

South Australia

Motor Vehicles (Simplify and Other Matters) Variation Regulations 2020

under the *Motor Vehicles Act 1959*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Motor Vehicles Regulations 2010*

- 4 Variation of regulation 26—Return or recovery of number plates—exceptions
 - 5 Variation of regulation 42—Classification of licences
 - 6 Variation of Schedule 2—Classification of driver's licences
 - 7 Variation of Schedule 4—Demerit points
 - 8 Offences against *Heavy Vehicle National Law (South Australia)*
 - 8 Variation of Schedule 5—Expiation fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Motor Vehicles (Simplify and Other Matters) Variation Regulations 2020*.

2—Commencement

- (1) Subject to subregulation (2), these regulations come into operation on the day on which they are made.
- (2) Regulations 4, 5, 6 and 8 come into operation on the day on which section 61 of the *Statutes Amendment and Repeal (Simplify) Act 2019* comes into operation.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Motor Vehicles Regulations 2010*

4—Variation of regulation 26—Return or recovery of number plates—exceptions

Regulation 26(1) and (2)—delete subregulations (1) and (2) and substitute:

For the purposes of section 47C(4) of the Act, the Registrar, a police officer or an authorised officer may only seize a number plate if—

- (a) the Registrar has given a direction under section 47C(2) of the Act requiring a person to surrender the number plates; and
- (b) the person has failed to comply with the direction; and
- (c) the person has no reasonable excuse for failing to comply.

5—Variation of regulation 42—Classification of licences

Regulation 42—after its present contents (now to be designated as subregulation (1)) insert:

- (2) For the purposes of section 72(6) of the Act, a person who has held a driver's licence that is assigned the R-DATE classification for at least 1 year will be taken to hold a licence that is assigned the R classification.
- (3) For the purposes of section 72(7) of the Act, a licence that is assigned the R classification in accordance with subregulation (2) is not required to be endorsed with that classification if it is already endorsed with the R-DATE classification.

6—Variation of Schedule 2—Classification of driver's licences

Schedule 2, clause 1—after subclause (1) insert:

- (1a) A licence that is assigned the R classification in accordance with regulation 42(2) is not required to be endorsed with that classification in order to authorise the holder of the licence to drive any motor bike or motor trike.

7—Variation of Schedule 4—Demerit points

Schedule 4, clause 8—delete Schedule 4 clause 8 and substitute:

8—Offences against *Heavy Vehicle National Law (South Australia)*

Section	Description of offence against <i>Heavy Vehicle National Law (South Australia)</i>	Demerit points
529	<i>Using or permitting the use of heavy vehicle in contravention of a vehicle defect notice</i> Using heavy vehicle in contravention of a major defect notice or minor defect notice	3

8—Variation of Schedule 5—Expiation fees

Schedule 5, clause 1, entry related to section 47C(3)—delete "to return number plates"

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 2 April 2020

No 32 of 2020