

# **CODE OF PRACTICE**

FOR HISTORIC VEHICLES,  
PRESCRIBED LEFT HAND DRIVE VEHICLES  
AND STREET ROD VEHICLES  
UNDER THE CONDITIONAL REGISTRATION SCHEME



**EFFECTIVE 1 JULY 2012**



**Government of South Australia**

Department of Planning,  
Transport and Infrastructure

# FOREWORD

The Conditional Registration Scheme has been catering for the preservation and maintenance of historic and prescribed left hand drive vehicles in South Australia since 1992. It was introduced by Parliament to preserve the historic fleet and instil pride in the restoration works done by the historic motoring community to keep these vehicles on the road.

The code of practice was first published in 2003 to assist clubs and vehicle owners interpret the scheme and apply conditional registration as intended. It provides information about the rights and responsibilities of clubs and individual vehicle owners, the Federation of Historic Motoring Clubs and the South Australian Government.

This updated version of the code is the result of an extensive review by the department and a wealth of feedback from the Federation, its members and other clubs across the state.

The most significant feature of the updated code is the inclusion of street rod vehicles. Street rods align with the principles of historical integrity as they are tightly defined to have a pre-1949 chassis and body type and conform to a nationally accepted definition. The code also introduces uniform age criteria for left hand drive vehicles and historic vehicles.

I wish to thank the Federation for its valuable input in its role as the peak body representing clubs. The department is aware of the considerable time and effort it takes to review and make a submission on a document that carries such a weight in the historic motoring community.

I also wish to acknowledge the work of clubs not affiliated with the Federation in providing valuable comments.

The code of practice is one of the key references in the administration of the scheme and should be read alongside the *Motor Vehicles Act 1959* and Regulations 2010 (as amended) and the *Road Traffic Act 1961* and Regulations 2010. It is intended that the code of practice will be reviewed in five years' time.

The intent of the scheme remains as originally envisioned, to support motoring enthusiasts with genuine historic vehicles representative of South Australia's motoring heritage.

J. Holmes

**REGISTRAR OF MOTOR VEHICLES**

June 2012

## **PART ONE**

### **GUIDELINE PROVISIONS**

1	Definitions	4
2	Preface	5
3	Scheme vehicles	6
4	Transitional provisions	7
5	Penalties	8
6.1	Club recognition process & record keeping requirements & reporting requirements for motor vehicle clubs	8
6.2	Motor vehicle clubs – authorised persons, MR334 forms	10
6.3	Vehicle inspection process	12
6.4	Post-entry inspections and statutory declarations	14
6.5	Authorised person – log books	14
7.1	Stationery	16
7.2	Use of vehicles outside South Australia	16
7.3	Renewal of registration, duration and cancellation	16

## **PART TWO**

### **VEHICLE ELIGIBILITY & APPROVED VARIATIONS**

8	Eligibility criteria for historic vehicles and variations	20
9	Eligibility criteria for prescribed left hand drive vehicles	23
10	Eligibility criteria and guidelines for street rod vehicles	23

## **PART THREE**

### **STAKEHOLDER RESPONSIBILITIES & CONDITIONS**

11.1	Introduction – core responsibilities and conditions for scheme	28
11.2	Responsibilities of Registrar	28
11.3	Responsibilities of the Department of Planning, Transport and Infrastructure	28
11.4	Responsibilities of the Federation of Historic Motoring Clubs SA Inc	29
11.5	Responsibilities of the Australian Street Rod Federation Inc	29
11.6	Responsibilities & conditions for recognised motor vehicle clubs	30
11.7	Responsibilities of scheme vehicle owners	31

## **PART FOUR**

### **MISCELLANEOUS**

12.1	Vehicle identity inspections	36
12.2	Contact details	36







# 1

## **PART ONE** GUIDELINE PROVISIONS

# PART ONE

## GUIDELINE PROVISIONS

### 1. DEFINITIONS

The following are terms commonly used in this Code of Practice:

- **Approval for Conditional Registration of a Historic, Prescribed Left Hand Drive or Street Rod Vehicle (MR334)** – the registration form to be completed by a vehicle owner and by a recognised motor vehicle club's authorised person following a vehicle eligibility inspection. This form is lodged in support of an application for conditional registration.
- **Authorised Person** – a person who is authorised in writing by the Registrar to undertake the inspection of vehicles in the following three categories, as determined and notified by the Registrar for
  - historic vehicles
  - prescribed left hand drive vehicles
  - street rod vehicles

and to complete a certificate of 'Approval for Conditional Registration of a Historic, Prescribed Left Hand Drive or Street Rod Vehicle' (MR334) and to issue approved log books.

- **Certificate of Exemption** – a vehicle that has been modified and has been issued with a Certificate of Exemption (or other form of exemption documentation) by the Department's Vehicle Standards Division further to section 163AA of the *Road Traffic Act 1961*. This documentation exempts the vehicle from compliance with specified Australian Design Rules or other vehicle standards prescribed under that Act (including its regulations) and it enables the vehicle to be registered for use on roadways.

- **Club** – a recognised motor vehicle club that has been approved and recognised by the Registrar, by means of a notice published in the Government Gazette, in accordance with regulation 16(3), of the *Motor Vehicles Regulations 2010*.
- **The Department** – the Department of Planning, Transport and Infrastructure.
- **The Federation of Historic Motoring Clubs** – the Federation of Historic Motoring Clubs SA Incorporated.
- **Elected Official** – the President or Secretary who has been elected to that position by a vote of the financial members of the club.
- **Historic Integrity** – the accuracy of the subject vehicle's specifications when compared with the original equipment manufacturer specifications for the same make, model and year.
- **Historic Vehicle** – a motor vehicle manufactured prior to 1 January 1979, that has not been modified from its original design to any significant extent. The vehicle has not been altered from the original equipment manufacturer specifications apart from the allowed variations as detailed in part two of this code. The vehicle must be right hand drive (excluding solo motor bikes). This category can include vehicles manufactured after 1 January 1979 but before 1 January 1983 provided that the vehicles were registered in South Australia as historic vehicles immediately prior to 1 July 2012 or at some earlier time.
- **MR334 Form** – see Approval for Conditional Registration of a Historic, Prescribed Left Hand Drive or Street Rod Vehicle form.

- **National Guidelines** – the “National Guidelines for the Construction and Modification of Street Rods in Australia” dated 1 December 2003, as amended, and as adopted by the Australian Motor Vehicle Certification Working Party (available at [http://www.infrastructure.gov.au/roads/vehicle\\_regulation/bulletin/street\\_rod.aspx](http://www.infrastructure.gov.au/roads/vehicle_regulation/bulletin/street_rod.aspx))
- **Original Equipment Manufacturer** – the original component as fitted by the manufacturer of the vehicle.
- **Original Part** – an identical part sourced from another vehicle, a commercially produced spare part or an accurate reproduction of the original part.
- **Prescribed Left Hand Drive Vehicle** – a motor vehicle that was manufactured before 1 January 1979, has its steering wheel on the left of the longitudinal axis of the vehicle and has not been modified from its original design to any significant extent. In addition, the vehicle has also received a Left Hand Drive Exemption in the form of a Certificate of Exemption (or other form of exemption documentation) further to section 163AA of the *Road Traffic Act 1961* exempting it from compliance with specified Australian Design Rules or other vehicle standards prescribed under that Act (including its regulations).
- **Registrar** – the Registrar of Motor Vehicles pursuant to the *Motor Vehicles Act 1959* and *Motor Vehicles Regulations 2010* (as amended).
- **Scheme** – the conditional registration scheme for historic vehicles, prescribed left hand vehicles and street rod vehicles.
- **Street Rod** – a motor vehicle that is right hand drive and has been modified for safe use on roads and;
  - has a body and frame that were manufactured before 1949; or is a replica of a vehicle the body and frame of which were built before 1949; and
  - in respect of which there is in force an exemption under section 163AA of the *Road Traffic Act 1961* from compliance with specified Australian Design Rules or other vehicle standards prescribed under that Act (including its regulations); and
  - that has been built or modified in accordance with requirements or specifications accepted by the Registrar as detailed in part two of this code.
- **Street Rod Federation** – the Australian Street Rod Federation Incorporated.
- **Technical Advisory Committee** – the Technical Advisory Committee of South Australia that has the responsibility of liaising between the Department of Planning, Transport and Infrastructure, the Federation of Historic Motoring Clubs and the Australian Street Rod Federation Incorporated.
- **Technical Advisory Committee Manual** – the South Australian Technical Advisory Committee Manual for Street Rods published by the Australian Street Rod Federation.
- **The Act** – the *Motor Vehicles Act 1959* as amended.
- **Vehicle** – a motor car, truck, tractor, bus, motor bike and their derivatives.

