Government expense.

Schedule 1—Prescribed oral advice and written notice

(Section 47K(2a)(a))

Part A—Oral advice for the purposes of section 47K(2a)(a) of *Road Traffic Act 1961*

The breathalyser reading just taken shows that you had a prohibited level of alcohol in your blood.

Therefore, it appears that you have committed an offence against section 47B of the Road Traffic Act.

In any court proceedings for that offence, or for an offence against section 47 of the Road Traffic Act (driving under the influence of liquor), it will be presumed that the breathalyser accurately indicated your blood alcohol level at the time of the reading and for the preceding two hours. However, the Road Traffic Act allows for contrary evidence based on the results of a blood test.

If you want to have such a blood test you will have to make your own arrangements and follow certain procedures, using a special blood test kit. This blood test kit will be supplied to you on your signing a written request.

If you obtain a blood test kit and want to have your blood tested, you should take the kit promptly to a hospital or medical practitioner in order to have a sample of your blood taken.

[*Alternatively, you may have the sample taken by a registered nurse.]

You must not consume any more alcohol before having a sample of your blood taken and must not open the blood test kit before delivering it to a medical practitioner [*or registered nurse].

Under the blood test procedure, the sample of blood is divided and sealed in two containers. You will have to sign a form that will be given to you by the medical practitioner [*or registered nurse].

One of the sealed containers will be given to you and you may make your own arrangements to have the blood in that container analysed.

In any event, the blood in the other container will be analysed by Forensic Science SA and you will be given written notice of the results of the analysis.

Further information as to these matters is contained in the written notice which will be delivered to you shortly.

* Advice as to the alternative of a registered nurse is to be given only if the breath analysis was conducted outside Metropolitan Adelaide.

Part B—Written notice for the purposes of section 47K(2a)(a) of *Road Traffic Act 1961*

Operation of Road Traffic Act in relation to results of breath analysis

1 Offence

A person commits an offence against section 47B(1) of the *Road Traffic Act 1961* if the person—

- (a) drives a motor vehicle; or
- (b) attempts to put a motor vehicle in motion,

while there is present in his or her blood the prescribed concentration of alcohol (as defined in section 47A of the Act).

2 Breath analysis

Your breath has just been analysed by means of a breath analysing instrument which indicated that the prescribed concentration of alcohol was present in your blood.

Accordingly, it appears that you have committed the offence described above.

3 Legal effect of breath analysis result

In proceedings for the offence described above or an offence against section 47(1) of the *Road Traffic Act 1961* (driving under the influence of liquor), the result of the breath analysis will be presumed to accurately record the concentration of alcohol in your blood at the time of the analysis and throughout the preceding 2 hours (section 47K(1),(1ab)).

In any proceedings against you for such an offence, you will be able to challenge the accuracy of the breath analysis reading—

- if you have a sample of your blood taken and analysed as described below AND
- if the result of analysis of the blood sample shows that the breath analysing instrument gave an exaggerated reading of the concentration of alcohol present in your blood (section 47K(1a)).

Procedures for optional blood test

- 1 You may have a sample of your blood taken and analysed if you wish.
 - 2 For that purpose, you must request the breath analysis operator to supply you with an approved blood test kit (you must sign a written request form for the kit and should retain a copy of the signed request form).
 - 3 You should then proceed promptly to a hospital or a medical practitioner [*or registered nurse] of your choice and request that a sample of your blood be taken (using the blood test kit).
 - 4 Do not consume any further alcohol before the sample is taken.
 - 5 Do not open the blood test kit.
 - 6 The medical practitioner [*or registered nurse] taking the sample of your blood will divide it and place it into two containers and seal the containers. One container will be delivered to you—do not break the seal on this container.
 - 7 Sign the form presented to you by the medical practitioner [*or registered nurse]—the original of the form will be given to you which you should retain.
 - 8 You may, if you wish, have the blood sample (in the container delivered to you) analysed at a laboratory to determine the concentration of alcohol present in the blood.
 - 9 The other blood sample container will, in any event, be sent to Forensic Science SA where the blood will be analysed. The results of this analysis will be sent to you at your address (as indicated on the form presented to you by the medical practitioner [*or registered nurse] who took the blood sample).
- * The alternative of a registered nurse applies only if the breath analysis was conducted outside Metropolitan Adelaide.

Schedule 2—Form of request

(Section 47K(2a)(b))

Road Traffic Act 1961

Request form for the purposes of section 47K(2a)(b)

..... of.....
(Name)

.....
(Address)

submitted to a breath analysis at.....
(Address or description)

at am/pm on the day of 20.....

I (the person named above) now request that I be supplied with an approved blood test kit.

Signature:..... In the presence of:
(Person making request) (Name of Police Officer)

Signature of witnessing Police Officer:

Schedule 4—Notice

Road Traffic Act 1961, Notice under section 79B(5) & (6)

Motor Vehicles Act 1959, Notice under Schedule 1 clause 3

Entitlement to view photographic evidence

You are entitled to see the photographic evidence.

A copy of the photographic evidence on which the allegation is based:

- will, on written application to the Commissioner of Police, be sent by post to you at the address nominated by you in the written application or, in the absence of such a nomination, to your last known address; and
- may be viewed by telephoning the Expiation Notice Branch and making an appointment.

Statutory Declarations

The Commissioner of Police will, in relation to the question of withdrawal of the expiation notice, reminder notice or complaint, give due consideration to any exculpatory evidence (ie evidence indicating that you have a defence under the relevant legislation or are otherwise not liable for the offence) that is verified by statutory declaration. A statutory declaration must be furnished to the Commissioner before the due date for payment specified in the enclosed expiation notice or expiation reminder notice or, if the enclosed document is a summons, within 21 days after the date of issue of the summons.

You must provide the following information in the statutory declaration:

- your full name and address; and
- expiation notice number (where relevant); and
- motor vehicle registration number; and
- details of the defence or other exculpatory circumstances (in keeping with the requirements of the relevant legislation).

Examples—

If, for example, you sold the vehicle before the commission of the alleged offence you would need to provide details of that sale including the date on which it occurred and the name and address of the purchaser.

Similarly, in relation to an offence against section 79B of the *Road Traffic Act 1961*, if you are nominating another person as the driver of the vehicle at the relevant time you would need to provide that person's name and address or if you do not know the identity of the driver you would need to specify that fact and outline why the driver's identity is not known and what enquiries you have made to ascertain the driver's identity. If the allegation of an offence against section 79B, or an allegation of a speeding or reckless or dangerous driving offence, is based on evidence of the average speed of the vehicle between 2 locations you would need to provide this information in relation to each person who drove the vehicle during that time (if there was more than 1) and in the case of an offence against section 79B state whether or not you were 1 of those persons.

If, in relation to an offence against section 9(3) or 102(2) of the *Motor Vehicles Act 1959*, you are claiming the defence set out in section 9(4a) or 102(3aa), you would need to specify that the vehicle was not driven or left standing on the road by you at the time of the alleged offence and you would need to provide details of the steps you took to ensure that people who might use the vehicle would have been aware that it was unregistered or uninsured.

The statutory declaration must be witnessed by one of the following:

- Justice of the Peace (including ID No.)
- Proclaimed Police Officer
- Commissioner for taking affidavits.

NOTE: It is an offence to make a statutory declaration that you know to be untrue in a material particular. The maximum penalty is 4 years imprisonment.

General information

An application to view photographic evidence or a statutory declaration verifying a defence or other exculpatory circumstances must be sent to the Expiation Notice Branch by post (at GPO Box 2029, Adelaide SA 5001) or by fax. Further information regarding expiation notices, statutory declarations and photographic evidence can be found on the SAPOL internet site at:

http://www.police.sa.gov.au/sapol/services/expiations/expiation_notice_faqs.jsp

Schedule 8—Certificate of inspection

(Section 163D(2))

Road Traffic Act 1961

Vehicles inspected under Part 4A

This is to certify that the vehicle, Registration No. has been inspected and this Certificate of Inspection is issued *subject to the conditions attached to this certificate*.

Expiry Date:..... Label No:.....

Seating Capacity:.....Adults or Children

Signature of Inspector or authorised person

Date:

Notes—

- 1 This certificate is issued on behalf of the Central Inspection Authority.
- 2 This certificate will remain in force up to and including the date of expiry, unless sooner cancelled by the Central Inspection Authority.

Schedule 9—Expiation fees

(Regulation 45)

Part 1—Preliminary

1—Photographic detection devices

The expiation fee for an alleged offence against section 79B(2) of the Act constituted of 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 an expiable offence is the same as the expiation fee payable for that expiable offence.

2—Lesser expiation fee if motor vehicle not involved

- (1) Despite the fees fixed in the tables in this Schedule, the expiation fee is \$52 for an alleged offence (other than an offence referred to in subclause (2)) constituted of—
 - (a) driving, towing, stopping or parking a vehicle other than a motor vehicle; or
 - (b) travelling in or on a wheeled recreational device or wheeled toy.
- (2) Subclause (1) does not apply in the case of—
 - (a) an offence constituted of failing to comply with the lawful directions of a person; or
 - (b) an offence against section 164A(1) of the Act comprising a contravention of or failure to comply with section 162C(1), (2) or (2a) of the Act; or
 - (c) an offence against rule 244(2), 244B, 244C, 254(2), 256(1), 256(2) or 256(3) of the *Australian Road Rules*.

3—Prescribed roads—offences against section 45A of Act involving road trains

- (1) For the purposes of determining the expiation fee for an offence against section 45A of the Act, a road train is driven on a prescribed road if it is driven on a length of road with a prescribed speed limit (road trains) of 90 kilometres per hour or more.
- (2) In this clause—

prescribed speed limit (road trains) means a prescribed speed limit (road trains) imposed under regulation 9A(3a) of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999*.

Note—

Different penalties apply in respect of road trains being driven on prescribed roads—see the item relating to offences against section 45A in Part 2 of this Schedule.

Part 2—Offences against the *Road Traffic Act 1961*

Section	Description of offence against <i>Road Traffic Act 1961</i>	Fee
40H(5)	<i>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—</i> if direction relates to heavy vehicle	\$664

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Expiation fees—Schedule 9

Section	Description of offence against <i>Road Traffic Act 1961</i>	Fee
	if direction relates to vehicle other than heavy vehicle	\$247
40I(2)	<i>Engaging in conduct in contravention of direction of authorised officer or police officer to move vehicle to specified location—</i>	
	if direction relates to heavy vehicle	\$664
	if direction relates to vehicle other than heavy vehicle	\$247
40J(3)	<i>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—</i>	
	if direction relates to heavy vehicle	\$664
	if direction relates to vehicle other than heavy vehicle	\$247
40K(5)	<i>Engaging in conduct in contravention of direction of authorised officer or police officer to vacate or not occupy driver's seat, or to leave or not enter vehicle—</i>	
	if direction relates to heavy vehicle	\$664
	if direction relates to vehicle other than heavy vehicle	\$247
40V(4)	<i>Person subject to direction contravening or failing to comply with section—</i>	
	contravention specified in section 40V(4)(b)(i)	\$664
40W(4)	<i>Engaging in conduct in contravention of direction of authorised officer or police officer to produce records, devices or other things</i>	\$664
40X(3)	<i>Person subject to direction contravening or failing to comply with section—</i>	
	contravention specified in section 40X(3)(b)(i)	\$664
40Y(5)	<i>Engaging in conduct in contravention of direction of authorised officer or police officer to provide assistance to officer to enable effective exercise of officer's powers</i>	\$664
45A	<i>Driving at speed exceeding applicable speed limit by 45 kph or more—</i>	
	if vehicle being driven is a road train being driven on a prescribed road	\$1 030
	Note—	
	See clause 3 of this Schedule.	
	in any other case	\$927
47B(1)	<i>Driving whilst having prescribed concentration of alcohol in blood—</i>	
	contravention involving less than 0.08 grams of alcohol in 100 millilitres of blood	\$548
47BA(1)	<i>Driving with prescribed drug in oral fluid or blood</i>	\$548
91(3)	<i>Failing to comply with direction of ferry operator</i>	\$93
110C(2)	<i>Selling or offering for sale for use on roads motor vehicle or trailer not bearing vehicle identification plate for that vehicle or trailer—</i>	
	offence not committed in course of trade or business	\$243
110C(3)	<i>Driving motor vehicle or trailer not bearing vehicle identification plate for that vehicle or trailer</i>	\$243
117(1)	<i>Vehicle in breach of vehicle standards or maintenance requirement driven on road—being driver of vehicle—</i>	

Road Traffic (Miscellaneous) Regulations 1999—1.1.2014 to 15.1.2014

Schedule 9—Expiation fees

Section	Description of offence against <i>Road Traffic Act 1961</i>	Fee
	non-compliance with rule 155 of the vehicle standards	\$585
	any other contravention of section 117(1)	\$373
118(1)	<i>Vehicle in breach of vehicle standards or maintenance requirement driven on road—being operator of vehicle—</i>	
	non-compliance with rule 155 of the vehicle standards	\$585
	any other contravention of section 118(1)	\$373
123(1)	<i>Vehicle not complying with mass, dimension or load restraint requirement driven on road—being driver of vehicle—</i>	
	minor risk breach involving heavy vehicle	\$358
	minor risk breach involving vehicle other than heavy vehicle	\$175
	substantial risk breach involving heavy vehicle	\$664
	substantial risk breach involving vehicle other than heavy vehicle	\$297
	severe risk breach involving vehicle other than heavy vehicle	\$420
124(1)	<i>Vehicle not complying with mass, dimension or load restraint requirement driven on road—being operator of vehicle—</i>	
	minor risk breach involving heavy vehicle—	
	• if the operator is a natural person	\$358
	• if the operator is a body corporate	\$479
	minor risk breach involving vehicle other than heavy vehicle	\$175
	substantial risk breach involving heavy vehicle—	
	• if the operator is a natural person	\$664
	• if the operator is a body corporate	\$846
	substantial risk breach involving vehicle other than heavy vehicle	\$297
	severe risk breach involving vehicle other than heavy vehicle	\$420
125(2)	<i>Heavy vehicle not complying with mass, dimension or load restraint requirement driven on road—being consignor of goods in or on vehicle—</i>	
	minor risk breach—	
	• if the consignor is a natural person	\$358
	• if the consignor is a body corporate	\$479
	substantial risk breach—	
	• if the consignor is a natural person	\$664
	• if the consignor is a body corporate	\$846
125(4)	<i>Weight of freight container containing goods consigned for road transport by heavy vehicle exceeding maximum gross weight marked on container or container's safety approval plate—being consignor of any of the goods—</i>	
	• if the consignor is a natural person	\$664
	• if the consignor is a body corporate	\$846
126(2)	<i>Heavy vehicle not complying with mass, dimension or load restraint requirement driven on road—being packer of goods in or on vehicle—</i>	

Section	Description of offence against <i>Road Traffic Act 1961</i>	Fee
	minor risk breach—	
	• if the packer is a natural person	\$358
	• if the packer is a body corporate	\$479
	substantial risk breach—	
	• if the packer is a natural person	\$664
	• if the packer is a body corporate	\$846
126(4)	<i>Weight of freight container containing goods consigned for road transport by heavy vehicle exceeding maximum gross weight marked on container or container's safety approval plate—being packer of any of the goods—</i>	
	• if the packer is a natural person	\$664
	• if the packer is a body corporate	\$846
127(2)	<i>Heavy vehicle not complying with mass, dimension or load restraint requirement driven on road—being loader of goods in or on vehicle—</i>	
	minor risk breach—	
	• if the loader is a natural person	\$358
	• if the loader is a body corporate	\$479
	substantial risk breach—	
	• if the loader is a natural person	\$664
	• if the loader is a body corporate	\$846
128(2)	<i>Heavy vehicle not complying with mass, dimension or load restraint requirement driven on road—consignee of goods in or on vehicle engaging in conduct resulting or likely to result in inducing or rewarding breach—</i>	
	minor risk breach—	
	• if the consignee is a natural person	\$358
	• if the consignee is a body corporate	\$479
	substantial risk breach—	
	• if the consignee is a natural person	\$664
	• if the consignee is a body corporate	\$846
135(3)	<i>Responsible entity failing to provide operator or driver of heavy vehicle with complying container weight declaration relating to freight container offered for transport by vehicle—</i>	
	• if the responsible entity is a natural person	\$664
	• if the responsible entity is a body corporate	\$846
136(5)	<i>Operator of heavy vehicle failing to provide driver with complying container weight declaration relating to freight container arranged by operator to be transported by vehicle—</i>	
	• if the operator is a natural person	\$664
	• if the operator is a body corporate	\$846

