



ANNO VICESIMO SEPTIMO

**ELIZABETHAE II REGINAE**

A.D. 1978

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**No. 120 of 1978**

An Act to amend the Motor Vehicles Act, 1959-1976.

[Assented to 14th December, 1978]

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, 1978".

(2) The Motor Vehicles Act, 1959-1976, is hereinafter referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Motor Vehicles Act, 1959-1978".

Commence-  
ment.

2. (1) This Act shall come into operation on a day to be fixed by proclamation.

(2) The Governor may, in a proclamation made for the purposes of subsection (1) of this section, suspend the operation of any specified provisions of this Act until a day fixed by the proclamation, or a day to be fixed by subsequent proclamation.

Amendment of  
principal Act,  
s. 4—  
Arrangement.

3. Section 4 of the principal Act is amended—

(a) by striking out the passages "Sections 1-6", "Sections 7-71a", "Sections 71aa-98", "Section 98a", "Section 98b", "Sections 98c-98n", "Sections 99-134" and "Sections 135-147";

and

(b) by inserting after the item commencing "PART IIIC" the following item:—

PART IIID—DISABLED PERSONS' PARKING PERMITS.

Amendment of  
principal Act,  
s. 5—  
Interpretation.

4. (1) Section 5 of the principal Act is amended—

(a) by striking out from subsection (1) from the definition of "the balance of the prescribed registration fee" the passage "arrived at by multiplying one-twelfth of the difference between the

amount of the registration fee actually paid and the amount of the prescribed registration fee by” and inserting in lieu thereof the passage “calculated by the Registrar on the basis of the difference between the reduced fee and the prescribed fee, in relation to”;

- (b) by striking out from subsection (1) the definition of “Minister” and inserting in lieu thereof the following definition:—

“mass” of a vehicle includes the mass of any prescribed accessories or equipment carried (either habitually or intermittently) on the vehicle.;

- (c) by striking out from subsection (1) from paragraph (b) of the definition of “motor car” the word “passengers” and inserting in lieu thereof the word “persons”;
- (d) by striking out from subsection (1) from paragraph (b) of the definition of “motor omnibus” the word “passengers” and inserting in lieu thereof the word “persons”;
- (e) by striking out from subsection (1) from the definition of “the Registrar” the passage “or the person for the time being acting as such Registrar” and inserting in lieu thereof the passage “and includes any person acting on behalf of the Registrar in accordance with this Act”;
- (f) by striking out from subsection (1) the definition of “mass” following the definition of “trailer”;
- (g) by striking out subsection (2) and inserting in lieu thereof the following subsection:—

(2) For the purposes of this Act, a person who is driving a motor vehicle and towing another motor vehicle shall be deemed to be driving both motor vehicles.;

and

- (h) by inserting after subsection (3) the following subsection:—

(3a) The Governor may, by proclamation—

(a) declare that a motor vehicle of a certain design or with certain characteristics is to be regarded for the purposes of this Act as a motor vehicle of a specified class;

and

(b) revoke or vary any proclamation under this subsection.

(2) Section 5 of the principal Act is amended by striking out from subsection (1) from the definition of “trailer” the passage “, but does not include the rear portion of an articulated motor vehicle”.

5. Section 7 of the principal Act is amended by striking out subsections (2a) and (3).

Amendment of principal Act, s. 7—  
Appointment of Registrar and officers.

6. Section 9 of the principal Act is amended by striking out the passage “One hundred dollars” and inserting in lieu thereof the passage “Four hundred dollars”.

Amendment of principal Act, s. 9—  
Duty to register.

Amendment of principal Act, s. 12a—  
Exemption of certain vehicles from requirements of registration and insurance.

7. Section 12a of the principal Act is amended—

(a) by inserting in subsection (2) after the passage “A self-propelled wheelchair” the passage “or any other motor vehicle (not being a motor car) of a prescribed class”;

and

(b) by inserting in subsection (2) after the passage “of a wheelchair” the passage “or such a motor vehicle”.

Repeal of ss. 14 and 15 of principal Act.

8. Sections 14 and 15 of the principal Act are repealed.

Amendment of principal Act, s. 16—  
Permits to drive pending registration.

9. Section 16 of the principal Act is amended by striking out from subsection (6) the passage “Fifty dollars” and inserting in lieu thereof the passage “One hundred dollars”.

Repeal of ss. 17, 17a, 18 and 19 of principal Act.

10. Sections 17, 17a, 18 and 19 of the principal Act are repealed.

Amendment of principal Act, s. 19a—  
Vehicles registered, etc., in other States of the Commonwealth.

11. Section 19a of the principal Act is amended—

(a) by inserting in subsection (1) after paragraph (c) the following paragraph:—

(ca) any conditions or restrictions imposed upon the use of the vehicle by virtue of the law of that other State or Territory of the Commonwealth are complied with;;

and

(b) by inserting in subsection (2) after paragraph (b) the following paragraph:—

(ba) any conditions or restrictions imposed upon the use of the vehicle by virtue of the law of that other State or Territory of the Commonwealth are complied with;.

Amendment of principal Act, s. 20—  
Application for registration.

12. Section 20 of the principal Act is amended—

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

(2a) Where an application to register, or renew the registration of, a motor vehicle falsely states the name of the owner of the vehicle, any registration of the motor vehicle pursuant to that application shall be void and of no effect.;

and

(b) by inserting in subsection (4) after the passage “is invalid by reason of subsection” the passage “(2a) or”.

Amendment of principal Act, s. 24—  
Duty to grant registration and allot number.

13. Section 24 of the principal Act is amended by striking out paragraph (a) of subsection (1) and inserting in lieu thereof the following paragraph:—

(a) register the motor vehicle in the register of motor vehicles—

(i) for a period of six months;

(ii) for a period of twelve months;

or

(iii) where the applicant is the owner of a number of motor vehicles that equals or exceeds a number to be determined by the Registrar—for a period expiring on a day fixed by the Registrar as a common day of expiry in relation to those motor vehicles,

at the option of the applicant;

14. Section 26 of the principal Act is repealed and the following section is enacted and inserted in its place:—

Repeal of s. 26 of principal Act and enactment of section in its place.

26. Subject to this Act, the registration of a motor vehicle shall commence—

Period of registration

(a) on the day on which it is effected (or where a permit is issued, the date of issue of the permit);

or

(b) where the motor vehicle is registered in the name of the applicant and application is made before the expiry of that previous registration—on the day after that expiry,

and the registration of a motor vehicle shall expire on the last day of the period for which it was registered.

15. Section 31 of the principal Act is amended—

Amendment of principal Act, s. 31—  
Registration without fee.

(a) by striking out paragraph (h) of subsection (1);

(b) by inserting in paragraph (i) of subsection (1) after the word “used” first occurring the word “solely”;

and

(c) by striking out paragraph (o) of subsection (1).

16. Section 33 of the principal Act is amended—

Amendment of principal Act, s. 33—  
Registration fees for vehicles used in interstate trade.

(a) by striking out from paragraph (a) of subsection (1) the passage “a fee of five dollars” and inserting in lieu thereof the passage “the prescribed fee”;

and

(b) by inserting in subsection (1) after the passage “the Registrar shall” the passage “, if after investigation he is satisfied that the particulars disclosed in the application are correct and that the vehicle conforms with the provisions of any Act or regulations regulating the design or construction of such a motor vehicle,”.

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

Repeal of s. 33a of principal Act

Amendment of principal Act, s. 34—  
Registration fees for primary producers' commercial vehicles.