## 2. PREFACE

**2.1** Conditional registration applies to a range of motor vehicles which, according to their use or construction, require only limited access to the road network. These vehicles are not for everyday use.



# PART ONE

## GUIDELINE PROVISIONS

**2.2** Provided certain criteria are met, certain historic vehicles, prescribed left hand drive vehicles and street rod vehicles are eligible for conditional registration. The vehicles must be owned by financial members of a recognised motor vehicle club and are only driven on no more than 90 journeys per year in the period of registration. All journeys must be recorded in a prescribed log book. In recognition of their limited use, no registration charge is payable. The only fees payable by vehicle owners are administration fees, the premium for compulsory third party insurance and a reduced emergency services levy.

**2.3** Part one of this code of practice sets out the procedural requirements for the Conditional Registration Scheme for Historic Vehicles, Prescribed Left Hand Drive Vehicles and Street Rod Vehicles (the scheme). Part two details the allowed variations to the original condition of historic vehicles, eligibility criteria for prescribed left hand vehicles, and the criteria, specifications and requirements for street rod vehicles participating in the scheme. Part three outlines the core responsibilities of the major stakeholders, including vehicle owners, the recognised motor vehicle clubs, the Federation of Historic Motoring Clubs South Australia Incorporated, the Registrar and the Department of Planning, Transport and Infrastructure (the department) for the operation of the scheme. Part four deals with miscellaneous provisions associated with the scheme.

**2.4** This code of practice should be read in conjunction with, but not limited to, the Motor Vehicles Act 1959, (particularly section 25), the Motor Vehicles Regulations 2010 (particularly regulations 15 and 16), the Road Traffic Act 1961, all regulations made under that Act and the Australian Design Rules. Copies of the

South Australian legislation can be viewed on the Parliament of South Australia web site on <http://www.legislation.sa.gov.au/>

**2.5** Nothing in this code precludes the requirement for any scheme vehicle driven on a road or road related area to comply with the legislative requirements. In particular, a vehicle must be in a roadworthy condition at all times. Nor does this code preclude the requirements for certain types of vehicles, such as street rod vehicles and prescribed left hand drive vehicles, to undergo vehicle identity and compliance inspections by the department's Vehicle Standards Division before they are capable of registration.

**2.6** For information not addressed in this code regarding the need for vehicles to comply with the Road Traffic Act 1961 and its regulations (particularly the Road Traffic (Vehicle Standards) Rules 1999) please contact the department on 1300 882 248.

### 3 SCHEME VEHICLES

**3.1** The scheme is open to historic vehicles, prescribed left hand drive vehicles and street rod vehicles meeting the criteria. These vehicles are defined for the purposes of this scheme as follows:-

#### Historic Vehicles

**3.2** A historic vehicle is a motor vehicle manufactured prior to 1 January 1979, that has not been modified from its original design to any significant extent. The vehicle has not been altered from the original equipment manufacturer specifications apart from the allowed variations as detailed in part two of this code. The vehicle must be right hand drive.

**3.3** This category can include vehicles manufactured after 1 January 1979 but before 1 January 1983 provided that the vehicles were

registered in South Australia as historic vehicles immediately prior to 1 July 2012 or at some earlier time.

### **Prescribed Left Hand Drive Vehicles**

**3.4** A prescribed left hand drive vehicle is a motor vehicle that was manufactured before 1 January 1979, has its steering wheel on the left of the longitudinal axis of the vehicle and has not been modified from its original design to any significant extent.

**3.5** The vehicle has also received a Left Hand Drive Exemption in the form of a Certificate of Exemption (or other form of exemption documentation) further to section 163AA of the Road Traffic Act 1961 from compliance with specified Australian Design Rules or other vehicle standards prescribed under that Act (including its regulations) and it meets the criteria detailed in part two of this code.

### **Street Rods**

**3.6** A street rod is a motor vehicle that has been modified for safe use on roads and has a body and frame that were manufactured before 1949; or is a replica of a vehicle the body and frame of which were built before 1949.

**3.7** In addition, the street rod vehicle has been built or modified in accordance with requirements or specifications accepted by the Registrar as detailed in part two of this code.

**3.8** The street rod vehicle must also have in force an exemption under section 163AA of the Road Traffic Act 1961 from compliance with specified Australian Design Rules or other vehicle standards prescribed under that Act (including its regulations).

### **Further Information**

**3.9** For further information, clarification and queries related to historic vehicles and prescribed left hand vehicles, please contact the Federation of Historic Motoring Clubs.

**3.10** Where the federation is unable to determine the answer, or the answer is in dispute, the federation will refer the issue to the department for a final decision.

**3.11** Please contact the department in the first instance if your query relates to street rod vehicles.

## **4 TRANSITIONAL PROVISIONS**

**4.1** This code of practice replaces previous versions of the 'Code of Practice for the Conditional Registration Scheme for Historic Vehicles and Prescribed Left Hand Drive Vehicles MR332' and its terms are effective from 1 July 2012 for all participants (both clubs and vehicle owners) joining the scheme after that date.

**4.2** As detailed further below, from 1 July 2012 it will be necessary for existing recognised motor vehicle clubs and their designated authorised persons to apply to the Registrar for recognition and authorisation in relation to street rod vehicles should they wish to include this category of vehicle in their club membership for conditional registration.

# PART ONE

## GUIDELINE PROVISIONS

**4.3** Motor vehicle clubs and their authorised persons recognised by the Registrar under previous versions of this code retain their recognition status in regard to historic vehicles and prescribed left hand drive vehicles for conditional registration until 31 December 2012 and must operate in accordance with the legislation in force as at 1 July 2012 and the September 2010 code of practice and handbook. By 31 December 2012 all clubs recognised by the Registrar for the scheme prior to 1 July 2012 must have written to the Registrar on club letterhead, signed by the elected official confirming their receipt of this code and stating that the club agrees to comply with its conditions, together with a list of its current authorised persons. In the absence of written club acknowledgement, the Registrar will commence steps to withdraw such clubs recognition for the scheme (see 6.1.11)

### **5 PENALTIES FOR FAILING TO COMPLY WITH A CONDITION OF REGISTRATION**

**5.1** There are penalties for vehicle owners for failing to comply with a condition of this type of registration. Pursuant to section 41(2a) of the *Motor Vehicles Act 1959*:

*‘A person must not contravene or fail to comply with a condition of registration of a motor vehicle under section 25.’*

A maximum penalty of \$750 applies for this offence.

**5.2** In addition, pursuant to section 41(3) of the Act:

*‘Where a person has been convicted of an offence under this section, the court may order, in addition to any penalty it may have imposed, that the convicted person pay to the Registrar within a period specified in the order-*

*(b) if the motor vehicle was registered at a reduced registration fee – the balance between the fee paid and the prescribed registration fee that would have been payable in respect of the period of registration during which the offence was committed had the vehicle not qualified for restricted registration, together with the stamp duty (if any) that would have been payable by the convicted person upon the application for that period for registration had the motor vehicle not qualified for restricted registration.’*

### **6.1 MOTOR VEHICLE CLUBS – RECOGNITION PROCESS & RECORD KEEPING**

**6.1.1** An application for recognition of a motor vehicle club can be submitted in writing to the Registrar.

**6.1.2** The application, on club letterhead, may be completed by the club president or club secretary, and must be accompanied by:

- a copy of the club's constitution; and
- if the club is incorporated, a copy of the Certificate of Incorporation issued by the Government of South Australia, Consumer and Business Services, in accordance with the Associations Incorporation Act (SA) 1985; **OR**
- if the club is not incorporated, the names and addresses of all office bearers.

**6.1.3** In the application for club recognition, the club president or club secretary must nominate:

- the official/s of the club who, subject to the recognition of the club, will be the club's authorised person (discussed further below) as they will be responsible for certifying the correctness of the



information contained in any application for conditional registration submitted by members;

- the official/s of the club who, subject to the recognition of the club, will be responsible for the issue of log books;
- whether the recognition is sought for historic vehicles, prescribed left hand drive vehicles or street rod vehicles or a combination of these.