Road Traffic (Miscellaneous) Regulations 1999—1.1.2014 to 15.1.2014

Schedule 9—Expiation fees

Section	Description of offence against <i>Road Traffic Act 1961</i>	Fee
137(3)	<i>Driver of heavy vehicle loaded with freight container driving vehicle without first having been provided with container weight declaration or failing to keep declaration in or about vehicle or readily accessible from vehicle during journey</i>	\$664
148(4)	<i>Engaging in conduct in contravention of direction of authorised officer or police officer to driver or operator of vehicle to rectify specified minor risk breaches of mass, dimension or load restraint requirement, or move vehicle to specified location and not proceed from there until breaches are rectified—</i>	
	if direction relates to heavy vehicle	\$664
	if direction relates to vehicle other than heavy vehicle	\$247
149(5)	<i>Engaging in conduct in contravention of direction of authorised officer or police officer to driver or operator of vehicle not to proceed until specified substantial risk breaches of mass, dimension or load restraint requirement are rectified, or to move vehicle to specified location and not proceed from there until breaches are rectified—</i>	
	if direction relates to heavy vehicle	\$664
	if direction relates to vehicle other than heavy vehicle	\$247
151(4)	<i>Engaging in conduct in contravention of condition of authorisation granted by authorised officer or police officer to driver of vehicle authorising vehicle to continue journey—</i>	
	if authorisation relates to heavy vehicle	\$664
	if authorisation relates to vehicle other than heavy vehicle	\$247
164A(1)	<i>Contravening or failing to comply with provision of Act</i>	
	Contravention of or failure to comply with—	
s 33(9)	<i>Failing to comply with direction of police officer</i>	\$247
s 53B(1)	<i>Selling radar detector or jammer or storing or offering radar detector or jammer for sale</i>	\$384
s 82(1)	<i>Speeding while passing school bus</i>	
	Exceeding the speed limit while passing a school bus—	
	by less than 10 kph	\$155
	by 10 kph or more but less than 20 kph	\$340
	by 20 kph or more but less than 30 kph	\$690
	by 30 kph or more	\$824
s 83(1)(a)	<i>Speeding while passing emergency vehicle</i>	
	Exceeding 40 kph while passing an emergency vehicle—	
	by less than 10 kph	\$155
	by 10 kph or more but less than 20 kph	\$340
	by 20 kph or more but less than 30 kph	\$690
	by 30 kph or more	\$824

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Section	Description of offence against <i>Road Traffic Act 1961</i>	Fee
s 83A(1)	<i>Standing etc or placing goods or sign on carriageway, dividing strip or traffic island for purpose of soliciting business etc</i>	\$93
s 83A(2)	<i>Buying or offering to buy goods from person standing etc on carriageway etc in contravention of section 83A(1)</i>	\$93
s 85(2)	<i>Leaving stationary vehicle in prohibited area near Parliament House etc without authority</i>	\$110
s 87	<i>Walking without due care or attention etc</i>	\$44
s 95	<i>Riding on vehicle without consent of driver</i>	\$93
s 99A	<i>Bicycle rider riding on footpath or other road-related area failing to give warning to pedestrians etc</i>	\$52
s 99B(1)	<i>Riding wheeled recreational device or wheeled toy without due care or attention etc</i>	\$52
s 99B(2)	<i>Riding wheeled recreational device or wheeled toy on footpath or other road-related area abreast of another vehicle etc</i>	\$52
s 99B(3)	<i>Riding wheeled recreational device or wheeled toy on footpath or other road-related area without giving warning to pedestrians etc</i>	\$52
s 107(1)	<i>Driving, drawing, hauling, dragging over road any implement, sledge etc</i>	\$218
s 107(2)	<i>Removing or interfering with road infrastructure, or damaging road infrastructure other than by reasonable use</i>	\$218
s 108(1)	<i>Depositing certain articles or materials on road</i>	\$208
s 110	<i>Failing to keep whole of vehicle on sealed surface when driving on sealed road</i>	\$93
s 145(3)	<i>Failing to comply with direction of police officer or authorised officer to stop vehicle or produce vehicle for examination</i>	\$247
s 145(5f)	<i>Defacing, altering, obscuring or removing defective vehicle label affixed to vehicle</i>	\$373
s 145(6)	<i>Driving, selling etc vehicle contrary to terms of defect notice</i>	\$533
s 161A(1)	<i>Driving vehicle to which section 161A applies without Ministerial approval</i>	\$269
s 162C(1)	<i>Riding wheeled recreational device or wheeled toy without wearing safety helmet complying with regulations and properly adjusted and securely fastened</i>	\$93
s 162C(2)	<i>Riding wheeled recreational device or wheeled toy on which is carried child under 16 years not wearing safety helmet complying with regulations and properly adjusted and securely fastened</i>	\$93
s 162C(2a)	<i>Parent or other person having custody or care of child under 16 years causing or permitting child to ride or be carried on wheeled recreational device or wheeled toy without wearing safety helmet complying with regulations and properly adjusted and securely fastened</i>	\$90

Section	Description of offence against <i>Road Traffic Act 1961</i>	Fee
167(1)	<i>Causing or permitting another person to commit an offence against Act or regulations—</i> causing or permitting commission of expiable offence	the expiation fee prescribed for the expiable offence
174B	<i>Further offence for continued parking contravention</i>	\$45

Part 3—Offences against the *Australian Road Rules*

Rule	Description of offence against <i>Australian Road Rules</i>	Fee
20	<i>Speeding</i> Exceeding applicable speed limit on length of road— by less than 10 kph by 10 kph or more but less than 20 kph by 20 kph or more but less than 30 kph by 30 kph or more	\$155 \$340 \$690 \$824
27(1)	<i>Failing to keep left when starting left turn (from other than multi-lane road)</i>	\$289
28(1)	<i>Failing to keep within left lane when starting left turn on multi-lane road</i>	\$289
28(1A)	<i>Failing to use slip lane when starting left turn on multi-lane road</i>	\$289
28(2A)	<i>Bicycle rider starting left turn on multi-lane road from incorrect position in bicycle storage area</i>	\$52
29(1)	<i>Failing to make left turn as indicated by turn line</i>	\$289
31(1)	<i>Starting right turn incorrectly (from other than multi-lane road)</i>	\$289
32(1)	<i>Failing to keep within right lane when starting right turn (on multi-lane road)</i>	\$289
32(2A)	<i>Bicycle rider starting right turn on multi-lane road from incorrect position in bicycle storage area</i>	\$52
33(1)	<i>Making right turn at intersection incorrectly</i>	\$289
34(1)	<i>Making hook turn at "hook turn only" sign incorrectly</i>	\$260
35(2)	<i>Bicycle rider making hook turn at intersection with no "hook turn only" sign etc incorrectly</i>	\$52
36	<i>Bicycle rider making hook turn contrary to "no hook turn by bicycles" sign</i>	\$52
37	<i>Starting U-turn without clear view etc</i>	\$346
38	<i>Failing to give way when making U-turn</i>	\$346
39(1)	<i>Making U-turn contrary to "no U-turn" sign at break in dividing strip</i>	\$325
39(2)	<i>Making U-turn contrary to "no U-turn" sign on length of road</i>	\$325
40	<i>Making U-turn at intersection with traffic lights and no "U-turn permitted" sign</i>	\$325
41	<i>Making U-turn at intersection without traffic lights where "no U-turn" sign</i>	\$325
42	<i>Starting U-turn at intersection from incorrect position</i>	\$346

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Rule	Description of offence against Australian Road Rules	Fee
46(1)	<i>Failing to give left change of direction signal before turning left</i>	\$283
46(4)	<i>Failing to stop giving left change of direction signal after turning left</i>	\$190
48(1)	<i>Failing to give right change of direction signal before turning right</i>	\$283
48(4)	<i>Failing to stop giving right change of direction signal after turning right</i>	\$190
51	<i>Using direction indicator lights when not permitted</i>	\$190
53(1)	<i>Failing to give stop signal before stopping or suddenly slowing</i>	\$283
53(2)	<i>Failing to give sufficient warning of stopping</i>	\$283
53(3)	<i>Failing to give stop signal while slowing</i>	\$283
56(1)	<i>Failing to stop for red traffic light</i>	\$416
56(2)	<i>Failing to stop for red traffic arrow</i>	\$416
57(1)	<i>Failing to stop for yellow traffic light</i>	\$416
57(2)	<i>Failing to stop for yellow traffic arrow</i>	\$416
57(3)	<i>Failing to leave intersection showing yellow traffic light or arrow</i>	\$416
59(1)	<i>Proceeding through red traffic light</i>	\$416
60	<i>Proceeding through red traffic arrow</i>	\$416
60A(1)	<i>Proceeding through bicycle storage area before red traffic light</i>	\$325
60A(2)	<i>Proceeding through bicycle storage area before red traffic arrow</i>	\$325
61(2)	<i>Failing to stop at intersection when traffic lights or arrows change to yellow or red</i>	\$416
61(5)	<i>Failing to leave intersection when traffic lights or arrows change to yellow or red</i>	\$416
62(1)	<i>Failing to give way when turning at intersection with traffic lights</i>	\$384
63(2)	<i>Failing to give way at intersection with traffic lights not operating or only partly operating—where traffic light-stop sign</i>	\$384
63(3)	<i>Failing to give way at intersection with traffic lights not operating or only partly operating—where no traffic light-stop sign</i>	\$384
64	<i>Failing to give way at flashing yellow traffic arrow at intersection</i>	\$384
65(2)	<i>Failing to give way at marked foot crossing (except at intersection) with flashing yellow traffic light</i>	\$364
66(1)	<i>Failing to stop for twin red lights (except at level crossing)</i>	\$93
66(4)	<i>Proceeding after stopping for twin red lights (except at level crossing)</i>	\$93
67(1)	<i>Failing to stop and give way at "stop" sign or stop line at intersection without traffic lights</i>	\$384
68(1)	<i>Failing to stop and give way at "stop" sign or stop line at other place</i>	\$325
69(1)	<i>Failing to give way at "give way" sign or give way line at intersection (except roundabout)</i>	\$384
70	<i>Failing to give way at "give way" sign at bridge or length of narrow road</i>	\$384
71(1)	<i>Failing to give way at "give way" sign or give way line at other place</i>	\$325
72(1)	<i>Failing to give way at intersection (except T-intersection or roundabout)</i>	\$384
73(1)	<i>Failing to give way at T-intersection</i>	\$384
74(1)	<i>Failing to give way when entering road from road-related area or adjacent land</i>	\$346

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Schedule 9—Expiation fees

Rule	Description of offence against <i>Australian Road Rules</i>	Fee
75(1)	<i>Failing to give way when entering road-related area or adjacent land from road</i>	\$346
76(1)	<i>Moving into path of tram travelling in tram lane etc</i>	\$190
76(2)	<i>Failing to move out of path of tram travelling in tram lane etc</i>	\$190
77(1)	<i>Failing to give way to bus</i>	\$190
78(1)	<i>Moving into path of police or emergency vehicle</i>	\$384
78(2)	<i>Failing to move out of path of police or emergency vehicle</i>	\$384
79(1)	<i>Failing to give way to police or emergency vehicle</i>	\$384
80(2)	<i>Failing to stop at children's crossing</i>	\$384
80(3)	<i>Failing to obey hand-held "stop" sign at children's crossing</i>	\$325
80(4)	<i>Proceeding while pedestrian on children's crossing</i>	\$384
81(2)	<i>Failing to give way at pedestrian crossing</i>	\$364
82	<i>Overtaking or passing vehicle at children's crossing or pedestrian crossing</i>	\$364
83	<i>Failing to give way to pedestrian in shared zone</i>	\$304
84(1)	<i>Failing to give way when driving through break in dividing strip</i>	\$346
85	<i>Failing to give way on painted island</i>	\$325
86(1)	<i>Failing to give way in median turning bays</i>	\$346
87(1)	<i>Failing to give way when moving from side of road</i>	\$312
87(3)	<i>Failing to give way when moving from median strip parking area</i>	\$312
88(1)	<i>Failing to turn left at intersection with "left turn only" sign</i>	\$325
88(2)	<i>Failing to turn left when in left lane at intersection with "left lane must turn left" sign</i>	\$325
89(1)	<i>Failing to turn right at intersection with "right turn only" sign</i>	\$325
89(2)	<i>Failing to turn right when in right lane at intersection with "right lane must turn right" sign</i>	\$325
90	<i>Turning at intersection with "no turn" sign</i>	\$325
91(1)	<i>Turning left at intersection or other place with "no left turn" sign</i>	\$325
91(2)	<i>Turning at intersection or other place with "no right turn" sign</i>	\$325
92(1)	<i>Failing to drive in direction indicated by traffic lane arrows</i>	\$325
93(1)	<i>Driving or overtaking on bridge or length of road where "no overtaking or passing" sign applies</i>	\$325
94	<i>Overtaking on bridge with "no overtaking on bridge" sign</i>	\$325
95(1)	<i>Driving in emergency stopping lane</i>	\$325
96(1)	<i>Stopping on area of road marked with "keep clear" marking</i>	\$325
97(1)	<i>Driving on length of road where "road access" sign applies</i>	\$325
98(1)	<i>Driving in wrong direction on length of road where "one-way" sign applies</i>	\$384
99(1)	<i>Failing to drive to left of "keep left" sign</i>	\$325
99(2)	<i>Failing to drive to right of "keep right" sign</i>	\$325
100	<i>Driving past "no entry" sign</i>	\$325

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Expiation fees—Schedule 9

Rule	Description of offence against Australian Road Rules	Fee
101(1)	<i>Failing to stop before hand-held "stop" sign</i>	\$325
101(2)	<i>Proceeding after stopping for hand-held "stop" sign</i>	\$325
101A(1)	<i>Driving on safety ramp or arrester bed</i>	\$325
102(1)	<i>Driving past "clearance" or "low clearance" sign</i>	\$325
103(1)	<i>Driving past "bridge load limit (gross mass)" or "gross load limit" sign—vehicle exceeding gross mass indicated by sign</i>	\$325
103(2)	<i>Driving past "bridge load limit (mass per axle group)" sign—vehicle axle group carrying mass exceeding mass indicated by sign</i>	\$325
104(1)	<i>Driving past "no trucks" sign—vehicle GVM exceeding permitted mass</i>	\$325
104(2)	<i>Driving truck past "no trucks" sign—vehicle or combination exceeding permitted length</i>	\$325
104(3)	<i>Driving truck past "no trucks" sign where no mass or length indicated</i>	\$325
105	<i>Failing to enter area indicated by "trucks must enter" sign</i>	\$325
106(1)	<i>Driving bus past "no buses" sign—bus exceeding mass indicated by sign</i>	\$325
106(2)	<i>Driving bus past "no buses" sign—bus exceeding length indicated by sign</i>	\$325
106(3)	<i>Driving bus past "no buses" sign where no mass or length indicated</i>	\$325
107	<i>Failing to enter area indicated by "buses must enter" sign</i>	\$325
108(1)	<i>Failing to drive truck or bus in low gear on length of road where "trucks and buses low gear" sign applies</i>	\$325
111(1)	<i>Failing to enter roundabout from multi-lane road or road with 2 or more lines of traffic travelling in same direction correctly</i>	\$325
112(2)	<i>Failing to give required left change of direction signal before entering roundabout</i>	\$283
112(3)	<i>Failing to continue left change of direction signal while in roundabout</i>	\$283
113(2)	<i>Failing to give required right change of direction signal before entering roundabout</i>	\$283
113(3)	<i>Failing to continue right change of direction signal while in roundabout</i>	\$283
114(1)	<i>Failing to give way when entering roundabout</i>	\$384
114(2)	<i>Failing to give way to tram when driving in roundabout</i>	\$384
115(1)	<i>Failing to drive in roundabout to left of central traffic island</i>	\$384
116	<i>Failing to obey traffic lane arrows when driving in or leaving roundabout</i>	\$325
117(1)	<i>Failing to give left change of direction signal when changing marked lanes or lines of traffic in roundabout</i>	\$283
117(2)	<i>Failing to give right change of direction signal when changing marked lanes or lines of traffic in roundabout</i>	\$283
118(1)	<i>Failing to give left change of direction signal when leaving roundabout</i>	\$283
118(2)	<i>Failing to stop left change of direction signal after leaving roundabout</i>	\$283
119	<i>Failing to give way by rider of bicycle or animal to vehicle leaving roundabout</i>	\$52
121	<i>Failing to stop and give way at "stop" sign at level crossing</i>	\$416
122	<i>Failing to give way at "give way" sign or give way line at level crossing</i>	\$416
123	<i>Entering level crossing when train or tram is approaching etc</i>	\$416

