



ANNO TRICESIMO QUINTO

# ELIZABETHAE II REGINAE

A.D. 1986

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No. 4 of 1986

An Act to amend the Motor Vehicles Act, 1959.

[Assented to 13 March 1986]

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

1. (1) This Act may be cited as the "Motor Vehicles Act Amendment Act, 1986". Short title.

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

2. Section 16 of the principal Act is amended—

(a) by striking out paragraph (b) of subsection (4) and substituting the following paragraph:

(b) on the expiration of the prescribed period;

and

(b) by inserting after subsection (7) the following subsection:

(8) In this section—

"the prescribed period" means a period determined by the Registrar after consulting the Commissioner of Police.

Amendment of  
s. 16—  
Permits to drive  
pending  
registration.

3. Section 56 of the principal Act is amended by striking out the word "fourteen" and substituting "7".

Amendment of  
s. 56—  
Duty of transferor  
on transfer of  
vehicle.

4. Section 57 of the principal Act is amended—

(a) by striking out from subsection (1) the word "fourteen" whenever it occurs and substituting, in each case, "7";

and

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

(1a) Where—

Amendment of  
s. 57—  
Duty of transferee  
on transfer of  
vehicle.

(a) the transferee fails to lodge an application required under subsection (1) within 7 days of the transfer of the vehicle;

and

(b) the transferee—

(i) lodges the application after the expiration of that period;

or

(ii) lodges an application to register the vehicle,

the Registrar may charge, in addition to the fee prescribed under this Act for the transfer or registration, a late payment fee determined in accordance with the regulations.

Repeal of s. 65  
and substitution  
of new section.

5. Section 65 of the principal Act is repealed and the following section is substituted:

Duration.

65. A trader's plate shall be issued for a period expiring on the thirty-first day of December following the date on which it was issued, and may be reissued for successive periods of 12 months.

Amendment of  
s. 79—  
Examination of  
applicant for  
driver's licence or  
learner's permit.

6. Section 79 of the principal Act is amended by striking out subsection (1) and substituting the following subsection:

(1) Subject to this Act, the Registrar shall not issue a licence or a learner's permit to an applicant who has not held a licence at some time during the period of 5 years immediately preceding the date of the application unless—

(a) the applicant produces to the Registrar a certificate signed by an examiner certifying that the applicant has passed an examination conducted by the examiner, in the rules required by law to be observed by drivers of motor vehicles;

or

(b) the applicant satisfies the Registrar by such evidence as the Registrar may require that, within the period of 5 years immediately preceding the date of the application, the applicant held a licence to drive a motor vehicle under the law of a State or Territory of Australia other than this State.

Amendment of  
s. 79a—  
Practical driving  
tests.

7. Section 79a of the principal Act is amended—

(a) by striking out paragraph (a) and the word "or" immediately following that paragraph;

and

(b) by striking out the word "three" wherever it appears and substituting, in each case, "5".

Amendment of  
s. 84—  
Term of licence.

8. Section 84 of the principal Act is amended—

(a) by striking out from subsection (1) the passage "of three years" and substituting the passage "not exceeding 5 years, specified on the licence";

and

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

(1a) The Registrar may, if he considers it appropriate to do so, extend the term of a licence for a period not exceeding 12 months.

9. Section 98a of the principal Act is amended—

(a) by inserting after subsection (2) the following subsection:

(2aa) An instructor's licence may be issued subject to such conditions as the Registrar thinks fit;

and

(b) by striking out from subsection (3) the passage "of three years from the date of issue thereof" and substituting the passage "not exceeding 5 years, specified on the licence".

10. Section 145 of the principal Act is amended by inserting after paragraph (l) of subsection (1), the following paragraph:

(la) exempting, conditionally or unconditionally, any person or class of persons or any motor vehicle or class of motor vehicle, from any provision of this Act;

Amendment of  
s. 98a—  
Instructor's  
licences.

Amendment of  
s. 145—  
Regulations.

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

D. B. DUNSTAN, Governor