**6.1.4** Once a club is approved as a recognised motor vehicle club, a notice is published in the Government Gazette. Financial members of the club will not be eligible to apply for conditional registration until such time as the notice appears in the gazette.

**6.1.5** From 1 July 2012 the Registrar's recognition of motor vehicle clubs by gazette notice for conditional registration will clearly state whether the recognition relates to historic vehicles, prescribed left hand drive vehicles, street rod vehicles or a combination of these. All motor vehicle club recognition gazette notices for conditional registration published prior to this date are deemed to be for historic vehicles and prescribed left hand drive vehicles only.

### **Club Records; Retention and Department Audits**

**6.1.6** Recognised motor vehicle clubs are required to maintain records of:

- all vehicles for which an 'Approval for Conditional Registration of a Historic, Prescribed Left Hand Drive or Street Rod Vehicle Form (MR334)' has been issued together with a copy of each approval;
- all log books issued by the club to financial members;
- all annual statutory declarations (declaring vehicle eligibility to the scheme and detailing

any modifications made to a vehicle since the last declaration) made by financial members of recognised clubs;

- copies of the exemption documentation held by a club's financial members for their prescribed left hand drive vehicles and/or street rod vehicles;
- records of all club inspections undertaken to determine eligibility for the scheme both upon entry to the scheme and all subsequent inspections;
- all documents (including inspection records) must be retained by clubs for a period of 5 years from the date of the document.

**6.1.7** The department may perform audits of recognised clubs' records (detailed in 6.1.6) periodically to ensure that the clubs' record keeping requirements are met. Clubs must also provide copies of such records to the department upon reasonable request. Failure to keep adequate records may result in the Registrar withdrawing recognition of a club for the purposes of the scheme (see 6.1.11).

**6.1.8** If a club is no longer recognised by the Registrar, steps will be taken to ensure members are either transitioned to become a financial member of another club or their conditional registration is cancelled.

### **Clubs' Reporting to the Registrar**

**6.1.9** Within two months of the end of a recognised motor vehicle club's financial year, it must provide a written report to the Registrar detailing members with conditional registration who are no longer members of the club.

**6.1.10** Recognised motor vehicle clubs are required to notify the Registrar, on official club letterhead, if a club ceases to exist.

# PART ONE

## GUIDELINE PROVISIONS

### Registrar's Conditions – Gazette Notice

**6.1.11** The Registrar can impose conditions on the recognition of a motor vehicle club for the purposes of this scheme and detail these by way of gazette notice. These include complying with the responsibilities and conditions set out in part three of this code of practice and any other conditions. The Registrar may withdraw recognition provided to a motor vehicle club for the purposes of the scheme if the conditions are breached or for other good reason. This is effective from a date specified (being not less than 28 days from the date of publication) in a notice published in the Government Gazette.

### 6.2 MOTOR VEHICLE CLUBS – AUTHORISED PERSONS

**6.2.1** Authorised persons are financial members of motor vehicle clubs who are authorised in writing by the Registrar to undertake the inspection of historic vehicles or prescribed left hand drive vehicles or street rod vehicles, to complete the certification contained in the 'Approval for Conditional Registration of a Historic, Prescribed Left Hand Drive or Street Rod Vehicle Form (MR334)' and to issue approved log books. They must certify the correctness of the details of the registration such as verifying the year of the vehicle's manufacture and, after inspection, ensure that the vehicles meet the eligibility criteria for the scheme (see 6.3.3);

**6.2.2** The club must make the application to the Registrar for the appointment of an authorised person and this can be done by submitting a written application on official club letterhead stating:

- full name of club;
- full name, address and client number (if available) of the nominated person and the

duty to be performed i.e. issuing log books, approve vehicles, or both;

- name and position in club of person making the nomination;
- from 1 July 2012 onwards, a club's application for an authorised person for street rod vehicles must include a letter from their club's official certifying that the candidate is;
  - (i) competent in inspecting a street rod vehicle in terms of the content stated in the exemption documentation issued by the department; and
  - (ii) proficient in their knowledge of the *National Guidelines for the Construction and Modification of Street Rods in Australia and the South Australian Technical Advisory Committee Manual for Street Rods*.

**6.2.3** Applications should be forwarded to the Registrar for approval.

**6.2.4** Upon approval by the Registrar, the authorised person will be issued with a certificate of authorisation at no fee. The person must not approve any vehicle for conditional registration until this certificate has been issued. The certificate will include the official's identification number which must be recorded when completing an 'Approval for Conditional Registration of a Historic, Prescribed Left Hand Drive or Street Rod Vehicle Form (MR334).'

**6.2.5** From 1 July 2012 onwards, all certificates of authorisation issued by the Registrar will clearly indicate whether the authorisation relates to historic vehicles, prescribed left hand vehicles or street rod vehicles. All certificates of authorisation issued prior to 1 July 2012 relate to historic vehicles and prescribed left hand drive vehicles only and do **not** extend to street rods.

**6.2.6** A condition of each authorisation issued is that the recipients will continue to be authorised only while they are a financial member of the club that nominated them. A person may be nominated by more than one club to be authorised to approve historic vehicles or prescribed left hand drive vehicles or street rod vehicles for those clubs.

**6.2.7** A person who is a member of the Federation of Historic Motoring Clubs may also be authorised by the Registrar to approve historic vehicles or prescribed left hand drive vehicles (and not street rod vehicles) for conditional registration. The Federation person so authorised will be restricted to cases where a club or a financial member of a club cannot authenticate the historic integrity of a historic vehicle or prescribed left hand drive vehicle or to approve a club's authorised person's own vehicle.

**6.2.8** A person who is a member of a recognised club affiliated with the Australian Street Rod Federation may also be authorised for other clubs by the Registrar to approve street rod vehicles (and not historic vehicles or prescribed left hand drive vehicles) for conditional registration. The Federation person so authorised will be restricted to cases where a club or a financial member of a club cannot approve a club's authorised person's own vehicle.

**6.2.9** A club's authorised person is not permitted to approve his/her own vehicle for conditional registration.

### **Ceasing Authorisation**

**6.2.10** The Registrar must be advised, in writing, if an official appointed by the club to approve applications and/or issue log books (the club's authorised person), resigns, or is replaced by another official, together with the name of the replacement.

**6.2.11** A club's authorised person's authorisation will cease if:

- they cease to be a financial member of a club;
- they resign as an authorised person;
- the elected officials of the club apply to the Registrar to revoke the member's authorisation.

**6.2.12** In these circumstances, the club must provide written notification and return the Certification of Authorisation within 14 days to the Department.

**6.2.13** In addition, the Registrar has the authority to revoke a person's authorisation at any time.

**6.2.14** Prior to the Registrar revoking any authorisation or refusing a person's application, the Registrar will give the person written notice of the proposed refusal or revocation and will provide a statement of the reasons. The applicant will then be given 14 days, to submit evidence and make submissions to the Registrar in support of his/her application or against the impending revocation.

**6.2.15** The Registrar will make a determination and advise the applicant in writing. The Registrar may retain records of the names and details of all individuals whose authorisations have been revoked or applications refused and make reference to such records when determining any future applications by clubs for the appointment of an authorised person.



# PART ONE

## GUIDELINE PROVISIONS

**6.2.16** Grounds for refusal or revocation of an authorisation are:

- applicant/authorised person is no longer a financial member of a club;
- contravention of the Code of Practice, or for providing a false or misleading statement;
- if the Registrar considers that the person is not fit and proper in character.

### Authorised Person – MR334 Forms

**6.2.17** Authorised persons within a club are responsible for keeping the scheme registration forms being the ‘Approval for Conditional Registration of a Historic, Prescribed Left Hand Drive or Street Rod Vehicle Form (MR334).’

**6.2.18** Each authorised person is issued with MR334 forms as books of 20. Each page is sequentially numbered for audit purposes. The original must be handed to the vehicle owner and the duplicate copy remain in the book.

**6.2.19** Stocks of these books of MR334 forms may be obtained by putting the request in writing on official club letterhead to the Registrar.

**6.2.20** All MR334 forms remain the property of the Registrar and must be securely stored at all times. The Registrar must be notified, on official club letterhead, if authorised persons cease to be financial members of a club or resign as the authorised persons. They must surrender all used and unused MR334 forms to an elected official of their club.

**6.2.21** The Registrar must be notified in writing by the club or authorised person if an MR334 form is lost, not received, destroyed or incorrectly completed. The following details must be provided:

- sequence number of the MR334 form;
- reason why the MR334 form was not used;
- the notification must be signed by an authorised person.

