



ANNO VICESIMO TERTIO

ELIZABETHAE II REGINAE

A.D. 1974

No. 51 of 1974

An Act to amend the Motor Vehicles Act, 1959-1973.

[Assented to 30th August, 1974]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short titles.

1. (1) This Act may be cited as the "Motor Vehicles Act Amendment Act, 1974".

(2) The Motor Vehicles Act, 1959-1973, is hereinafter referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Motor Vehicles Act, 1959-1974".

Commencement.

2. This Act shall come into operation on a day to be fixed by proclamation.

**Amendment of principal Act, s. 5—
Interpretation.**

3. Section 5 of the principal Act is amended by inserting after the definition of "business name" the following definition:—

"caravan" means a trailer that is constructed or adapted so as to provide sleeping accommodation for one or more persons:.

Repeal of s. 29 of principal Act and enactment of section in its place—

4. Section 29 of the principal Act is repealed and the following section is enacted and inserted in its place:—

Registration fees.

29. (1) The registration fee payable in respect of the registration of a motor vehicle for any period that commenced before the first day of October, 1974, shall be the registration fee that would have been payable in respect of the registration of the motor vehicle had the Motor Vehicles Act Amendment Act, 1974, not been enacted.

(2) The registration fee payable in respect of the registration of a motor vehicle for any period that commences on and after the first day of October, 1974, shall be the registration fee provided for by subsection (3), (4), (5), (6), (7), (8), (9), (10) or (11) of this section in respect of that motor vehicle.

(3) The registration fee for a motor cycle not having a side car attached thereto shall be—

	\$ c
If the weight of the motor cycle does not exceed 50 kilograms	5 00
If the weight of the motor cycle exceeds 50 kilograms....	7 50

(4) The registration fee for a motor cycle having a side car attached thereto shall be

(5) The registration fee for a commercial motor vehicle the tare weight of which is 1 780 kilograms or less (not being a trailer, mobile fork lift or mobile crane) shall be—

If the vehicle does not exceed 10 P.W.	9 00
If the vehicle exceeds 10 P.W. but does not exceed 25 P.W.	18 00
If the vehicle exceeds 25 P.W. but does not exceed 75 P.W.—	
\$18·00 and an additional \$6·00 for each 5 P.W. or fractional part of 5 P.W. in excess of 25 P.W.	
If the vehicle exceeds 75 P.W.—\$78·00 and an additional \$9·00 for each 5 P.W. or fractional part of 5 P.W. in excess of 75 P.W.	

(6) The registration fee for a commercial motor vehicle the tare weight of which exceeds 1 780 kilograms (not being a trailer, mobile fork lift or mobile crane) shall be—

If the vehicle exceeds 35 P.W. but does not exceed 40 P.W.	39 00
If the vehicle exceeds 40 P.W. but does not exceed 75 P.W.—	
\$39·00 and an additional \$6·50 for each 5 P.W. or fractional part of 5 P.W. in excess of 40 P.W.	
If the vehicle exceeds 75 P.W.—\$84·50 and an additional \$9·80 for each 5 P.W. or fractional part of 5 P.W. in excess of 75 P.W.	

(7) The registration fee for a motor vehicle (other than a motor cycle, trailer, commercial motor vehicle or invalid chair) including a mobile fork lift or mobile crane shall be—

If the vehicle does not exceed 10 P.W.	9 00
If the vehicle exceeds 10 P.W. but does not exceed 25 P.W.	16 20
If the vehicle exceeds 25 P.W. but does not exceed 75 P.W.—	
\$16·20 and an additional \$4·40 for each 5 P.W. or fractional part of 5 P.W. in excess of 25 P.W.	
If the vehicle exceeds 75 P.W.—\$60·20 and an additional \$5·90 for each 5 P.W. or fractional part of 5 P.W. in excess of 75 P.W.	

(8) The registration fee for a trailer (other than a caravan) shall be—

If the weight of the trailer unladen does not exceed 260 kilograms.....	7 50
If the weight of the trailer unladen exceeds 260 kilograms but does not exceed 1 020 kilograms.....	
16 00	
If the weight of the trailer unladen exceeds 1 020 kilograms but does not exceed 1 520 kilograms.....	
18 00	

If the weight of the trailer unladen exceeds 1 520 kilograms but does not exceed 2 030 kilograms 20 00
 If the weight of the trailer unladen exceeds 2 030 kilograms 22 00
 Where the trailer consists of a machine which is mounted on wheels and is constructed or adapted for being drawn by a motor vehicle, the fee shall be one-half of the amount which would otherwise be payable under this section.