18. Section 34 of the principal Act is amended by inserting in paragraph (a) of subsection (1) after the passage "primary producer" the passage "in this State".

Amendment of principal Act, s. 35—  
Registration fees for primary producers' tractors.

19. Section 35 of the principal Act is amended by inserting in paragraph (a) of subsection (1) after the passage "primary producer" the passage "in this State".

Amendment of principal Act, s. 38a—  
Reduced fees for certain concession card holders.

20. Section 38a of the principal Act is amended by striking out paragraph (a) of subsection (1) and inserting in lieu thereof the following paragraph:—

(a) is entitled, as the holder of—

(i) a State Concession Card issued by the Department for Community Welfare;

or

(ii) a pensioner entitlement card issued under any Act or law of the Commonwealth,

to travel on public transport in this State at reduced fares;

Amendment of principal Act, s. 38ab—  
Registration fees for trailers owned by certain concession card holders.

21. Section 38ab of the principal Act is amended by striking out paragraph (a) of subsection (1) and inserting in lieu thereof the following paragraph:—

(a) is entitled, as the holder of—

(i) a State Concession Card issued by the Department for Community Welfare;

or

(ii) a pensioner entitlement card issued under any Act or law of the Commonwealth,

to travel on public transport in this State at reduced fares;.

Amendment of principal Act, s. 41—  
Misuse of vehicles registered at reduced fees or without fee.

22. Section 41 of the principal Act is amended by striking out from subsection (2) the passage "One hundred dollars" and inserting in lieu thereof the passage "Two hundred dollars".

Amendment of principal Act, s. 43—  
Short payment, etc.

23. Section 43 of the principal Act is amended—

(a) by striking out subsections (5) and (5a);

and

(b) by striking out from subsection (7) the passage "One hundred dollars" and inserting in lieu thereof the passage "Two hundred dollars".

Amendment of principal Act, s. 44—  
Duty to notify change in vehicles and types to Registrar.

24. Section 44 of the principal Act is amended—

(a) by striking out paragraph (g) of subsection (2) and inserting in lieu thereof the following paragraph:—

(g) any alteration or addition prescribed by the regulations.;

(b) by striking out from subsection (3) the passage “arrived at by multiplying one-twelfth” and inserting in lieu thereof the passage “calculated by the Registrar on the basis”;

(c) by striking out from subsection (3) the passage “by the number of months” and inserting in lieu thereof the passage “in relation to the number of months”;

and

(d) by striking out from subsection (4) the passage “One hundred dollars” and inserting in lieu thereof the passage “Two hundred dollars”.

**25. Section 46 of the principal Act is amended—**

(a) by striking out paragraph (a) of subsection (1) and inserting in lieu thereof the following paragraphs:—

(a) a vehicle that is exempted from registration pursuant to this Act need not carry number plates or bear such a number;

(ab) a vehicle in relation to which a permit has been issued under this Act permitting the vehicle to be driven without registration need not, subject to any condition of the permit, carry number plates or bear such a number;;

(b) by striking out from subsection (1) the passage “One hundred dollars” and inserting in lieu thereof the passage “Two hundred dollars”;

(c) by striking out from subsection (9) the passage “One hundred dollars” and inserting in lieu thereof the passage “Two hundred dollars”;

and

(d) by striking out from subsection (10) the passage “One hundred dollars” and inserting in lieu thereof the passage “Two hundred dollars”.

Amendment of principal Act, s. 46—  
Duty to carry number plates.

**26. Section 47 of the principal Act is repealed and the following section is enacted and inserted in its place:—**

47. (1) The Registrar may allot to a motor vehicle, the owner of which applies in a manner determined by the Minister and pays the prescribed fee, a registration number that comprises such combination of letters and numerals as the applicant may request.

(2) The Registrar shall not allot a registration number that, in his opinion, comprises an undesirable combination of letters and numerals.

(3) The owner of a motor vehicle to which a registration number has been allotted under this section—

(a) may, upon application made in a manner determined by the Minister and payment of the prescribed fee, request the

Repeal of s. 47 of principal Act and enactment of section in its place.

Personalised registration numbers and number plates.

Registrar to allot the registration number to any other motor vehicle owned, or proposed to be acquired, by the applicant;

or

(b) may, by notice in writing, request the Registrar to cancel the registration number.

(4) Where—

(a) the ownership of a motor vehicle to which a registration number has been allotted under this section is transferred;

or

(b) the owner of a motor vehicle to which a registration number has been allotted under this section requests the Registrar to allot that number to another vehicle, or to cancel the number,

the registration of that motor vehicle must, notwithstanding any other provision of this Act, be cancelled in accordance with this Act.

(5) Where the Registrar has allotted a registration number to a motor vehicle pursuant to subsection (1) of this section, he shall issue the owner of the vehicle with such number plates bearing that registration number as may be required under this Act.

(6) A number plate issued by the Registrar under this section remains at all times the property of the Crown.

(7) The owner of a motor vehicle to which a registration number has been allotted under this section shall surrender to the Registrar the number plate or plates within seven days—

(a) of the expiration or cancellation of the registration of the motor vehicle (unless the owner has within that period requested the Registrar in accordance with this section to allot the number to the same vehicle, or any other vehicle owned by him);

or

(b) of the cancellation of the registration number pursuant to subsection (3) of this section.

Penalty: Two hundred dollars.

(8) The Registrar may, upon the application of a person to whom a number plate has been issued under this section and upon payment of the prescribed fee, replace that plate if he is satisfied that it has been lost or destroyed.

Amendment of  
principal Act,  
s. 48—  
Registration  
labels.

27. Section 48 of the principal Act is amended—

(a) by striking out from subsection (3) the passage “Fifty dollars” and inserting in lieu thereof the passage “One hundred dollars”;

and

(b) by striking out from subsection (3) the passage “One hundred dollars” and inserting in lieu thereof the passage “Two hundred dollars”.

28. Section 49 of the principal Act is amended—

Amendment of  
principal Act,  
s. 49—  
Temporary  
permit.

(a) by striking out from subsection (6) the passage “Fifty dollars” and inserting in lieu thereof the passage “One hundred dollars”;

(b) by striking out from subsection (7) the passage “the time of the granting of the permit” and inserting in lieu thereof the passage “such time as the Registrar may specify”;

and

(c) by inserting after subsection (7) the following subsections:—

(8) The holder of a permit under this section may, at any time, apply for cancellation of the permit, and the Registrar, if satisfied—

(a) that the permit has been destroyed;

or

(b) that the motor vehicle has been stolen or destroyed,

shall cancel the permit and refund to the applicant a proportion of the registration fee computed in accordance with the regulations, less the prescribed cancellation fee.

(9) If, upon the expiration of one month from the expiry of a permit issued under this section, the applicant has not applied for a further permit and the Registrar is unable to grant registration to the applicant, the Registrar may, by notice in writing served personally or by post upon the applicant, refuse the application for registration and refund such proportion of the registration fee as he thinks appropriate.

29. Section 52 of the principal Act is amended by striking out from subsection (2) the passage “One hundred dollars” and inserting in lieu thereof the passage “Two hundred dollars”.

Amendment of  
principal Act,  
s. 52—  
Destruction of  
registration  
label.

30. Section 53 of the principal Act is amended by striking out from subsection (1) the passage “One hundred dollars” and inserting in lieu thereof the passage “Two hundred dollars”.

Amendment of  
principal Act,  
s. 53—  
Offences in  
connection  
with  
registration  
labels and  
permits.

31. Section 54 of the principal Act is amended by inserting in paragraph (a) of subsection (1) after the word “destroyed” the passage “in accordance with the regulations”.