Road Traffic (Miscellaneous) Regulations 1999—1.1.2014 to 15.1.2014
Schedule 9—Expiation fees

Rule	Description of offence against <i>Australian Road Rules</i>	Fee
124	<i>Failing to leave level crossing as soon as safe to do so</i>	\$416
125(1)	<i>Unreasonably obstructing path of other driver or pedestrian</i>	\$104
126	<i>Failing to keep safe distance behind other vehicles</i>	\$300
127(1)	<i>Failing to keep required minimum distance behind long vehicle</i>	\$218
128	<i>Entering blocked intersection</i>	\$222
128A	<i>Entering blocked crossing</i>	\$222
129(1)	<i>Failing to keep to far left side of road</i>	\$273
130(2)	<i>Driving in right lane on certain multi-lane roads</i>	\$231
131(1)	<i>Failing to keep to left of oncoming vehicles</i>	\$304
132(1)	<i>Failing to keep to left of centre of road</i>	\$346
132(2)	<i>Failing to keep to left of dividing line</i>	\$346
132(2A)	<i>Making U-turn across certain dividing lines</i>	\$346
135(1)	<i>Failing to keep to left of median strip</i>	\$288
136	<i>Driving in wrong direction on one-way service road</i>	\$288
137(1)	<i>Failing to keep off dividing strip</i>	\$218
138(1)	<i>Failing to keep off painted island</i>	\$231
140	<i>Overtaking when not safe to do so</i>	\$273
141(1)	<i>Driver overtaking to left of other vehicle</i>	\$300
141(2)	<i>Bicycle rider overtaking to left of vehicle turning left</i>	\$52
142(1)	<i>Overtaking to right of vehicle turning right</i>	\$312
143(1)	<i>Passing or overtaking to left of turning left vehicle displaying "do not overtake turning vehicle" sign</i>	\$187
143(1A)	<i>Passing or overtaking to left of vehicle displaying "do not overtake turning vehicle" sign</i>	\$187
143(2)	<i>Passing or overtaking to right of turning right vehicle displaying "do not overtake turning vehicle" sign</i>	\$187
144	<i>Failing to keep safe distance when overtaking</i>	\$273
145	<i>Increasing speed while being overtaken</i>	\$271
146(1)	<i>Failing to drive within single marked lane</i>	\$231
146(2)	<i>Failing to drive within single line of traffic</i>	\$231
147	<i>Moving from one marked lane to another marked lane across continuous line</i>	\$231
148(1)	<i>Failing to give way when moving from one marked lane to another marked lane</i>	\$298
148(2)	<i>Failing to give way when moving from one line of traffic to another line of traffic</i>	\$298
148A	<i>Failing to give way when diverging left or right within marked lane</i>	\$298
149	<i>Failing to give way when lines of traffic merge into single line of traffic</i>	\$298
150(1)	<i>Driving on or across continuous white edge line</i>	\$93
151(1)	<i>Riding motor bike or bicycle alongside more than 1 other rider on non multi-lane road</i>	\$93

1.1.2014 to 15.1.2014—Road Traffic (Miscellaneous) Regulations 1999

Expiation fees—Schedule 9

Rule	Description of offence against Australian Road Rules	Fee
151(2)	<i>Riding motor bike or bicycle alongside more than 1 other rider in marked lane</i>	\$93
151(4)	<i>Riding motor bike or bicycle more than 1.5 metres from another rider</i>	\$93
152(1)	<i>Driving in marked lane to which overhead lane control device applies—failing to comply with rule</i>	\$325
153(1)	<i>Driving in bicycle lane</i>	\$239
154(1)	<i>Driving in bus lane</i>	\$239
155(1)	<i>Driving in tram lane</i>	\$239
155A(1)	<i>Driving in tramway</i>	\$239
156(1)	<i>Driving in transit lane</i>	\$239
157(1)	<i>Driving in truck lane</i>	\$239
159(1)	<i>Driving in marked lane required to be used by particular kinds of vehicles</i>	\$239
160(2)	<i>Passing or overtaking to right of tram not at or near far left side of road</i>	\$300
160(3)	<i>Passing or overtaking left turning etc tram not at or near far left side of road</i>	\$300
161(2)	<i>Passing or overtaking to left of tram at or near the left side of road</i>	\$300
161(3)	<i>Passing or overtaking tram turning right or giving right change of direction signal</i>	\$300
162(1)	<i>Driving past safety zone</i>	\$384
163(1)	<i>Driving past rear of stopped tram</i>	\$384
164(1)	<i>Failing to give way to pedestrians crossing road near stopped tram</i>	\$384
167	<i>Stopping where "no stopping" sign applies</i>	\$85
168(1)	<i>Stopping where "no parking" sign applies</i>	\$68
169	<i>Stopping on road with continuous yellow edge line</i>	\$85
170(1)	<i>Stopping in intersection</i>	\$85
170(2)	<i>Stopping within 20 metres of intersection with traffic lights</i>	\$85
170(3)	<i>Stopping within 10 metres of intersection without traffic lights</i>	\$85
171(1)	<i>Stopping on or near children's crossing</i>	\$85
172(1)	<i>Stopping on or near pedestrian crossing (except at intersection)</i>	\$85
173(1)	<i>Stopping on or near marked foot crossing (except at intersection)</i>	\$85
174(2)	<i>Stopping at or near bicycle crossing lights (except at intersection)</i>	\$85
175(1)	<i>Stopping on or near level crossing</i>	\$85
176(1)	<i>Stopping on clearway</i>	\$239
177(1)	<i>Stopping on freeway</i>	\$239
178	<i>Stopping in emergency stopping lane</i>	\$239
179(1)	<i>Stopping in loading zone</i>	\$60
179(2)	<i>Stopping in loading zone—exceeding time in loading zone</i>	\$60
180(1)	<i>Stopping in truck zone</i>	\$60
181(1)	<i>Stopping in works zone</i>	\$60
182(1)	<i>Stopping in taxi zone</i>	\$114

Road Traffic (Miscellaneous) Regulations 1999—1.1.2014 to 15.1.2014
Schedule 9—Expiation fees

Rule	Description of offence against <i>Australian Road Rules</i>	Fee
183(1)	<i>Stopping in bus zone</i>	\$114
184(1)	<i>Stopping in minibus zone</i>	\$85
185(1)	<i>Stopping in permit zone</i>	\$60
186(1)	<i>Stopping in mail zone</i>	\$60
187(1)	<i>Stopping in bus lane, transit lane or truck lane</i>	\$239
187(2)	<i>Stopping in bicycle lane</i>	\$239
187(3)	<i>Stopping in tram lane or tramway or on tram tracks</i>	\$239
188	<i>Stopping in shared zone</i>	\$60
189(1)	<i>Double parking</i>	\$85
190(1)	<i>Stopping in or near safety zone</i>	\$60
191	<i>Stopping near obstruction</i>	\$104
192(1)	<i>Stopping on bridge, causeway, ramp or similar structure</i>	\$85
192(2)	<i>Stopping in tunnel or underpass</i>	\$104
193(1)	<i>Stopping on crest or curve outside built-up area</i>	\$104
194(1)	<i>Stopping near fire hydrant etc</i>	\$68
195(1)	<i>Stopping at or near bus stop</i>	\$85
196(1)	<i>Stopping at or near tram stop</i>	\$85
197(1)	<i>Stopping on path, dividing strip or nature strip</i>	\$85
197(1A)	<i>Stopping on painted island</i>	\$85
198(1)	<i>Obstructing access to and from footpath ramp etc</i>	\$68
198(2)	<i>Obstructing access to and from driveway etc</i>	\$68
199(1)	<i>Stopping near postbox</i>	\$85
200(1)	<i>Stopping heavy or long vehicle on road outside built-up area except on shoulder of road</i>	\$104
200(2)	<i>Stopping heavy or long vehicle on road in built-up area for longer than permitted time</i>	\$104
201	<i>Stopping on road with "bicycle parking" sign</i>	\$60
202	<i>Stopping on road with "motor bike parking" sign</i>	\$60
203(1)	<i>Stopping in parking area for people with disabilities</i>	\$330
203A	<i>Stopping in slip lane</i>	\$85
205(1)	<i>Parking for longer than indicated where "permissive parking" sign applies</i>	\$45
207(2)	<i>Failing to pay fee etc for parking where fees payable</i>	\$45
208(1)	<i>Failing to park on road (except in median strip parking area) in accordance with rule—parallel parking</i>	\$60
208A(1)	<i>Failing to park in road-related area (except in median strip parking area) in accordance with rule—parallel parking</i>	\$60
209(2)	<i>Failing to park in median strip parking area in accordance with rule—parallel parking</i>	\$60
210(1)	<i>Failing to park in accordance with rule—angle parking</i>	\$60

1.1.2014 to 15.1.2014—Road Traffic (Miscellaneous) Regulations 1999

Expiation fees—Schedule 9

Rule	Description of offence against Australian Road Rules	Fee
211(2)	<i>Parking where there are parking bays—failing to park vehicle wholly within parking bay</i>	\$45
211(3)	<i>Parking where there are parking bays—failing to park long or wide vehicle in minimum number of parking bays needed to park vehicle</i>	\$45
212(1)	<i>Entering or leaving median strip parking area—contrary to sign</i>	\$104
212(2)	<i>Entering or leaving median strip parking area—failing to drive forward</i>	\$104
215(1)	<i>Failing to use lights when driving at night or in hazardous weather conditions</i>	\$218
216(1)	<i>Failing to use lights when towing vehicle at night or in hazardous weather conditions</i>	\$125
217(1)	<i>Using fog lights when not driving in fog or other hazardous weather conditions</i>	\$218
218(1)	<i>Using headlights on high-beam</i>	\$218
219	<i>Using lights to dazzle other road users</i>	\$218
220(1)	<i>Stopping vehicle on road at night—failing to operate lights</i>	\$218
221(1)	<i>Using hazard warning lights</i>	\$115
223	<i>Riding animal-drawn vehicle at night or in hazardous weather conditions—failing to operate lights</i>	\$52
224	<i>Using horn or similar warning device</i>	\$165
225(1)	<i>Driving vehicle with radar detector or similar device in or on vehicle or trailer</i>	\$384
225(2)	<i>Having possession of radar detector or similar device while travelling in or on vehicle or trailer</i>	\$384
226(1)	<i>Driving heavy vehicle not equipped with portable warning triangles</i>	\$93
226(2)	<i>Failing to produce warning triangles on demand</i>	\$93
227(2)	<i>Failing to use portable warning triangles—vehicle stopped on road</i>	\$93
227(3)	<i>Failing to use portable warning triangles—fallen load</i>	\$93
228	<i>Pedestrian passing "no pedestrians" sign</i>	\$44
229	<i>Pedestrian on road to which "road access" sign applies</i>	\$44
230(1)	<i>Failing to cross road in accordance with rule</i>	\$44
231(1)	<i>Failing to cross road with pedestrian lights in accordance with rule</i>	\$44
232(1)	<i>Failing to cross road at traffic lights without pedestrian lights in accordance with rule</i>	\$44
232(3)	<i>Failing to cross road at traffic lights while light turning yellow or red in accordance with rule</i>	\$44
232(4)	<i>Crossing road at traffic lights—failing to remain in safety area</i>	\$44
233(1)	<i>Crossing road to get on tram—crossing before tram stops at tram stop</i>	\$44
233(2)	<i>Crossing road from tram—failing to comply with rule</i>	\$44
234(1)	<i>Crossing road near crossing for pedestrians</i>	\$44
234(2)	<i>Pedestrian staying on road longer than necessary to cross road</i>	\$44
235(1)	<i>Crossing level crossing</i>	\$44
235(2)	<i>Crossing level crossing while warning lights flashing etc</i>	\$44

Road Traffic (Miscellaneous) Regulations 1999—1.1.2014 to 15.1.2014

Schedule 9—Expiation fees

Rule	Description of offence against <i>Australian Road Rules</i>	Fee
235(2A)	<i>Failing to finish crossing level crossing in accordance with rule if warning lights start flashing etc</i>	\$44
235A(2)	<i>Crossing pedestrian level crossing while there is a red pedestrian light</i>	\$44
235A(3)	<i>Failing to finish crossing pedestrian level crossing in accordance with rule if red pedestrian light appears</i>	\$44
236(1)	<i>Pedestrian causing traffic hazard</i>	\$44
236(2)	<i>Pedestrian causing obstruction</i>	\$44
237(1)	<i>Getting on or into moving vehicle</i>	\$164
238(1)	<i>Pedestrian travelling along road—failing to use footpath</i>	\$44
238(2)	<i>Pedestrian travelling along road—failing to keep to side or face approaching traffic or walking abreast</i>	\$44
239(1)	<i>Pedestrian on bicycle path or separated footpath</i>	\$44
239(3)	<i>Pedestrian on bicycle path or separated footpath—failing to keep out of path of bicycle etc</i>	\$44
239A	<i>Travelling in or on wheeled recreational device or wheeled toy past "no wheeled recreational devices or toys" sign</i>	\$52
240(1)	<i>Travelling in or on wheeled recreational device or wheeled toy on certain types of roads</i>	\$52
240(2)	<i>Travelling in or on wheeled recreational device on declared roads or at night or during certain times</i>	\$52
240(3)	<i>Travelling in or on wheeled toy on declared roads or during certain times</i>	\$52
241(1)	<i>Travelling in or on wheeled recreational device or wheeled toy on road—failing to keep to left or travelling abreast</i>	\$52
242(1)	<i>Travelling in or on wheeled recreational device or wheeled toy on footpath or shared path—failing to keep left or give way</i>	\$52
243(1)	<i>Travelling on rollerblades etc on bicycle path or separated footpath</i>	\$52
243(2)	<i>Travelling on rollerblades etc on bicycle path etc—failing to keep out of path of bicycle</i>	\$52
244(1)	<i>Travelling in or on wheeled recreational device or wheeled toy that is being towed by vehicle</i>	\$52
244(2)	<i>Travelling in or on wheeled recreational device or wheeled toy while holding onto moving vehicle</i>	\$93
244(3)	<i>Travelling in or on wheeled recreational device or wheeled toy too close to rear of moving motor vehicle</i>	\$52
244B	<i>Travelling on motorised scooter—failing to wear bicycle helmet</i>	\$93
244C	<i>Travelling on motorised scooter on road or road-related area</i>	\$93
245	<i>Riding bicycle not in accordance with rule</i>	\$52
246(1)	<i>Carrying on bicycle more persons than bicycle designed to carry</i>	\$52
246(2)	<i>Passenger on bicycle—passenger failing to sit in passenger seat</i>	\$52
246(3)	<i>Riding bicycle with passenger not sitting in passenger seat</i>	\$52
247(1)	<i>Failing to ride in bicycle lane on road</i>	\$52

