



ANNO TRICESIMO OCTAVO

# ELIZABETHAE II REGINAE

A.D. 1989

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No. 65 of 1989

An Act to amend the Motor Vehicles Act, 1959.

[Assented to 29 October 1989]

The Parliament of South Australia enacts as follows:

## Short title

1. (1) This Act may be cited as the *Motor Vehicles Act Amendment Act (No. 5), 1989*.
- (2) The *Motor Vehicles Act, 1959*, 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.

## Interpretation

3. Section 5 of the principal Act is amended—

- (a) by striking out from subsection (1) the definition of “articulated motor vehicle”;
- (b) by striking out from subsection (1) the definition of “commercial motor vehicle” and substituting the following definition:

“commercial motor vehicle” means—

- (a) a motor vehicle constructed or adapted solely or mainly for the carriage of goods (including a motor vehicle of the type commonly called a utility);

and

- (b) a prime mover;;

- (c) by inserting in subsection (1) after the definition of “primary producer” the following definition:

“prime mover” means a motor vehicle constructed or adapted so as to enable a trailer to be attached by means (other than a pole, drawbar or similar device) whereby the trailer is pivoted to and superimposed on that motor vehicle;;

and

- (d) by striking out from the definition of “trailer” in subsection (1) “, but does not include the rear portion of an articulated motor vehicle”.

**Repeal of s. 33a**

4. Section 33a of the principal Act is repealed.

**Duty to insure against third party risks**

5. Section 102 of the principal Act is amended by striking out subparagraph (iii) of subsection (2) (a) and substituting the following subparagraph:

- (iii) towing an uninsured trailer other than a trailer that is constructed or adapted solely or mainly for the carriage of goods and has an unladen mass of more than 2.5 tonnes.

**Transitional provision**

6. (1) Where an articulated motor vehicle was, immediately prior to the commencement of this Act, registered under the principal Act (otherwise than pursuant to section 33a), the prime mover and semi-trailer portions of that vehicle will each be taken to be registered for the balance of the period for which the vehicle was registered.

(2) In this section—

“articulated motor vehicle” has the meaning assigned to that expression under the principal Act immediately prior to the commencement of this Act.

**Repeal**

7. Sections 4 (2) and 17 of the *Motor Vehicles Act Amendment Act, 1978*, are repealed.

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

C. L. LAUCKE, Governor's Deputy