**6.2.22** The authorised person must maintain records of the stock received and use of MR334 forms. Clubs must retain duplicate copies of MR334 forms for five (5) years. Duplicate MR334 forms may be required for audit purposes by a member of the police force or an inspector, as defined in the *Motor Vehicles Act 1959*.

**6.2.23** Where a club ceases to operate or is no longer a recognised motor vehicle club pursuant to the *Motor Vehicles Regulations 2010*, the Registrar must be notified on official club letterhead and all MR334 forms, statutory declarations and club vehicle inspection records must be returned to the Registrar within 14 days.

### 6.3 VEHICLE INSPECTION PROCESS FOR CONDITIONAL REGISTRATION

**6.3.1** Prior to a vehicle being approved for conditional registration, it must undergo an inspection by an authorised person from the vehicle owner’s recognised motor vehicle club. This does not check the mechanical safety or roadworthiness of a vehicle, but rather it is to verify that the vehicle meets the eligibility requirements as set out in this Code.

**6.3.2** To approve a vehicle for conditional registration, the ‘Approval for Conditional Registration of a Historic or Prescribed Left Hand Drive or Street Rod Vehicle Form (MR334)’ must be completed by the club’s authorised person.

**6.3.3** An authorised person must personally inspect the vehicle and:-

- if the vehicle is a historic vehicle, ensure that the vehicle has not been modified to any significant extent. The guidelines for modifications and conditions for historic vehicles are set out in part two of this code;
- sight the department's exemption documentation if the vehicle is a prescribed left hand drive vehicle or a street rod vehicle prior to completing the MR334 form and retain a copy of the document for club records;
- if the vehicle is a prescribed left hand drive vehicle, ensure the vehicle is not modified and meets the conditions set out in part two of this code;
- if the vehicle is a street rod vehicle, establish whether it meets the definition and criteria for such a vehicle as set out in part two of this code.

**6.3.4** Once a vehicle has been inspected and the club's authorised person is satisfied as to the eligibility of the vehicle, including in terms of the year of manufacture and that the vehicle's condition complies with the requirements of this code of practice, the authorised person may complete and issue the MR334 form.

**6.3.5** The vehicle owner must sign the declaration on the MR334 form (and if a historic vehicle, declaring any approved variations) agreeing to abide by this code of practice.

### **Vehicle Owners – Completing Registration**

**6.3.6** Once the MR334 registration form is completed and the vehicle owner has also completed an *Application for Registration and Third Party Insurance Form* (MR1), the vehicle owner can attend at any Service SA customer service centre for the application to be processed.

Prescribed left hand drive and street rod vehicle owners must also lodge a copy of their exemption documentation provided pursuant to section 163AA of the *Road Traffic Act 1961* with respect to their vehicle with the application. The original exemption documentation must be presented for sighting and copying at the Service SA customer service centre.

**6.3.7** Vehicle owners should inform the Registrar whether an extension condition is required on the conditional registration. This will allow the driver to make short journeys without recording the trip in the vehicle's log book. The extension condition will appear on the registration details certificate enabling the vehicle to be driven (at any time during the period of conditional registration) for a distance not exceeding 500 metres, but only for the purpose of relocating the vehicle from one part of a property to another, or enabling another vehicle to gain access to a road or property.

**6.3.8** If an MR334 form is refused due to incorrect information being recorded, only the authorised person can alter any information. The authorised person must sign any alteration/s made.

### **Indeterminate Vehicles**

**6.3.9** If a club's authorised person cannot determine the authenticity of a historic vehicle, any inconsistency must initially be referred to the club's committee. If the committee cannot determine a satisfactory outcome and the matter concerns a historic vehicle or prescribed left hand drive vehicle, the matter must then be referred to the Federation of Historic Motoring Clubs in writing on official club letterhead for determination.

# PART ONE

## GUIDELINE PROVISIONS

**6.3.10** If a club's authorised person cannot determine whether a vehicle falls within the category of a street rod vehicle or cannot determine whether a street rod vehicle has been presented in a condition consistent with its exemption documentation, the matter must be referred to the department for determination.

### **6.4 POST SCHEME ENTRY VEHICLE INSPECTIONS & STATUTORY DECLARATIONS**

**6.4.1** Subsequent to the vehicle inspections undertaken by clubs' authorised persons to assess a vehicle's eligibility for entry to the scheme, once participating in the scheme, vehicle owners must also make their vehicles available for inspection upon the request of their motor vehicle club and/or the Registrar.

**6.4.2** From 1 July 2012 onwards, each club vehicle must be inspected by their club's authorised person at a minimum of once every three (3) years or when requested to do so by the Registrar. They must also retain records of such inspections.

**6.4.3** From 1 July 2012 onwards, participating vehicle owners must provide their club with a statutory declaration annually verifying the eligibility of the vehicle to be registered under section 25 of the Act for the purposes of this scheme and detailing any modifications made to the vehicle during that year. If any modifications have been made to the vehicle, the participating vehicle owner must detail the modifications made since the last declaration and/or club inspection of their vehicle.

**6.4.4** If an annual statutory declaration provided to a club by a participating vehicle owner details that modifications have been made to;

- a historic vehicle, the club is to determine if the vehicle requires re-inspection to ensure the vehicle and modifications continue to meet the conditions or approved variations set out in part two of this code;
- a street rod vehicle or prescribed left hand drive vehicle, then the vehicle must be re-inspected and certified by the department and a revised certificate of exemption issued. Any disputes between the vehicle owner and the club regarding vehicle modifications will be referred directly to the department for a decision and, if necessary, re-inspection at the vehicle owner's expense.

**6.4.5** A club's authorised person must not certify a vehicle owner's log book (see 6.5.6 below) until a statutory declaration has been received each year and if required, the vehicle inspection has been performed and the vehicle's ongoing eligibility for the scheme has been confirmed. Note the inspection is required every three years.

### **6.5 AUTHORISED PERSON – LOG BOOKS**

**6.5.1** A club's authorised person when issuing a log book, must:

- ensure that the person applying for a log book is a financial member of the club and is the owner of a conditionally registered historic vehicle or prescribed left hand drive vehicle or street rod vehicle; and
- enter the serial number of the log book on the current registration details certificate for the vehicle, together with the date of issue and the club stamps. The authorised person must also sign the certificate.

**6.5.2** Before issuing the log book, the authorised person must check:



- that the club approved the initial registration as a historic motor vehicle or prescribed left hand drive vehicle or street rod vehicle;
- the certificate of registration and club records, to ensure that a current log book is not already issued (only one current log book may be issued for each vehicle owned by a financial member).

**6.5.3** The club's authorised person must record the period of club membership in the appropriate section within the log book, together with the expiry date appearing on the registration details certificate.

**6.5.4** A log book, once issued, is sufficient to record the vehicle's journeys for up to three (3) years. At the end of the third year of issue (from the initial issue of the log book), the vehicle owner must apply to the club for the issue of a new log book.

#### **Vehicle Owners' Log Book Requirements, Maintaining Club Membership & Other Conditions**

**6.5.5** Vehicle owners must ensure that the section of the log book which contains details of club membership is updated each year at the time of renewal of membership. At renewal, the club's authorised person must enter the period of membership in the log book and date, stamp and sign the entry.

**6.5.6** Once issued, the club's authorised person must not certify the vehicle owner's log book annually unless the vehicle owner has provided a statutory declaration verifying the eligibility of the vehicle to be registered under section 25 of the Act for the purposes of this scheme. Any modifications made to a historic vehicle considered variations as per sections 8.29 – 8.32 of this code of practice are required to be detailed within the log book.

**6.5.7** Vehicle owners must ensure records for each journey undertaken in a conditionally registered vehicle are listed within the log book issued by the recognised motor vehicle club. The date of the journey and a brief description of the journey must be recorded **before** each journey commences. The driver must also sign the book (next to the particulars of use) before each journey commences. Journeys are limited to no more than 90 days each 12 months in the period of registration.

**6.5.8** A journey for the purposes of log book recording may consist of one or more separate trips. However a journey that commences at 10.00pm on a particular day and finishes at 2.00am the next day constitutes two calendar days, as each day commences at midnight. Consequently, two separate days use must be recorded in the log book.

**6.5.9** Vehicle owners who change membership from one recognised motor vehicle club to another, must return the log book issued in respect of the vehicle to the issuing club for cancellation. A new MR334 must be issued by the new club's authorised person before a new log book can be issued by the gaining club.