1.1.2014 to 15.1.2014—Road Traffic (Miscellaneous) Regulations 1999

Expiation fees—Schedule 9

Rule	Description of offence against <i>Australian Road Rules</i>	Fee
247A(1)	<i>Bicycle rider failing to enter bicycle storage area correctly at intersection with red traffic light or arrow</i>	\$52
247B(1)	<i>Bicycle rider failing to give way when entering bicycle storage area</i>	\$52
247B(2)	<i>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</i>	\$52
248(1)	<i>Riding bicycle across road on children's crossing or pedestrian crossing</i>	\$52
248(2)	<i>Riding bicycle across road on marked foot crossing</i>	\$52
249	<i>Riding bicycle on separated footpath</i>	\$52
250(1)	<i>Riding bicycle on footpath if prohibited by another law</i>	\$44
250(2)	<i>Riding bicycle on footpath or shared path—failing to keep to left or give way</i>	\$52
251	<i>Riding bicycle on bicycle path etc—failing to keep to left of oncoming bicycle riders on path</i>	\$52
252(1)	<i>Riding bicycle where "no bicycles" sign or no bicycles road marking applies</i>	\$52
253	<i>Bicycle rider causing traffic hazard</i>	\$52
254(1)	<i>Bicycle being towed—riding towed bicycle</i>	\$52
254(2)	<i>Bicycle rider holding onto moving vehicle</i>	\$93
255	<i>Riding bicycle too close to rear of motor vehicle</i>	\$52
256(1)	<i>Riding bicycle—rider failing to wear bicycle helmet</i>	\$93
256(2)	<i>Passenger on bicycle—passenger failing to wear bicycle helmet</i>	\$93
256(3)	<i>Riding bicycle with passenger not wearing bicycle helmet</i>	\$93
257(1)	<i>Riding with person on bicycle trailer</i>	\$52
258	<i>Riding bicycle not equipped with brake or warning device</i>	\$52
259	<i>Riding bicycle at night or in hazardous weather conditions without displaying lights etc</i>	\$52
260(1)	<i>Failing to stop bicycle for red bicycle crossing light</i>	\$52
260(2)	<i>Proceeding after stopping for red bicycle crossing light—proceeding before light changes etc</i>	\$52
261(1)	<i>Failing to stop bicycle for yellow bicycle crossing light</i>	\$52
262(1)	<i>Bicycle rider proceeding when bicycle crossing lights change—failing to cross in accordance with rule</i>	\$52
264(1)	<i>Failing to wear seatbelt—driver</i>	\$324
265(1)	<i>Failing to wear seatbelt, and be seated, in accordance with rule—passenger 16 years old, or older</i>	\$324
265(3)	<i>Failing to ensure passengers 16 years old or older are wearing seatbelts, and are seated, in accordance with rule—</i>	
	failure in relation to 1 such passenger	\$324
	failure in relation to more than 1 such passenger	\$384
266(1)	<i>Failing to ensure passengers under 16 years old are restrained and seated in accordance with rule—</i>	
	failure in relation to 1 such passenger	\$324

Road Traffic (Miscellaneous) Regulations 1999—1.1.2014 to 15.1.2014
Schedule 9—Expiation fees

Rule	Description of offence against <i>Australian Road Rules</i>	Fee
	failure in relation to more than 1 such passenger	\$384
268(1)	<i>Travelling in or on part of motor vehicle not designed primarily for carriage of passengers or goods</i>	\$324
268(2)	<i>Travelling in or on part of motor vehicle designed primarily for carriage of goods unless enclosed and seatbelts fitted</i>	\$324
268(3)	<i>Travelling in or on motor vehicle with part of body outside window or door</i>	\$165
268(4)	<i>Driving motor vehicle with part of passenger's body outside window or door</i>	\$165
268(4A)	<i>Driving motor vehicle with passenger in or on part of vehicle not designed primarily for carriage of passengers or goods</i>	\$324
268(4B)	<i>Driving motor vehicle with passenger in or on part of vehicle designed primarily for carriage of goods unless enclosed and seatbelts fitted</i>	\$324
269(1)	<i>Getting off or out of moving vehicle</i>	\$164
269(3)	<i>Creating hazard by opening door of vehicle, leaving door open etc</i>	\$165
269(4)	<i>Driving bus while doors not closed</i>	\$300
270(1)	<i>Riding motor bike without wearing helmet or with passenger not wearing helmet</i>	\$251
270(2)	<i>Passenger on motor bike failing to wear helmet</i>	\$251
271(1)	<i>Riding on motor bike—rider failing to ride in correct position</i>	\$119
271(2)	<i>Riding on motor bike—passenger failing to ride in correct position</i>	\$119
271(3)	<i>Riding on motor bike—rider riding with passenger not riding correctly</i>	\$119
271(4)	<i>Riding on motor bike—riding with more than 1 passenger (excluding passenger in sidecar or on seat other than pillion seat)</i>	\$119
271(5)	<i>Riding on motor bike—riding with more than permitted number of passengers in sidecar or on seat</i>	\$119
271(5A)	<i>Riding on motor bike—riding with passenger under 8 years old not in sidecar</i>	\$119
271(5B)	<i>Riding on motor bike—passenger in sidecar failing to be seated safely</i>	\$119
271(5C)	<i>Riding on motor bike—riding with passenger in sidecar not seated safely</i>	\$119
272	<i>Passenger interfering with driver's control of vehicle etc</i>	\$300
274	<i>Failing to stop for red T light—tram driver</i>	\$416
275	<i>Failing to stop for yellow T light—tram driver</i>	\$416
277	<i>Proceeding after stopping for a red or yellow T light—tram driver</i>	\$416
279(2)	<i>Proceeding when white T light or white traffic arrow no longer showing—tram driver proceeding before entering intersection</i>	\$416
279(3)	<i>Proceeding when white T light or white traffic arrow no longer showing—tram driver failing to leave intersection</i>	\$416
281	<i>Failing to stop for red B light—bus driver</i>	\$416
282	<i>Failing to stop for yellow B light—bus driver</i>	\$416
284	<i>Proceeding after stopping for red or yellow B light—bus driver</i>	\$416
286(2)	<i>Proceeding when white B light or white traffic arrow no longer showing—bus driver proceeding before entering intersection</i>	\$416

Rule	Description of offence against <i>Australian Road Rules</i>	Fee
286(3)	<i>Proceeding when white B light or white traffic arrow no longer showing—bus driver failing to leave intersection</i>	\$416
288(1)	<i>Driving on path</i>	\$222
288(4)	<i>Driving on path—failing to give way</i>	\$218
289(1)	<i>Driving on nature strip</i>	\$218
289(2)	<i>Driving on nature strip—failing to give way</i>	\$218
290	<i>Driving on traffic island</i>	\$218
291	<i>Making unnecessary noise or smoke while starting or driving</i>	\$186
292	<i>Driving or towing vehicle carrying insecure or overhanging load</i>	\$318
293(2)	<i>Failing to remove from road things fallen from vehicle while driving</i>	\$208
294(1)	<i>Towing vehicle without keeping control of vehicle being towed</i>	\$125
294(2)	<i>Towing trailer without keeping control of trailer</i>	\$125
295(1)	<i>Motor vehicle towing another vehicle with towline not in accordance with rule</i>	\$125
296(1)	<i>Reversing vehicle when not safe to do so</i>	\$384
296(2)	<i>Reversing vehicle further than reasonably necessary</i>	\$231
297(1)	<i>Driving vehicle without having proper control of vehicle</i>	\$165
297(1A)	<i>Driving vehicle with person or animal in lap</i>	\$165
297(2)	<i>Driving motor vehicle without clear view of road etc</i>	\$165
297(3)	<i>Riding motor bike with animal between rider and handle bars or in other position that interferes with control of motor bike, etc</i>	\$165
298	<i>Driving motor vehicle towing trailer with person in trailer</i>	\$216
299(1)	<i>Driving motor vehicle with TV or VDU in operation in vehicle</i>	\$93
300(1)	<i>Using mobile phone while driving vehicle</i>	\$300
301(1)	<i>Driver of motor vehicle leading animal</i>	\$93
301(2)	<i>Passenger in or on motor vehicle leading animal</i>	\$93
301(3)	<i>Rider of bicycle leading animal</i>	\$52
302	<i>Rider of animal on footpath or nature strip failing to give way to pedestrian</i>	\$52
303(1)	<i>Riding animal alongside more than 1 other rider on non multi-lane road</i>	\$52
303(2)	<i>Riding animal alongside another rider in marked lane</i>	\$52
303(4)	<i>Riding animal alongside another rider more than 1.5 metres from other rider</i>	\$52
304(1)	<i>Failing to obey direction of police officer or authorised person</i>	\$262

Part 4—Offences against the Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008

Regulation	Description of offence against <i>Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008</i>	Fee
8(4)	<i>Failing to comply with regulation 8(4)—Additional duty of employers and prime contractors</i>	

Road Traffic (Miscellaneous) Regulations 1999—1.1.2014 to 15.1.2014

Schedule 9—Expiation fees

Regulation	Description of offence against <i>Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008</i>	Fee
	<ul style="list-style-type: none"> if the employer or prime contractor is a natural person 	\$643
	<ul style="list-style-type: none"> if the employer or prime contractor is a body corporate 	\$818
8(5)	<i>Failing to comply with regulation 8(5)—Additional duty of operators</i>	
	<ul style="list-style-type: none"> if the operator is a natural person 	\$643
	<ul style="list-style-type: none"> if the operator is a body corporate 	\$818
9(3)	<i>Failing to comply with regulation 9(3)—Additional duty of schedulers</i>	
	<ul style="list-style-type: none"> if the scheduler is a natural person 	\$643
	<ul style="list-style-type: none"> if the scheduler is a body corporate 	\$818
10(3)	<i>Failing to comply with regulation 10(3)—Additional duty of consignors and consignees</i>	
	<ul style="list-style-type: none"> if the consignor or consignee is a natural person 	\$643
	<ul style="list-style-type: none"> if the consignor or consignee is a body corporate 	\$818
11(3)	<i>Failing to comply with regulation 11(3)—Additional duty of loading managers</i>	
	<ul style="list-style-type: none"> if the loading manager is a natural person 	\$643
	<ul style="list-style-type: none"> if the loading manager is a body corporate 	\$818
16(3)	<i>Failing to comply with regulation 16(3)—standard hours—solo drivers</i>	
	<ul style="list-style-type: none"> minor risk offence— 	
	<ul style="list-style-type: none"> for failing to have the minimum required rest time (the required period of rest time being not more than 1 hour) 	\$288
	<ul style="list-style-type: none"> in any other case 	\$349
	<ul style="list-style-type: none"> substantial risk offence 	\$643
16(5)	<i>Failing to ensure driver does not contravene regulation 16(3)</i>	
	<ul style="list-style-type: none"> minor risk offence— 	
	<ul style="list-style-type: none"> for failing to have the minimum required rest time (the required period of rest time being not more than 1 hour)— 	
	<ul style="list-style-type: none"> if the party in the chain of responsibility is a natural person 	\$288
	<ul style="list-style-type: none"> if the party in the chain of responsibility is a body corporate 	\$349
	<ul style="list-style-type: none"> in any other case— 	
	<ul style="list-style-type: none"> if the party in the chain of responsibility is a natural person 	\$349
	<ul style="list-style-type: none"> if the party in the chain of responsibility is a body corporate 	\$466
	<ul style="list-style-type: none"> substantial risk offence— 	
	<ul style="list-style-type: none"> if the party in the chain of responsibility is a natural person 	\$643
	<ul style="list-style-type: none"> if the party in the chain of responsibility is a body corporate 	\$818

1.1.2014 to 15.1.2014—Road Traffic (Miscellaneous) Regulations 1999

Expiation fees—Schedule 9

Regulation	Description of offence against <i>Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008</i>	Fee
17(3)	<i>Failing to comply with regulation 17(3)—standard hours—solo drivers (buses)</i>	
	<ul style="list-style-type: none"> • minor risk offence— • for failing to have the minimum required rest time (the required period of rest time being not more than 1 hour) • in any other case • substantial risk offence 	 \$288 \$349 \$643
17(5)	<i>Failing to ensure driver does not contravene regulation 17(3)</i>	
	<ul style="list-style-type: none"> • minor risk offence— • for failing to have the minimum required rest time (the required period of rest time being not more than 1 hour)— <ul style="list-style-type: none"> • if the party in the chain of responsibility is a natural person • if the party in the chain of responsibility is a body corporate • in any other case— <ul style="list-style-type: none"> • if the party in the chain of responsibility is a natural person • if the party in the chain of responsibility is a body corporate • substantial risk offence— <ul style="list-style-type: none"> • if the party in the chain of responsibility is a natural person • if the party in the chain of responsibility is a body corporate 	 \$288 \$349 \$349 \$466 \$643 \$818
19(3)	<i>Failing to comply with regulation 19(3)—standard hours—two-up drivers</i>	
	<ul style="list-style-type: none"> • minor risk offence— • for failing to have the minimum required rest time (the required period of rest time being not more than 1 hour) • in any other case • substantial risk offence 	 \$288 \$349 \$643
19(6)	<i>Failing to ensure driver does not contravene regulation 19(3)</i>	
	<ul style="list-style-type: none"> • minor risk offence— • for failing to have the minimum required rest time (the required period of rest time being not more than 1 hour)— <ul style="list-style-type: none"> • if the party in the chain of responsibility is a natural person • if the party in the chain of responsibility is a body corporate • in any other case— <ul style="list-style-type: none"> • if the party in the chain of responsibility is a natural person 	 \$288 \$349 \$349

Road Traffic (Miscellaneous) Regulations 1999—1.1.2014 to 15.1.2014

Schedule 9—Expiation fees

Regulation	Description of offence against <i>Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008</i>	Fee
	<ul style="list-style-type: none"> • if the party in the chain of responsibility is a body corporate 	\$466
	<ul style="list-style-type: none"> • substantial risk offence— <ul style="list-style-type: none"> • if the party in the chain of responsibility is a natural person • if the party in the chain of responsibility is a body corporate 	\$643 \$818
21(3)	<i>Failing to comply with regulation 21(3)—solo drivers working under BFM accreditation</i>	
	<ul style="list-style-type: none"> • minor risk offence— <ul style="list-style-type: none"> • for failing to have the minimum required rest time (the required period of rest time being not more than 1 hour) • in any other case • substantial risk offence 	\$288 \$349 \$643
21(5)	<i>Failing to ensure driver does not contravene regulation 21(3)</i>	
	<ul style="list-style-type: none"> • minor risk offence— <ul style="list-style-type: none"> • for failing to have the minimum required rest time (the required period of rest time being not more than 1 hour)— <ul style="list-style-type: none"> • if the party in the chain of responsibility is a natural person • if the party in the chain of responsibility is a body corporate • in any other case— <ul style="list-style-type: none"> • if the party in the chain of responsibility is a natural person • if the party in the chain of responsibility is a body corporate • substantial risk offence— <ul style="list-style-type: none"> • if the party in the chain of responsibility is a natural person • if the party in the chain of responsibility is a body corporate 	\$288 \$349 \$349 \$466 \$643 \$818
23(3)	<i>Failing to comply with regulation 23(3)—two-up drivers working under BFM accreditation</i>	
	<ul style="list-style-type: none"> • minor risk offence— <ul style="list-style-type: none"> • for failing to have the minimum required rest time (the required period of rest time being not more than 1 hour) • in any other case • substantial risk offence 	\$288 \$349 \$643
23(5)	<i>Failing to ensure driver does not contravene regulation 23(3)—</i>	
	<ul style="list-style-type: none"> • minor risk offence— <ul style="list-style-type: none"> • if the party in the chain of responsibility is a natural person • if the party in the chain of responsibility is a body corporate • substantial risk offence— 	\$349 \$466