(9) The registration fee for a trailer being a caravan shall be—

If the weight of the caravan unladen does not exceed 1 020 kilograms 7 50
 If the weight of the caravan unladen exceeds 1 020 kilograms but does not exceed 1 520 kilograms 10 00
 If the weight of the caravan unladen exceeds 1 520 kilograms but does not exceed 2 030 kilograms 12 50
 If the weight of the caravan unladen exceeds 2 030 kilograms 15 00

(10) If a motor vehicle has all or any of its wheels fitted with rubber tyres other than pneumatic tyres the fee shall be one and a half times the amount which would otherwise be payable under this section and if a motor vehicle has all or any of its wheels fitted with metal tyres the fee shall be twice the amount which would otherwise be payable under this section.

(11) The fees previously set out in this section are those payable for registration for twelve months. The fee for registration for six months shall be fifty-two and a half per cent of that payable for registration for twelve months.

Amendment of principal Act, s. 38a—
 Registration fees for certain pensioners.

5. Section 38a of the principal Act is amended by striking out from subsection (1) the word “fifteen” and inserting in lieu thereof the word “thirty”.

Amendment of principal Act, s. 38b—
 Registration fee for certain incapacitated persons.

6. Section 38b of the principal Act is amended by striking out from subsection (1) the word “fifteen” and inserting in lieu thereof the word “thirty”.

Enactment of s. 38ab of principal Act—

7. The following section is enacted and inserted in the principal Act immediately after section 38a:—

Registration fee for certain pensioners.

38ab. (1) If the Registrar is satisfied by such evidence as he requires that the owner of a trailer—

(a) is in receipt of a pension paid or payable under any Act or law of the Commonwealth, and that he is, by virtue of being in receipt of such a pension entitled to travel on any public transport in South Australia at concession fares under any Act, regulation or by-law for the time being in force;

and

(b) the trailer will during the period for which it is sought to be registered be wholly or mainly employed in the personal use of the owner,

the registration fee for that trailer shall be reduced by twenty per cent of the amount prescribed by section 29 of this Act in respect of that trailer.

(2) This section shall not authorize the registration at a reduced fee of more than one trailer owned by the same owner.

(3) If the registered owner of a trailer that has been registered at a reduced fee in accordance with this section dies, or ceases to be the owner of the trailer, the registration shall, subject to this Act, continue in force for a period of one month after his death, or the cessation of his ownership, and shall, unless the balance of the registration fee, as defined in section 40 of this Act, is paid, become void upon the expiration of that period.

8. Section 57 of the principal Act is amended by striking out from subsection (1) the passage "one dollar" and inserting in lieu thereof the passage "four dollars".

Amendment of principal Act, s. 57—
Duty of transferee on transfer of vehicle.

9. Section 63 of the principal Act is repealed and the following section is enacted and inserted in its place:—

Repeal of s. 63 of principal Act and enactment of section in its place—

63. (1) The fees payable for each trader's plate, or where trader's plates have been issued in pairs, each pair of trader's plates issued for any period that commenced before the first day of October, 1974, shall be the fee that would have been payable in respect of the trader's plate or pair of trader's plates had the Motor Vehicles Act Amendment Act, 1974, not been enacted.

Fees for trader's plates.

(2) Subject to subsection (3) of this section, the fee for the issue of—

(a) each general trader's plate, or where general trader's plates have been issued in pairs, each pair of general trader's plates shall be sixty-two dollars and fifty cents;

(b) each limited trader's plate, or where limited trader's plates have been issued in pairs, each pair of limited trader's plates, shall be twelve dollars and fifty cents.

(3) Where a trader's plate, or pair of trader's plates, is issued on or after the first day of October in any year and on or before the thirtieth day of March in the ensuing year, the fee for the issue of that trader's plate, or that pair of trader's plates, shall be one-half of the fee prescribed by subsection (2) of this section.

10. Section 66 of the principal Act is amended by striking out from subsection (2) the passage "A motor vehicle bearing general trader's plates (or a caravan or trailer bearing a general trader's plate)" and inserting in lieu thereof the passage "A motor vehicle, other than a caravan or trailer, bearing general trader's plates or a motor vehicle being a caravan or trailer bearing a trader's plate".