**6.5.10** If a vehicle owner ceases to be a financial member of a recognised motor vehicle club at any time during which the vehicle is registered, the vehicle owner must not drive the vehicle or allow any other person to drive the vehicle until such time that the vehicle owner is again a financial member of a recognised motor vehicle club or has taken out standard registration.

**6.5.11** Vehicle owners must not drive, or allow anyone else to drive, the conditionally registered vehicle on a road for fee, hire or reward.

# PART ONE

## GUIDELINE PROVISIONS

### 7.1 STATIONERY

**7.1.1** Supplies of the 'Approval for Conditional Registration of a Historic, Prescribed Left Hand Drive or Street Rod Vehicle Form (MR334)' may only be obtained by recognised motor vehicle clubs from the Registrar.

**7.1.2** Applications for the supply of these forms must be made in writing, on club letterhead. (Clubs may request the forms to be posted to the club, or for the forms to be forwarded to a Service SA customer service centre for collection).

**7.1.3** Recognised motor vehicle clubs may obtain log books for historic vehicles or prescribed left hand drives or street rod vehicles by applying, on club letterhead, to the Secretary, Federation of Historic Motoring Clubs SA Inc. Note a fee is charged for printing and posting.

**7.1.4** Authorised persons of recognised motor vehicle clubs responsible for the custody and issue of log books must ensure that supplies of unissued log books are stored in a secure place at all times. Any loss of unissued log books must be immediately reported to the Registrar and the Federation of Historic Motoring Clubs.

### 7.2 USE OF CONDITIONALLY REGISTERED VEHICLES OUTSIDE SOUTH AUSTRALIA

**7.2.1** A conditionally registered historic vehicle or prescribed left hand drive vehicle or street rod vehicle may be driven in another State or Territory, provided:

- the owner ordinarily resides in South Australia;
- the vehicle is in the other State or Territory for the purpose of temporary use;
- all scheme conditions are adhered to;
- the vehicle and driver conform with the Rules and Regulations of that State.

**7.2.2** It is the driver's responsibility to check the requirements of the interstate jurisdiction in which they will be travelling prior to undertaking the journey.

### 7.3 RENEWAL OF REGISTRATION, NO TRANSFER

**7.3.1** An invitation to renew the registration of a conditionally registered vehicle will be forwarded to the registered owner ordinarily five to six weeks prior to the registration expiry date.

**7.3.2** An application to renew the registration will not require further approval from the recognised motor vehicle club. However, the applicant/owner must continue to be a financial member of a recognised motor vehicle club and, once the renewal is paid, ensure that the current period of registration is entered in the log book by the applicant/owner.

**7.3.3** The conditional registration of a historic vehicle or prescribed left hand drive vehicle or street rod vehicle may be renewed for 1, 2 or 3 years, at the option of the applicant.

**7.3.4** The registration of a conditionally registered vehicle cannot be transferred to another owner, even if the new owner is also eligible for conditional registration. Where a change of ownership occurs, the registration will be cancelled. The log book issued in respect of the vehicle must be cancelled by the club which issued it.

**7.3.5** The registered owner of a conditionally registered vehicle may apply to cancel the registration at any time. As there is no registration charge payable for conditional registration, there is no refund of registration fee on cancellation. However, a pro-rata refund of the compulsory third party insurance premium for the unexpired period of the registration will be provided. The log book issued in respect of the vehicle must be cancelled by the club which issued it.







# 2

## **PART TWO** VEHICLE ELIGIBILITY & APPROVED VARIATIONS

# PART THREE

## STAKEHOLDER RESPONSIBILITIES & CONDITIONS

### 8. ELIGIBILITY CRITERIA FOR HISTORIC VEHICLES

**8.1** Section 8 of this Code applies only to historic vehicles.

**8.2** It is the intent of the scheme that historic vehicles which meet the eligibility requirements for conditional registration maintain and preserve their historic integrity. Replicas and reproductions of historic vehicles are not eligible. Historic vehicles must conform in all aspects to the period when the vehicle was manufactured and continue to represent a vehicle from that period.

**8.3** The vehicle's bodywork, paint, interior, etc, must be in good condition, allowing for fair wear and tear, and original equipment manufacturers' replacement vehicle components are not varied in any way from period specifications, except as detailed in this section or as determined by the Federation of Historic Motoring Clubs, as an approved variation. Any initial or further variations made to the vehicle require an inspection to be conducted by the club's authorised person, and if approved, noted on the MR334 and vehicle log book.

**8.4** A vehicle meets all eligibility requirements if it continues to meet original equipment manufacturer specifications, including documented original equipment manufacturer, or the original equipment manufacturer's authorised dealer at the time of delivery as a new vehicle, or where commercially available from a non original equipment manufacturer at the time of delivery of the vehicle, did not affect the vehicle's warranty.

**8.5** Non-performance enhancing accessories or safety equipment that does not detract from the historic integrity of the vehicle may be added without recording as a variation.

### Historic Vehicle Bodywork

**8.6** The shape of a vehicle's body, doors, mudguards, bonnet, boot etc, must remain the same as supplied from the original equipment manufacturer. Any replacement part must be identical to the original component but may be manufactured of an alternative material.

**8.7** The bodywork of vehicles, which were sold in chassis form, must be of a type and style current at the time of manufacture for that period.

**8.8** Modern equivalent paint and fabrics may be used provided that paint schemes and colours, as well as interior trim fabrics, are of a type and style current at the time of manufacture for the spirit of the period.

### Historic Vehicle Suspension

**8.9** Suspension must be of the configuration and type as originally manufactured for that vehicle. Suspension location points must remain as originally manufactured. Springs may be replaced with a newer part provided that they are similar in size and rating to the original part. The lowering of the vehicles suspension is **not** permitted and stub axles are to be an original part.

**8.10** Helper springs may be fitted without recording as a variation provided they do **not** alter the manufacturers' ride height.

### Historic Vehicle Rear Axle

**8.11** The rear axle may be upgraded to an alternative, provided that it was an option or an available rear axle assembly from the vehicle manufacturer for that make and model at the time of production. Different final drive ratios are acceptable provided they were originally available and the housing remains unaltered.

## Historic Vehicle Steering

**8.12** The steering box or rack, column and steering wheel are to remain positioned as originally manufactured. However, a vehicle may be converted to right hand drive provided that;

- the conversion is a “mirror image” of the original steering configuration, and
- the components used in the conversion are from the same era and manufacturer or would replicate an original equipment manufacturer

### OR

- the conversion is performed using a “chain or angle drive” type system where the original steering components, apart from the lowered steering column and shaft remain unmodified.
- In all cases, the left to right hand drive conversion must be certified by a chartered professional engineer in accordance with Vehicle Standards Bulletin Number 4.

## Historic Vehicle Brakes and Braking System

**8.13** Disc brakes may be fitted provided they were an option or were made available by the original equipment manufacturer for vehicles of that model. If fitted, they must be the same size and type as provided by the original equipment manufacturer, with the same type calliper. The suspension and or mounting points may not be altered to accommodate the fitting of disc brakes. A vehicle that is fitted with a king-pin front end may **not** be fitted with a ball-joint front end to accommodate the fitting of disc brakes.

**8.14** Hydraulic brakes may **not** be substituted for mechanical brakes. Power boosters may be fitted to hydraulic systems provided they were an option or where commercially available from a non original equipment manufacturer for vehicles of that model.

**8.15** Dual circuit master cylinders may be fitted, provided they were an option or were made available by the original equipment manufacturer for vehicles of that model.

**8.16** Variations to a braking actuator can be made to cater for a person’s disability if supported by medical recommendations.

## Historic Vehicle Transmission

**8.17** The transmission must be as fitted by the original equipment manufacturer or an option available from the original vehicle manufacturer at the time of manufacture. Column change can only be changed to a floor change or vice versa if it was an option on that particular model of vehicle. The selector, either manual or automatic, is to be of an original type for that model of vehicle.

**8.18** Variations to a gear selector can be made to cater for a person’s disability if supported by medical recommendations.

## Historic Vehicle Engine

**8.19** The engine must be of the size, make and configuration as provided by the original equipment manufacturer or an engine that was available to that make, model and year of manufacture. Inlet and exhaust manifolds, air cleaner, camshaft and heads to be as originally supplied by the original equipment manufacturer. Variations are limited to original equipment manufacturer reconditioning tolerances. Crankshaft stroke must remain standard for the model and year of the vehicle.