Amendment of  
principal Act,  
s. 54—  
Cancellation of  
registration  
and refund.

32. Section 55 of the principal Act is amended by striking out from subsection (3) the passage “one dollar” and inserting in lieu thereof the passage “the prescribed cancellation fee”.

Amendment of  
principal Act,  
s. 55—  
Amount of  
prescribed  
refund.

33. Section 56 of the principal Act is amended by striking out the passage “One hundred dollars” and inserting in lieu thereof the passage “Two hundred dollars”.

Amendment of  
principal Act,  
s. 56—  
Duty of  
transferor on  
transfer of  
vehicle.

34. Section 57 of the principal Act is amended by striking out from subsection (1) the passage “One hundred dollars” and inserting in lieu thereof the passage “Two hundred dollars”.

Amendment of  
principal Act,  
s. 57—  
Duty of  
transferee on  
transfer of  
vehicle.



Amendment of  
principal Act,  
s. 62—  
Issue of  
trader's plates.

**35. Section 62 of the principal Act is amended—**

- (a) by striking out from paragraph (a) of subsection (2) the passage "trader's plate or" and inserting in lieu thereof the passage "number and kind of";
  - (b) by striking out from paragraph (b) of subsection (2) the passage "limited trader's plate or" and inserting in lieu thereof the passage "number of limited";
  - (c) by striking out subsection (3);
  - (d) by striking out from subsection (4) the passage ", or trader's plates have";
  - (e) by striking out subsection (5);
  - (f) by striking out from subsection (6) the passage ", or trader's plates";
  - (g) by striking out from subsection (7) the passage ", or pair of trader's plates,";
- and
- (h) by striking out from subsection (7) the passage ", or those trader's plates,".

Amendment of  
principal Act,  
s. 66—  
Use of  
general  
trader's  
plates.

**36. Section 66 of the principal Act is amended—**

- (a) by striking out subsection (1) and inserting in lieu thereof the following subsection:—
    - (1) In this section "the trader" in relation to a general trader's plate means the person to whom the plate was issued.;
  - (b) by striking out from subsection (2) the passage ", or general trader's plates are" and inserting in lieu thereof the word "is";
  - (c) by striking out paragraph (c) of subsection (2);
  - (d) by striking out from subsection (3) the passage "or general trader's plates are" and inserting in lieu thereof the word "is";
- and
- (e) by striking out from subsection (3) the passage "one hundred dollars" and inserting in lieu thereof the passage "three hundred dollars".

Amendment of  
principal Act,  
s. 67—  
Use of  
limited  
trader's  
plates.

**37. Section 67 of the principal Act is amended—**

- (a) by striking out subsection (1) and inserting in lieu thereof the following subsection:—
  - (1) In this section "the trader" in relation to a limited trader's plate means the person to whom the plate was issued.;
- (b) by striking out from subsection (2) the passage "or limited trader's plates are" and inserting in lieu thereof the word "is";
- (c) by striking out from subsection (3) the passage "or limited trader's plates are" and inserting in lieu thereof the word "is";

- (d) by striking out from subsection (4) the passage “, or limited trader’s plates, are” and inserting in lieu thereof the word “is”;
- (e) by striking out from subsection (5) the passage “, or limited trader’s plates, are” and inserting in lieu thereof the word “is”;
- and
- (f) by striking out from subsection (5) the passage “one hundred dollars” and inserting in lieu thereof the passage “three hundred dollars”.

38. Section 70 of the principal Act is amended—

Amendment of  
principal Act,  
s. 70—  
Return of  
trader’s  
plates and  
refunds.

- (a) by striking out subsections (1), (2) and (3) and inserting in lieu thereof the following subsections:—

(1) A person to whom a trader’s plate has been issued may surrender it to the Registrar at any time.

(2) Subject to section 71 of this Act, if a person who holds a trader’s plate ceases to carry on the business in relation to which that plate was issued, he shall, within seven days of ceasing to carry on that business—

- (a) in the case of the purchase or acquisition of the business by another person, notify the Registrar in writing of the name and address of that other person and the date of the sale or acquisition;

or

- (b) in any other case, surrender the plate to the Registrar.

Penalty: Two hundred dollars.;

- (b) by striking out from subsection (4) the passage “If a person to whom such a request is made does not comply with it,” and inserting in lieu thereof the passage “Where a person fails to surrender a trader’s plate pursuant to subsection (2) of this section,”;
- (c) by striking out from subsection (4) the passage “the trader’s plates or”;

and

- (d) by striking out subsection (5) and inserting in lieu thereof the following subsection:—

(5) Where a person surrenders a trader’s plate to the Registrar pursuant to this section before the thirty-first day of March next following the issue of the plate to him, the Registrar shall pay or credit to that person an amount arrived at by multiplying one-twelfth of the prescribed annual fee by the number of complete calendar months unexpired.

39. Section 71 of the principal Act is amended—

Amendment of  
principal Act,  
s. 71—  
Transfer of  
trader’s  
plates.

- (a) by striking out subsection (1) and inserting in lieu thereof the following subsection:—

(1) A person shall, within seven days of purchasing or acquiring a business in relation to which a trader's plate is held, apply in writing to the Registrar for the transfer to him of that plate.

Penalty: Two hundred dollars.;

(b) by striking out from subsection (2) the passage "any such sale or disposition" and inserting in lieu thereof the passage "an application under this section";

(c) by striking out from subsection (2) the passage "trader's plates or";

(d) by striking out from subsection (2) the passage "plates or plate were or was" and inserting in lieu thereof the passage "plate was";

(e) by striking out from subsection (3) the passage "trader's plates or";

and

(f) by striking out from subsection (3) the passage "those plates or that plate were or was" and inserting in lieu thereof the passage "that plate was".

Amendment of  
principal Act,  
s. 72—  
Classification  
of licences.

40. Section 72 of the principal Act is amended—

(a) by inserting in subsection (1) after the item "Class 4" the item "Class 4A";

(b) by striking out from paragraph (b) of subsection (2) the passage "1 780 kilograms" and inserting in lieu thereof the passage "3 000 kilograms";

(c) by inserting after subsection (5) the following subsection:—

(5a) Subject to this Act, a licence endorsed with the classification "Class 4A" shall authorize the holder of the licence to drive a motor cycle the engine capacity of which does not exceed 250 cubic centimetres.;

(d) by striking out subsections (7), (8) and (9) and inserting in lieu thereof the following subsections:—

(7) Subject to this Act, where a person applies for the grant of a licence, the licence, if granted, shall be endorsed with any classification for which the person has applied.

(8) Subject to this Act, where a person applies for the renewal of a licence, the licence, if renewed, shall be endorsed with the classification with which the licence was endorsed immediately prior to renewal.

(9) Where an applicant for the renewal of a licence applies for the endorsement of any further or other classification upon the licence, and satisfies the Registrar, by such evidence as the Registrar may require, that he is competent to drive a motor vehicle in respect of which that further or other classification is required under this Act, the licence, if renewed, shall be endorsed with that further or other classification.;

(e) by inserting after subsection (9) the following subsections:—

(9a) Notwithstanding any other provision of this section, the Registrar shall not endorse a licence with the classification “Class 4” unless he is satisfied that the applicant—

(a) has held, at some time during the period of three years immediately preceding the date of application, a licence endorsed with the classification “Class 4”;

(b) has held, at some time prior to the period of three years immediately preceding the date of application, a licence endorsed—

(i) with a restrictive condition that the holder is authorized to drive motor cycles only;

or

(ii) with the classification “Class 4”,

and has passed a practical driving test approved by the Registrar;

(c) has held, at some time during the period of three years immediately preceding the date of application, a licence issued under the law of a place outside this State authorizing him to drive a motor cycle the engine capacity of which exceeds 250 cubic centimetres;

(d) has held, for the period of one year immediately preceding the date of application, a licence endorsed with the classification “Class 4A”;

or

(e) has passed a practical driving test approved by the Registrar.