1.1.2014 to 15.1.2014—Road Traffic (Miscellaneous) Regulations 1999

Expiation fees—Schedule 9

Regulation	Description of offence against <i>Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008</i>	Fee
	<ul style="list-style-type: none"> if the party in the chain of responsibility is a natural person 	\$643
	<ul style="list-style-type: none"> if the party in the chain of responsibility is a body corporate 	\$818
24(3)	<i>Failing to comply with regulation 24(3)—AFM hours—driving hours for drivers working under AFM accreditation</i>	
	<ul style="list-style-type: none"> minor risk offence 	\$349
	<ul style="list-style-type: none"> substantial risk offence 	\$643
24(5)	<i>Failing to ensure driver does not contravene regulation 24(3)</i>	
	<ul style="list-style-type: none"> minor risk offence— 	
	<ul style="list-style-type: none"> if the party in the chain of responsibility is a natural person 	\$349
	<ul style="list-style-type: none"> if the party in the chain of responsibility is a body corporate 	\$466
	<ul style="list-style-type: none"> substantial risk offence— 	
	<ul style="list-style-type: none"> if the party in the chain of responsibility is a natural person 	\$643
	<ul style="list-style-type: none"> if the party in the chain of responsibility is a body corporate 	\$818
25(3)	<i>Failing to comply with regulation 25(3)—AFM hours—offences related to AFM outer limits</i>	
	<ul style="list-style-type: none"> substantial risk offence— 	
	<ul style="list-style-type: none"> if the party in the chain of responsibility is a natural person 	\$643
	<ul style="list-style-type: none"> if the party in the chain of responsibility is a body corporate 	\$818
25(6)	<i>Failing to ensure driver does not contravene regulation 25(3)</i>	
	<ul style="list-style-type: none"> substantial risk offence— 	
	<ul style="list-style-type: none"> if the party in the chain of responsibility is a natural person 	\$643
	<ul style="list-style-type: none"> if the party in the chain of responsibility is a body corporate 	\$818
26(3)	<i>Failing to comply with regulation 26(3) when changing work/rest hours option</i>	\$643
27(1)	<i>Failing to have required documentation</i>	\$643
27(2)	<i>Failing to ensure driver does not contravene regulation 27(1)</i>	
	<ul style="list-style-type: none"> if the operator is a natural person 	\$643
	<ul style="list-style-type: none"> if the operator is a body corporate 	\$818
27(3)	<i>Failing to return documentation</i>	\$643
28(1)	<i>Failing to have required documentation</i>	\$643
28(2)	<i>Failing to ensure driver does not contravene regulation 28(1)</i>	
	<ul style="list-style-type: none"> if the operator is a natural person 	\$643
	<ul style="list-style-type: none"> if the operator is a body corporate 	\$818
28(3)	<i>Failing to return documentation</i>	\$643
40(1)	<i>Failing to record required information in work diary (driver engaged in 100-plus kilometre work or working under BFM or AFM accreditation or work/rest hours exemption)</i>	\$643
41(1)	<i>Failing to make supplementary record</i>	\$643

Road Traffic (Miscellaneous) Regulations 1999—1.1.2014 to 15.1.2014

Schedule 9—Expiation fees

Regulation	Description of offence against <i>Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008</i>	Fee
42(1)	<i>Failing to notify Authority that work diary destroyed, lost or stolen</i>	\$643
42(2)	<i>Failing to apply for a new work diary</i>	\$643
42(4)	<i>Failing to take required steps following recovery or return of lost or stolen work diary</i>	\$643
42(6)	<i>Failing to notify record keeper of malfunctioning electronic work diary</i>	\$643
42(7)	<i>Failing to ensure electronic work diary is repaired etc</i>	
	• if the record keeper is a natural person	\$643
	• if the record keeper is a body corporate	\$818
43(1)	<i>Failing to ensure odometer is maintained</i>	
	• if the owner is a natural person	\$643
	• if the owner is a body corporate	\$818
43(2)	<i>Failing to notify persons of malfunctioning odometer</i>	\$643
43(3)	<i>Failing to ensure odometer examined etc</i>	
	• if the owner is a natural person	\$643
	• if the owner is a body corporate	\$818
43(4)	<i>Failing to ensure owner of regulated heavy vehicle complies with regulation 43(3)</i>	
	• if the employer or operator is a natural person	\$643
	• if the employer or operator is a body corporate	\$818
44(1)	<i>Failing to make or keep certain records (driver engaged in 100 kilometre work)</i>	
	• if the record keeper is a natural person	\$643
	• if the record keeper is a body corporate	\$818
44(2)	<i>Failing to make or keep certain records (driver engaged in 100-plus kilometre work or working under BFM or AFM accreditation or work/rest hours exemption)</i>	
	• if the record keeper is a natural person	\$643
	• if the record keeper is a body corporate	\$818
44(3)	<i>Failing to make record as soon as practicable</i>	
	• if the record keeper is a natural person	\$643
	• if the record keeper is a body corporate	\$818
44(5)	<i>Failing to keep record at record location etc</i>	
	• if the record keeper is a natural person	\$643
	• if the record keeper is a body corporate	\$818
45(1)	<i>Failing to give information to record keeper within 21 days (driver engaged in 100 kilometre work)</i>	\$643
45(2)	<i>Failing to give information to record keeper within 21 days (driver engaged in 100-plus kilometre work or working under BFM or AFM accreditation or work/rest hours exemption)</i>	\$643

Regulation	Description of offence against <i>Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008</i>	Fee
46(1)	<i>Failing to ensure driver complies with regulation 45</i> <ul style="list-style-type: none"> • if the record keeper is a natural person • if the record keeper is a body corporate 	\$643 \$818
46(2)	<i>Failing to give new record keeper required information</i>	\$643
46(3)	<i>Failing to ensure driver complies with regulation 46(2)</i> <ul style="list-style-type: none"> • if the new record keeper is a natural person • if the record keeper is a body corporate 	\$643 \$818
62(2)	<i>Failing to comply with regulation 62(2)—driver working under work/rest hours exemption</i> <ul style="list-style-type: none"> • minor risk offence • substantial risk offence 	\$349 \$643
62(4)	<i>Failing to ensure driver complies with regulation 62(2)</i> <ul style="list-style-type: none"> • minor risk offence— <ul style="list-style-type: none"> • if the party in the chain of responsibility is a natural person • if the party in the chain of responsibility is a body corporate • substantial risk offence— <ul style="list-style-type: none"> • if the party in the chain of responsibility is a natural person • if the party in the chain of responsibility is a body corporate 	\$349 \$466 \$643 \$818
63(1)	<i>Failing to have copy of written exemption</i>	\$643
63(2)	<i>Failing to ensure driver does not contravene regulation 63(1)</i> <ul style="list-style-type: none"> • if the new record keeper is a natural person • if the record keeper is a body corporate 	\$643 \$818
64	<i>Failing to return copy of written exemption</i>	\$643

Part 5—Offences against the *Road Traffic (Approved Road Transport Compliance Schemes) Regulations 2008*

Regulation	Description of offence against <i>Road Traffic (Approved Road Transport Compliance Schemes) Regulations 2008</i>	Fee
17(4)	<i>Operator of regulated heavy vehicle failing to keep records in required manner</i> <ul style="list-style-type: none"> • if the operator is a natural person • if the operator is a body corporate 	\$643 \$818
17(7)	<i>Operator refusing or failing to comply with a requirement under regulation 17(5)</i> <ul style="list-style-type: none"> • if the operator is a natural person • if the operator is a body corporate 	\$643 \$818
17(8)	<i>Operator of regulated heavy vehicle failing to inform driver or scheduler of variation, suspension or revocation of BFM accreditation</i>	

Road Traffic (Miscellaneous) Regulations 1999—1.1.2014 to 15.1.2014

Schedule 9—Expiation fees

Regulation	Description of offence against <i>Road Traffic (Approved Road Transport Compliance Schemes) Regulations 2008</i>	Fee
	<ul style="list-style-type: none"> if the operator is a natural person 	\$643
	<ul style="list-style-type: none"> if the operator is a body corporate 	\$818
19(4)	<i>Operator of regulated heavy vehicle failing to keep records in required manner</i>	
	<ul style="list-style-type: none"> if the operator is a natural person 	\$643
	<ul style="list-style-type: none"> if the operator is a body corporate 	\$818
19(7)	<i>Operator refusing or failing to comply with a requirement under regulation 19(5)</i>	
	<ul style="list-style-type: none"> if the operator is a natural person 	\$643
	<ul style="list-style-type: none"> if the operator is a body corporate 	\$818
19(8)	<i>Operator of regulated heavy vehicle failing to inform driver or scheduler of variation, suspension or revocation of AFM accreditation</i>	
	<ul style="list-style-type: none"> if the operator is a natural person 	\$643
	<ul style="list-style-type: none"> if the operator is a body corporate 	\$818

Part 6—Offences against the *Road Traffic (Heavy Vehicle Speeding Compliance) Regulations 2009*

Regulation	Description of offence against <i>Road Traffic (Heavy Vehicle Speeding Compliance) Regulations 2009</i>	Fee
5(4)	<i>Failing to comply with regulation 5(4)—Duties of employers and prime contractors—business practices</i>	
	<ul style="list-style-type: none"> if the employer or prime contractor is a natural person 	\$643
	<ul style="list-style-type: none"> if the employer or prime contractor is a body corporate 	\$818
5(5)	<i>Failing to comply with regulation 5(5)—Duties of operators—business practices</i>	
	<ul style="list-style-type: none"> if the operator is a natural person 	\$643
	<ul style="list-style-type: none"> if the operator is a body corporate 	\$818
6(1)	<i>Offence against regulation 6(1)—Offence if driver found guilty etc of speeding offence</i>	
	<ul style="list-style-type: none"> minor risk offence— 	
	<ul style="list-style-type: none"> if the employer, prime contractor or operator is a natural person 	\$349
	<ul style="list-style-type: none"> if the employer, prime contractor or operator is a body corporate 	\$466
	<ul style="list-style-type: none"> substantial risk offence— 	
	<ul style="list-style-type: none"> if the employer, prime contractor or operator is a natural person 	\$643
	<ul style="list-style-type: none"> if the employer, prime contractor or operator is a body corporate 	\$818

Regulation	Description of offence against <i>Road Traffic (Heavy Vehicle Speeding Compliance) Regulations 2009</i>	Fee
7(3)	<i>Failing to comply with regulation 7(3)—Duties of schedulers</i> <ul style="list-style-type: none"> • if the scheduler is a natural person • if the scheduler is a body corporate 	\$643 \$818
9(3)	<i>Failing to comply with regulation 9(3)—Duties of consignors and consignees</i> <ul style="list-style-type: none"> • if the consignor or consignee is a natural person • if the consignor or consignee is a body corporate 	\$643 \$818

Part 7—Offences against the *Road Traffic (Miscellaneous) Regulations 1999*

Regulation	Description of offence against <i>Road Traffic (Miscellaneous) Regulations 1999</i>	Fee
20(3)	<i>Driving or towing vehicle on certain roads while transporting dangerous substance</i>	\$269
20A(2)	<i>Towing prohibited number of vehicles</i>	\$269
21(1)	<i>Parking in certain public places</i> <ul style="list-style-type: none"> parking in City of Adelaide Park Lands parking in other public place 	\$126 \$60
22(3)	<i>Contravening notice prohibiting fishing or other specified activities from specified bridge or causeway</i>	\$93
23(1)	<i>Failing to ensure dog does not enter or remain on certain bicycle paths</i>	\$196
25(2)	<i>Driving or towing on road vehicle not complying with requirements of regulation—vehicle altered from original specifications</i>	\$90
44(1)	<i>Contravening or failing to comply with provision of regulations</i> Contravention of or failure to comply with— <ul style="list-style-type: none"> r 19AD <i>Evasive action in relation to average speed camera</i> r 19B(1) <i>Heavy vehicles and minimum allowable travel time</i> r 19E <i>Evasive action in relation to Safe-T-Cam photographic detection device</i> r 29(1) <i>Bicycle rider towing vehicle other than bicycle trailer complying with regulation or towing more than 1 vehicle</i> r 36(7)(b) <i>Selling, or offering for sale, for use in motor vehicle seat belt or part of seat belt not complying with requirements of regulation or removed from vehicle in which previously used</i> r 37(3) <i>Selling, or offering for sale, for use in motor vehicle child restraint, harness etc, or part, not approved</i> r 38(2) <i>Selling, or offering for sale, for use by motor bike rider or passenger helmet not complying with standard</i> 	\$824 \$506 \$506 \$52 \$343 \$343 \$343

Regulation	Description of offence against <i>Road Traffic (Miscellaneous) Regulations 1999</i>	Fee
r 38(5)	<i>Selling, or offering for sale, for use by bicycle rider or rider of wheeled recreational device or wheeled toy helmet not meeting requirement</i>	\$343

Part 8—Offences against the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999*

Regulation	Description of offence against <i>Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999</i>	Fee
9A(1)	<i>Speeding while driving road train</i> Exceeding a prescribed speed limit (road trains)— by less than 10 kph	\$412
	by 10 kph or more but less than 20 kph	\$515
	by 20 kph or more but less than 30 kph	\$793
	by 30 kph or more	\$927
9A(2)	<i>Speeding while driving road train</i> Exceeding 40 kph speed limit— by less than 10 kph	\$155
	by 10 kph or more but less than 20 kph	\$340
	by 20 kph or more but less than 30 kph	\$690
	by 30 kph or more	\$824
10A	<i>Driving or stopping in lane marked "bus only"</i>	\$233
23A(1)	<i>Crossing to or from tram stop other than at crossing for pedestrians if within 20 metres of crossing or if tram has stopped</i>	\$44
33(1)	<i>Learner or P1 driver using mobile phone while driving vehicle</i>	\$300

Legislative history

Notes

- This version is comprised of the following:

Part 1	1.1.2014
Part 1A	1.7.2006
Part 1B	12.3.2011
Part 2	13.12.2012
Part 2A	1.1.2014
Part 3	1.1.2014
Part 3A	30.4.2007
Part 4	1.7.2013
Schedules	1.1.2014
- Variations of this version that are uncommenced are not incorporated into the text.
- 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 *Road Traffic (Miscellaneous) Regulations 1999* revoked the following:

Road Traffic Regulations 1996

Road Traffic (Breath Analysis and Blood Test) Regulations 1994

Road Traffic (Mass Limits) Regulations 1989

Road Traffic (Photographic Detection Devices) Regulations 1988

Road Traffic (Port Augusta Traffic Prohibition) Regulations 1992

Road Traffic (Section 47I Hospitals) Regulations 1992

Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
1999	236	<i>Gazette 25.11.1999 p2690</i>	1.12.1999: r 2
1999	268	<i>Gazette 23.12.1999 p3834</i>	23.12.1999: r 2
2000	22	<i>Gazette 23.3.2000 p1612</i>	23.3.2000: r 2
2000	53	<i>Gazette 25.5.2000 p2696</i>	1.7.2000: r 2
2000	103	<i>Gazette 25.5.2000 p2802</i>	1.7.2000: r 2