**8.20** Only components specified for road use by the original equipment manufacturer for that make and model are permitted to be used.

# PART THREE

## STAKEHOLDER RESPONSIBILITIES & CONDITIONS

**8.21** Air cleaners are permitted to be fitted where the original manufacturer did not provide them as original equipment provided they remain appropriate to the period. Where a carburettor/s is unreliable, not cost effective to repair or spare parts are no longer available, a non original equipment manufacturer carburettor/s of similar specification and performance may be fitted. The original air cleaner is to be re-fitted to the replacement carburettor/s.

**8.22** The fitting of liquid petroleum gas as a single or alternative fuel is acceptable providing it was fitted within the working life of vehicle as per the installation date on the compliance tag. It remains the owner's responsibility to ensure that the liquid petroleum gas system remains compliant with current regulations.

### Historic Vehicle Wheels and Tyres

**8.23** Standard original equipment manufacturer optional or period style after-market rims of the same diameter/specification can only be fitted. Rims may be no more than 1inch (26mm) wider than the original equipment manufacturer specification.

**8.24** Vehicles fitted originally with beaded edge rims and tyres, may replace them with well-based or straight-sided components, provided the external diameter, offset, style, material and width of the rim and the overall diameter of the tyre/rim combination are not altered by more than 10%.

**8.25** Radial ply tyres may be fitted in place of those fitted by the vehicle manufacturer providing the requirements of 8.23 and 8.24 are met and that the rim is designed to accommodate the tyres fitted.

### Historic Vehicle Electrical Components and System

**8.26** The fitment of improved lighting technology such as halogen and light-emitting diode globes are acceptable, provided the appearance of the casing and lens remains original equipment manufacture.

**8.27** The vehicle's radio can be modified or an after-market audio system may be fitted, provided the original location within the dash console and speaker locations remains as per the original equipment manufacturer and remains hidden or discreet.

**8.28** The electrical system may be upgraded from 6 to 12 volts. An alternator may be fitted without recording as a variation.

### Historic Vehicle Variations

**8.29** If an original equipment manufacturer part is no longer available or deemed to have been manufactured to an inferior (unsafe) standard, then the club is to liaise with the Federation of Historic Motoring Clubs, which can provide a determination if the available replacement part is considered acceptable. The part will only be considered if the original cannot be sourced, is deemed unsuitable due to its quality of manufacture, is identical or as close as possible to the original in all aspects and does not affect the performance of the vehicle beyond the original equipment manufacturer intent. Approved variations must be noted on the MR334 and the vehicles log book.

**8.30** Vehicles manufactured prior to 1949 may be fitted with replacement components from the same make of vehicle manufactured within five (5) years from when the original vehicle was manufactured if they do not detract from the spirit of the original vehicle.



**8.31** Any alterations should be restricted to those required to ensure the original use of the vehicle on the road can be maintained, whether through the fitment of period accessories, reasonable and acceptable modifications as described in this code or because relevant parts are no longer available or cannot be made at reasonable cost. Vehicle alterations should be in a way that the vehicle is able to be converted back to the original condition with the least possible effort, damage and cost.

8.32 Accessories that were offered by the original equipment manufacturer or the original equipment manufacturer's authorised dealer at the time of delivery as a new vehicle, or were commercially available from an "after-market" supplier at the time of delivery of the vehicle, provided that they are not performance enhancing, are permitted to be fitted without recording as a variation.

The onus is on the vehicle owner to submit evidence of the commercial availability of an accessory in Australia at the time of delivery of the vehicle.

## **9. ELIGIBILITY CRITERIA FOR PRESCRIBED LEFT HAND DRIVE VEHICLES**

**9.1** Section 9 of this Code applies only to prescribed left hand drive vehicles.

**9.2** A prescribed left hand drive vehicle must continue to meet the left hand drive exemption detailed within the certificate of exemption, or other form of exemption documentation.

**9.3** Further detail regarding allowed non significant modifications for prescribed left hand drive vehicles are detailed within the department's Left Hand Drive Vehicles Fact Sheet (MR629) and online at: [http://www.transport.sa.gov.au/pdfs/personal\\_transport/](http://www.transport.sa.gov.au/pdfs/personal_transport/)

*light\_vehicles\_pdfs/MR629\_Left\_Hand\_Drive\_Criteria\_Fact\_Sheet.pdf*

**9.4** Any modification to a prescribed left hand drive vehicle is required to be certified by the department and listed on the vehicle's certificate of exemption.

## **10. ELIGIBILITY CRITERIA FOR STREET ROD VEHICLES**

**10.1** Section 10 of this code applies only to street rod vehicles.

**10.2** Street rods differ significantly from historic and prescribed left hand drive vehicles in that they can be constructed of a combination of vehicle parts and can also be made from the ground up of reproduction (new) parts to replicate a pre-1949 vehicle. Street rods rely upon modifications to produce highly individual creations of showmanship and craftsmanship. The vehicle must be right hand drive.

**10.3** Street rod vehicle means a motor vehicle that has been modified for safe use on roads and –

- has a body and frame that were built before 1949; or
- is a replica of a vehicle the body and frame of which were built before 1949; and
- in respect of which there is in force a certificate of exemption; and
- that has been built or modified in accordance with requirements or specifications accepted by the Registrar as detailed in this part of the code.

**10.4** The certificate of exemption enables a street rod vehicle to be registered in this State and this procedure has been in place since January 1982.

# PART THREE

## STAKEHOLDER RESPONSIBILITIES & CONDITIONS

**10.5** A vehicle owner must first obtain a statement of requirements for the construction or modification of a street rod vehicle from the department's Vehicle Standards Division. Once the vehicle is completed and passes inspection, a certificate of exemption for a particular street rod is provided and the vehicle is then capable of registration.

**10.6** The eligibility criteria and guidelines applying to street rod vehicles for the scheme are set out below. The guidelines are largely dependent on the calendar year that a statement of requirements was first obtained in relation to a particular street rod vehicle. The guidelines have been split into three categories.

### Category One Street Rod Vehicles

**10.6.1** A statement of requirements was first obtained in relation to the vehicle on or after September 2007 and the vehicle was built or modified within the *'National Guidelines for the Construction and Modification of Street Rods in Australia'* ('National Guidelines').

**10.6.2** A club's authorised person inspecting a category one street rod vehicle must consider the modifications listed on the vehicle's certificate of exemption and personally inspect the vehicle to ensure that it has not been modified or altered in any way beyond the features listed in the certification. They must also confirm that it complies with the definition of a street rod in keeping with the national guidelines.

### Disputes

**10.6.3** Any disputes as to a category one street rod vehicle's categorisation and its condition must be resolved by having reference to the national guidelines.

### Category Two Street Rod Vehicles

**10.6.4** A statement of requirements was first obtained in relation to the vehicle between January 1982 and 1 September 2007. The certificate of exemption (or other form of exemption documentation) was provided to the vehicle owner on or after January 1982 and the vehicle was built or modified within the *'South Australian Technical Advisory Committee Manual for Street Rods published by the Australian Street Rod Federation'*.

**10.6.5** A club's authorised person inspecting a category two street rod must consider the modifications listed on the vehicle's certificate of exemption (or other form of exemption documentation) and personally inspect the vehicle to ensure that it has not been modified or altered in any way beyond the features detailed in the exemption. They must also confirm that it complies with the definition of a street rod in keeping with the Technical Advisory Committee Manual.

### Disputes

**10.6.6** Any disputes as to a category two street rod vehicle's categorisation and its condition must be resolved by having reference to the Technical Advisory Committee Manual.

### Category Three Street Rod Vehicles

**10.6.7** A statement of requirements and certificate of exemption (or any other form of exemption documentation) has not been obtained for the vehicle and the vehicle was built or modified as a street rod and registered prior to January 1982.

**10.6.8** A category three street rod vehicle is required to be issued with a certificate of compliance from the Australian Street Rod Federation, South Australian Technical Advisory Committee confirming that the vehicle is constructed as per the period.

**10.6.9** Category three street rod owners must then attend the department's Vehicle Standards Division and have their vehicles inspected in order to establish whether the vehicles can receive a certificate of exemption. If so, the department will then provide exemption documentation as per current departmental procedures.

**10.6.10** Such an inspection is at the vehicle owner's expense and, in addition, the vehicle owner may be required to furnish proof of a previous registration history for the vehicle and photographs/documents providing proof of a timeline for the vehicle's modifications.

