



ANNO TRICESIMO SECUNDO

ELIZABETHAE II REGINAE**A.D. 1983**

No. 20 of 1983**An Act to amend the Motor Vehicles Act, 1959-1981.***[Assented to 26 May 1983]*

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 (No. 2), 1983".

(2) The Motor Vehicles Act, 1959-1981, is in this Act referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Motor Vehicles Act, 1959-1983".

Amendment of
s. 75a—
Learner's permits.

2. Section 75a of the principal Act is amended by inserting in subsection (5a) after the passage "47c, 47d" the passage ", 47e".

Amendment of
s. 81a—
First licences
must be subject
to certain
probationary
conditions.

3. Section 81a of the principal Act is amended—

(a) by inserting after subsection (1) the following subsection:

(1aa) Notwithstanding subsection (1), where the applicant for the issue of a driver's licence has previously held a licence issued under this Act or under the law of a place outside this State but not during the period of 3 years immediately preceding the date of his application, the Registrar may issue him with a licence without endorsing upon the licence the conditions required by that subsection.;

and

(b) by inserting in subsection (6) after the passage "47c, 47d" the passage ", 47e".

Amendment of
s. 81b—
Consequences of
learner or
probationary
driver
contravening a
probationary
condition or
incurring four or
more demerit
points.

4. Section 81b of the principal Act is amended—

(a) by inserting after subsection (1) the following subsection:

(1a) Where a person who holds a driver's licence that is endorsed with probationary conditions commits an offence of

contravening either of the probationary conditions referred to in section 81a (1) (d) or (e), the Registrar may, upon receiving notice under section 93 of the conviction or expiation of the offence—

- (a) if the person holds a licence that is endorsed with probationary conditions—extend, by endorsement upon the licence, the period of operation of the conditions by three months;
- (b) if the person holds a licence that is not endorsed with probationary conditions—endorse upon the licence probationary conditions to be effective for a period of three months commencing upon a day noted by the Registrar on the licence;

or

- (c) if the person does not hold a licence—endorse upon the next licence issued to him (unless that licence is endorsed with probationary conditions pursuant to any other provision of this Act) probationary conditions to be effective for a period of three months.;

(b) by striking out subsection (2) and substituting the following subsection:

(2) Where—

- (a) a person who holds a learner's permit commits an offence of contravening a probationary condition;
- (b) a person who holds a driver's licence that is endorsed with probationary conditions commits an offence of contravening the condition referred to in section 81a (1) (ca);

or

- (c) a person who holds a learner's permit, or a driver's licence that is endorsed with probationary conditions, commits an offence in respect of which a demerit point is, or demerit points are, recorded against him and, in consequence, the total number of demerit points recorded against him equals or exceeds four,

the Registrar shall, upon receiving notice under section 93 of the conviction, or the expiation, of the offence, refer the matter to the consultative committee and, if the committee so recommends, shall, by notice in writing served personally or by post upon that person, cancel every permit or licence held by him under this Act at the time of service of the notice.;

(c) by striking out subsection (3);

and

(d) by inserting after subsection (11) the following subsections:

(11a) For the purpose of endorsing a licence pursuant to this section, the Registrar may, by notice in writing served personally or by post on the holder of the licence, require him to deliver his licence to the Registrar at a place, and within a reasonable time, specified in the notice.

(11b) A person shall comply with a notice served upon him under subsection (11a).

Penalty: Two hundred dollars.

5. Section 82 of the principal Act is amended by inserting after subsection (1a) the following subsections:

Amendment of
s. 82—
Obligation upon
Registrar to deal
with learner's
permits and
driver's licences
pursuant to
recommendations
of the
consultative
committee.

(1ab) For the purpose of endorsing a licence pursuant to subsection (1) (ac), the Registrar may, by notice in writing served personally or by post on the holder of the licence, require him to deliver his licence to the Registrar at a place, and within a reasonable time, specified in the notice.

(1ac) A person shall comply with a notice served upon him under subsection (1ab).

Penalty: Two hundred dollars.

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

D. B. DUNSTAN, Governor