Road Traffic (Miscellaneous) Regulations 1999—1.1.2014 to 15.1.2014

Legislative history

2000	179	<i>Gazette 27.7.2000 p342</i>	27.7.2000: r 2
2000	181	<i>Gazette 3.8.2000 p421</i>	3.8.2000: r 2
2000	184	<i>Gazette 3.8.2000 p428</i>	15.8.2000: r 2
2000	286	<i>Gazette 21.12.2000 p3767</i>	21.12.2000: r 2
2000	287	<i>Gazette 21.12.2000 p3768</i>	21.12.2000: r 2
2000	288	<i>Gazette 21.12.2000 p3769</i>	21.12.2000: r 2
2001	69	<i>Gazette 31.5.2001 p1984</i>	1.7.2001: r 2
2001	71	<i>Gazette 31.5.2001 p1996</i>	1.7.2001: r 2
2001	121	<i>Gazette 7.6.2001 p2189</i>	7.6.2001: r 2
2001	169	<i>Gazette 5.7.2001 p2569</i>	9.7.2001: r 2
2001	233	<i>Gazette 11.10.2001 p4477</i>	11.10.2001: r 2
2002	32	<i>Gazette 23.5.2002 p1971</i>	27.5.2002: r 2
2002	113	<i>Gazette 20.6.2002 p2638</i>	1.7.2002: r 2
2002	116	<i>Gazette 20.6.2002 p2649</i>	1.7.2002: r 2
2002	217	<i>Gazette 21.11.2002 p4255</i>	1.12.2002: r 2
2003	10	<i>Gazette 30.1.2003 p403</i>	1.3.2003: r 2
2003	58	<i>Gazette 29.5.2003 p2149</i>	1.7.2003: r 2
2003	123	<i>Gazette 29.5.2003 p2327</i>	1.7.2003: r 2
2003	147	<i>Gazette 12.6.2003 p2500</i>	12.6.2003: r 2
2003	160	<i>Gazette 3.7.2003 p2881</i>	3.7.2003: r 2
2003	235	<i>Gazette 27.11.2003 p4275</i>	8.12.2003: r 2
2003	242	<i>Gazette 11.12.2003 p4437</i>	15.12.2003: r 2
2004	15	<i>Gazette 18.3.2004 p830</i>	18.3.2004: r 2
2004	82	<i>Gazette 27.5.2004 p1534</i>	1.7.2004: r 2
2004	85	<i>Gazette 27.5.2004 p1565</i>	1.7.2004: r 2
2004	120	<i>Gazette 27.5.2004 p1671</i>	27.5.2004: r 2
2004	124	<i>Gazette 3.6.2004 p1730</i>	3.6.2004: r 2
2004	145	<i>Gazette 1.7.2004 p2420</i>	1.7.2004: r 2
2004	169	<i>Gazette 12.8.2004 p3230</i>	1.9.2004: r 2
2004	202	<i>Gazette 16.9.2004 p3658</i>	1.11.2004: r 2
2004	234	<i>Gazette 4.11.2004 p4232</i>	4.11.2004: r 2
2005	20	<i>Gazette 14.4.2005 p882</i>	18.4.2005: r 2
2005	102	<i>Gazette 26.5.2005 p1539</i>	1.7.2005: r 2
2005	129	<i>Gazette 26.5.2005 p1616</i>	1.7.2005: r 2
2005	131	<i>Gazette 26.5.2005 p1639</i>	1.6.2005: r 2
2005	182	<i>Gazette 18.8.2005 p3064</i>	18.8.2005: r 2
2005	195	<i>Gazette 8.9.2005 p3280</i>	8.9.2005: r 2
2005	234	<i>Gazette 10.11.2005 p3931</i>	1.12.2005: r 2
2005	238	<i>Gazette 10.11.2005 p3944</i>	1.12.2005: r 2
2005	267	<i>Gazette 8.12.2005 p4253</i>	8.12.2005: r 2
2006	34	<i>Gazette 16.2.2006 p612</i>	16.2.2006: r 2
2006	37	<i>Gazette 16.2.2006 p617</i>	16.3.2006: r 2
2006	72	<i>Gazette 8.6.2006 p1630</i>	1.7.2006: r 2

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2006	162	<i>Gazette 15.6.2006 p1940</i>	1.7.2006 immediately after 72/2006: r 2
2006	169	<i>Gazette 15.6.2006 p1973</i>	1.7.2006: r 2
2006	170	<i>Gazette 15.6.2006 p1975</i>	1.7.2006: r 2
2006	178	<i>Gazette 27.6.2006 p2056</i>	27.6.2006: r 2
2006	180	<i>Gazette 29.6.2006 p2135</i>	1.7.2006: r 2
2006	190	<i>Gazette 20.7.2006 p2337</i>	1.8.2006: r 2
2006	224	<i>Gazette 7.9.2006 p3175</i>	8.9.2006: r 2
2006	272	<i>Gazette 14.12.2006 p4387</i>	15.12.2006: r 2
2007	43	<i>Gazette 26.4.2007 p1370</i>	30.4.2007: r 2
2007	72	<i>Gazette 7.6.2007 p2295</i>	1.7.2007: r 2
2007	77	<i>Gazette 7.6.2007 p2318</i>	1.7.2007: r 2
2007	209	<i>Gazette 9.8.2007 p3316</i>	9.8.2007: r 2
2007	270	<i>Gazette 29.11.2007 p4408</i>	29.11.2007: r 2
2007	271	<i>Gazette 29.11.2007 p4409</i>	17.12.2007: r 2
2008	7	<i>Gazette 31.1.2008 p358</i>	1.3.2008: r 2
2008	52	<i>Gazette 29.5.2008 p1814</i>	1.7.2008: r 2
2008	142	<i>Gazette 5.6.2008 p2166</i>	1.7.2008 immediately after 52/2008: r 2
2008	150	<i>Gazette 5.6.2008 p2201</i>	1.7.2008: r 2
2008	193	<i>Gazette 26.6.2008 p2715</i>	1.7.2008: r 2
2008	252	<i>Gazette 11.9.2008 p4409</i>	29.9.2008: r 2
2008	257	<i>Gazette 18.9.2008 p4516</i>	25.9.2008: r 2
2008	262	<i>Gazette 25.9.2008 p4592</i>	25.1.2009: r 2
2009	36	<i>Gazette 9.4.2009 p1372</i>	1.5.2009: r 2
2009	49	<i>Gazette 30.4.2009 p1639</i>	1.6.2009: r 2
2009	64	<i>Gazette 28.5.2009 p1848</i>	1.7.2009: r 2
2009	84	<i>Gazette 4.6.2009 p2444</i>	1.7.2009: r 2
2009	86	<i>Gazette 4.6.2009 p2451</i>	1.7.2009: r 2
2009	183	<i>Gazette 18.6.2009 p2862</i>	18.6.2009: r 2
2009	204	<i>Gazette 16.7.2009 p3206</i>	31.8.2009: r 2
2009	230	<i>Gazette 3.9.2009 p4369</i>	3.9.2009: r 2
2009	262	<i>Gazette 5.11.2009 p5093</i>	5.11.2009: r 2
2009	264	<i>Gazette 5.11.2009 p5106</i>	1.2.2010: r 2
2009	284	<i>Gazette 10.12.2009 p6195</i>	1.1.2010: r 2
2009	289	<i>Gazette 10.12.2009 p6209</i>	1.2.2010: r 2
2010	35	<i>Gazette 20.5.2010 p2000</i>	1.7.2010: r 2
2010	93	<i>Gazette 10.6.2010 p2792</i>	1.7.2010 immediately after 35/2010: r 2
2010	96	<i>Gazette 10.6.2010 p2839</i>	1.7.2010: r 2
2010	168	<i>Gazette 1.7.2010 p3361</i>	Pt 4 (r 6)—1.7.2010: r 2
2011	4	<i>Gazette 27.1.2011 p301</i>	27.5.2011: r 2
2011	7	<i>Gazette 27.1.2011 p307</i>	12.3.2011: r 2
2011	32	<i>Gazette 29.4.2011 p1297</i>	1.7.2011: r 2
2011	103	<i>Gazette 9.6.2011 p2169</i>	1.7.2011: r 2
2011	118	<i>Gazette 9.6.2011 p2265</i>	1.7.2011: r 2

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2011	167	<i>Gazette 30.6.2011 p2872</i>	30.6.2011: r 2
2011	182	<i>Gazette 14.7.2011 p3072</i> as varied by 191/2011	1.8.2011: r 2
2011	191	<i>Gazette 28.7.2011 p3177</i>	28.7.2011: r 2
2011	196	<i>Gazette 18.8.2011 p3494</i>	21.8.2011: r 2
2011	219	<i>Gazette 29.9.2011 p4143</i>	10.10.2011: r 2
2011	243	<i>Gazette 24.11.2011 p4664</i>	24.11.2011: r 2
2012	17	<i>Gazette 22.3.2012 p1044</i>	22.3.2012: r 2
2012	25	<i>Gazette 12.4.2012 p1397</i>	12.4.2012: r 2
2012	61	<i>Gazette 31.5.2012 p2261</i>	1.7.2012: r 2
2012	79	<i>Gazette 31.5.2012 p2356</i>	1.7.2012: r 2
2012	154	<i>Gazette 7.6.2012 p2711</i>	1.9.2012: r 2
2012	252	<i>Gazette 13.12.2012 p5540</i>	13.12.2012 except rr 4(2), 6(2), (4) & 7(2)— uncommenced: r 2
2012	253	<i>Gazette 13.12.2012 p5543</i>	13.12.2012: r 2
2013	128	<i>Gazette 6.6.2013 p2334</i>	1.7.2013: r 2
2013	147	<i>Gazette 6.6.2013 p2374</i>	1.7.2013: r 2
2013	249	<i>Gazette 31.10.2013 p4141</i>	1.11.2013: r 2
2013	301	<i>Gazette 19.12.2013 p5108</i>	uncommenced
2013	310	<i>Gazette 19.12.2013 p5137</i>	1.1.2014: 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		
<i>r 2</i>	<i>omitted under the Legislation Revision and Publication Act 2002</i>	<i>15.12.2003</i>
<i>r 3</i>	<i>omitted under the Legislation Revision and Publication Act 2002</i>	<i>15.12.2003</i>
r 4		
r 4(1)	r 4 redesignated as r 4(1) by 43/2007 r 4(4)	30.4.2007
approved courier	inserted by 289/2009 r 4	1.2.2010
average speed	inserted by 310/2013 r 4(1)	1.1.2014
average speed camera	inserted by 310/2013 r 4(1)	1.1.2014
average speed camera location	inserted by 310/2013 r 4(1)	1.1.2014
average speed camera location offence	inserted by 310/2013 r 4(1)	1.1.2014
B-double	substituted by 301/2013 r 4(1)	uncommenced—not incorporated
commercial motor vehicle	inserted by 301/2013 r 4(2)	uncommenced—not incorporated

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converter dolly	substituted by 301/2013 r 4(2)	uncommenced—not incorporated
fifth wheel coupling	substituted by 301/2013 r 4(3)	uncommenced—not incorporated
<i>GCM</i>	<i>deleted by 181/2000 r 3(a)</i>	3.8.2000
	<i>inserted by 121/2001 r 3(a)</i>	7.6.2001
	<i>deleted by 43/2007 r 4(1)</i>	30.4.2007
GTM	inserted by 121/2001 r 3(a)	7.6.2001
	varied by 43/2007 r 4(2)	30.4.2007
<i>GVM</i>	<i>deleted by 43/2007 r 4(3)</i>	30.4.2007
<i>heavy vehicle</i>	<i>inserted by 20/2005 r 4(1)</i>	18.4.2005
	<i>deleted by 43/2007 r 4(3)</i>	30.4.2007
<i>level crossing offence</i>	<i>inserted by 15/2004 r 4(1)</i>	18.3.2004
	<i>deleted by 17/2012 r 4(1)</i>	22.3.2012
<i>parking authority</i>	<i>inserted by 120/2004 r 4</i>	27.5.2004
	<i>deleted by 43/2007 r 4(3)</i>	30.4.2007
pig trailer	inserted by 301/2013 r 4(4)	uncommenced—not incorporated
prescribed certification mark	inserted by 35/2010 r 4(1)	1.7.2010
prescribed part	inserted by 249/2013 r 4(1)	1.11.2013
<i>public place</i>	<i>substituted by 120/2004 r 4</i>	27.5.2004
	<i>deleted by 43/2007 r 4(3)</i>	30.4.2007
reckless or dangerous driving offence	inserted by 49/2009 r 4(1)	1.6.2009
recording media	inserted by 242/2003 r 4	15.12.2003
red light offence	substituted by 15/2004 r 4(2)	18.3.2004
	substituted by 17/2012 r 4(2)	22.3.2012
registration offence	inserted by 49/2009 r 4(2)	1.6.2009
	substituted by 32/2011 r 4	1.7.2011
road train	varied by 301/2013 r 4(5)	uncommenced—not incorporated
Safe-T-Cam photographic detection device	inserted by 20/2005 r 4(2)	18.4.2005
	varied by 182/2005 r 4	18.8.2005
speeding offence	substituted by 169/2001 r 3	9.7.2001
	varied by 10/2003 r 4	1.3.2003
	varied by 234/2004 r 4	4.11.2004
	varied by 238/2005 r 4	1.12.2005
stub line	inserted by 310/2013 r 4(2)	1.1.2014
towtruck	inserted by 301/2013 r 4(6)	uncommenced—not incorporated

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tractor	inserted by 181/2000 r 3(b) substituted by 301/2013 r 4(6)	3.8.2000 uncommenced—not incorporated
Variable Speed Limit Sign	inserted by 249/2013 r 4(2)	1.11.2013
vehicle registration authority	<i>inserted by 121/2001 r 3(b)</i>	<i>7.6.2001</i>
	<i>deleted by 43/2007 r 4(3)</i>	<i>30.4.2007</i>
r 4(2)	<i>inserted by 43/2007 r 4(4)</i>	<i>30.4.2007</i>
	<i>deleted by 252/2008 r 4</i>	<i>29.9.2008</i>
r 4(2)	inserted by 49/2009 r 4(3) varied by 17/2012 r 4(3) varied by 249/2013 r 4(3)	1.6.2009 22.3.2012 1.11.2013
r 4(2a)	inserted by 249/2013 r 4(4)	1.11.2013
r 4(3)	inserted by 43/2007 r 4(4) varied by 252/2012 r 4(1) varied by 252/2012 r 4(2) varied by 301/2013 r 4(7)	30.4.2007 13.12.2012 uncommenced—not incorporated uncommenced not— incorporated
r 4(4)	inserted by 43/2007 r 4(4) varied by 252/2012 r 4(3), (4) varied by 301/2013 r 4(8)	30.4.2007 13.12.2012 uncommenced—not incorporated
r 4(5)	inserted by 43/2007 r 4(4) varied by 252/2012 r 4(5), (6) varied by 301/2013 r 4(9)	30.4.2007 13.12.2012 uncommenced—not incorporated
r 4(6)	inserted by 35/2010 r 4(2)	1.7.2010
r 5	<i>deleted by 43/2007 r 5</i>	<i>30.4.2007</i>
Pt 1A	inserted by 217/2002 r 3	1.12.2002
r 6C		
r 6C(3)	varied by 34/2006 r 4	16.2.2006
Pt 1B	inserted by 238/2005 r 5	1.12.2005
r 6F		
r 6F(1)	varied by 7/2011 r 4(1)	12.3.2011
r 6F(2)	varied by 7/2011 r 4(2)	12.3.2011
Pt 2		
heading	substituted by 72/2006 r 4	1.7.2006
r 7	varied by 72/2006 r 5	1.7.2006
r 8	substituted by 160/2003 r 4 varied by 234/2004 r 5 varied by 131/2005 r 4 substituted by 43/2007 r 6	3.7.2003 4.11.2004 1.6.2005 30.4.2007