(9b) Notwithstanding any other provision of this section, the Registrar shall not endorse a licence with the classification “Class 5” unless he is satisfied that the applicant is a fit and proper person to hold a licence endorsed with that classification.;

and

(f) by striking out from paragraph (c) of subsection (10) the passage “1 780 kilograms” and inserting in lieu thereof the passage “3 000 kilograms”.

41. Section 74 of the principal Act is amended by striking out from subsection (1) the passage “One hundred dollars” and inserting in lieu thereof the passage “Two hundred dollars”.

Amendment of  
principal Act,  
s. 74—  
Duty to hold  
licence or  
learner's  
permit.

Amendment of principal Act, s. 75—  
Issue or renewal of licences.

42. Section 75 of the principal Act is amended by striking out subsection (2) and inserting in lieu thereof the following subsection:—

(2) A licence shall be in a form determined by the Minister.

Amendment of principal Act, s. 75a—  
Learner's permits.

43. Section 75a of the principal Act is amended by striking out subsection (3) and inserting in lieu thereof the following subsection:—

(3) A learner's permit shall be subject to the prescribed conditions and restrictions, as varied (if at all) by the Registrar.

Amendment of principal Act, s. 77—  
Issue of duplicate licence or learner's permit.

44. Section 77 of the principal Act is amended—

(a) by inserting in subsection (1) after the passage "loss or destruction of such licence or learner's permit," the passage "or on the surrender of the licence or permit to the Registrar,";

and

(b) by inserting in subsection (1) after the passage "on the original licence or learner's permit" the passage "that are current".

Amendment of principal Act, s. 78—  
Age of persons to whom licences and learner's permits may be issued.

45. Section 78 of the principal Act is amended by striking out subsections (2) and (3) and inserting in lieu thereof the following subsections:—

(2) Subject to subsection (3) of this section, a licence endorsed with the classification "Class 2", "Class 3" or "Class 5" shall not be issued to a person who is under the age of eighteen years.

(3) The Registrar may, in such circumstances as he thinks fit, issue a licence endorsed with the classification "Class 2" to a person aged seventeen years, and may, pursuant to section 81 of this Act, endorse any conditions upon the licence.

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

46. Section 79 of the principal Act is amended by striking out from subsection (4) the passage "twelve questions to be answered by the applicant" and inserting in lieu thereof the passage "such number of questions as the Registrar may determine".

Enactment of ss. 79b and 79c of principal Act.

47. The following sections are enacted and inserted in the principal Act after section 79a thereof:—

Licence or permit falsely obtained is void.

79b. A driver's licence or learner's permit that is issued by the Registrar pursuant to a false or misleading statement of the applicant, or on the basis of any false evidence produced by the applicant, shall be void and of no effect.

Duty on holder of licence to notify illness, etc.

79c. Where the holder of a learner's permit or driver's licence suffers during the term of the permit or licence any illness or injury that may impair his competence to drive a motor vehicle without danger to the public, he shall, within a reasonable time after the occurrence of the illness or injury, notify the Registrar in writing accordingly.

Penalty: Four hundred dollars.

Amendment of principal Act, s. 80—  
Power to test applicants and licence holders, etc.

48. Section 80 of the principal Act is amended—

(a) by inserting in subsection (1) after the word "ability" twice occurring the passage "or fitness";

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

(1a) The Registrar may, with the approval of the Minister, direct that all applicants for the issue or renewal of a learner's permit or driver's licence who are of a particular class must undergo such tests, or furnish such evidence as to their ability or fitness to drive a motor vehicle, or a motor vehicle of a particular class, as the Registrar may require.;

(c) by striking out from subsection (2) the word "If" and inserting in lieu thereof the passage "If a person fails to comply with a requirement of the Registrar under subsection (1) or (1a) of this section, or if";

and

(d) by inserting in subsection (3) after the word "ability" the passage "or fitness".

49. Section 81 of the principal Act is amended—

(a) by striking out subsection (1) and inserting in lieu thereof the following subsections:—

(1) Where, in such circumstances as he thinks fit and upon such evidence as he may require, the Registrar is satisfied that the holder of a learner's permit or driver's licence, or an applicant for the issue or renewal of a learner's permit or driver's licence, should only be permitted to drive a motor vehicle subject to restriction, the Registrar may endorse upon the permit or licence all or any of the following conditions:—

(a) a condition that the holder of the permit or licence is permitted to drive only in specified localities;

(b) a condition that the holder of the permit or licence is permitted to drive only a vehicle of a specified class, size or type or a vehicle fitted with specified equipment;

or

(c) any other condition that the Registrar thinks necessary for the purpose of preventing accident or injury.

(1a) The Registrar may, by notice in writing served personally or by post on the holder of a learner's permit or driver's licence, require him to deliver his permit or licence to the Registrar at a place, and within a reasonable time, specified in the notice, for the purpose of endorsing the permit or licence in pursuance of subsection (1) of this section.

(1b) A person shall comply with a notice served upon him under subsection (1a) of this section.

Penalty: Two hundred dollars.;

(b) by inserting in subsection (2) after the passage "issue to him" the passage "a permit or";

(c) by striking out subsection (3) and inserting in lieu thereof the following subsection:—

Amendment of  
principal Act,  
s. 81—  
Restricted  
learner's  
permits and  
driver's  
licences.

(3) If a person is not willing to accept a condition proposed by the Registrar under this section, the Registrar shall refuse to issue the permit or licence, or shall cancel the permit or licence, as the case may require.;

and

(d) by striking out from subsection (4) the passage "One hundred dollars" and inserting in lieu thereof the passage "Two hundred dollars".

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

50. Section 82 of the principal Act is amended by inserting after the present contents (which are hereby designated subsection (1) thereof) the following subsection:—

(2) The Registrar shall, upon a recommendation of the consultative committee, exercise his powers under section 81 of this Act, where the committee is of the opinion that a person should only be permitted to drive a motor vehicle subject to restriction.

Amendment of principal Act, s. 85—  
Change of licence classification.

51. Section 85 of the principal Act is amended—

(a) by striking out the passage "surrender his licence to the Registrar, and the Registrar shall issue to him, without fee, a licence endorsed" and inserting in lieu thereof the passage "produce his licence to the Registrar who shall endorse the licence";

and

(b) by inserting after the present contents, as amended by this section (which are hereby designated subsection (1) thereof) the following subsections:—

(2) If, in such circumstances as he thinks fit and upon such evidence as he may require, the Registrar is satisfied that the holder of a licence is no longer competent to drive motor vehicles of a particular class, he may, by notice in writing served personally or by post on the holder of the licence, require him to deliver the licence to the Registrar at a place, and within a reasonable time, specified in the notice, for the purpose of deleting an existing classification or substituting therefor another classification.

(3) A person shall comply with a notice served upon him under subsection (2) of this section.

Penalty: Two hundred dollars.

Repeal of s. 86 of principal Act.

52. Section 86 of the principal Act is repealed.

Amendment of principal Act, s. 92—  
Production of licence on disqualification.

53. Section 92 of the principal Act is amended by striking out the passage "Fifty dollars" and inserting in lieu thereof the passage "Two hundred dollars".

