



ROAD TRAFFIC (VEHICLE IDENTIFIERS) AMENDMENT ACT 1998

No. 19 of 1998

SUMMARY OF PROVISIONS

1. Short title
2. Commencement
3. Insertion of Part 3A

PART 3A

VEHICLE IDENTIFICATION

- 110A. Interpretation
- 110B. Motor vehicle or trailer must bear vehicle identification plate
- 110C. Offences



ANNO QUADRAGESIMO SEPTIMO

ELIZABETHAE II REGINAE

A.D. 1998

No. 19 of 1998

An Act to amend the Road Traffic Act 1961.

[Assented to 2 April 1998]

The Parliament of South Australia enacts as follows:

Short title

1. (1) This Act may be cited as the *Road Traffic (Vehicle Identifiers) Amendment Act 1998*.

(2) The *Road Traffic Act 1961* is referred to in this Act as "the principal Act".

Commencement

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

Insertion of Part 3A

3. The following Part is inserted after section 110 of the principal Act:

**PART 3A
VEHICLE IDENTIFICATION**

Interpretation

110A. In this Part—

"**approved authority**" means an authority approved by the Minister for the purposes of this Part;

"**chassis number**" means a unique number consisting of letters or figures (or a combination of both) allotted to a particular motor vehicle or trailer chassis as a means of identifying it;

"**Commonwealth Act**" means the *Motor Vehicle Standards Act 1989* of the Commonwealth, as amended from time to time, or an Act of the Commonwealth enacted in substitution for that Act;

"Commonwealth identification plate" for a motor vehicle or trailer means an identification plate within the meaning of the Commonwealth Act approved for placement on that motor vehicle or trailer by the Commonwealth Minister under the Commonwealth Act, and includes a compliance plate authorised by the Australian Motor Vehicle Certification Board for placement on that motor vehicle or trailer;

"Commonwealth Minister" means Minister within the meaning of the Commonwealth Act;

"engine number" means a unique number consisting of letters or figures (or a combination of both) allotted to a particular motor vehicle engine as a means of identifying it, but does not include any casting number or any number used as a means of identifying a class of motor vehicle engines;

"place" a number or plate on a motor vehicle or trailer includes to engrave, stamp or otherwise permanently affix or mark on the vehicle or trailer the number or information that would otherwise be contained on a plate;

"plate" includes a label or sticker;

"State" includes a Territory;

"State identification plate" for a motor vehicle or trailer means a plate issued by—

- (a) an inspector under the regulations; or
- (b) an approved authority under a law of another State,

for placement on that motor vehicle or trailer in substitution for a Commonwealth identification plate;

"trailer" includes a semi-trailer;

"vehicle identification number" means a unique number consisting of 17 letters or figures (or a combination of both) allotted to a particular motor vehicle or trailer as a means of identifying it;

"vehicle identification plate" for a motor vehicle or trailer means a Commonwealth identification plate or State identification plate for that motor vehicle or trailer.

Motor vehicle or trailer must bear vehicle identification plate

110B. (1) A motor vehicle or trailer must bear a vehicle identification plate for that motor vehicle or trailer.

(2) Subsection (1) does not apply to a motor vehicle or trailer if the Australian Design Rules applicable to the vehicle or trailer at the time of its manufacture did not require it to bear a vehicle identification plate.

Offences

110C. (1) A person who manufactures a motor vehicle or trailer that does not bear a vehicle identification plate for that motor vehicle or trailer is guilty of an offence.

Penalty: \$2 500.

(2) A person who sells or offers for sale for use on roads a motor vehicle or trailer that does not bear a vehicle identification plate for that motor vehicle or trailer is guilty of an offence.

Penalty: In the case of an offence committed in the course of trade or business—\$2 500;
 In any other case—\$1 250;
Expiation fee: In the case of an alleged offence not committed in the course of trade or business—\$160.

(3) A person must not, except as permitted by the regulations, drive a motor vehicle or trailer that does not bear a vehicle identification plate for that motor vehicle or trailer.

Penalty: \$1 250.
Expiation fee: \$160.

(4) Subsections (2) and (3) do not apply in relation to a motor vehicle or trailer if the Australian Design Rules applicable to the vehicle or trailer at the time of its manufacture did not require it to bear a vehicle identification plate.

(5) A person must not place on a motor vehicle or trailer a plate that could be taken to be a vehicle identification plate approved or authorised for placement on that motor vehicle or trailer by—

- (a) the Commonwealth Minister under the Commonwealth Act; or
- (b) an inspector under the regulations; or
- (c) an approved authority under a law of another State,

knowing that it is not such a vehicle identification plate.

Penalty: \$10 000 or imprisonment for 2 years.

(6) A person must not place on a motor vehicle or trailer a number that could be taken to be a vehicle identification number allotted to that motor vehicle or trailer by—

- (a) the manufacturer of that motor vehicle or trailer; or
- (b) an inspector under the regulations; or
- (c) an approved authority under a law of another State,

knowing that it is not such a vehicle identification number.

Penalty: \$10 000 or imprisonment for 2 years.

(7) A member of the police force or inspector may remove from a motor vehicle or trailer a plate or number that he or she reasonably suspects has been placed on the motor vehicle or trailer in contravention of subsection (5) or (6).

(8) A person must not, except in prescribed circumstances, remove, alter, deface or obliterate a vehicle identification plate or vehicle identification number lawfully placed on a motor vehicle or trailer.

Penalty: \$5 000 or imprisonment for 12 months.

(9) A person must not, without the approval of the Minister, manufacture or sell or offer for sale a vehicle identification plate.

Penalty: \$5 000 or imprisonment for 12 months.

(10) A person must not, without reasonable excuse, be in possession of a vehicle identification plate.

Penalty: \$2 500 or imprisonment for 6 months.

(11) A person must not—

(a) place on the engine block of a motor vehicle a number other than the engine number allotted to the engine of that motor vehicle by—

(i) the manufacturer of the engine; or

(ii) an inspector under the regulations; or

(iii) an approved authority under a law of another State; or

(b) without reasonable excuse, remove, alter, deface or obliterate an engine number lawfully placed on the engine block of a motor vehicle.

Penalty: \$5 000 or imprisonment for 12 months.

(12) A person must not—

(a) place on the chassis of a motor vehicle or trailer a number other than the chassis number allotted to the chassis of that motor vehicle or trailer (as the case requires) by the manufacturer of the chassis; or

(b) without reasonable excuse, remove, alter, deface or obliterate a chassis number lawfully placed on the chassis of a motor vehicle or trailer.

Penalty: \$5 000 or imprisonment for 12 months.

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

E. J. NEAL Governor