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	varied by 7/2008 r 4	1.3.2008
	varied by 204/2009 r 4	31.8.2009
	varied by 35/2010 r 5	1.7.2010
	varied by 4/2011 r 4	27.5.2011
r 8AA	inserted by 72/2006 r 6	1.7.2006
	varied by 224/2006 r 4	8.9.2006
r 8A	inserted by 32/2002 r 3	27.5.2002
r 8A(1)	varied by 72/2006 r 7	1.7.2006
r 8B	inserted by 32/2002 r 3	27.5.2002
	varied by 72/2006 r 8	1.7.2006
r 8C	inserted by 72/2006 r 9	1.7.2006
	varied by 289/2009 r 5	1.2.2010
r 9		
r 9(1)	varied by 72/2006 r 10(1)	1.7.2006
	varied by 289/2009 r 6	1.2.2010
r 9(2)	varied by 72/2006 r 10(2)	1.7.2006
	varied by 289/2009 r 6	1.2.2010
r 10		
r 10(1)	varied by 72/2006 r 11	1.7.2006
	varied by 43/2007 r 7(1), (2)	30.4.2007
	varied by 289/2009 r 7	1.2.2010
r 10(2)	varied by 43/2007 r 7(1)	30.4.2007
r 11	varied by 72/2006 r 12(1), (2)	1.7.2006
	varied by 43/2007 r 8	30.4.2007
	varied by 289/2009 r 8(1)—(5)	1.2.2010
r 12	substituted by 72/2006 r 13	1.7.2006
r 12A	inserted by 72/2006 r 14	1.7.2006
r 13	varied by 179/2000 r 3	27.7.2000
	varied by 286/2000 r 3	21.12.2000
	varied by 124/2004 r 4	3.6.2004
	varied by 145/2004 r 4	1.7.2004
	varied by 267/2005 r 4(1), (2)	8.12.2005
	varied by 180/2006 r 4(1), (2)	1.7.2006
	varied by 190/2006 r 4(1), (2)	1.8.2006
	substituted by 193/2008 r 4	1.7.2008
	substituted by 243/2011 r 4	24.11.2011
	varied by 252/2012 r 5	13.12.2012
r 13A	inserted by 22/2000 r 3	23.3.2000
	substituted by 289/2009 r 9	1.2.2010
Pt 2A	inserted by 233/2001 r 3	11.10.2001
	deleted by 36/2009 r 4	1.5.2009
	inserted by 262/2009 r 4	5.11.2009
r 13B	varied by 167/2011 r 4	30.6.2011

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	varied by 249/2013 r 5	1.11.2013
	varied by 310/2013 r 5(1)—(3)	1.1.2014
<i>Pt 3 before substitution by 242/2003</i>	<i>varied by 287/2000 r 3</i>	<i>21.12.2000</i>
	<i>varied by 288/2000 r 3</i>	<i>21.12.2000</i>
	<i>varied by 169/2001 r 4</i>	<i>9.7.2001</i>
	<i>varied by 10/2003 r 5</i>	<i>1.3.2003</i>
Pt 3	substituted by 242/2003 r 5	15.12.2003
Pt 3 Div 1		
r 13C	inserted by 249/2013 r 6	1.11.2013
	substituted by 310/2013 r 6	1.1.2014
r 14		
r 14(1)	r 14 varied by 15/2004 r 5(1), (2)	18.3.2004
	r 14 varied and redesignated as r 14(1) by 20/2005 r 5(1), (2)	18.4.2005
	varied by 182/2005 r 5(1), (2)	18.8.2005
	varied by 238/2005 r 6(1)—(4)	1.12.2005
	varied by 34/2006 r 5	16.2.2006
	varied by 272/2006 r 4(1)	15.12.2006
	(b) deleted by 272/2006 r 4(2)	15.12.2006
	varied by 49/2009 r 5(1)—(3)	1.6.2009
	varied by 183/2009 r 4	18.6.2009
	(c)(i) deleted by 262/2009 r 5(1)	5.11.2009
	(d)(ii) deleted by 262/2009 r 5(2)	5.11.2009
	varied by 32/2011 r 5	1.7.2011
	varied by 17/2012 r 5	22.3.2012
	varied by 249/2013 r 7(1)—(5)	1.11.2013
	varied by 310/2013 r 7(1), (2)	1.1.2014
r 14(2)	inserted by 20/2005 r 5(2)	18.4.2005
prescribed heavy vehicle driving offence	varied by 262/2009 r 5(3)	5.11.2009
	substituted by 301/2013 r 5	uncommenced—not incorporated
<i>r 15 before substitution by 238/2005</i>	<i>varied by 15/2004 r 6</i>	<i>18.3.2004</i>
	<i>varied by 234/2004 r 6</i>	<i>4.11.2004</i>
	<i>varied by 20/2005 r 6</i>	<i>18.4.2005</i>
r 15	substituted by 238/2005 r 7	1.12.2005
	varied by 262/2009 r 6	5.11.2009
	substituted by 17/2012 r 6	22.3.2012
r 15(2)	varied by 310/2013 r 8(1)—(3)	1.1.2014
r 15(2)	varied by 301/2013 r 6	uncommenced—not incorporated

	(k) deleted by 301/2013 r 6	uncommenced—not incorporated
Pt 3 Div 3		
<i>r 17 before substitution by 272/2006</i>		
<i>r 17(1)</i>		
<i>relevant offences</i>	<i>substituted by 15/2004 r 7(1)</i>	18.3.2004
<i>traffic light</i>	<i>inserted by 15/2004 r 7(1)</i>	18.3.2004
<i>r 17(2)</i>	<i>varied by 15/2004 r 7(2)—(14)</i>	18.3.2004
	<i>varied by 182/2005 r 6</i>	18.8.2005
r 17	substituted by 272/2006 r 5	15.12.2006
r 17(1)	(a) deleted by 49/2009 r 6(1)	1.6.2009
	(b) and (c) deleted by 17/2012 r 7(1)	22.3.2012
red traffic light	inserted by 17/2012 r 7(1)	22.3.2012
relevant offence	inserted by 17/2012 r 7(1)	22.3.2012
r 17(2)	varied by 64/2009 r 4(1)—(3)	1.7.2009
	varied by 262/2009 r 7(1), (3)—(5)	5.11.2009
	(g) deleted by 262/2009 r 7(2)	5.11.2009
	varied by 17/2012 r 7(2)—(11)	22.3.2012
	(i) and (ia) deleted by 249/2013 r 8	1.11.2013
r 17(3)	inserted by 49/2009 r 6(2)	1.6.2009
r 18	<i>varied by 15/2004 r 8</i>	18.3.2004
	<i>varied by 234/2004 r 7</i>	4.11.2004
	<i>varied by 182/2005 r 7</i>	18.8.2005
	<i>deleted by 272/2006 r 5</i>	15.12.2006
r 18	inserted by 64/2009 r 5	1.7.2009
r 18(1)	varied by 262/2009 r 8(1)—(3)	5.11.2009
	varied by 249/2013 r 9(1)	1.11.2013
	(f) and (g) deleted by 249/2013 r 9(2)	1.11.2013
	varied by 310/2013 r 9(1)	1.1.2014
r 18(2)	varied by 310/2013 r 9(2)	1.1.2014
r 18A	inserted by 249/2013 r 10	1.11.2013
r 18A(1)	varied by 310/2013 r 10(1)	1.1.2014
r 18A(2)	varied by 310/2013 r 10(2)	1.1.2014
r 19		
r 19(1)	r 19 varied by 182/2005 r 8	18.8.2005
	r 19 redesignated as r 19(1) by 49/2009 r 7	1.6.2009
r 19(2)	inserted by 49/2009 r 7	1.6.2009
r 19AA	inserted by 49/2009 r 8	1.6.2009
	substituted by 310/2013 r 11	1.1.2014
r 19A—see r 19G		
r 19A	inserted by 20/2005 r 8	18.4.2005
Pt 3 Div 3A	inserted by 310/2013 r 12	1.1.2014

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Pt 3 Div 4	inserted by 20/2005 r 9	18.4.2005
r 19B		
r 19B(3)	varied by 262/2009 r 9 varied by 301/2013 r 7	5.11.2009 uncommenced—not incorporated
r 19D	varied by 77/2007 r 4 varied by 142/2008 r 4 varied by 86/2009 r 4 varied by 93/2010 r 4 varied by 103/2011 r 4 varied by 61/2012 r 4 varied by 147/2013 r 4	1.7.2007 1.7.2008 1.7.2009 1.7.2010 1.7.2011 1.7.2012 1.7.2013
Pt 3A	inserted by 43/2007 r 9 deleted by 301/2013 r 8	30.4.2007 uncommenced—not incorporated
Pt 4		
r 19FI	inserted by 196/2011 r 4	21.8.2011
r 19G	r 19A inserted by 184/2000 r 3 r 19A redesignated as r 19G by 20/2005 r 7 varied by 238/2005 r 8	15.8.2000 18.4.2005 1.12.2005
r 19H	inserted by 253/2012 r 4	13.12.2012
r 20		
r 20(1)	varied by 147/2003 Sch 1	12.6.2003
r 20(4)		
dangerous substance	substituted by 121/2001 r 4 substituted by 167/2011 r 5	7.6.2001 30.6.2011
r 20		
r 20(5)	Sch varied and redesignated as r 20(5) by 147/2003 Sch 1	12.6.2003
r 20A	inserted by 181/2000 r 4 substituted by 301/2013 r 9	3.8.2000 uncommenced—not incorporated
r 21		
r 21(1)	substituted by 120/2004 r 5 varied by 25/2012 r 4	27.5.2004 12.4.2012
r 21(2)	varied by 43/2007 r 10(1)	30.4.2007
r 21(3)	inserted by 43/2007 r 10(2)	30.4.2007
r 22		
r 22(3)	varied by 25/2012 r 5	12.4.2012
r 23		
r 23(1)	varied by 147/2003 Sch 1 varied by 25/2012 r 6	12.6.2003 12.4.2012

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r 23(3)	Sch varied and redesignated as r 23(3) by 147/2003 Sch 1	12.6.2003
r 23(4)	Sch (2) varied and redesignated as r 23(4) by 147/2003 Sch 1	12.6.2003
r 23A	inserted by 43/2007 r 11	30.4.2007
r 23A(4)	varied by 301/2013 r 10	uncommenced—not incorporated
r 23A(5)	varied by 301/2013 r 10	uncommenced—not incorporated
r 23B	inserted by 43/2007 r 11 deleted by 301/2013 r 11	30.4.2007 uncommenced—not incorporated
r 23C before deletion by 301/2013	inserted by 43/2007 r 11	30.4.2007
r 23C(2)	varied by 252/2012 r 6(1), (3)	13.12.2012
r 23C(2)	varied by 252/2012 r 6(2), (4)	uncommenced—not incorporated
r 23C	deleted by 301/2013 r 11	uncommenced—not incorporated
r 23D	inserted by 43/2007 r 11 varied by 252/2012 r 7(1) varied by 252/2012 r 7(2) deleted by 301/2013 r 11	30.4.2007 13.12.2012 uncommenced—not incorporated uncommenced—not incorporated
r 24		
r 24(1)	varied by 43/2007 r 12(1)	30.4.2007
r 24(2)	varied by 43/2007 r 12(1)	30.4.2007
r 24(3)	varied by 43/2007 r 12(1)	30.4.2007
r 24(4)	varied by 43/2007 r 12(1)	30.4.2007
r 24(5)	varied by 43/2007 r 12(1)—(3) deleted by 301/2013 r 12(1), (2)	30.4.2007 uncommenced—not incorporated
r 25		
r 25(1)	varied by 301/2013 r 13(1)	uncommenced—not incorporated
r 25(2)	varied by 301/2013 r 13(2)	uncommenced—not incorporated
r 25(3)	varied by 121/2001 r 5 varied by 195/2005 r 4(1)—(3)	7.6.2001 8.9.2005
r 25(4)	varied by 195/2005 r 4(4), (5) varied by 301/2013 r 13(3)	8.9.2005 uncommenced—not incorporated
r 25(5)	deleted by 301/2013 r 13(4)	uncommenced—not incorporated
r 26		

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r 26(1)	varied by 301/2013 r 14(1)	uncommenced—not incorporated
r 26(2)	varied by 301/2013 r 14(2)	uncommenced—not incorporated
r 26(3)	varied by 301/2013 r 14(3), (4)	uncommenced—not incorporated
r 26(4)	varied by 301/2013 r 14(5), (6)	uncommenced—not incorporated
r 26(5)	varied by 195/2005 r 5(1)	8.9.2005
	varied by 230/2009 r 4	3.9.2009
	varied by 301/2013 r 14(7)	uncommenced—not incorporated
r 26(6)	inserted by 195/2005 r 5(2)	8.9.2005
	varied by 301/2013 r 14(8)	uncommenced—not incorporated
r 28	<i>deleted by 284/2009 r 4</i>	1.1.2010
r 30		
r 30(1)	varied by 43/2007 r 13	30.4.2007
	varied by 168/2010 r 6(1), (2)	1.7.2010
r 31	<i>deleted by 43/2007 r 14</i>	30.4.2007
r 32	varied by 43/2007 r 15	30.4.2007
	varied by 301/2013 r 15	uncommenced—not incorporated
r 33	substituted by 169/2001 r 5	9.7.2001
	varied by 43/2007 r 16	30.4.2007
r 33(2)	<i>deleted by 160/2003 r 5</i>	3.7.2003
r 34		
r 34(1)	varied by 43/2007 r 17(1), (2)	30.4.2007
r 34(1a)	inserted by 181/2000 r 5	3.8.2000
	substituted by 169/2001 r 6	9.7.2001
	varied by 43/2007 r 17(1), (2)	30.4.2007
r 34(2)	varied by 43/2007 r 17(3)	30.4.2007
r 34A	inserted by 43/2007 r 18	30.4.2007
	deleted by 301/2013 r 16	uncommenced—not incorporated
r 35 before substitution by 301/2013		
r 35(1)	varied by 181/2000 r 6	3.8.2000
r 35	substituted by 301/2013 r 17	uncommenced—not incorporated
r 36		
r 36(6)	varied by 35/2010 r 6	1.7.2010
r 37		
r 37(1)	varied by 35/2010 r 7(1), (2)	1.7.2010
	(c) deleted by 35/2010 r 7(2)	1.7.2010

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r 37(1a) and (1b)	inserted by 35/2010 r 7(3)	1.7.2010
r 37(3)	varied by 35/2010 r 7(4)	1.7.2010
r 37(4)	substituted by 35/2010 r 7(5)	1.7.2010
r 37(5)	inserted by 35/2010 r 7(5)	1.7.2010
r 38		
r 38(1)	varied by 209/2007 r 4(1), (2)	9.8.2007
r 38(2)	varied by 209/2007 r 4(3)	9.8.2007
r 39	varied by 121/2001 r 6	7.6.2001
r 42		
r 42(6)	inserted by 301/2013 r 18	uncommenced—not incorporated
r 43		
r 43(1)		
Central Inspection Authority inspection	inserted by 181/2000 r 7(a)	3.8.2000
further inspection	inserted by 72/2007 r 4(1)	1.7.2007
heavy vehicle	inserted by 72/2007 r 4(1)	1.7.2007
	deleted by 301/2013 r 19(1)	uncommenced—not incorporated
LPG	inserted by 72/2007 r 4(1)	1.7.2007
<i>one-off motor vehicle</i>	<i>deleted by 72/2007 r 4(1)</i>	<i>1.7.2007</i>
<i>Transport Department or Central Inspection Authority vehicle inspection</i>	<i>deleted by 181/2000 r 7(b)</i>	<i>3.8.2000</i>
Transport Department inspection	inserted by 181/2000 r 7(b)	3.8.2000
	substituted by 170/2006 r 4	1.7.2006
	varied by 43/2007 r 19(1)	30.4.2007
	varied by 301/2013 r 19(2)	uncommenced—not incorporated
<i>Transport Department premises</i>	<i>inserted by 121/2001 r 7(a)</i>	<i>7.6.2001</i>
	<i>deleted by 202/2004 r 4(1)</i>	<i>1.11.2004</i>
written-off vehicle	inserted by 72/2007 r 4(2)	1.7.2007
	varied by 96/2010 r 4(1)	1.7.2010
r 43(2)	varied by 103/2000 r 3(a)	1.7.2000
	substituted by 181/2000 r 7(c)	3.8.2000
	varied by 71/2001 r 3(a)	1.7.2001
	varied by 113/2002 r 3(a)	1.7.2002
	varied by 123/2003 r 4(1)	1.7.2003