Amendment of principal Act, s. 94—  
Delivery of licence to Registrar.

54. Section 94 of the principal Act is amended—

(a) by inserting in subsection (1) after the passage "has been suspended or cancelled," the passage "or is void,";

and

- (b) by striking out from subsection (2) the passage "Fifty dollars" and inserting in lieu thereof the passage "Two hundred dollars".

55. Section 95 of the principal Act is amended by inserting in paragraph (b) after the passage "if the licence" the passage "is void or".

Amendment of principal Act, s. 95—  
Endorsements on licences.

56. Section 96 of the principal Act is amended—

- (a) by striking out paragraph (b) of subsection (1) and inserting in lieu thereof the following paragraph:—

Amendment of principal Act, s. 96—  
Duty to produce licence on request.

(b) within forty-eight hours after the making of the request, at a police station conveniently located for the driver, specified by the member of the police force at the time of making the request.;

- (b) by striking out from subsection (1) the passage "One hundred dollars" and inserting in lieu thereof the passage "Two hundred dollars";

- (c) by striking out from subsection (2) the passage "be *prima facie* evidence" and inserting in lieu thereof the passage "in the absence of proof to the contrary, be proof";

and

- (d) by striking out from subsection (3) the passage "One hundred dollars" and inserting in lieu thereof the passage "Two hundred dollars".

57. Section 97 of the principal Act is amended by striking out from subsection (1) the passage "Fifty dollars" and inserting in lieu thereof the passage "Two hundred dollars".

Amendment of principal Act, s. 97—  
Duty to produce licence at Court.

58. Section 97a of the principal Act is amended by inserting after subsection (3) the following subsection:—

(4) While a person drives a motor vehicle within the State in pursuance of subsection (1) or subsection (2) of this section, he shall, for the purposes of this Act, be deemed to be the holder of a driver's licence issued under this Act.

Amendment of principal Act, s. 97a—  
Visiting motorists.

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

- (a) by striking out from subsection (1) the passage "One hundred dollars" and inserting in lieu thereof the passage "Two hundred dollars";

Amendment of principal Act, s. 98a—  
Instructors' licences.

and

- (b) by striking out from subsection (9) the passage "sections 86" and inserting in lieu thereof the passage "sections 77".

60. (1) Section 98b of the principal Act is amended—

- (a) by striking out subsection (7);

Amendment of principal Act, s. 98b—  
Points demerit scheme.



(b) by inserting in subsection (10) after the passage "given on oath" the passage "forthwith upon conviction";

and

(c) by inserting after subsection (12) the following subsection:—

(12a) Where a person who is disqualified under this section institutes (whether before or after the disqualification is effected) an appeal against a conviction in respect of which were recorded demerit points that are included in the points resulting in the disqualification, or applies for a re-hearing of the proceedings that lead to the conviction, the disqualification shall be inoperative until the appeal or application for re-hearing is determined or withdrawn.

(2) Section 98b of the principal Act is amended by inserting after subsection 15 the following subsections:—

(15a) Where a court has made an order under subsection (15) of this section on the ground that the disqualification would result in undue hardship, the court shall order—

(a) that the Registrar endorse upon the licence such conditions as are appropriate in view of the grounds upon which the court allowed the appeal;

and

(b) that the appellant deliver his licence to the Registrar for that purpose.

(15b) A condition endorsed upon a licence pursuant to subsection (15a) of this section shall have effect for the period of three months from the time at which the endorsement is made.

(15c) A person who fails to comply with a condition endorsed upon his licence pursuant to subsection (15a) of this section shall be guilty of an offence and liable to a penalty not exceeding two hundred dollars.

(15d) Where a person is convicted of an offence under subsection (15c) of this section, one demerit point shall, subject to this section, be recorded against that person.

Amendment of  
principal Act,  
s. 98c—  
Application  
of this Part,  
etc.

61. Section 98c of the principal Act is amended by inserting in subsection (1) after the definition of "the area" the following definition:—

"inspector" means an inspector appointed under section 98p of this Act.

Amendment of  
principal Act,  
s. 98d—  
Application  
for towtruck  
certificate.

62. Section 98d of the principal Act is amended—

(a) by inserting in subsection (1) after the passage "if the Registrar is satisfied" the passage ", upon such evidence as he may require,";

(b) by striking out from subsection (3) the word "inquiry" and inserting in lieu thereof the word "consideration";

(c) by inserting in subsection (4) after the passage "an applicant for a towtruck certificate" the passage "to furnish such evidence of his identity, and";

and

(d) by striking out subsections (5) and (6).

63. The following section is enacted and inserted in the principal Act after section 98d thereof:—

Enactment of  
s. 98da of  
principal Act.

98da (1) Towtruck certificates generally—

Conditions of  
towtruck  
certificates.

(a) shall be subject to the condition that the holder of the towtruck certificate shall at all times comply with the provisions of the *Wireless Telegraphy Act 1905-1973* of the Commonwealth, and any regulations under that Act;

and

(b) may be endorsed with such other conditions as may be prescribed.

(2) Where the Registrar is satisfied that a towtruck certificate held or applied for by any person should be subject to restriction, he may endorse upon the certificate such conditions as he thinks fit.

(3) The Registrar may, by notice in writing served personally or by post on the holder of a towtruck certificate, require him to deliver the certificate to the Registrar at a place, and within a reasonable time, specified in the notice, for the purpose of endorsing the certificate in pursuance of subsection (2) of this section.

(4) A person shall comply with a notice served upon him under subsection (3) of this section.

Penalty: Two hundred dollars.

(5) A person shall not contravene a condition of a towtruck certificate.

Penalty: Two hundred dollars.

64. Section 98e of the principal Act is amended—

Amendment of  
principal Act,  
s. 98e—  
Temporary  
certificates.

(a) by striking out from subsection (1) the passage “an applicant for a towtruck certificate” and inserting in lieu thereof the passage “a person”;

and

(b) by striking out from subsection (1) the word “Registrar” secondly occurring and inserting in lieu thereof the word “Minister”.

65. Section 98f of the principal Act is amended—

Amendment of  
principal Act,  
s. 98f—  
Cancellation or  
suspension of  
certificate.

(a) by striking out subsection (2) and inserting in lieu thereof the following subsection:—

(2) Where the Registrar is of the opinion that the holder of a towtruck certificate has been convicted of an offence, or is guilty of conduct, that renders him unfit to hold the certificate, he shall not proceed to cancel or suspend the certificate until

he has referred the matter to the consultative committee for inquiry and the committee has confirmed that proper grounds exist for cancellation or suspension.;

- (b) by inserting in subsection (3) after the passage "under this section," the passage "or upon the holder of a towtruck certificate failing, for any reason, to hold a valid driver's licence,";
- (c) by inserting in subsection (3) after the passage "member of the police force" the passage "or an inspector";
- (d) by striking out from subsection (4) the passage "Fifty dollars" and inserting in lieu thereof the passage "Two hundred dollars";
- and
- (e) by inserting after subsection (4) the following subsection:—

(5) The cancellation or suspension of a towtruck certificate under this section shall commence at the time and upon the day on which the notice is served upon the holder of the certificate, or such later day as the Registrar may specify in the notice.

Amendment of principal Act, s. 98g—  
Term of certificate.

66. Section 98g of the principal Act is amended by striking out subsection (2) and inserting in lieu thereof the following subsection:—

(2) Where a towtruck certificate is issued to the holder of a temporary certificate, the towtruck certificate shall, subject to this Act, remain in force until the expiration of three years from the date on which the temporary certificate was issued.

