



**MOTOR VEHICLES (FARM IMPLEMENTS AND MACHINES)  
AMENDMENT ACT 1997**

**No. 51 of 1997**

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**ELIZABETHAE II REGINAE**

A.D. 1997

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**No. 51 of 1997**

**An Act to amend the Motor Vehicles Act 1959 and to make consequential amendments to the Road Traffic Act 1961.**

[Assented to 31 July 1997]

The Parliament of South Australia enacts as follows:

**Short title**

1. (1) This Act may be cited as the *Motor Vehicles (Farm Implements and Machines) Amendment Act 1997*.

(2) The *Motor Vehicles Act 1959* is referred to in this Act as "the principal Act".

**Commencement**

2. (1) Subject to this section, this Act will come into operation on a day to be fixed by proclamation.

(2) Section 5 of this Act will come into operation immediately after section 7(b) of the *Motor Vehicles (Miscellaneous No. 2) Amendment Act 1996* comes into operation.

(3) Section 6 of this Act will come into operation immediately after section 21 of the *Motor Vehicles (Miscellaneous No. 2) Amendment Act 1996* comes into operation.

**Amendment of s. 5—Interpretation**

3. Section 5 of the principal Act is amended—

(a) by inserting after the definition of "accident towing roster scheme" in subsection (1) the following definition:

"agriculture" includes horticulture, viticulture, dairying, bee keeping, livestock production and other similar activity;

and "agricultural" has a corresponding meaning;;

(b) by striking out the definition of "farm implement" in subsection (1) and substituting the following definitions:

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**"farm implement"** means a vehicle without its own automotive power, built to perform agricultural tasks;

**"farm machine"** means a machine with its own automotive power, built to perform agricultural tasks;;

(c) by striking out paragraph (a) of the definition of **"primary producer"** in subsection (1) and substituting the following paragraph:

(a) who carries on as principal an agricultural business; or.

**Amendment of s. 12—Exemption for certain trailers, farm implements and farm machines**

4. Section 12 of the principal Act is amended—

(a) by striking out from subsection (1) "or farm implement" first occurring and substituting ", farm implement or prescribed farm machine";

(b) by striking out from subsection (1) "or farm implement" second occurring and substituting "or farm machine";

(c) by inserting in subsection (2) "or farm machine" after "farm implement";

(d) by inserting after subsection (2) the following subsections:

(2a) Subject to subsection (2b), a prescribed farm machine may be driven on roads without registration or insurance.

(2b) A prescribed farm machine must not be driven without registration or insurance on the carriageway of a road unless—

(a) the prescribed farm machine is driven only—

(i) to move the machine across the carriageway by the shortest possible route; or

(ii) to move the machine from a point of unloading to a worksite by the shortest possible route; or

(iii) to enable the machine to perform on the carriageway a special function that the machine is designed to perform; and

(b) there is in force a policy of public liability insurance indemnifying the owner and any authorised driver of the prescribed farm machine in an amount of at least five million dollars in relation to death or bodily injury caused by, or arising out of, the use of the prescribed farm machine on a road.;

(e) by striking out from subsection (3) "or farm implement" twice occurring and substituting, in each case, ", farm implement or farm machine";

(f) by inserting after subsection (3) the following subsection:

(4) In this section—

"prescribed farm machine" means a farm machine that—

(a) is designed mainly for use outside public road systems; and

(b) when driven by its own automotive power, is capable of a speed not exceeding 7 kilometres per hour.

**Amendment of s. 20—Application for registration**

5. Section 20 of the principal Act is amended by striking out from subsection (1)(ab) "responsible operator" and substituting "registered operator".

**Amendment of s. 47—Duty to carry number plates**

6. Section 47 of the principal Act is amended by inserting at the foot of subsection (1) the following penalty provision:

Penalty:                      Division 10 fine.

**Amendment of s. 99—Interpretation**

7. Section 99 of the principal Act is amended by striking out from subsection (4) "farm implement" and substituting "farm machine".

**Amendment of Road Traffic Act 1961**

8. Section 141 of the *Road Traffic Act 1961* is amended—

(a) by striking out paragraph (a) of subsection (2) and substituting the following paragraphs:

(a) a tractor or farm machine that is more than 2.5 metres wide and is being driven as a motor vehicle conditionally registered under section 25 of the *Motor Vehicles Act 1959*; or

(ab) a prescribed farm machine (within the meaning of section 12 of the *Motor Vehicles Act 1959*) that is more than 2.5 metres wide and is being driven under that section without registration or insurance; or

(ac) a tractor, farm implement or farm machine that is more than 2.5 metres wide and is being towed by a tractor or farm machine that is being driven as a motor vehicle conditionally registered under section 25 of the *Motor Vehicles Act 1959*; or

(b) by striking out from paragraph (b) of subsection (2) "agricultural machines" and substituting "farm implements, farm machines or";

(c) by striking out subsection (5) and substituting the following subsection:

(5) In this section "farm implement" and "farm machine" have the same meanings as in the *Motor Vehicles Act 1959*.

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

E. J. NEAL Governor