**10.6.11** The club's authorised person can then proceed to complete the MR334 form and fulfil the scheme inspection requirements by making reference to the recently obtained certificate of exemption. Once an inspection has taken place and an approval is granted by the club's authorised person, the category three street rod vehicle owner may then proceed to lodge the conditional registration documentation.

### **Disputes**

**10.6.12** Any disputes between a category three street rod vehicle owner and their club/club's authorised person with regard to the inspection process that cannot be resolved must be referred to the Technical Advisory Committee for consideration.







# 3

## **PART THREE** STAKEHOLDER RESPONSIBILITIES & CONDITIONS

# PART THREE

## STAKEHOLDER RESPONSIBILITIES & CONDITIONS

### 11. CORE RESPONSIBILITIES & CONDITIONS

**11.1** The Registrar, the Department of Planning, Transport and Infrastructure, the Federation of Historic Motoring Clubs SA Inc, the Australian Street Rod Federation, the recognised motor vehicle clubs and participating vehicle owners all have responsibilities under this scheme. This part of the code sets out each entity's responsibilities clearly so that each entity can perform optimally to ensure that the scheme operates effectively in South Australia. Participating vehicle owners and motor vehicle clubs recognised for this scheme (see part one) must abide by conditions outlined in this code in order to enjoy the benefits of the scheme. The core conditions for participating motor vehicle owners are also reflected in regulation 16 of the *Motor Vehicles Regulations 2010*, as amended. From 1 July 2012, the core conditions for recognised motor vehicle clubs for this scheme will also be set out by way of Gazette Notice issued by the Registrar from time to time.

#### Responsibilities of the Registrar & the Department

**11.2** The **Registrar** is responsible for the following functions in relation to the scheme –

- recognising clubs for the purposes of the scheme by placing a notice in the Government Gazette;
- imposing conditions in recognising a club for purposes of the scheme and notifying of the same by gazette notice;
- withdrawing recognition of a club if the club has contravened or failed to comply with a condition applying to its recognition or if there is other good cause to do so;
- requesting that participating vehicle owners make their vehicles available for inspection by the Registrar or the club;
- authorising persons nominated by clubs to approve historic vehicles, prescribed left hand drive vehicles and street rod vehicles for conditional registration and to issue approved log books if required;
- approving the form of log books for historic vehicles, prescribed left hand drive vehicles and street rod vehicles for conditional registration.

**11.3** The **Department** is responsible for the following functions in relation to the scheme:

- reviewing the code of practice in five (5) years time in consultation with the Federation of Historic Motoring Clubs;
- issuing books of 'Approval for Conditional Registration of a Historic or Prescribed Left Hand Drive or Street Rod Vehicle Form MR334' and associated administrative documents to clubs;
- conducting vehicle inspections as appropriate or required by law;
- issuing exemptions from the *Road Traffic Act 1961* (including its regulations) to permit the use of prescribed left hand drive vehicles and street rod vehicles where appropriate;
- acting on advice from the Federation of Historic Motoring Clubs, the Australian Street Rod Federation or clubs that a particular historic vehicle, prescribed left hand drive vehicle or street rod vehicle does not meet the criteria for the scheme;
- acting on information provided by clubs regarding individuals who are no longer a financial member, or that a vehicle does not meet the criteria for the scheme;

- providing advice and input to the Federation of Historic Motoring Clubs to assist them in determining requests for variations for historic vehicles;
- auditing the records for the scheme held by clubs and authorised persons;
- in cases of disputes, determining the categorisation for a particular vehicle as a street rod and/or replica street rod in keeping with the requisite criteria;
- determining whether a street rod vehicle's modifications are consistent with the details set out in the vehicle's exemption documentation (in cases of disputes between a motor vehicle club and a vehicle owner). In the absence of a resolution, require the vehicle to undergo an inspection by the department's Vehicle Standards division.
- investigating and determining disputes between historic vehicle owners, prescribed left hand drive vehicle owners and motor vehicle clubs.

#### **Responsibilities of the Federation of Historic Motoring Clubs SA Inc**

**11.4 The Federation of Historic Motoring Clubs** SA Inc is responsible for the following functions in relation to the scheme:

- assisting the department in the administration of the scheme and any other duties as directed;
- liaising with the department and clubs with a view to continually monitoring the performance of the conditional registration scheme and, where necessary, make recommendations to the Registrar for assisting with the successful operation of the scheme;
- conducting investigations into non-compliant vehicles which have been reported to the department;
- providing clubs with copies of this code of practice;
- supporting clubs in determining eligibility of historic vehicles, and prescribed left hand drive vehicles for conditional registration;
- distributing log books and associated administrative documents approved by the Registrar to clubs, and maintaining a record of their issue;
- maintaining a record of all log book return sheets that are submitted annually by the clubs;
- advising the Registrar of vehicles that are registered through this scheme that do not meet the eligibility criteria and clubs not complying with this code.

#### **Responsibilities of the Australian Street Rod Federation Inc**

**11.5 The Australian Street Rod Federation Inc** is responsible for the following functions in relation to the scheme:

- having a competent South Australian Technical Advisory Committee to assist in the assessment of category three street rods;
- supporting street rod clubs in determining eligibility of street rods for conditional registration;
- advising the Registrar of vehicles that are registered through this scheme that do not meet the eligibility criteria and clubs not complying with this code.

# PART THREE

## STAKEHOLDER RESPONSIBILITIES & CONDITIONS

### Responsibilities & Conditions for all Recognised Motor Vehicle Clubs

**11.6** The recognised **motor vehicle clubs** must abide by the following conditions and exercise the following responsibilities in order to receive and maintain their recognition status for the purposes of the scheme;

- maintain a constitution approved by the Registrar;
  - ensure a club member who owns a conditionally registered historic vehicle, prescribed left hand drive vehicle or street rod vehicle is a financial member of the club;
  - ensure, wherever possible, that club members with conditionally registered vehicles abide by the conditions detailed in this code;
  - notify the Federation of Historic Motoring Clubs, department or Registrar, of vehicles that do not comply with this code;
  - ensure that authorised persons abide by the code of practice;
  - maintain records of all MR334 registration forms issued by the club and all financial members and their conditionally registered historic vehicles, prescribed left hand drive vehicles or street rod vehicles;
  - notify the Registrar, on official club letterhead, if an authorised person ceases to be a member of a club, is no longer a financial member or resigns as the authorised person;
  - notify the Registrar and the Federation of Historic Motoring Clubs, on official club letterhead, if a club ceases to exist. All unused log books and other associated administrative documents must be returned to the Federation of Historic Motoring Clubs.
- Certificates of Authorisation, books of MR334 registration forms and the details of vehicles conditionally registered through the club are to be returned to the Registrar;
- within two months of the end of the club's financial year, provide an annual report to the Registrar detailing members with conditional registration who are no longer financial members of the club;
  - nominate persons to be authorised by the Registrar, on official club letterhead to approve historic vehicles, prescribed left hand drive vehicles and/or street rods for conditional registration and to issue log books;
  - ensure that authorised persons conduct an annual validation of log books issued to club members;
  - inspect members' vehicles when requested to do so by the Registrar;
  - inspect members' conditionally registered vehicles periodically, at a minimum of once every three (3) years, and compile records of the same;
  - obtain a statutory declaration annually from each member declaring vehicle eligibility to the scheme and detailing any modifications made to their vehicle since the last declaration (and/or vehicle inspection), arrange for vehicle re-inspections as per 6.4.4 when modifications are declared;
  - not validate a member's log book where an annual statutory declaration has not been received or the required three yearly re-inspection has not taken place;
  - keep records of all statutory declarations and inspections for each conditionally registered vehicle. Failure to do so may result in the Registrar withdrawing



recognition of the club for the purposes of the scheme;

- record approved variations to a historic vehicle's condition in the vehicle owner's log book and club records;
- ensure that when a club member resigns his/her log book is cancelled, and if the club member has transferred to another club, a change of membership is entered in the log book. The log book can then be returned to the owner to retain as part of the history of the vehicle (but not for use by the new club);
- ensure that if a club member reports their log book as being lost or destroyed, that a statutory declaration is completed by the club member detailing the log book's loss or destruction;
- ensure that a vehicle owner is not issued with a log book if they are already in possession of a log book issued by another club for the same vehicle, unless that logbook has been cancelled by another club through which the vehicle has been registered previously;
- forward copies of log book annual return sheets to the Federation of Historic Motoring Clubs;
- ensure that club members have access to copies of the code of practice;
- assist with the successful operation of the scheme.