Amendment of principal Act, s. 98i—  
Prohibition against operating towtruck without certificate.

67. Section 98i of the principal Act is amended—

- (a) by striking out from subsection (1) the passage "Subject to this Act" and inserting in lieu thereof the passage "Subject to subsection (2) of this section";
- (b) by inserting in subsection (3) after the passage "a member of the police force" the passage "or an inspector";
- and
- (c) by inserting in subsection (3) after the passage "that member of the police force" the passage "or inspector".

Amendment of principal Act, s. 98j—  
Prohibition against towing of any vehicle unless driver of towtruck has authority to tow the same signed by the owner or driver, etc., of the vehicle.

68. Section 98j of the principal Act is amended—

- (a) by striking out from paragraph (b) of subsection (1) the word "signed" and inserting in lieu thereof the passage "personally obtained by that person and signed in his presence";
- (b) by inserting in subparagraph (ii) of paragraph (b) of subsection (1) after the passage "member of the police force" the passage "or an inspector";
- (c) by striking out from subsection (2) the passage "A person proposing to obtain from another" and inserting in lieu thereof the passage "A towtruck driver proposing to obtain from a person";
- (d) by striking out from paragraph (a) of subsection (2) the passage "the name of the person to whom the authority is to be given" and inserting in lieu thereof the passage "the name of that towtruck driver";

- (e) by striking out paragraph (d) of subsection (2);
- (f) by striking out from subsection (2) the passage "Two hundred dollars" and inserting in lieu thereof the passage "Five hundred dollars";
- (g) by inserting after subsection (2) the following subsection:—
- (2a) A person shall, forthwith upon obtaining an authority under this section, sign the authority himself and enter in the authority the date and time at which each person signed the authority.
- Penalty: Five hundred dollars.;
- (h) by inserting in subsection (3) after the passage "member of the police force" the passage "or an inspector";
- (i) by striking out from subsection (3) the passage "under this section" and inserting in lieu thereof the passage "given under this section by the driver, owner or person claiming to be in charge of a motor vehicle damaged in the accident,";
- (j) by inserting in subsection (4) after the passage "a member of the police force" the passage "or an inspector";
- (k) by inserting after subsection (4) the following subsections:—
- (4a) Copies of an authority under this section shall be forwarded to such persons, and in such manner, as may be prescribed.
- (4b) An alteration to any of the particulars in an authority under this section shall not be valid unless the signatures of the towtruck driver and the person giving the authority appear in the margin of the authority near to the alteration.
- (4c) An authority signed by a person purporting to be the person in charge of a vehicle, who is under the age of sixteen years, shall be void and of no effect.;
- (l) by inserting in subsection (5) after the passage "to the address specified therein" the passage "by the shortest route practicable";
- (m) by striking out from subsection (5) the passage "Two hundred dollars" and inserting in lieu thereof the passage "Five hundred dollars";
- and
- (n) by inserting in subsection (7) after the passage "member of the police force" the passage "or an inspector".

69. The following section is enacted and inserted in the principal Act after section 98j thereof:—

Enactment of  
s. 98ja of  
principal Act.

98ja. (1) A member of the police force or an inspector may, for the purpose of protecting the driver, owner or person in charge of a motor vehicle damaged in an accident from harassment, require any person to leave the scene of the accident, or give such other directions as he thinks fit to any person present at the scene of the accident.

Power of  
police and  
inspectors to  
give directions.

(2) A person shall comply with any requirement or direction given under this section.

Penalty: Five hundred dollars.

Amendment of principal Act, s. 98k—  
Contract to repair damaged vehicle unenforceable unless certain conditions complied with.

70. Section 98k of the principal Act is amended—

(a) by inserting after the passage “Any contract for the repair” the passage “, or for the quotation of the costs of repair,”;

(b) by striking out the word “and” immediately preceding paragraph (d);

and

(c) by inserting after paragraph (d) the following paragraph:—

and

(e) in the case of a contract for the quotation of the costs of repair, there is a provision in the contract setting out the manner in which the fees for the quotation are to be computed.

Amendment of principal Act, s. 98l—  
Duty to surrender vehicle.

71. Section 98l of the principal Act is amended—

(a) by striking out the passage “damaged in an accident” and inserting in lieu thereof the passage “that was towed to any place as a result of damage in an accident, or any breakdown however occurring,”;

(b) by inserting in paragraph (a) after the passage “the scene of the accident” the passage “or breakdown”;

(c) by inserting after paragraph (b) the following paragraph:—

(ba) the quotation of the costs of repair of the vehicle;;

(d) by inserting after the passage “deliver up” the word “forthwith”;

and

(e) by striking out the passage “Two hundred dollars” and inserting in lieu thereof the passage “Five hundred dollars”.

Amendment of principal Act, s. 98m—  
General penalty provisions.

72. Section 98m of the principal Act is amended—

(a) by inserting after paragraph (a) the following paragraphs:—

(ab) solicits, by any means whatsoever, a person who has signed an authority to remove a damaged vehicle from the scene of an accident, for a revocation or variation of that authority, or for a further or other authority so to remove that vehicle;

(ac) not being the holder of a towtruck certificate who has, in accordance with section 98j of this Act, obtained an authority to remove a vehicle damaged in an accident from the scene of the accident, solicits, by any means whatsoever, the owner, driver or person in charge of that vehicle, within the period of six hours following the accident, a contract for the repair, or for the quotation of the costs of repair, of the vehicle, or for a revocation or variation of any such contract;;

- (b) by inserting in paragraph (b) after the passage “from doing so” the passage “, or from delivering the vehicle to the place specified in the authority”;
- and
- (c) by striking out the passage “five hundred dollars” and inserting in lieu thereof the passage “one thousand dollars.”

73. Section 98o of the principal Act is amended—

- (a) by striking out the passage “to or from the scene” and inserting in lieu thereof the passage “within the area to the scene”;
- (b) by inserting after the present contents, as amended by this section (which are hereby designated subsection (1) thereof) the following subsections:—

(2) No person other than—

- (a) the driver of the towtruck;
- (b) the owner, driver or person in charge of a damaged vehicle that is being towed;
- and
- (c) any person who was a passenger in that damaged vehicle,

shall ride in or upon a towtruck while it is towing a damaged vehicle within the area from the scene of an accident.

Penalty: Two hundred dollars.

(3) Where a person rides in or upon a towtruck in contravention of subsection (1) or subsection (2) of this section, the driver of the towtruck shall also be guilty of an offence and liable to a penalty not exceeding two hundred dollars.

(4) An allegation in any complaint for an offence against this section that a towtruck was being driven, or was towing a vehicle, within the area to or from the scene of an accident shall, in the absence of proof to the contrary, be proof of the facts so stated.

74. Section 98p of the principal Act is amended—

- (a) by striking out from subsection (3) the word “For” and inserting in lieu thereof the passage “Subject to subsection (3a) of this section, for”;
- (b) by inserting in subsection (3) after the passage “an inspector may” the passage “, on any day and at any hour, with such assistants (if any) as he thinks reasonably necessary”;
- (c) by striking out subparagraph (ii) of paragraph (a) of subsection (3) and inserting in lieu thereof the following subparagraph:—
- (ii) break into any part of the premises or any vehicle or thing contained in the premises;;
- (d) by striking out paragraph (b) of subsection (3) and inserting in lieu thereof the following paragraph:—

Amendment of principal Act, s. 98o—  
Persons who may ride in towtruck.

Amendment of principal Act, s. 98p—  
Inspectors.