Amendment of principal Act, s. 66—
Use of general trader's plates.

11. Section 67 of the principal Act is amended—

(a) by striking out from subsection (2) the passage "A motor vehicle bearing limited trader's plates (or a caravan or trailer bearing a limited trader's plate)" and inserting in lieu thereof the passage "A motor vehicle, other than a caravan or trailer, bearing limited trader's plates or a motor vehicle, being a caravan or trailer, bearing a limited trader's plate";

Amendment of principal Act, s. 67—
Persons entitled to drive vehicles with limited trader's plates.

(b) by striking out from subsection (3) the passage "A motor vehicle bearing limited trader's plates (or a caravan or trailer bearing a limited trader's plate)" and inserting in lieu thereof the passage "A motor vehicle, other than a caravan or trailer, bearing limited trader's plates or a motor vehicle, being a caravan or trailer, bearing a limited trader's plate";

and

(c) by striking out from subsection (3a) the passage "a motor vehicle bearing limited trader's plates (or a caravan or trailer bearing a limited trader's plate)" and inserting in lieu thereof the passage "a motor vehicle, other than a caravan or trailer, bearing limited trader's plates or a motor vehicle being a caravan or trailer bearing a limited trader's plate".

Enactment of
s. 71aa of
principal Act—

12. The following section is enacted and inserted in Part III of the principal Act immediately before section 72 thereof:—

Interpretation.

71aa. In this Part—

"authorized examiner" means—

(a) a member of the police force appointed by the Commissioner of Police for the purposes of conducting practical driving tests;

(b) a person appointed by the Registrar for the purposes of conducting practical driving tests;

or

(c) a person appointed by some public authority and approved of by the Registrar for the purposes of conducting practical driving tests.

Enactment of
s. 72a of
principal Act—

13. The following section is enacted and inserted in the principal Act immediately after section 72 thereof:—

Temporary
driving permit.

72a. (1) The Registrar may issue to any person who is, pursuant to this Act, required to undergo a practical driving test, a temporary driving permit for that purpose and may specify in that permit such conditions or restrictions as to him seem necessary or desirable.

(2) Subject to the conditions and restrictions specified in the permit issued under subsection (1) of this section, that permit shall have the same effect as a licence.

(3) The holder of a permit issued under subsection (1) of this section shall not contravene or fail to comply with any condition or restriction specified therein.

Penalty: Two hundred dollars.

Amendment of
principal Act,
s. 76—
Licence and
learner's
permit fee.

14. Section 76 of the principal Act is amended—

(a) by striking out paragraphs (a) and (aa) and inserting in lieu thereof the following paragraphs:—

(a) for a licence in respect of any period that commenced before the first day of October, 1974, shall be three dollars;

(aa) for a licence in respect of any period commencing on or after the first day of October, 1974, shall be five dollars;;

(b) by striking out paragraph (b) and inserting in lieu thereof the following paragraphs:—

(b) for a learner's permit in respect of any period that commenced before the first day of October, 1974, shall be one dollar;

(c) for a learner's permit in respect of any period commencing on or after the first day of October, 1974, shall be three dollars.;

and

(c) by striking out from paragraph (ii) of the proviso to that section the passage "one dollar" and inserting in lieu thereof the passage "two dollars".

15. Section 79a of the principal Act is amended by striking out subsections (2) and (3).

Amendment of principal Act, s. 79a—
Practical driving tests.

16. The following section is enacted and inserted in the principal Act immediately after section 79a thereof:—

Enactment of s. 79b of principal Act—

79b. (1) An authorized examiner being a person referred to in paragraph (a) or (b) of the definition of "authorized examiner" in section 71aa of this Act shall not conduct a practical driving test to which this section applies, unless he is satisfied that—

Fee for practical driving test.

(a) a fee of three dollars has been paid in respect of that practical driving test;

or

(b) that fee has been remitted by the Registrar pursuant to subsection (2) of this section.

(2) The Registrar may for any reasonable cause, in his discretion, remit the fee referred to in subsection (1) of this section.

(3) This section applies to any practical driving test required to be conducted under this Part other than a test required to be conducted pursuant to section 80 or section 87 of this Act.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

M. L. OLIPHANT, Governor