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	varied by 85/2004 r 4(1)	1.7.2004
	varied by 102/2005 r 4(1)	1.7.2005
	varied by 169/2006 r 4(1)	1.7.2006
	substituted by 72/2007 r 4(3)	1.7.2007
	varied by 150/2008 r 4(1)	1.7.2008
	varied by 84/2009 r 4(1)	1.7.2009
	varied by 96/2010 r 4(2)	1.7.2010
	varied by 118/2011 r 4(1)	1.7.2011
	varied by 79/2012 r 4(1)	1.7.2012
	varied by 128/2013 r 4(1)	1.7.2013
	substituted by 301/2013 r 19(3)	uncommenced—not incorporated
r 43(2a)	inserted by 181/2000 r 7(c)	3.8.2000
	varied by 71/2001 r 3(b)	1.7.2001
	varied by 113/2002 r 3(b)	1.7.2002
	varied by 123/2003 r 4(2)	1.7.2003
	varied by 85/2004 r 4(2)	1.7.2004
	varied by 102/2005 r 4(2)	1.7.2005
	varied by 169/2006 r 4(2)	1.7.2006
	substituted by 72/2007 r 4(3)	1.7.2007
	varied by 150/2008 r 4(2)	1.7.2008
	varied by 84/2009 r 4(2)	1.7.2009
	varied by 96/2010 r 4(3)	1.7.2010
	varied by 118/2011 r 4(2)	1.7.2011
	varied by 79/2012 r 4(2)	1.7.2012
	varied by 128/2013 r 4(2)	1.7.2013
	deleted by 301/2013 r 19(3)	uncommenced—not incorporated
r 43(3)	varied by 103/2000 r 3(b)	1.7.2000
	varied by 181/2000 r 7(d)	3.8.2000
	varied by 71/2001 r 3(c)	1.7.2001
	varied by 113/2002 r 3(c)	1.7.2002
	varied by 123/2003 r 4(3)	1.7.2003
	varied by 85/2004 r 4(3)	1.7.2004
	varied by 102/2005 r 4(3)	1.7.2005
	varied by 169/2006 r 4(3)	1.7.2006
	varied by 72/2007 r 4(4)	1.7.2007
	varied by 150/2008 r 4(3)	1.7.2008
	varied by 84/2009 r 4(3)	1.7.2009
	varied by 96/2010 r 4(4)	1.7.2010
	varied by 118/2011 r 4(3)	1.7.2011
	varied by 128/2013 r 4(3)	1.7.2013
	deleted by 301/2013 r 19(4)	uncommenced—not incorporated

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r 43(3a)	inserted by 118/2011 r 4(4)	1.7.2011
	varied by 79/2012 r 4(3)	1.7.2012
	varied by 128/2013 r 4(4)	1.7.2013
	varied by 301/2013 r 19(5)	uncommenced—not incorporated
r 43(4)	varied by 103/2000 r 3(c)	1.7.2000
	varied by 71/2001 r 3(d)	1.7.2001
	varied by 113/2002 r 3(d)	1.7.2002
	varied by 123/2003 r 4(4)	1.7.2003
	varied by 85/2004 r 4(4)	1.7.2004
	varied by 102/2005 r 4(4)	1.7.2005
	varied by 169/2006 r 4(4)	1.7.2006
	varied by 43/2007 r 19(2), (3)	30.4.2007
	varied by 72/2007 r 4(5)	1.7.2007
	varied by 150/2008 r 4(4)	1.7.2008
	varied by 84/2009 r 4(4)	1.7.2009
	varied by 96/2010 r 4(5)	1.7.2010
	varied by 118/2011 r 4(5)	1.7.2011
	varied by 219/2011 r 4	10.10.2011
	varied by 79/2012 r 4(4)	1.7.2012
	varied by 128/2013 r 4(5)	1.7.2013
r 43(5)	<i>varied by 103/2000 r 3(d)</i>	<i>1.7.2000</i>
	<i>substituted by 121/2001 r 7(b)</i>	<i>7.6.2001</i>
	<i>varied by 71/2001 r 3(e)</i>	<i>1.7.2001</i>
	<i>varied by 113/2002 r 3(e)—(g)</i>	<i>1.7.2002</i>
	<i>varied by 123/2003 r 4(5)—(7)</i>	<i>1.7.2003</i>
	<i>varied by 85/2004 r 4(5)-(7)</i>	<i>1.7.2004</i>
	<i>deleted by 202/2004 r 4(2)</i>	<i>1.11.2004</i>
r 43(6)	<i>varied by 103/2000 r 3(e)</i>	<i>1.7.2000</i>
	<i>varied by 71/2001 r 3(f)</i>	<i>1.7.2001</i>
	<i>varied by 113/2002 r 3(h)</i>	<i>1.7.2002</i>
	<i>varied by 123/2003 r 4(8)</i>	<i>1.7.2003</i>
	<i>varied by 85/2004 r 4(8)</i>	<i>1.7.2004</i>
	<i>deleted by 202/2004 r 4(2)</i>	<i>1.11.2004</i>
r 43(7)	<i>varied by 103/2000 r 3(f)</i>	<i>1.7.2000</i>
	<i>varied by 71/2001 r 3(g)</i>	<i>1.7.2001</i>
	<i>varied by 113/2002 r 3(i)</i>	<i>1.7.2002</i>
	<i>varied by 123/2003 r 4(9)</i>	<i>1.7.2003</i>
	<i>varied by 85/2004 r 4(9)</i>	<i>1.7.2004</i>
	<i>deleted by 202/2004 r 4(2)</i>	<i>1.11.2004</i>
r 43(8)	<i>varied by 103/2000 r 3(g)</i>	<i>1.7.2000</i>
	<i>varied by 71/2001 r 3(h)</i>	<i>1.7.2001</i>
	<i>varied by 113/2002 r 3(j)</i>	<i>1.7.2002</i>

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	<i>varied by 123/2003 r 4(10)</i>	1.7.2003
	<i>varied by 85/2004 r 4(10)</i>	1.7.2004
	<i>deleted by 202/2004 r 4(2)</i>	1.11.2004
r 43(10)	varied by 121/2001 r 7(c)	7.6.2001
r 43(11)	inserted by 118/2011 r 4(6)	1.7.2011
r 43A before substitution by 301/2013	inserted by 170/2006 r 5	1.7.2006
r 43A(1)		
heavy vehicle	inserted by 72/2007 r 5(1)	1.7.2007
oversize or overmass vehicle exemption	substituted by 72/2007 r 5(1)	1.7.2007
r 43A(2)	substituted by 72/2007 r 5(2)	1.7.2007
	varied by 150/2008 r 5(1)	1.7.2008
	varied by 84/2009 r 5(1)	1.7.2009
	varied by 96/2010 r 5(1)	1.7.2010
	varied by 118/2011 r 5(1)	1.7.2011
	varied by 79/2012 r 5(1)	1.7.2012
	varied by 128/2013 r 5(1)	1.7.2013
r 43A(3)	varied by 72/2007 r 5(3)	1.7.2007
	varied by 150/2008 r 5(2)	1.7.2008
	varied by 84/2009 r 5(2)	1.7.2009
	varied by 96/2010 r 5(2)	1.7.2010
	varied by 118/2011 r 5(2)	1.7.2011
	varied by 79/2012 r 5(2)	1.7.2012
	varied by 128/2013 r 5(2)	1.7.2013
r 43A	substituted by 301/2013 r 20	uncommenced—not incorporated
r 44		
r 44(2)	varied by 43/2007 r 20	30.4.2007
r 47	inserted by 121/2001 r 8	7.6.2001
	varied by 43/2007 r 21	30.4.2007
Sch 1AAA	inserted by 238/2005 r 9	1.12.2005
	varied by 178/2006 r 4(1)—(6)	27.6.2006
	substituted by 7/2011 r 5	12.3.2011
Sch 1AA	inserted by 32/2002 r 4	27.5.2002
Sch 1A	inserted by 72/2006 r 15	1.7.2006
	varied by 270/2007 r 4	29.11.2007
Sch 1	varied by 147/2003 Sch 1	12.6.2003
	substituted by 72/2006 r 16	1.7.2006
Sch 2	substituted by 72/2006 r 17	1.7.2006
Sch 3	substituted by 72/2006 r 18	1.7.2006
	substituted by 289/2009 r 10	1.2.2010

Sch 4	substituted by 242/2003 r 6	15.12.2003
	substituted by 15/2004 r 9	18.3.2004
	substituted by 49/2009 r 9	1.6.2009
	substituted by 32/2011 r 6	1.7.2011
	varied by 310/2013 r 13	1.1.2014
Sch 5	<i>deleted by 242/2003 r 6</i>	15.12.2003
Sch 6	<i>deleted by 43/2007 r 22</i>	30.4.2007
Sch 7	<i>deleted by 169/2001 r 7</i>	9.7.2001
Sch 9 before substitution by 82/2004	<i>varied by 268/1999 r 3</i>	23.12.1999
	<i>varied by 53/2000 r 3</i>	1.7.2000
	<i>varied by 181/2000 r 8</i>	3.8.2000
	<i>varied by 184/2000 r 4</i>	15.8.2000
	<i>substituted by 69/2001 r 3</i>	1.7.2001
	<i>varied by 169/2001 r 8</i>	9.7.2001
	<i>substituted by 116/2002 r 3</i>	1.7.2002
	<i>varied by 10/2003 r 6</i>	1.3.2003
	<i>substituted by 58/2003 r 4</i>	1.7.2003
	<i>varied by 235/2003 r 4</i>	8.12.2003
Sch 9 before substitution by 129/2005	<i>substituted by 82/2004 r 4</i>	1.7.2004
	<i>varied by 169/2004 r 4</i>	1.9.2004
	<i>varied by 234/2004 r 8</i>	4.11.2004
	<i>varied by 20/2005 r 10</i>	18.4.2005
Sch 9 before substitution by 162/2006	<i>substituted by 129/2005 r 4</i>	1.7.2005
	<i>varied by 234/2005 r 4(1), (2)</i>	1.12.2005
	<i>varied by 37/2006 r 4</i>	16.3.2006
	<i>varied by 72/2006 r 19</i>	1.7.2006
Sch 9 before substitution by 77/2007	<i>substituted by 162/2006 r 4</i>	1.7.2006
	<i>varied by 43/2007 r 23</i>	30.4.2007
Sch 9 before substitution by 142/2008	<i>substituted by 77/2007 r 5</i>	1.7.2007
	<i>varied by 271/2007 r 4(1)—(4)</i>	17.12.2007
	<i>varied by 7/2008 r 5(1)—(4)</i>	1.3.2008
	<i>varied by 52/2008 r 4(1), (2)</i>	1.7.2008
Sch 9 before substitution by 86/2009	<i>substituted by 142/2008 r 5</i>	1.7.2008
Pt 1		
cl 2		
cl 2(2)	<i>varied by 262/2008 r 4(1)</i>	25.1.2009
Pt 2	<i>varied by 257/2008 r 4(1), (2)</i>	25.9.2008
Pt 3	<i>varied by 262/2008 r 4(2)—(35)</i>	25.1.2009

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<i>Pt 4</i>	<i>substituted by 252/2008 r 5</i>	25.9.2008
<i>Pt 4A</i>	<i>inserted by 252/2008 r 5</i>	25.9.2008
<i>Pt 6</i>	<i>varied by 262/2008 r 4(36)</i>	25.1.2009
<i>Sch 9 before substitution by 93/2010</i>	<i>substituted by 86/2009 r 5</i>	1.7.2009
<i>Pt 2</i>	<i>varied by 262/2009 r 10</i>	5.11.2009
<i>Pt 3</i>	<i>varied by 35/2010 r 8(1)—(7)</i>	1.7.2010
<i>Pt 4B</i>	<i>inserted by 264/2009 r 4</i>	1.2.2010
<i>Pt 5</i>	<i>varied by 284/2009 r 5</i>	1.1.2010
<i>Pt 6</i>	<i>varied by 204/2009 r 5</i>	31.8.2009
	<i>varied by 35/2010 r 8(8)</i>	1.7.2010
<i>Sch 9 before substitution by 103/2011</i>	<i>substituted by 93/2010 r 5</i>	1.7.2010
<i>Pt 2</i>	<i>varied by 167/2011 r 6(1), (2)</i>	30.6.2011
<i>Pt 3</i>	<i>varied by 4/2011 r 5(1)—(5)</i>	27.5.2011
<i>Pt 6</i>	<i>varied by 4/2011 r 5(6)</i>	27.5.2011
<i>Sch 9 before substitution by 61/2012</i>	<i>substituted by 103/2011 r 5</i>	1.7.2011
<i>Pt 1</i>		
<i>cl 3</i>	<i>inserted by 182/2011 r 4(1)</i>	1.8.2011
<i>Pt 2</i>	<i>varied by 182/2011 r 4(2)—(4)</i>	1.8.2011
	<i>varied by 219/2011 r 5(1)—(3)</i>	10.10.2011
<i>Pt 8</i>	<i>varied by 182/2011 r 4(5) as varied by 191/2011 r 4</i>	1.8.2011
<i>Sch 9 before substitution by 147/2013</i>	<i>substituted by 61/2012 r 5</i>	1.7.2012
<i>Pt 2</i>	<i>varied by 154/2012 r 4(1)—(3)</i>	1.9.2012
<i>Pt 3</i>	<i>varied by 154/2012 r 4(4)</i>	1.9.2012
<i>Pt 8</i>	<i>varied by 154/2012 r 4(5)</i>	1.9.2012
<i>Sch 9</i>	<i>substituted by 147/2013 r 5</i>	1.7.2013
<i>Pt 2</i>	<i>substituted by 301/2013 r 21(1)</i>	uncommenced—not incorporated
<i>Pts 4—6</i>	<i>deleted by 301/2013 r 21(2)</i>	uncommenced—not incorporated
Pt 7	varied by 310/2013 r 14	1.1.2014
<i>Pt 7</i>	<i>varied by 301/2013 r 21(3), (4)</i>	uncommenced—not incorporated

Transitional etc provisions associated with regulations or variations

Road Traffic (Miscellaneous) Variation Regulations 2006 (No 72 of 2006), Sch 1

- 1 A reference in a form purporting to be a form prescribed by these regulations to section 47G(1a), 47G(2a)(a) or 47G(2a)(b) of the Act will be taken to be a reference to section 47K(1a), 47K(2a)(a) or 47K(2a)(b) of the Act as appropriate.

- 2 A reference on a blood test kit purporting to be an approved blood kit for the purposes of the Act to section 47G(2a)(b) of the Act will be taken to be a reference to section 47K(2a)(b) of the Act.

Historical versions

Reprint No 1—23.12.1999
Reprint No 2—23.3.2000
Reprint No 3—1.7.2000
Reprint No 4—27.7.2000
Reprint No 5—15.8.2000
Reprint No 6—21.12.2000
Reprint No 7—7.6.2001
Reprint No 8—9.7.2001
Reprint No 9—11.10.2001
Reprint No 10—27.5.2002
Reprint No 11—1.7.2002
Reprint No 12—1.12.2002
Reprint No 13—1.3.2003
Reprint No 14—1.7.2003
Reprint No 15—8.12.2003
Reprint No 16—15.12.2003
18.3.2004
27.5.2004 (electronic only)
3.6.2004
1.7.2004
1.9.2004
1.11.2004 (electronic only)
4.11.2004
18.4.2005
1.6.2005
1.7.2005
18.8.2005
8.9.2005
1.12.2005
8.12.2005
16.2.2006
16.3.2006
27.6.2006 (electronic only)
1.7.2006
1.8.2006
8.9.2006
15.12.2006
30.4.2007

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1.7.2007

9.8.2007

29.11.2007

17.12.2007

1.3.2008

1.7.2008

25.9.2008 (electronic only)

29.9.2008

25.1.2009

1.5.2009

1.6.2009

18.6.2009 (electronic only)

1.7.2009

31.8.2009 (electronic only)

3.9.2009

5.11.2009

1.1.2010

1.2.2010

1.7.2010

12.3.2011

27.5.2011

30.6.2011 (electronic only)

1.7.2011

1.8.2011

21.8.2011

10.10.2011

24.11.2011

22.3.2012

12.4.2012

1.7.2012

1.9.2012

13.12.2012

1.7.2013

1.11.2013