(b) without a warrant—

- (i) enter upon and search any premises or any vehicle or thing contained in those premises;
- (ii) require the driver of a towtruck to stop his vehicle;
- (iii) require any person to produce any documents or books that may be relevant to the investigation, and to take copies of those documents or books, or any part thereof;
- (iv) seize any documents, books or other objects that may furnish evidence of an offence against this Act;

and

- (v) require any person to answer any question that may be relevant to the investigation.;

(e) by inserting after subsection (3) the following subsection:—

(3a) An inspector may not exercise the power conferred upon him under subparagraph (i) of paragraph (b) of subsection (3) of this section in relation to any premises at any time when those premises are not open for business.;

(f) by striking out from paragraph (a) of subsection (4) the passage “hinder an inspector” and inserting in lieu thereof the passage “assault or hinder an inspector, or a person assisting an inspector, while the inspector is”;

(g) by inserting in paragraph (b) of subsection (4) after the passage “refuse or fail to answer truthfully” the passage “and as soon as reasonably practicable (but in any event within forty-eight hours)”;

(h) by inserting after subsection (4) the following subsection:—

(4a) A person shall not use abusive, threatening or insulting language to an inspector, or a person assisting an inspector, while the inspector is acting in the exercise of powers conferred on him under this Part.

Penalty: Five hundred dollars.;

and

(i) by inserting after subsection (6) the following subsections:—

(7) An allegation in a complaint that a person named therein is an inspector shall, in the absence of proof to the contrary, be proof of the fact so stated.

(8) An inspector shall, upon the request of any person in relation to whom he intends to exercise any of the powers conferred on him by this Part, produce for the inspection of that person the certificate of identity furnished to him by the Minister.

Penalty: Two hundred dollars.

(9) A person shall not, by words or conduct, falsely represent that he is an inspector.

Penalty: Five hundred dollars.

(10) An inspector shall not incur any liability by virtue of any act or omission of his in the exercise, or purported exercise, in good faith of the powers conferred on him by this Part.

75. The following heading and sections are enacted and inserted in the principal Act before Part IV thereof:—

Enactment of Part IIIb of principal Act.

#### PART IIIb

##### DISABLED PERSONS' PARKING PERMITS

98r. (1) A person—

Application for a disabled person's parking permit.

(a) who is, by virtue of a permanent impairment in the use of his limbs, unable to use public transport;  
and

(b) whose speed of movement is, by virtue of that impairment, severely restricted,

may apply to the Registrar for a disabled person's parking permit.

(2) An application under this section must be made in a manner and form determined by the Minister, and must be accompanied by the prescribed fee.

(3) The Registrar may require an applicant for a permit under this section to be examined by a medical practitioner nominated by the Registrar, at a place accessible and convenient to the applicant.

(4) If the Registrar is satisfied, either upon the report of a medical practitioner pursuant to subsection (3) of this section or upon such other evidence as the Registrar may require, that the applicant meets the criteria set out in subsection (1) of this section, he shall issue to the applicant a disabled person's parking permit.

98s. A disabled person's parking permit shall, subject to this Act, remain in force for one year, and may be renewed annually in a manner and form determined by the Minister, and upon payment of the prescribed fee.

Duration of permit.

98t. (1) A disabled person's parking permit shall entitle the driver of any motor vehicle, while the vehicle is in the course of being used for the transportation of the holder of the permit, to such exemptions, conditional or unconditional, in relation to the parking or standing of that vehicle as may be prescribed under the Local Government Act, 1934-1978.

Parking permit entitlements.

(2) A person—

(a) who is the holder of a disabled person's parking permit;  
and

(b) who drives a motor vehicle to and from his place of employment,

may apply in writing to the council of the area in which his place of employment is situated, for permission to park his motor vehicle near to that place of employment.



(3) A council to which an application is duly made under subsection (2) of this section may, after consultation with the applicant, make such arrangements for the parking of the applicant's motor vehicle near to his place of employment while he is in attendance at that place as are reasonably practicable, having regard to—

(a) the speed of movement of the applicant and the distance he is able to move without undue difficulty;

(b) the particular needs, requirements and disabilities of the applicant;

and

(c) the range of other parking facilities that may be available, accessible and convenient to the applicant.

(4) A council shall, for the purpose of giving effect to an arrangement made under subsection (3) of this section, exempt the applicant, conditionally or unconditionally, from such of the regulations under the Local Government Act, 1934-1978, as may be necessary.

(5) A council may, after consultation with the person in relation to whom an arrangement has been made under subsection (3) of this section, revoke or vary that arrangement.

(6) A person who is aggrieved by a decision of a council to refuse to make an arrangement under subsection (3) of this section, or to revoke or vary such an arrangement, may apply to the Minister, in a manner and form determined by the Minister, for a review of the decision.

Misuse of permit.

98u. A person shall not display, or permit to be displayed, a disabled person's parking permit on a motor vehicle unless that vehicle is in the course of being used for the transportation of the holder of the permit.

Penalty: Five hundred dollars.

Cancellation of permit.

98v. (1) The Registrar—

(a) shall, if he is satisfied, upon the report of a medical practitioner, that the holder of a disabled person's parking permit no longer meets the criteria set out in subsection (1) of section 98r of this Act;

or

(b) may, if the holder of a disabled person's parking permit is convicted of an offence against section 98u of this Act,

cancel, or refuse to renew, the permit.

(2) The Registrar may, by notice in writing served personally or by post on the holder of a disabled person's parking permit, require that person to deliver the permit to the Registrar, at a place and within a reasonable time specified in the notice, for the purposes of cancelling the permit pursuant to this section.

(3) A person shall comply with a notice served on him under subsection (2) of this section.

Penalty: Two hundred dollars.

98w. A person who is aggrieved by a decision of the Registrar to refuse to issue or renew a disabled person's parking permit, or to cancel a permit, may apply to the Minister, in a manner and form determined by the Minister, for a review of the decision.

Review by  
the Minister.

98x. A motor vehicle shall for all purposes be deemed to be in the course of being used for the transportation of the holder of a disabled person's parking permit notwithstanding that he is accompanied by other persons.

Interpretation.

76. Section 100 of the principal Act is amended—

Amendment of  
principal Act,  
s. 100—  
Application of  
this Part to  
the Crown.

(a) by striking out subsection (1) and inserting in lieu thereof the following subsection:—

(1) This Part shall not render it obligatory to insure any vehicle owned by the Crown and used solely in the public business of the State.;

(b) by striking out from subsection (2) the passage "or The Municipal Tramways Trust";

(c) by striking out from paragraph (a) of subsection (2) the passage "or the said Trust, as the case may be,";

(d) by striking out from paragraph (b) of subsection (2) the passage "or the said Trust";

(e) by striking out from subsection (3) the passage "or The Municipal Tramways Trust";

and

(f) by striking out from subsection (3) the passage "or the said Trust" wherever it occurs.

77. Section 102 of the principal Act is amended—

Amendment of  
principal Act,  
s. 102—  
Duty to insure  
against third  
party risks.

(a) by striking out from subsection (1) the passage "Not less than forty dollars and not more than two hundred dollars" and inserting in lieu thereof the passage "Not less than one hundred dollars and not more than four hundred dollars";

(b) by striking out from paragraph (i) of subsection (2) the passage "forty dollars" and inserting in lieu thereof the passage "one hundred dollars";

(c) by striking out from paragraph (ii) of subsection (2) the passage "twenty dollars" and inserting in lieu thereof the passage "fifty dollars";

and

(d) by striking out from paragraph (ii) of subsection (2) the passage "fifty dollars" and inserting in lieu thereof the passage "two hundred dollars".