### Responsibilities of Scheme Vehicle Owners

**11.7** The **owners** of a conditionally registered vehicle must abide by the following conditions:-

- maintain a financial membership of an approved club;

- not drive their conditionally registered vehicle on a road or road related area more than 90 days each period of 12 months registration;
- not drive their conditionally registered vehicle on a road or road related area unless the clubs authorised person has completed the necessary details in the prescribed log book;
- carry the conditionally registered vehicle's log book in the vehicle while driving on a road or road related area;
- not drive, or allow anyone else to drive, the conditionally registered vehicle on the road for fee, hire or reward;
- not drive the conditionally registered vehicle on a road or road related area if it does not comply with this code of practice;
- maintain the vehicle to the same standard, specification and configuration as it was presented for initial inspection to the club's authorised person (fair wear and tear is accepted);
- not have more than one current log book for any vehicle;
- not drive the conditionally registered vehicle on a road or road related area unless an entry is made in the log book (the log book entry must be completed **before** the commencement of a journey). Vehicles with an extension condition outlined within 6.3.7 will allow the driver to make short journeys without recording the trip in the vehicle's log book;
- while driving on the road or road related area, carry the appropriate vehicle exemption documentation that permits the registration and use of a prescribed left hand drive vehicle or street rod vehicle on roadways;

# PART THREE

## STAKEHOLDER RESPONSIBILITIES & CONDITIONS

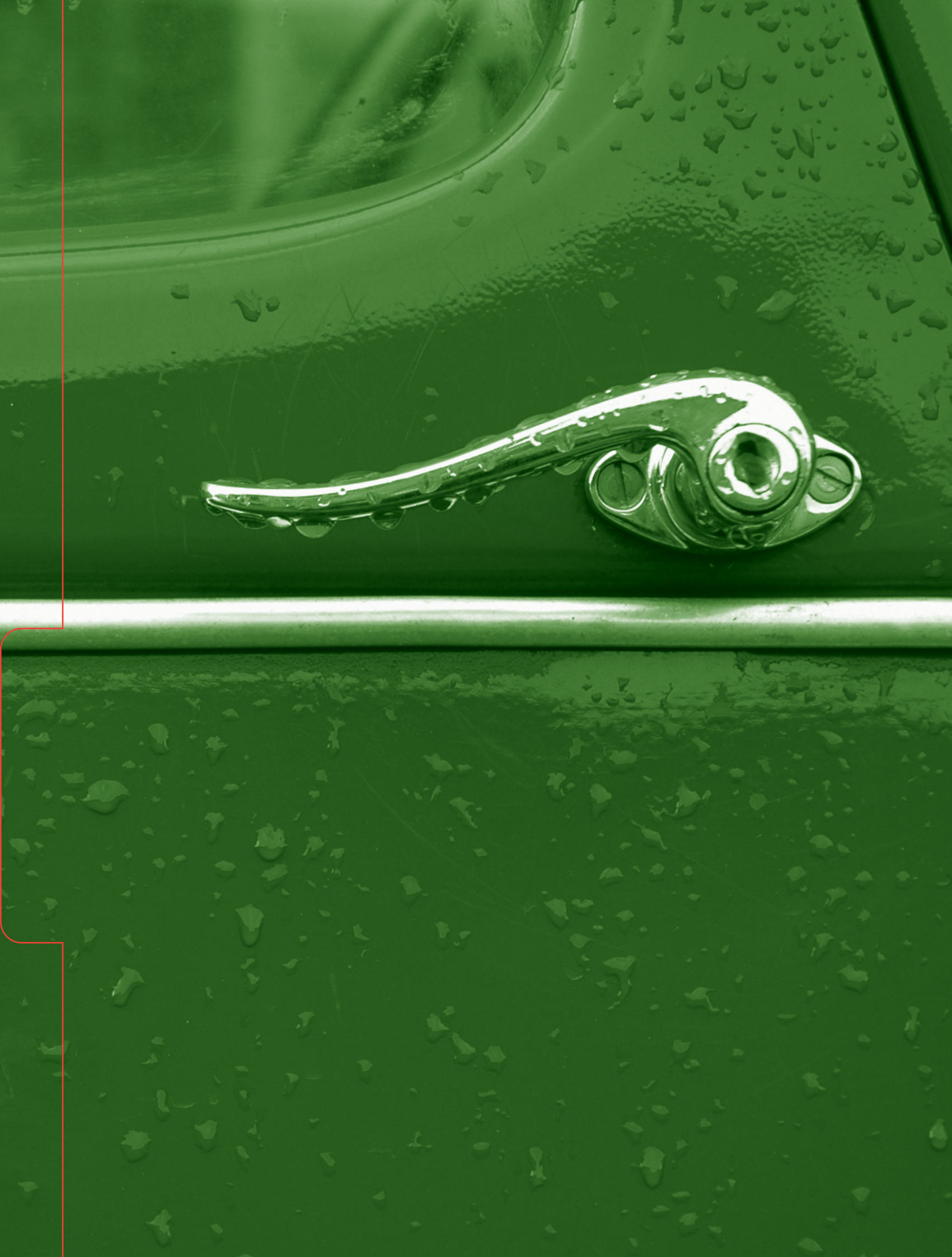
- present their vehicle/s for an inspection upon the request of the club at a minimum of once every three (3) years and upon the request of the Registrar. Have the club's authorised person validate their log book/s and current registration papers annually;
- provide their club with a statutory declaration annually declaring vehicle eligibility to the scheme and, detailing any modifications that have been made to their vehicle since the last declaration and/or inspection of their vehicle;

*Note - log books will not be certified by the club's authorised person until a Statutory Declaration is received and the required inspection has been performed.*

- Present the vehicle to the club's authorised person for an inspection if any modifications have been made to the vehicle to determine if the vehicle is still eligible for the scheme.
- Cancel the conditional registration of the vehicle when a change of ownership of a conditionally registered vehicle occurs or when the owner of the vehicle is no longer a financial member of a club. The log book issued for the vehicles must be returned to the issuing club for cancellation.







# 4

## PART FOUR MISCELLANEOUS



# PART FOUR

## MISCELLANEOUS

### 12. VEHICLE IDENTITY INSPECTIONS BY THE DEPARTMENT

**12.1** Unrelated to the inspection processes detailed in this code, if it cannot be established that a particular vehicle has been previously registered in South Australia, the vehicle must undergo an identity inspection. This will be undertaken by the department if the vehicle is garaged in the metropolitan area or by a member of the police force if the vehicle is garaged in a country region. A vehicle identity inspection report (form MR 29) will be issued.

**12.1.2** All vehicles imported from overseas will require a departmental inspection prior to the vehicle being registered.

**12.1.3** Contact the department's Vehicle Standards Division (1300 882 248) to ascertain the requirements for the vehicle prior to booking an inspection, as an application may need to be submitted and approval given prior to the inspection. This should be done as soon as possible to avoid unnecessary delays.

Note: A fee is payable for the inspections.

### Contact Details

**12.2** Contact details for the entities referred to in this Code:-

#### **The Australian Street Rod Federation**

South Australian Technical Advisory Committee  
PO Box 180  
Happy Valley SA 5159  
[rariggs@optusnet.com.au](mailto:rariggs@optusnet.com.au)  
[www.asrf.org.au](http://www.asrf.org.au)

#### **The Department of Planning, Transport and Infrastructure**

Plate Administration  
GPO Box 1533  
Adelaide SA 5001  
[www.dpti.sa.gov.au](http://www.dpti.sa.gov.au)

#### **Federation of Historic Motoring Clubs SA Inc**

Secretary PO Box 703  
Plympton SA 5038  
[secretary@fhmcsa.org.au](mailto:secretary@fhmcsa.org.au)  
[www.fhmcsa.org.au](http://www.fhmcsa.org.au)

#### **The Registrar**

Registrar of Motor Vehicles  
Conditional Registration Scheme  
Department of Planning,  
Transport and Infrastructure  
GPO Box 1533  
Adelaide SA 5001  
[dpti.registrationpolicy@sa.gov.au](mailto:dpti.registrationpolicy@sa.gov.au)  
[www.dpti.sa.gov.au](http://www.dpti.sa.gov.au)





**Government  
of South Australia**

Department of Planning,  
Transport and Infrastructure