78. Section 103 of the principal Act is amended by striking out from subsection (1) the passage "One hundred dollars" and inserting in lieu thereof the passage "Two hundred dollars".

Amendment of  
principal Act,  
s. 103—  
Duty to  
produce  
evidence of  
insurance.

Amendment of principal Act, s. 110—  
Liability of insurer to pay for emergency treatment.

**79. Section 110 of the principal Act is amended—**

(a) by striking out from paragraph (ii) of subsection (1) the passage “the sum of”;

and

(b) by striking out from subsection (8) the passage “Twenty dollars” and inserting in lieu thereof the passage “One hundred dollars”.

Amendment of principal Act, s. 124—  
Notice of accident or claim.

**80. Section 124 of the principal Act is amended by striking out from subsection (6) the passage “Two hundred dollars” and inserting in lieu thereof the passage “Five hundred dollars”.**

Amendment of principal Act, s. 128—  
Duty of insurers to furnish information.

**81. Section 128 of the principal Act is amended—**

(a) by striking out from subsection (2) the passage “Two hundred dollars” and inserting in lieu thereof the passage “Five hundred dollars”;

and

(b) by striking out from subsection (3) the passage “Four hundred dollars” and inserting in lieu thereof the passage “Five hundred dollars”.

Amendment of principal Act, s. 134—  
Persons entitled to act in connection with claims.

**82. Section 134 of the principal Act is amended by striking out from subsection (1) the passage “Two hundred dollars” and inserting in lieu thereof the passage “Four hundred dollars”.**

Amendment of principal Act, s. 135—  
False statements.

**83. Section 135 of the principal Act is amended—**

(a) by striking out subsection (1) and inserting in lieu thereof the following subsection:—

(1) A person shall not make a false statement to the Registrar, an officer acting on behalf of the Registrar, or a member of the police force in, or in connection with, any application, request or other proceedings under this Act.

Penalty: Four hundred dollars or imprisonment for six months.;

and

(b) by inserting after subsection (3) the following subsection:—

(4) Where, in pursuance of a false statement made by a person, the Registrar has refunded to him any moneys paid under this Act—

(a) the court may, in any proceedings against that person for an offence against this section, in addition to any penalty, order him to pay to the Registrar the moneys so refunded;

or

(b) the Registrar may recover those moneys from that person as a debt in any court of competent jurisdiction.

**84.** The following section is enacted and inserted in the principal Act after section 135 thereof:—

Enactment of s. 135a of principal Act.

135a. A person shall not, while acting in the administration of this Act or in the exercise of any powers conferred upon or delegated to him under this Act, receive or accept any bribe, and no person shall give or offer a bribe to any such person.

Bribes.

Penalty: Four hundred dollars.

**85.** Section 136 of the principal Act is amended—

Amendment of principal Act, s. 136—  
Duty to notify change of address.

(a) by striking out from subsection (1) the passage “Fifty dollars” and inserting in lieu thereof the passage “Two hundred dollars”;

(b) by striking out from subsection (1a) the passage “Fifty dollars” and inserting in lieu thereof the passage “Two hundred dollars”;

and

(c) by striking out from subsection (2) the passage “Fifty dollars” and inserting in lieu thereof the passage “Two hundred dollars”.

**86.** Section 137 of the principal Act is amended by striking out the passage “One hundred dollars” and inserting in lieu thereof the passage “Two hundred dollars”.

Amendment of principal Act, s. 137—  
Duty to answer certain questions.

**87.** Section 138 of the principal Act is amended—

Amendment of principal Act, s. 138—  
Duty of registered owners to furnish particulars of vehicles.

(a) by striking out the word “produce” and inserting in lieu thereof the word “deliver”;

(b) by striking out the word “weight” and inserting in lieu thereof the word “mass”;

and

(c) by striking out the passage “Fifty dollars” and inserting in lieu thereof the passage “Two hundred dollars”.

**88.** The following sections are enacted and inserted in the principal Act after section 138 thereof:—

Enactment of ss. 138a and 138 b of principal Act.

138a. The Commissioner of Police—

Commissioner of Police to give certain information to Registrar.

(a) shall, upon the request of the Registrar;

and

(b) may, at any other time,

provide the Registrar with such information as may be relevant to the question of whether a particular person is a fit and proper person to hold any licence, permit or towtruck certificate under this Act.

138b. (1) Subject to subsection (2) of this section, if a cheque given in purported payment of any amount payable to the Registrar under this Act, or lawfully collected by the Registrar on behalf of any other body or person, is dishonoured on presentation, the transaction in relation to which the payment was purported to have been made shall be, and be deemed to always have been, void and of no effect.

Effect of dishonoured cheques on transactions under the Act.

(2) The Registrar may, in such circumstances as he thinks fit, by notice in writing served personally or by post upon the person who is liable to make the payment, suspend the operation of subsection (1) of this section for such period as may be specified in the notice, for the purpose of allowing that person to complete payment of the due amount within that period.

(3) Where a person upon whom a notice has been served under subsection (2) of this section pays the due amount (together with any bank charges paid by the Registrar in respect of the dishonoured cheque) in the time specified, the transaction shall be deemed to have been effective as from the day upon which application was made.

(4) Where a transaction is void by virtue of this section, the Registrar may, by notice in writing served personally or by post upon the person who is liable to make the payment—

(a) require him to deliver to the Registrar at a place and within a reasonable time specified in the notice any licence, permit, label, certificate, plate or other document or thing issued to him by the Registrar in consequence of the purported transaction;

or

(b) require him to deal with any such licence, permit, label, certificate, plate, document or thing in the prescribed manner.

(5) A person shall comply with a notice served upon him under subsection (4) of this section.

Penalty: Two hundred dollars.

(6) Where, in any proceedings for an offence against this or any other Act, it is proved that the defendant has had the benefit of any licence, permit, label, certificate, plate or other document or thing issued to him pursuant to a transaction that is void by virtue of this section, the court may, in addition to any penalty, order the defendant to pay to the Registrar such proportion as the court thinks appropriate of the sum that the defendant was liable to pay upon the issue of that licence, permit, label, certificate, or other document or thing.

(7) Notwithstanding any other provision of this section, where a transaction is void pursuant to this section, the Registrar, in such circumstances as he thinks fit—

(a) may accept late payment by the applicant of the due amount and direct that the transaction shall be deemed to have been effective as from a day specified by the Registrar;

or

(b) may refuse to enter into any further transaction with the applicant, unless he pays to the Registrar the amount that was payable in respect of the void transaction, or such proportion thereof as the Registrar thinks fit.

(7) The Registrar shall furnish the consultative committee with any information known by him that is relevant to any matter being considered by the committee.

90. Section 140 of the principal Act is amended by striking out the passage "shall be *prima facie* evidence of the truth" and inserting in lieu thereof the passage "shall, in the absence of proof to the contrary, be proof".

Amendment of principal Act, s. 140—  
Evidence of registers.

91. Section 141 of the principal Act is amended—

Amendment of principal Act, s. 141—  
Evidence by certificate of Registrar.

- (a) by inserting in paragraph (a) after the passage "on a specified day" the passage "or during a specified period";
- (b) by inserting in paragraph (e) after the passage "on a specified day" the passage "or during a specified period";
- (c) by striking out from paragraph (g) the passage ", within a time or period therein specified," and inserting in lieu thereof the passage "on or before a specified day";

and

- (d) by inserting in paragraph (h) after the passage "delivered to the Registrar" the passage ", or dealt with in the prescribed manner,".

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

K. D. SEAMAN, Governor